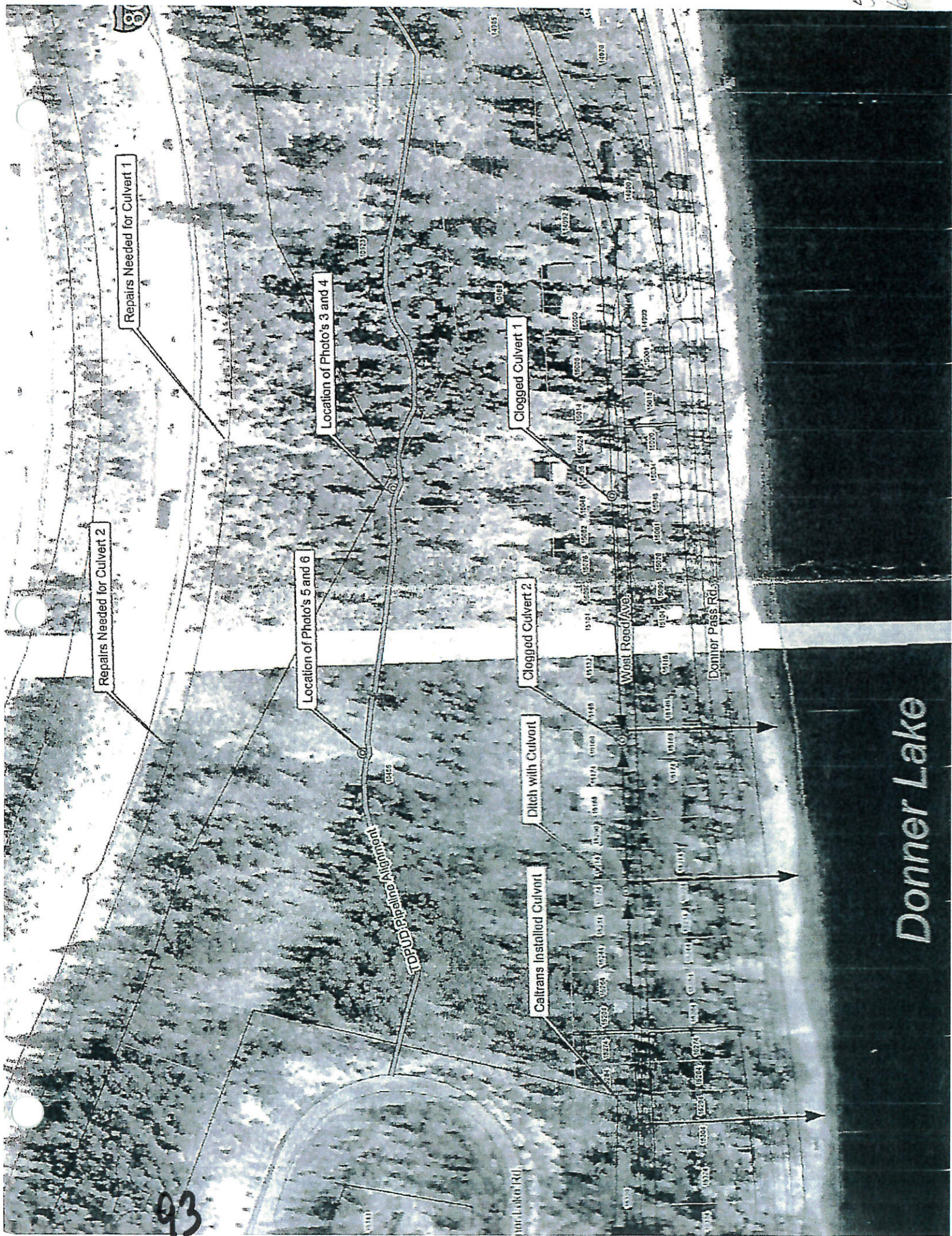


SECTION 7

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Repairs Needed for Culvert 1

Repairs Needed for Culvert 2

Location of Photo's 3 and 4

Location of Photo's 5 and 6

Clogged Culvert 1

Clogged Culvert 2

Ditch with Culvert

Caltrans Installed Culvert

West Road Ave

Donner Pass Rd

TIPUD Pipeline Alignment

Donner Lake

93

2
6



Donner Lake

Project Site
Application No. 01-039/CUP/TM
APN 17-150-36
10455 Donner Lake Road

80

Gregory Creek

DONNER LAKE ROAD

CEDAR POINT DRIVE

REED AVENUE

DONNER PASS ROAD

WOLFE DRIVE

TAMARACK ROAD EAST

SOUTH SHORE

TAMARACK ROAD WEST

MAPLE

WILLOW STREET

EDEN STREET

SCOTT STREET

OLD HIGHWAY DRIVE

FINCH COURT

PRIME COURT

SUMMIT COURT

WILLOW DRIVE

EDEN DRIVE

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The comments of local agencies / districts providing written comments on this project proposal have been attached to this staff report (Attachment 5). The requirements of agencies and districts with permitting/approval authority on the project are incorporated into the project as conditions of approval by reference.

STAFF SUMMARY AND RECOMMENDATION

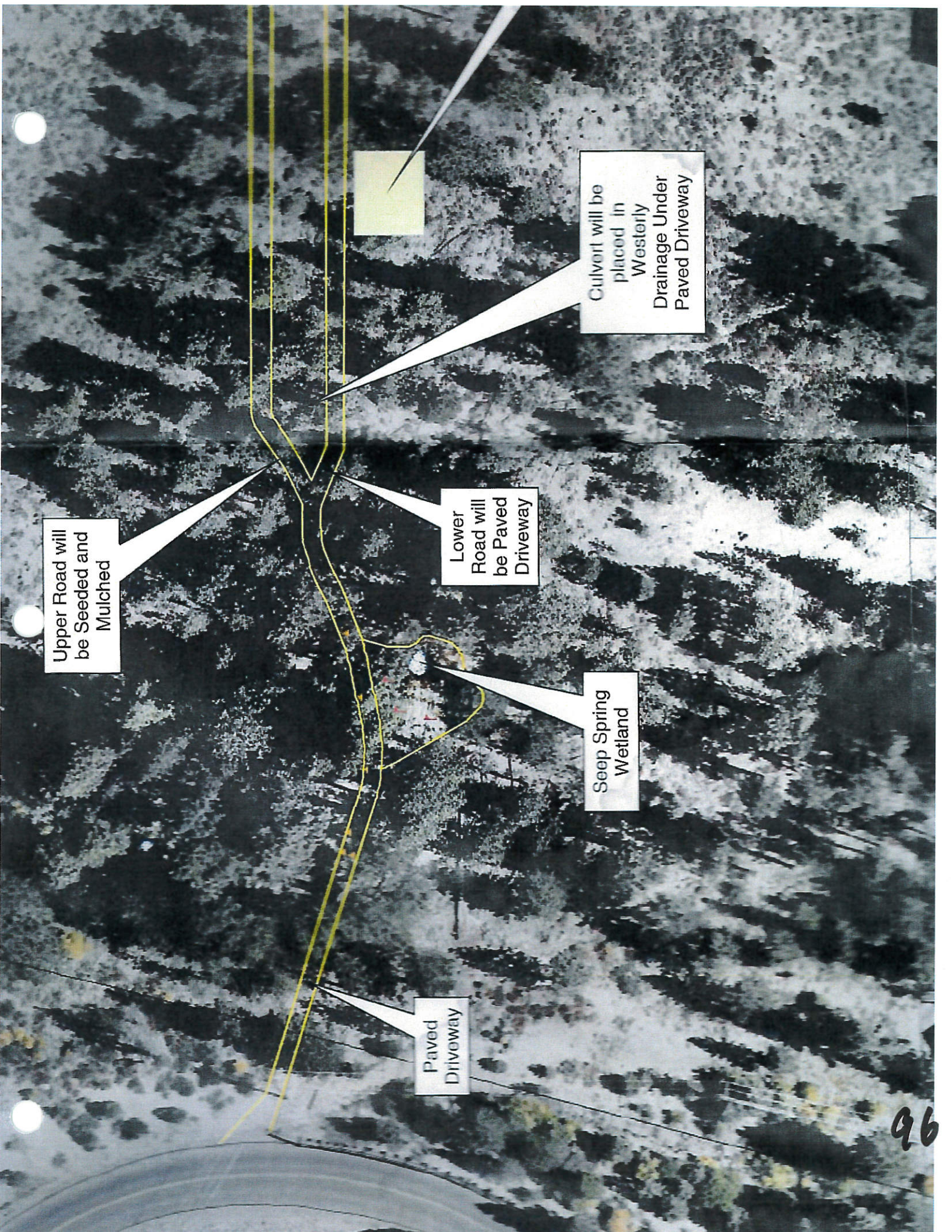
As supported by the discussion in this staff report and the Initial Study, it is staff's opinion that the findings to approve the conditional use permit can be approved with the incorporation of the recommended conditions of approval and mitigation measures. Therefore, staff recommends that the Planning Commission approve the subject land use permits, based on the findings contained in Exhibits B and D of draft Resolution No. 2002-09 and the subject to the conditions of approval contained in Exhibits A and C.

ALTERNATIVE ACTIONS

Other actions that the Planning Commission may take as an alternative to the recommended action include:

1. Continue the public hearing to a date and time certain. The Planning Commission may request additional information from the applicant and/or staff (if new information is presented at the next meeting, the public portion of the hearing must be reopened on the new information submitted).
2. Environmental Review
 - a. Add or modify mitigation measures. (If a mitigation measure is weakened in its effect, the Mitigated Negative Declaration may need to be recirculated in accordance with CEQA)
 - b. Eliminate mitigation measures. (If this action is taken, the Mitigated Negative Declaration will need to be recirculated in accordance with CEQA)
 - c. Require the preparation of an Environmental Impact Report (EIR).
3. Land Use Permits
 - a. Add, modify, or eliminate any provision or conditions of approval of the conditional use permit.
 - b. Deny the use permit if one or more of the required findings cannot be made.

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Upper Road will be Seeded and Mulched

Lower Road will be Paved Driveway

Culvert will be placed in Westerly Drainage Under Paved Driveway

Seep Spring Wetland

Paved Driveway



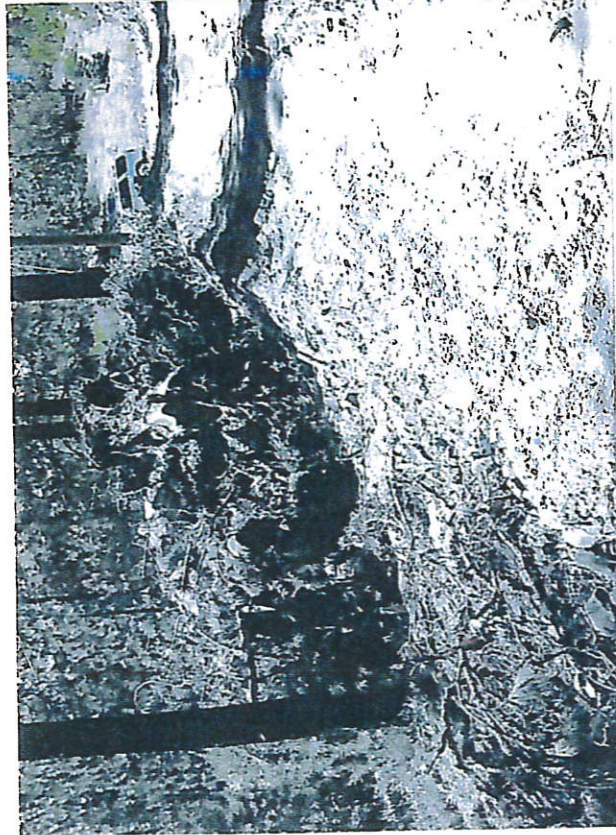
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MONTANO - TDPUD GRADED ROAD ABOVE GREEN POINT SUBDIVISION EROSION

LOOKING EAST AT y



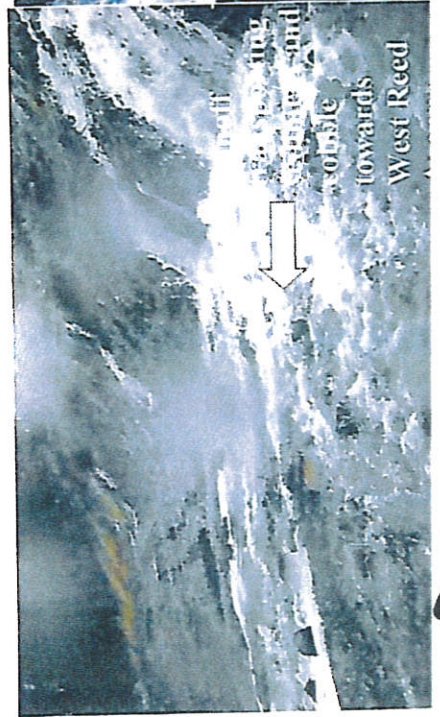
GRADED ROAD WITHOU NO EROSION CONTROL

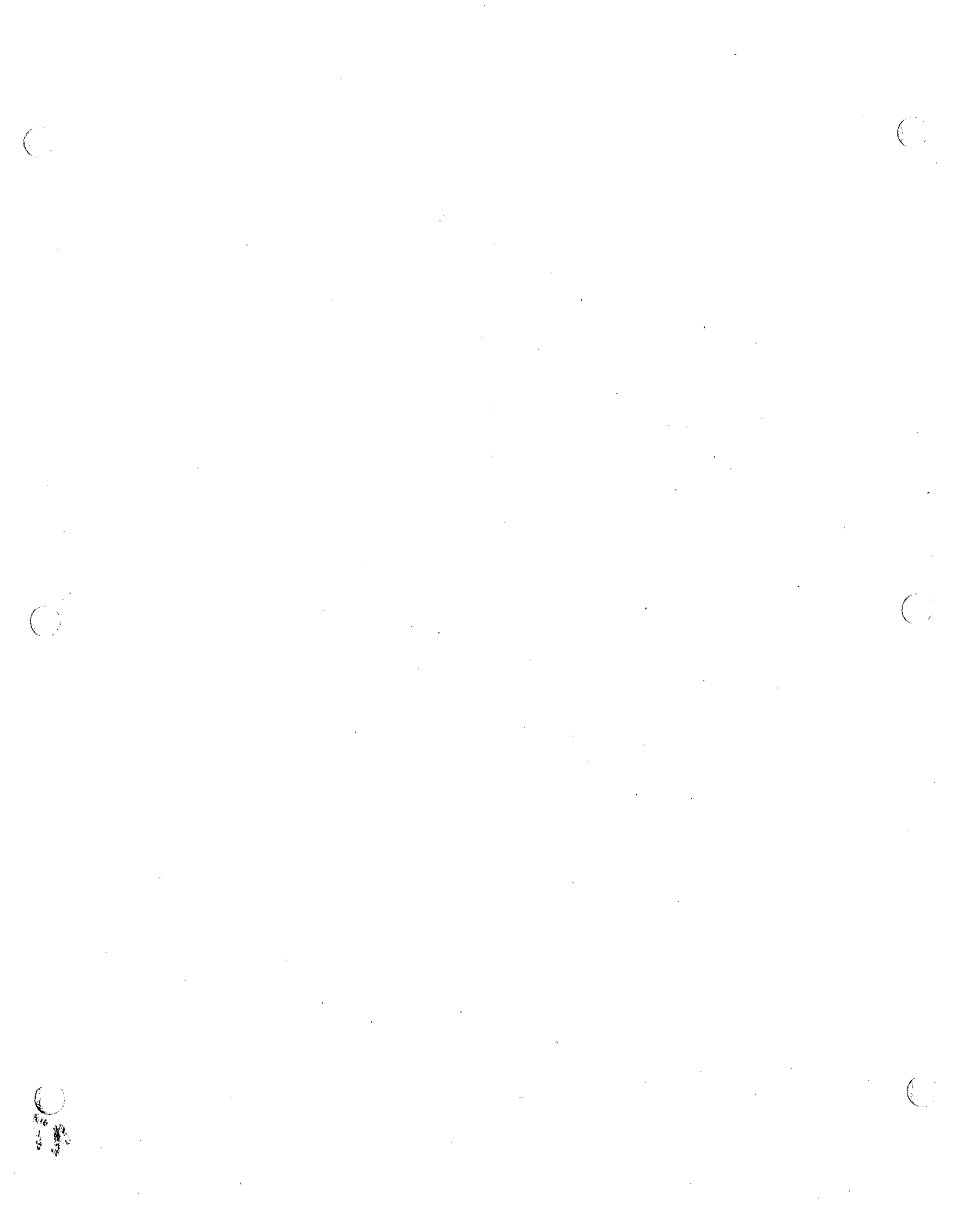


ROAD DRAINAGE AND EROSION DOWN HILL



LOOKING EAST MID MOUNTAIN





ATTACHMENT 5
MITIGATED NEGATIVE DECLARATION





TOWN OF TRUCKEE

INITIAL STUDY / PROPOSED MITIGATED NEGATIVE DECLARATION

BACKGROUND

Application: Application No. 01-039/CUP/TM (Conditional Use Permit/Tentative Map)

Project Name: Montano Subdivision

Project Proponent: Robert Montano
(Applicants) P.O. Box 865
Soda Springs, CA 95728
(530) 426-1337

Agent: K.B. Foster Civil Engineering, Inc.
c/o: Suzanne Wilkins
P.O. Box 129
Carmelian Bay, CA 96140
(530) 546-3381

Lead Agency: Town of Truckee Planning Commission
c/o Truckee Community Development Department
10183 Truckee Airport Road
Truckee, CA 96161
(530) 582-7820

(Documents and other material upon which the decision for the adoption of the Negative Declaration is based may be found at the above location.)

Contact Person: Stacy Wydra, Assistant Planner

Other agencies whose approval may be required (e.g. permits, financing approval, or participation agreement):

- Nevada County Department of Environmental Health
- California Regional Water Quality Control Board – Lahontan Region
- Truckee Fire Protection District
- Truckee Donner Public Utility District
- Truckee Sanitary District
- Tahoe Truckee Sanitation Agency

4. **The tentative map approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources, including fish, wildlife, and their habitat, that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted.**

An Initial Study/ Mitigated Negative Declaration has been prepared for the project and incorporates mitigation measures reducing any potential significant environmental impacts to a less than significant level.

5. **The subdivision will not be detrimental to the public health, safety, or welfare of the Town, or injurious to the property or improvements in the vicinity in which the property is located.**

This finding is supported within the Initial Study/Mitigated Negative Declaration and Staff Report prepared for this project. The mitigation measures together with the conditions of approval required for this project will ensure the public health, safety or welfare of the Town will not be injurious or cause a detriment to the property or improvements within the vicinity in which the property is located.

6. **The proposed subdivision, together with the provisions for its design and improvement, will not conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision unless alternate easements for access or use will be provided and the alternate easements will be substantially equivalent to ones previously acquired by the public.**

This finding is supported within the discussions contained within the Initial Study/Mitigated Negative Declaration and the staff report dated May 8, 2002 prepared for this project.

SCOPE OF ENVIRONMENTAL REVIEW

California Environmental Quality Act (CEQA) mandates projects that are consistent with the development density established by existing zoning or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site (Section 15183 CEQA Guidelines). The examination of environmental effects is limited to the following:

- Environmental effects that are peculiar to the project or the parcel on which the project is located
- Environmental effects that were not analyzed as significant effects in a prior EIR on the zoning action or general plan with which the project is consistent
- Environmental effects that are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan or zoning action
- Environmental effects were previously identified as significant and, as a result of new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR

If an environmental effect does not meet any of these criteria, CEQA states that an additional EIR need not be prepared for the project solely on the basis of that environmental effect.

This Initial Study concludes that this project qualifies for streamlined environmental review under Section 15183 of the CEQA Guidelines because the overall density of the project site is consistent with the densities established by the General Plan and 1995 Zoning Ordinance and an EIR was certified for the Truckee General Plan. Discussion is provided in the Initial Study that identifies: (1) cumulative impacts that were discussed in the prior General Plan EIR and are not addressed in this Initial Study, (2) impacts that are not considered peculiar to the project and are not addressed in this Initial Study, and (3) impacts that may not be considered peculiar to the project but nevertheless are addressed in this Initial Study.

There are no significant environmental effects that are not peculiar to the project and were not analyzed as significant effects, including off-site impacts and cumulative impacts, in the General Plan EIR or for which new information is known that identifies a more severe impact.

PROJECT DESCRIPTION AND LOCATION

The applicant is requesting land use and zoning approvals subdivide 10.62-acre parcel into four single-family residences in size from 0.58-acres to 7.95-acres located on the east side of Donner Lake Road. The requested land use and zoning approvals include:

Use Permit

- The applicant is requesting approval of a use permit in accordance with Section 18.36.020C *Applicability* of Chapter 18.36 *Hillside Development Standards* of the Development Code, which requires hillside developments with any development including roads, streets, and driveways, proposed on slopes of 20 percent or greater shall be subject to the approval of a

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Use Permit in compliance with Chapter 18.76 of the Development Code.

Tentative Map – Minor Land Subdivision

- The project proposes to subdivide the 10.62-acre parcel into four parcels consisting of 0.58-acres, 0.62-acres, 1.49-acres and a 7.95-acre parcel. The newly created parcels will each contain a building envelope for future construction of single-family residences, ranging in size from 5,340 square feet to 7,065 square feet.

The project site is located along the east side of Donner Lake Road, approximately 240 feet south of Interstate 80 (10455 Donner Lake Road, APN 17-150-36).

ENVIRONMENTAL SETTING

The project site is 10.62 acres. The property, located at 10455 Donner Lake Road, is situated between Highway 80 and Donner Lake, north of Donner Pass Road and east of Donner Lake Road, and ranges in elevation from 1,832 to 1,908 meters. The property is currently undeveloped open space, and consists of a steep, south-facing slope that is predominately forested but also contains intermittent openings dominated by sagescrub and grass species. Several drainages occur on the property that drain towards Donner Lake. Specifically, there is a seep located approximately 138-feet east of Donner Lake Road and a spring is located approximately 220-feet east of Donner Lake Road.

Access to the site is from Donner Lake Road, a public, Town maintained 60-foot wide road. One encroachment is proposed off of Donner Lake Road and approximately 120-feet into the project site the driveway splits into two driveways, one driveway is proposing to serve three proposed parcels and the second driveway is proposed to serve a single parcel.

EVALUATION OF ENVIRONMENTAL IMPACTS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				✓
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?		✓		
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d. Create a new source of substantial light or glare which would adversely affect day or night time views in the area?		✓		

Impact Discussion

The site is not designated within a scenic vista or will have a substantial adverse effect on a scenic vista. The project may result in significant aesthetic impacts if it has a substantial, demonstrable negative appearance; creates substantial light glare, which affects the surrounding land uses. The 10.62-acre parcel is heavily vegetated and is located on a substantial hillside directly north of Donner Lake. However, with

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the disturbance and removal of trees required for the construction of the single-family residences and associated lighting, the project may be visible from residences south of the project and from Donner Lake.

The applicants have created specific site design guidelines for the construction of the single-family residences and associated disturbance to the site. The site design guidelines are intended to be used by the future property owners, design professionals and contractors involved with the development of any of the four lots within the Montano Subdivision. All homes are to be custom designed and constructed to suit the individual property owner and meet the design and building requirements of the Town of Truckee. Due to the fact the subdivision will be visible from Donner Lake and the south side of Donner Lake, the need for design guidelines for future builders is warranted. Furthermore, this area can be considered a scenic resource to the Donner Lake area and residences. The terrain within the Montano Subdivision is steep with some slopes of 30 percent and greater. The hillside design guidelines within the Town of Truckee's Development Code are very definitive and are intended to reduce disturbance and minimize scenic impacts. The applicant has provided additional design guidelines specific to this particular location. Staff believes that with the incorporation of the Development Code requirements for Hillside Development, the development standards of the RS (Single Family Residential) zoning district, i.e. height limitation, and the Site Design Guidelines prepared by the applicant will ensure the construction of the single-family residences will not create a negative significant effect.

Due to the proposed layout of the subdivision, placement of the residences and location, the proposed development will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, etc.. The development areas will be defined by building envelopes, restricting the area for development. Furthermore, the existing trees outside of the building envelopes will be required to be retained. The four building envelopes established for the four newly created parcels vary in size and are based upon the parcel size. Parcel 1 consisting of 1.49-acres proposes a building envelope of 4,670 square feet, Parcel 2, 0.58-acres is proposing a 5,340 square foot building envelope, Parcel 3, 0.62-acres proposes a building envelope of 6,460 square feet and a 7,065 square foot building envelope is proposed for the 7.95-acre, Parcel 4. In addition to the building sites, the only other disturbance proposed is for the driveways and infrastructure. The applicants are proposing to stabilize the cut slopes along the proposed roadways with an erosion control method of revegetation. The erosion control method of revegetation is further discussed within Section 3 *Biological Resources* of this Initial Study.

The lighting associated with the project may be visible to residences south of the project site. A lighting design sensitive to surrounding properties is necessary to prevent light and glare impacts to adjacent property owners. The project will be required to comply with Section 18.30.060 of the Development Code. Compliance with the Development Code standards for lighting will ensure any lighting impacts associated with the project will be reduced to less than significant.

Mitigation Measure(s) – No mitigation is required.

2. AIR QUALITY. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the Truckee Particulate Matter Air Quality Management Plan or other applicable air quality plan?			✓	
b. Violate any air quality standard or contribute				

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substantially to an existing or projected air quality violation?			✓	
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?		✓		

Environmental Setting

The project site is located within the Truckee air basin. Based on information in the Truckee Particular Matter Air Quality Management Plan, the Truckee air basin routinely exceeds State PM₁₀ 24-hour standards and is close to exceeding the State PM₁₀ annual standard (and has exceeded this standard in past years). Although the Truckee air basin complies with Federal ambient air quality standards and is designated an attainment area, monitoring stations have recorded several 24-hour exceedances of the Federal standard within the past five years, and PM₁₀ air quality is nearing violation of the Federal 24-hour concentration standard. The three primary sources of PM₁₀ are woodstove smoke, re-entrained road dust, and construction and demolition activities.

The use of woodstoves in the residences will generate significant amounts of fine particulate matter. Woodstoves are the second major source of PM₁₀ during poor air quality periods and the number one annual source of PM_{2.5}. Because of severity of the existing particular matter air quality problem, additional PM₁₀ emissions will contribute to the existing violations of the State 24-hour standards and add to emission concentrations that may lead to violations of the Federal 24-hour standards. Further, the Truckee Particulate Matter Air Quality Management Plan prohibits a net increase in PM₁₀ emissions from residential projects. Future installation of woodstoves in the residential units may have a significant impact on particular matter air quality. No additional significant sources of PM₁₀ emissions have been identified for the project.

Mitigation Measure 2a will require the developer to either prohibit the use of woodstoves within the subdivision by placing a deed restriction on the title, or the developer may pay \$704 (\$176 x 4 units) to the Air Quality Mitigation fund that will facilitate the removal of 4EPA-certified woodstoves within the subdivision to ensure no net increase in particulate matter from woodstoves.

NSAQMD monitoring data shows no violations or exceedances of State and Federal ozone or carbon monoxide standards.

As discussed in Section 5 (*Geology and Soils*), grading for the project will disturb soil on the site, generating airborne dust that may affect air quality in the area. Grading may generate substantial amounts of vegetation that will need to be removed from the site. The burning of vegetation on the site will generate significant amounts of particulate matter that will adversely affect air quality impacts and may expose surrounding residents to smoke pollutants due to the amount of soil that will be disturbed, the amount of vegetation that may need to be removed from the site, the proximity of residences and other sensitive uses in the area, and the existing PM₁₀ air quality problem in the Truckee area. However,

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Section 18.30.030, *Air Emissions*, of the Development Code requires the project to comply with standards to ensure that the project will limit the amount of short-term dust emission impacts generated from the development, such as open burning, fugitive dust, speed restriction, and dust control measures. It is staff's opinion that compliance with these standards will reduce air emission impacts related to the project to a less than significant level.

The project must also comply with the drainage stormwater runoff, and grading regulations of the Development Code, which will require retention and treatment of stormwater runoff on-site prior to release in drainage facilities and temporary and permanent erosion control measures including measures identified in the Regional Water Quality Control Board's (RWQCB) Truckee River Hydrologic Unit Project Guidelines for Erosion Control and the "State of California Stormwater Best Management Practices Handbooks". These measures also address wind erosion, which will ensure that the project does not result in significant dust emissions during and after completion of construction. With incorporation of the Development Code and Mitigation Measure 2a into the project, the project will be consistent with the Air Quality Management Plan.

The project will not generate odors that are not typical for single-family residential subdivisions. Additionally, the Development Code requires through Section 18.30.030, *Air Emissions*, that all odors, which create a nuisance shall be abated. Based on these facts, the project will not create objectionable odors affecting a substantial number of people.

Mitigation Measure(s) – The following mitigation measure(s) shall be incorporated into the project:

- 2a. Prior to recordation of the final map, the developer shall either prohibit the use of woodstoves within the subdivision by placing a deed restriction on the title, or pay \$704 to the Air Quality Mitigation fund to allow for EPA-certified woodstoves within the subdivision in order to ensure no net increase in particular matter from entering the Truckee air basin.

3. BIOLOGICAL RESOURCES. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, or regulations, or by the California Department of Fish and Game or U.S. 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				

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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?				✓

Impact Discussion

A Biological Constraints Evaluation was conducted by LSA Associates, Inc. on October 13 and 19, 2000. A LSA biologist assessed the property for potential jurisdictional waters and wetland constraints. The focus of both surveys was to identify potential constraints including sensitive plant communities, special status wildlife or plant species, wildlife movement corridors, and jurisdictional waters. Only the area considered for development was surveyed.

The biological constraints evaluation stated that the Marsh skullcap, Plumas ivesia, and Tahoe yellow cress occur in marsh and vernal mesic habitats. The biologist does not expect these special species to occur on the project site due to that there is no suitable habitat on the project site for these species. The biologist determined that the Truckee barberry and Starved daisy were not expected to occur on the project site and are not present. It was determined by the biologist that the site contained shallow, rocky soils that may be a suitable habitat for the Donner Pass Buckwheat, but that there were no species observed on the project site during the site visits. Other species of the *Eriogonum* were present and flowering during the site visits, therefore, the biologist would expect that Donner Pass buckwheat would also be identifiable, if it were present.

In conclusion, the biologist determined that except for the Northern goshawk and Donner Pass buckwheat, the project site does not contain suitable habitat for any special status plant or wildlife species. While the project site contains marginally suitable habitat for Northern goshawk, the proximity to existing development and Interstate 80 makes it unlikely that this species occurs on the project site. Likewise, even though marginal suitable habitat for Donner Pass buckwheat occurs on the project site, no individuals are present or expected to occur on the project site.

Conservation and Open Space (COS) Policy 3.1 states that sensitive wildlife habitat should be preserved. COS Policy 1.4 goes further stating that sensitive wildlife habitat should be protected from destruction and intrusion by incompatible land uses, impacts must be identified through the development review process, and must be mitigated through such measures as project redesign to eliminate impacts, non-disturbance easements, and/or off-site habitat restoration. There are no General Plan policies or ordinances that regulate the protection of individual trees or small clusters of trees or other biological resources. There are no habitat conservation plans, natural community conservation plans, or other local, regional, or State habitat conservation plans for the Truckee area.

Two seeps occur on the project site. The westernmost seep (Seep 1) located within proposed Parcel 1 discharges on a slope and creates a small, narrow channel for approximately 50 feet. The other seep (Seep 2) is bisected by the proposed western side property line shared between Parcel 3 and Parcel 4.

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Seep 2 is located on a flat area and discharges into a pit that appears to be man-made. It is the biologist's opinion that the seeps appear to support the hydric characteristics necessary to meet the Corps of Engineers (Corps) criteria for wetlands. In addition to the seeps, one drainage (Drainage 1) occurs west of the project site property boundaries, within the Town of Truckee right-of-way. A small portion of the drainage occurs on the property toward the east from Donner Lake Road. The drainage flows from the north to south, and ultimately discharges into Donner Lake (via culverts, etc.). The drainage is located at the extreme western edge of the project site and appears to be perennial. The drainage crosses through the project site via a roadside ditch along Donner Lake Road. An existing concrete "swale" has been constructed at the western entrance of the project site to facilitate access to a power pole. The upper section of this drainage enters the property through a culvert beneath Interstate 80, and headwaters of a prominent drainage feature are located above Interstate 80 in the vicinity of the western edge of the project site (i.e., at the location where it would cross Interstate 80).

According to the biologists report, the seeps on the project site appear to meet Corps criteria for wetlands. However, it appears that the seeps lack a connection to interstate commerce and, therefore, may not be considered a water of the U.S., and subsequently would not be subject to Corps jurisdiction. Drainage 1 may support fringe wetland areas that will likely be subject to Corps jurisdiction under Section 404 of the Clean Water Act as this drainage is tributary to navigable waters (i.e., via Donner Lake, Truckee River, etc.). Regardless if fringe wetlands exist, Drainage 1 will be subject to Corps jurisdiction as a nonwetland water. The Lahontan Regional Water Quality Control Board (RWQCB) will likely regulate the seeps and Drainage 1 as waters of the State under Section 401 of the Clean Water Act or the Porter-Cologne Water Quality Control Act. Drainage 1 may also fall under the jurisdiction of the California Department of Fish and Game (CDFG) pursuant to Section 1600 of the Fish and Game Code.

In summary, the biologist determined that the site supports areas under the jurisdiction of the Corps, and RWQCB and project related impacts to these jurisdictional areas (i.e. the seeps and drainage) would require approval from these agencies. The applicant will be required to obtain approval from the mentioned agencies, however, the project has been designed to avoid these areas and it is staff's opinion that based upon the projects design and layout, the potential habitat for any special status plant or wildlife species and potential jurisdictional areas will not be impacted. However, the biologists determination has not been accepted by the Lahontan Regional Water Quality Control Board or Army Corps of Engineers.

Based upon the fact the report has not been accepted by Lahontan or the Army Corps of Engineers (ACOE), it is unknown at this time as to whether or not there are jurisdictional waters on the site, or if the development as proposed may create a significant impact. However, it is important to note that the Town does not regulate jurisdictional waters. Furthermore, per Lahontans comments received for the project it is the project proponent's responsibility to provide the required information to Lahontan demonstrating how the project satisfies the criteria of Lahontan. Therefore, the project will be required to be reviewed and approved by Lahontan prior to the submittal of any grading and/or building permits. It is staff's opinion that based upon the projects design and the location of the potential jurisdictional waters the project will not create a significant impact that cannot otherwise be mitigated.

The Truckee River is listed on the Clean Water Act Section 303(d) List as being water quality impaired due to excessive sedimentation. According to the Regional Board staff any increase in sediment loading to the Truckee River and its tributaries is a significant impact unless mitigated. There is a potential the grading and construction associated with this project may cause a significant impact unless mitigated to a less than significant level. To mitigate any potential impact to the Truckee River the project will be

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mitigated to prohibit any gradient slopes of 1:1. The majority of the grading and associated cut slopes is associated with the driveway serving the parcels. The applicant is proposing to provide for a fill slope of 1 ½ : 1 slope. The result of the 1 ½ : 1 slopes will require the construction of three retaining walls. The walls proposed will be approximately 13', 14' and 19' tall. The applicants are proposing to revegetate all areas disturbed by construction. The revegetation will involve the use of vegetation, mulch and soil amendment to control erosion at its' source by keeping soil in place on the steep slopes of the project. This will be accomplished by replacing the components necessary to create and sustain a robust soil-plant system, increase water infiltration and protect the soil surface with long lasting mulch. These elements of this vegetation-based erosion control will help assure long-lasting protection of water quality and aesthetics in the project. The following outlines the proposed revegetation activities in sequence. The following sequence will take place for each slope area following the completion of grading operations: application of topsoil, application of seed, raking seed into the top 1" of the soil, application of the mulch, tackification of the mulch and then the rewetting of the soil profile. In terms of seeding, the applicants are attempting to re-inoculate the soil seed bank and create a robust plant community rather than simply establish a replacement planting. The extend of the revegetation treatment shall extend to at least three and no more than five feet above the actual top of the cut-slope in order to slow and intercept overland flow from above. The contractor shall scarify this portion of the project area in order to increase runoff infiltration and root penetration into those areas. This alternative revegetation method has been used in the past to stabilize the cut slopes along steep roadways and is currently being used within the area. This proposed revegetation and the prohibition of 1:1 slopes will ensure that there is no increase in sediment loading into the Truckee River. Furthermore, the applicant will be required to utilize Best Management Practices (BMP's), such as silt fencing, temporary gravel, or fiber rolls, to prevent the discharge of earthen materials from the site during and after construction until the site is restabilized.

Building envelopes are proposed for each of the four newly created single-family residential parcels. These building envelopes consists of a total of 23,535 square feet (5% of the total project area) for all four building envelopes. If each building envelope was developed entirely the disturbance would equate to 5 percent of the total site area. The areas disturbed, including the building envelopes, paved surfaces, easements and graded area equate to a total of 43,662 square feet approximately 9.4% of the total site area. These building envelopes requirements will reduce the amount of disturbance as well as preserve the natural state of the project site as open space. Furthermore, to reduce and minimize disturbance to the slopes, the construction of the single-family residences will be required to comply with the Hillside Standards of the Development Code. These requirements will be further discussed within the staff report prepared for the project.

Mitigation Measure(s) – The following mitigation shall be incorporated into the project:

- 3a. Slopes steeper than 1:1 shall be prohibited within the project site, to ensure natural revegetation can occur and will not require mechanical stabilization and to ensure there will be no increase in the sediment loading into the Truckee River.
- 3b. The incorporation of Best Management Practices (BMP's), including but not limited to, silt fencing, temporary gravel, or fiber rolls, shall be used to prevent the discharge of earthen materials from the site, shall be installed during and after construction of the site. The BMP's shall remain on-site until the site is restabilized. The applicant shall obtain written approval from Lahontan Regional Water Quality Control Board prior to removal of the BMP's from the site. The written approval shall be submitted to the Town Planner. All disturbed areas shall be stabilized and

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revegetated before October 15 and shall be winterized to prevent the soil movement by October 15 if it is not stabilized and revegetated.

4. CULTURAL RESOURCES. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historic resource as defined in Section 15064.5 of the CEQA Guidelines?		✓		
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?		✓		
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		
d. Disturb any human remains, including those interred outside of formal cemeteries?		✓		

Impact Discussion

A cultural resources report evaluation report was completed for the project site by Peak Associates Inc. in November of 2000. Based upon the findings of the reporting archaeologist, there is no evidence that the proposed project will cause any damage to a significant historic property or prehistoric features. No known artifacts or significant elements have been discovered on the site. However, a surface inspection can never entirely eliminate the possibility of buried resources. If archeological resources exist on the site, grading may uncover and damage these resources. To ensure that undiscovered cultural resources are not impacted by project construction, mitigation is proposed to protect discovered resources until their significance can be determined and appropriate mitigation implemented. Mitigation Measure 4a will ensure that any historical or archaeological resources discovered during construction will be analyzed by a qualified archaeologist and any significant effects on significant resources will be mitigated to a less than significant level in accordance with CEQA.

Mitigation Measure(s) – The following mitigation measure(s) shall be incorporated into the project:

- 4a. If artifacts, paleontological or cultural, or unusual amounts of stone, bone, or shell are uncovered during construction activity, all construction activities shall cease within a 200-foot radius of the find. The Town Planner shall be notified of the find, and an archaeologist shall investigate the find to determine the extent and located of the discovered materials. The archacologist shall amend the cultural resources evaluation conducted on the site to determine the significance of the discovered materials and to identify mitigation measures to eliminate or reduce any significant effects to a less than significant level in accordance with CEQA Guidelines. The Town Planner shall require the mitigation measures to be incorporated into the project and to be implemented prior to recommencement of construction activity. Construction shall not recommence until authorized by the Town Planner.

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5. GEOLOGY AND SOILS. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?			✓	
ii. Strong seismic ground shaking?			✓	
iii. Seismic-related ground failure, including liquefaction?			✓	
iv. Landslides?			✓	
b. Result in substantial soil erosion or the loss of topsoil?			✓	
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?			✓	
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?			✓	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?			✓	

Impact Discussion

The project site has not been identified to be within an established hazardous volcanic or landslide area. There is no evidence of unstable soils, landslides, or subsidence on the site resulting from unstable geologic units or soils or from grading.

The project proposal proposes to disturb approximately 43,662 square feet (9.4 % of the total site area) for the development of the building envelopes, paved surfaces and easements and graded areas. Staff does not believe the proposed grading is creating a significant environmental impact that cannot otherwise be mitigated. Temporary and permanent erosion control measures will be required in order to stabilize disturbed soils and to mitigate the potential impact upon water quality during construction activity and to ensure the long-term protection of water quality and erosion control. This requirement is further supported by General Plan Conservation and Open Space Element Policy 7.2, requiring discretionary projects to minimize erosion and sedimentation. Furthermore the temporary and permanent erosion control measures will be required pursuant to Section 18.30.050, Drainage and Stormwater Runoff of the Development Code. Erosion control details consistent with State Regional Water Quality Control Board's (RWQCB) Project Guidelines for Erosion Control in the Truckee River Hydrologic Unit will be required to be detailed within the required drainage and grading plan. This impact is significant and the mitigation measures within the Hydrology and Water Quality section of this Initial Study will address this significant impact to a less than significant level. All aforementioned factors will reduce soil erosion impacts from wind and water to a less-than-significant level.

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Grading for the building envelopes will not be allowed unless a building permit has been issued for the construction for a single-family residence. Staff believes this will eliminate unnecessary grading and reduce run-off and erosion from the graded areas.

Conservation and Open Space Policy 7.1 requires discretionary development to be clustered away from slopes in excess of 30 percent. Further it states that discretionary development on all slopes in excess of 20 percent shall have a site specific review of soil type, vegetation, drainage, slope, and building placement to determine proper site design. Due to the steep nature of the site, staff has met with the applicant and the applicants engineer on site to specifically locate building locations, to minimize the least disturbance to the site and to provide for an optimum design of the site. As a result the applicant has designed the project to be clustered toward Donner Lake Road with the larger parcel containing majority of the 30 percent slope areas which will be preserved as open space and will not be allowed to be disturbed. The building envelopes containing 30 percent slopes will be further discussed within the staff report as it relates to the General Plan policies.

The previous *Biological Resources* discussion and the following *Hydrology and Water Quality* discussion contained within this Initial Study also includes mitigation measures developed to address potential project impacts to biological, geologic and water resources.

Mitigation Measure(s) – See previous *Biological Resources* discussion and the following *Hydrology and Water Quality* discussion.

6. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
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?			✓	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
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?			✓	
e. For a project located within the Truckee-Tahoe Airport Land Use Plan, result in a safety hazard for people residing or working in the project area?				✓
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
g. 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			✓	

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are intermixed with wildlands?

Impact Discussion

The project site is neither listed as a hazardous materials site and the project will not result in the use, storage, or disposal of hazardous materials other than those typically associated with the construction of single-family dwellings, and will therefore not emit hazardous materials that may be detrimental to surrounding properties. Additionally, the Nevada County Department of Environment Health is not aware of any hazardous materials or wastes stored or disposed on the site and does not believe the project will result in any significant adverse impacts with regard to hazardous materials or wastes.

The project has been reviewed by the Truckee Fire Protection District and complies with their requirements for emergency access and evacuation. The project design will not significantly impair emergency access to and evacuation from the site and surrounding areas. Fuel clearance around structures and along driveways is required by the Truckee Fire Protection District ordinances and regulations. In addition, Truckee Fire Protection District ordinances and regulation will require sufficient water, fire hydrant, and sprinkler improvements. Those ordinances and regulations will ensure that people and structures of the project and the surrounding area will be exposed to significant risks involving wildland fires.

Mitigation Measure(s) – No mitigation is required.

7. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 use 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 which would result in substantial erosion or siltation on- or off-site?			✓	
d. Substantially alter the existing 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 which would result in flooding on- or off-site?			✓	
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
f. Otherwise substantially degrade water quality?		✓		
g. Place housing within a 100-year flood hazard area as				

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mapped on a Federal Flood Hazard Boundary or Floor Insurance Rate Map or other flood hazard delineation map?					✓
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 or mudflow?				✓	

Impact Discussion

Surface runoff from the site will increase substantially upon completion of the project as a result of a decrease in surface absorption rates from the project's impervious surfaces and the directing of runoff currently detained in the existing basin. Such runoff will be contaminated with soil and other earthen materials and urban runoff from vehicles and structures. Such runoff may degrade water quality of surface waters in the area, and these water quality impacts may be significant. However, the applicants will be required to comply with the requirements of the Development Code which adequately address the potential water quality impacts associated with development.

The proposed drainage and directly related grading improvements will be required to be detailed on a comprehensive drainage and grading plan to be reviewed and approved by the Planning Division, Town Engineer, and RWQCB prior to any disturbance of the site. The drainage and grading plan will be required to address changes in drainage patterns which may impact the site, adjacent properties, and the drainage easement and demonstrate no net increase in off-site runoff consistent with General Plan policy.

The applicant will be required to obtain the appropriate permit or wavier from the RWQCB prior to the issuance of a building / grading permit. The drainage plan will be required to demonstrate compliance with the drainage standards contained within the Development Code, including but not limited to, calculations of existing runoff coefficient conditions, complete culvert design, runoff calculations of existing and potential runoff from structures and impervious surfaces, calculations for the 100-year flood of the drainage course, and requirements of the Lahontan RWQCB.

The project site is not located in within a known 100-year flood plain, and the existing drainage on the site is characterized as sheet flow following the contours of the site. In regards to the seeps, the Water Quality Control Plan for the Lahontan Region (Basin Plan) prohibits the discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials, including but not limited to soil, silt, clay, sand and other organic and earthen materials, to lands tributary to the Truckee River. Any drainage feature, including perennial and ephemeral surface waters and jurisdictional wetlands (if determined) located on the project site would be considered a tributary to the Truckee River. The Regional Board may grant exemptions to the Basin Plan prohibitions for projects that satisfy criteria specified in the Basin Plan. The applicant will be required to comply with the requirements of the RWQCB and provide information that demonstrates how the project satisfies the exemption criteria for the Basin Plan.

Mitigation Measure(s) – The following mitigation measure(s) shall be incorporated into the project:


- 7a. Prior to issuance of a grading permit, a detailed grading and drainage plan shall be submitted to and approved by the Town Engineer. The grading and drainage plan shall be consistent with the

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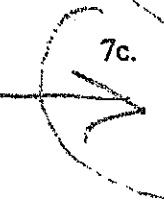
requirement of the Town Grading Ordinance and shall include, but not be limited to, the following:

- ✓ Temporary and permanent erosion control methods consistent with the requirements of the Lahontan Regional Water Quality Control Board Truckee River Hydrologic Unit Guidelines for Erosion Control;
- ✓ A drip line infiltration system for all structure run-off not directed towards the detention basin;
- ✓ Methods for stabilization for all disturbed areas not covered by impervious surfaces, and;
- ✓ Methods for which the on-site run-off will be directed to the proposed detention basin(s) and shall be designed to collect and treat any run-off from this activity.

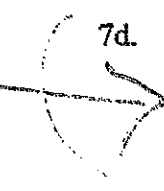
There shall be no net rate increase in the release of run-off from the site based on a 100-year, 1-hour event. The project engineer shall verify to the satisfaction of the Town Engineer that drainage from the site can be adequately conveyed into the detention basin and infiltration systems, with sufficient capacity to handle drainage from the site. The overflow from the detention basin shall be directed towards the storm drainage facilities along Donner Lake Road. All improvements required by the drainage plan shall be installed in accordance with the Town Engineer's requirements and Lahontan Regional Water Quality Control Board standards prior to final occupancy of the building of the project.



7b. The Regional Water Quality Control Board, Lahontan Region requires that the stormwater run-off impervious surfaces resulting from the 100-year, storm be contained on-site through the use of catch basins or infiltration systems. Regional Board staff is required to ensure that the project complies with all applicable State regulations and policies. The proposed project construction shall not commence prior to Regional Board authorization being granted. The stormwater treatment / control facilities shall be operational to the satisfaction of the Regional Board staff prior to issuance of a certificate of occupancy. Provide on-site containment of run-off in compliance with the Lahontan RWQCB. The containment plans shall be designed and located to ensure particulate removal from, and pretreatment of, parking lot run-off for the removal of petroleum and other chemical contaminants prior to flowing off-site. Verification of on-site containment of run-off in compliance from the Lahontan RWQCB shall be provided prior to building permit issuance or grading. Proof of the Regional Board staff's approval of the installed stormwater treatment / control facilities shall be submitted to the Planning Division prior to issuance of a certificate of occupancy.



7c. The applicant shall prepare and submit a comprehensive grading and drainage plan to the Planning Division and RWQCB and obtain the appropriate permit or waiver from the RWQCB. The design of the stormwater treatment / control facilities shall demonstrate consistency with the requirements of the RWQCB.



7d. The required comprehensive grading and drainage plan shall include temporary and permanent erosion control methods consistent with the requirements of the Lahontan Regional Water Quality Control Board *Truckee River Hydrologic Unit Guidelines for Erosion Control and Best Management Practices* and *State of California Best Management Practices Handbook* prepared by the American Public Works Association Storm Water Task Force, including but not limited to:

Temporary

- a. All non-construction areas shall be clearly marked and protected during construction by

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- b. fencing or other identification approved by the Director.
- b. The protection of loose piles of clay, debris, sand, silt, soil, or other earthen material during periods of precipitation or runoff with non-woven filter fabric fence, hay bales, temporary gravel, and / or earthen or sand bag dikes.
- c. All soil disturbance activities shall cease if adverse weather conditions exist, unless operating under an exception granted by the Director. Adequate temporary erosion control measures shall be immediately installed during adverse weather conditions.

Permanent

- a. All surplus or waste earthen materials shall be removed from the site and deposited in an approved location within 10 days from completion of construction.
- b. Earthen materials shall not be placed in surface water drainage courses, permanent or temporary, or in a location to allow the discharge of earthen material to any surface water drainage course.
- c. All disturbed areas shall be permanently stabilized or vegetated. Vegetated areas shall be continuously maintained to ensure adequate growth and root development. Vegetation shall consist of seeding, planting, mulching, and initial fertilizing and watering as needed.
- d. Before October 15 in any year, permanent and / or temporary stabilization of all disturbed or eroding areas shall be installed consistent with the above requirements.

7e. There shall be no net rate increase in the release of run-off from the project site into the drainage course and onto off-site properties based on a 100-year storm. In addition, there shall be no increase in flooding of off-site properties due to the grading, construction and other activities conducted based on a 100-year flood.

8. LAND USE, PLANNING, POPULATION, AND HOUSING. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with the Truckee General Plan, Downtown Specific Plan and/or Development Code or any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?		✓		
b. Physically divide an established community?				✓
c. 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)?		✓		
d. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
e. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

Impact Discussion

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The Town General Plan designates the project site as "Residential (RES)". The average density of the RES designation is 1 dwelling unit per acre. The land use designations of surrounding properties are:

North (across Highway 267)	I-80 / Nevada County
West	RES 1 du/acre (Residential 1 dwelling unit per acre)
South	RES 3-4 du/acre (Residential 3 – 4 dwelling units per acre)
East	RES 1 du/acre (Residential 1 dwelling unit per acre)

The proposed project is consistent with the land use and density policies and criteria of the Residential land use designation and is located in a developed area served by road, sewer and water infrastructure. Other important General Plan policies that may apply to this project are discussed in the appropriate sections of this Initial Study. The Initial Study concludes that there are no project inconsistencies with the General Plan. The project is consistent with the policies and Land Use Map of the General Plan and will not induce substantial growth in the area.

The project is zoned RS – 1.0 (Single-Family Residential 1 dwelling unit per acre). The RS zoning district is consistent with the Residential (RES) land use classifications of the General Plan. The zoning districts of the surrounding properties are as follows:

North	Interstate 80 & Nevada County Boundaries
Northwest	RS – 1.0 (Single Family Residential 1 dwelling unit per 10 acres)
West	RS-X (Single Family Residential – No further subdivision)
South	RS-X (Single Family Residential – No further subdivision)
East	RS 1.0 (Single Family Residential 1 dwelling per unit per 10 acres)

The zoning on the property allows a maximum of approximately 10 single-family dwellings. The applicant is proposing 4 units, six less than the allowed. The project complies with all development standards applicable to the RS district.

The project site is presently undeveloped. The site is located in a developed area with commercial and residential uses. The current uses of adjacent properties are as follows:

North	Interstate 80
West	Single-Family Residences
South	Single-Family Residences
East	Single-Family Residences

Potential land use compatibility impacts on adjacent development are discussed in the *Noise* and *Aesthetics* sections of this Initial Study which conclude the project will not have any significant impacts on adjacent uses. The project is compatible with existing and planned uses in the vicinity.

Mitigation Measure(s) – No mitigation is required.

9. MINERAL RESOURCES. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				✓

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Impact Discussion

The project site is presently undeveloped. The site is not identified as an area of significant mineral resources by the State or the Town. The project site is not located within a mineral resource area as designated within the General Plan, shown on Plate 2, Mineral Resources and will not impact mineral resources. The project site does not lie within the jurisdiction of an energy conservation plan. No known mineral or other non-renewable resources have been identified within the project site.

Mitigation Measure(s) – No mitigation is required.

10. NOISE. <i>Would the project result in:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels in excess of standards established in the Truckee General Plan or Development Code, or applicable standards of other agencies?			✓	
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne 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 the Truckee-Tahoe Airport Land Use Plan, expose people residing or working in the project area to excessive noise levels?				✓

Impact Discussion

Table 6.2 (Future 65 CNEL Range) of the General Plan estimates that the future 65 dBA CNEL contour from future highway traffic noise on Interstate 80 will not encroach into the project site. Table 6.2 estimates a distance of 213-243 feet to be maintained from the Interstate 80 centerline to maintain a 65 CNEL. The northern property line is approximately 310' from the centerline of Interstate 80. These noise contours are based on project traffic along Interstate 80 based on the General Plan traffic projections.

Table 6.1 (Standards for Land Use Compatibility with Noise) of the General Plan establishes compatible exterior noise levels for residential uses. Residential uses are normally acceptable in exterior noise level up to 60 dBA CNEL, conditionally acceptable in exterior noise levels from 60 to 65 dBA CNEL, and clearly unacceptable exterior noise levels above 65. The project site is located outside of the Truckee-Tahoe Airport Land Use Plan.

The project will generate noises typical of single-family residential uses compatible with the single-family and commercial uses around the project site. The project will not result in a substantial permanent or periodic increase in ambient noise levels above existing levels in the residential neighborhood and commercial area. Construction noise may result in substantial temporary noise that may significantly impact surrounding residential and commercial uses during early morning and weekend hours; these

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temporary noise impacts may be significant.

Mitigation Measure(s) – The following mitigation measure(s) shall be incorporated into the project:

10a. Hours of operation of construction activities shall be limited from 7 a.m. to 7 p.m. or dusk, whichever occurs first, Monday through Saturday. No construction shall be permitted on Sundays. Interior construction activities may occur after these hours if such activities will not result in exterior noise audible at property lines. Improvement, grading, and building plans shall note these limited hours of construction.

11. PUBLIC SERVICES.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
i. Fire protection?			✓	
ii. Police protection?			✓	
iii. Schools?			✓	
iv. Other public facilities?			✓	

Public services are provided by the Truckee Fire Protection District, the Truckee Police Department and the Tahoe Truckee Unified School District. The Truckee Fire Protection District reviewed the project and determined they will be able to serve the project with existing facilities, equipment and staffing. The applicant shall comply with the requirements of the Fire District as they relate to hydrants and fire flow, driveways, and construction. Based on the Fire Protection Districts' comments and compliance with the District ordinances including payment of fire mitigation fees, the project will not have a significant impact on fire protection services. The project will generate additional students for the school system, creating an additional demand for school facilities. However, the project will be required to pay school impact fees, as a condition of approval for this project, to offset this additional demand. The School District will not have to construct specific facilities to serve this project; school facilities to serve students from the project and future development will be accommodated under the District's facilities plan. The cumulative impact on the town maintained road system will be less than significant through the payment of a road mitigation fee as discussed in the *Transportation / Traffic* discussion contained within this Initial Study. The other public services, including but not limited to police, and other governmental services, will not be significantly impacted by the proposed project in relation to their services.

Mitigation Measure(s) – No mitigation is required.

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	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
12. 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?			✓	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓

Impact Discussion

Recreational services are provided by the Truckee Donner Recreation and Park District. The Truckee Trails and Bikeways Master Plan proposes a Class III Bike Route (referred to as a bike route, providing for shared use with pedestrian or motor vehicle traffic) along Donner Lake Road. The project is a recreational project together with a residential project which will not create greater recreational demands. No existing recreational opportunities will be affected by the placement of additional recreational uses or single-family uses on the subject property. Although the recreational aspect of the project may create additional demand on the U.S. Forest Service Lands as far as the use of the land, no additional amenities or specific facilities are necessary to serve this project and the project will not substantially increase demand on existing recreational facilities that may lead to physical deterioration of these facilities. The project will also be required to pay a parkland in-lieu fee to help provide additional recreational facilities within the Town. Recreational facilities to serve additional users from the project and future development will be accommodated under the District's facilities plan.

Mitigation Measure(s) – No mitigation is required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
13. TRANSPORTATION / TRAFFIC. <i>Would the project:</i>				
a. Cause an increase in traffic which 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)?			✓	
b. Exceed, either individually or cumulatively, a level of service standard established by the Truckee General Plan, Development Code, and/or Public Improvement and Engineering Standards?			✓	
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?			✓	
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
e. Result in inadequate emergency access?			✓	

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f. Result in inadequate parking capacity?			✓	
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			✓	

Impact Discussion

Access to the site is provided by Donner Lake Road. Donner Lake Road is accessed by either Interstate 80 to the north or Donner Pass Road to the south. Both Donner Lake Road and Donner Pass Road are town maintained roads and are sufficient in size, width and pavement type to accommodate the traffic proposed from the project.

A traffic study was not prepared for the subdivision proposal. The Town Engineer determined the additional single-family residential parcels will increase the volume of traffic at the Donner Lake Road and Donner Pass Road intersection as well as on Interstate 80. The Town Engineer determined that the subject roadways have sufficient reserved capacity to maintain a Level of Service (LOS) A standing, which is consistent with the General Plan's LOS requirement to maintain a LOS D or better at weekday, PM peak hour movements at intersections.

The project will be required to contribute to road impact fees to mitigate the project's cumulative impact on the Town's road system. The road impact fee will be assessed at the time of the building permit issuance based on the road impact fee in effect at the time of approval of the project.

Mitigation Measure(s) – No mitigation is required.

14. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Exceed wastewater treatment requirements of the Regional Water Quality Control Board, Lahontan Region?		✓		
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?			✓	
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?			✓	
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	

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g. Comply with Federal, State, and local statutes and regulations related to solid waste?		✓		
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Impact Discussion

The project site will result in an increased demand for utility and service systems. The Truckee Sanitary District response to the initial project routing have indicated adequate sewer, water and power system capacity to serve the project. The developer will be required to enter into an agreement with the T.D.P.U.D. to provide water and power services. Proof of individual utility and service system capability by the individual agencies involved in providing these utilities and services will be required as a condition of approval for the project. Impacts and related mitigation measures for storm water drainage facilities are discussed within the Hydrology and Water Quality discussion contained within this Initial Study. Solid waste generated by the project will be transported to a landfill in Lockwood, Nevada from the Eastern Regional Landfill acting as a transfer station for the solid waste generated from Truckee.

Mitigation Measure(s) – No mitigation is required.

MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?		✓		
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.)		✓		
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		

The determinations of the mandatory findings of significance are supported by the discussion contained within the Initial Study. The Initial Study identifies potentially significant effects on the environment, however, revisions have been made to the project to eliminate or reduce these environmental effects to a less than significant level. There is no substantial evidence that the project, upon incorporation of the mitigation measures, may have a significant effect on the environment.

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DETERMINATION

On the basis of this initial evaluation, the Community Development Director finds:

___ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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

___ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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

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

Initial Study Prepared By:	<u>Stacy Wydra</u>	<u>4.16.02</u>
	Stacy Wydra, Assistant Planner	Date
Initial Study Approved By:	<u>Stacy Wydra for</u>	<u>4.16.02</u>
	Duane Hall, Town Planner	Date

ATTACHMENT

- Attachment 1 Site Plan / Tentative Map
- Attachment 2 Grading Plan

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California Regional Water Quality Control Board Lahontan Region



Don H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb6>
2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
Phone (530) 542-5400 • FAX (530) 544-2271

Gray Davis
Governor

June 7, 2001

JUN 8 2001

Stacy Wydra
Town of Truckee
Community Development Department
10183 Truckee Airport Road
Truckee, CA 96161

COMMENTS REGARDING THE MONTANO SUBDIVISION ON DONNER LAKE ROAD, TOWN OF TRUCKEE, NEVADA COUNTY, APN 17-150-36

Thank you for the opportunity to review and comment upon the Montano Subdivision. Based upon our review, Regional Board staff have the following comments and questions:

1. The Water Quality Control Plan for the Lahontan Region (Basin Plan) prohibits the discharge or threatened discharge, attributable to human activities, of solid or liquid waste materials, including but not limited to soil, silt, clay, sand, and other organic and earthen materials, to lands within the 100-year floodplain of the Truckee River or any tributary to the Truckee River. Any drainage feature, including perennial and ephemeral surface waters and jurisdictional wetlands located on the project site would be considered a tributary to the Truckee River. The seep on Lot 1 would fall into this category as well as drainages 1 and 2 listed in the Environmental Setting Part 1 in the Environmental Application. The Regional Board may grant exemptions to the Basin Plan prohibitions for projects that satisfy criteria specified in the Basin Plan. Regional Board staff need additional information in order to determine if the proposed projects meet our prohibition and exemption criteria. It is the project proponent's responsibility to provide the information that demonstrates how the project satisfies the exemption criteria. In general, single family homes and associated structures do not satisfy the exemption criteria.
2. Regional Board staff are concerned with the treatment of stormwater runoff from the impervious surfaces on the proposed 10+-acre site. Due to the steep slopes (20%-30%) of the project site, the natural drainage patterns will be significantly altered and the amount of surface runoff will increase due to an increase of impervious surfaces. It will be necessary to mitigate these alterations by installing permanent Best Management Practices (BMPs) to handle the increase in stormwater runoff. The final CEQA document should include at a minimum, information regarding the amount of stormwater runoff that will be generated from the new impervious surfaces, and in general terms, how the 20-year, 1-hour storm requirements will be met.
3. Regional Board staff believe there is a possibility the project will come in contact with groundwater during utility installation. A dewatering plan must be developed to address disposal of any water from the project site without discharging it directly or indirectly into

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Recycled Paper

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any drainage ways or within the 100-year flood plain of any surface water of the Truckee River Hydrologic Unit. The Board prefers the discharge of any possible groundwater either to go directly into the sewer system or discharging it to an upland location in a manner that avoids erosion and allows for infiltration.

4. Water used for flushing the pipelines prior to hydrostatic testing will need to be addressed in a manner similar to those discussed in Comment No. 3 above. Regional Board staff want to avoid discharging pollutants from the new pipelines to the environment. Treatment may potentially be required prior to discharging the flushing water. The final CEQA document should address this issue.
5. Regional Board staff understand that the new water lines will be disinfected with a chlorine solution. Please be aware that the discharge of chlorinated water to the environment is prohibited. The final CEQA document should address the potential disposal methods, one of which will be used, and the potential impacts. Regional Board staff recommend discharging the chlorinated water to the system or taking it off site to a treatment facility.
6. The final CEQA document and preliminary plans should contain a description of the temporary and permanent Best Management Practices (BMPs) that will be used to prevent the discharge of pollutants from the site during and after construction activities. This may include minimizing disturbed areas, stabilizing disturbed areas, protecting slopes and channels, controlling internal erosion, and temporary or permanent stormwater treatment facilities. What permanent BMPs are proposed? Please describe what measures will be taken to assure long-term soil stabilization and vegetation maintenance. Regional Board staff recommend that revegetated areas be continually maintained to assure adequate growth and root development. Where possible, native species should be used. A detailed project site revegetation/stabilization plan that addresses how the project site will be restabilized during and after construction should be at a minimum, discussed in the final CEQA document. It is preferable that the revegetation/stabilization plan be developed and incorporated into the project description of the final CEQA document. Projects completed within one construction season should have all disturbed areas stabilized and re-vegetated before October 15. Projects taking more than one construction season to complete, should be winterized to prevent the soil movement by October 15.

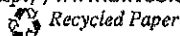
What temporary Best Management Practices (BMPs), such as silt fencing, temporary gravel, or fiber rolls, will be used to prevent the discharge of earthen materials from the site during periods of precipitation or runoff? The final CEQA document should identify the potential temporary BMPs that could be used on the project site and should include a commitment to use temporary BMPs during and after construction until the site is restabilized.

Please be aware that the Truckee River is listed on the Clean Water Act Section 303(d) List as being water quality impaired due to excessive sedimentation. Regional Board staff considered any increase in sediment loading to the Truckee River and its tributaries to be a significant impact. The final CEQA document must include a discussion of the mitigation measures that demonstrates that there will be no increase in sediment loading to the Truckee River, as a result of the proposed project. Regional Board staff recommend that a gradient

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slope of 2:1 (horizontal:vertical) or less steep be used wherever possible instead of the proposed 1:1. Slopes steeper than 2:1 are difficult to revegetate and typically require mechanical stabilization. The final CEQA document should address the extent of soil disturbance associated with the proposed project. The final CEQA document should also clarify whether or not the proposed home sites will be graded by the developer or individual lot owners.

8. Will the project produce surplus earthen materials? If so, the final CEQA document should address what will be done with the surplus earthen materials and the potential impacts.
9. Regional Board staff will continue to track the project proposal's progress through the Town's permitting process. Regional Board staff may determine that it is necessary to regulate this project if the final project proposal does not adequately address our concerns.

Thank you again for the opportunity to comment on this project. If you have any questions or comments regarding this matter, please contact me at (530)542-5432.

Sincerely,

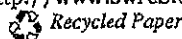


Scott C. Ferguson, P.E.
Chief, Northern Watershed Unit

CE/shT:Montano Subdivision

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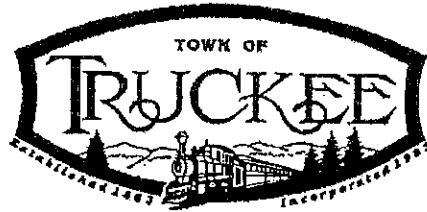


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Town Council
Ronald J. Florian, Mayor

Ted Owens, Mayor Pro Tem


Don McCormack
Maia Schneider
Joshua J. Susman



Department Heads
Stephen L. Wright, Town Manager
J. Dennis Crabb, Town Attorney
Tony Lashbrook, Community Development
Jill R. Olsen, Administrative Services
Pau Osborne, Town Clerk
Alex Terrazas, Assistant to the Manager
Daniel P. Wilkins, Public Works Director/Town Engineer

June 12, 2002 5:00 pm

MEMO

TO: Planning Commission
FROM:  Tony Lashbrook
SUBJECT: Applicant letter related to Montano Tentative Map

This afternoon we received the attached letter from KB Foster regarding the staff report for the Montano project. Staff has had the opportunity to quickly review the letter and offers the following input to the Commission. The following correlates to the specific sections in the letter from KB Foster.

Page- 5- Cut and Fill-Revegetation- This is the applicant's justification to the Planning Commission (who is required to review and approve such issues) for the creation of cut slopes in excess of 10 vertical feet in height. No staff response necessary.

Page- 7- Visibility- The applicant's disagree with the staff assessment that future homes on this parcel may be visible from Donner Pass Road. Staff is prepared to concede this point.

Page 8- Drainage- The applicant raises a number of issues related to drainage. This is a critical issue in this area and is a major concern of a downstream property owner. All of these issues should be dealt with by the Planning Commission in the context of the discussion of the drainage issues. However, the Town's standard practice is to require projects to be responsible for capturing, treating and retaining increased runoff associated with the project and not baseline runoff from undeveloped property.

Conditions of Approval

Condition 6- The applicants want to complete the grading on lot 1 as a part of their grading for the subdivision. Staff can support that so long as the grading is being completed in

10183 Truckee Airport Road, Truckee, CA 96161-3306
Administration: 530-582-7700 / Fax: 530-582-7710 / e-mail: truckee@townoftruckee.com
Community Development: 530-582-7820 / Fax: 530-582-7889 / e-mail: cdd@townoftruckee.com
Animal Control/Vehicle Abatement: 530-582-7830 / Fax: 530-582-7889 / e-mail: animalcontrol@townoftruckee.com

accordance with an approved building permit for the house on lot 1. Completing the grading without approved plans creates the opportunity for a variety of problems and potential environmental effects not anticipated in the project review. This change is not recommended by staff.

Condition 12- For staff's purposes an infiltration trench is a retention facility. However, we do not object to replacing the word detention basin with stormwater facilities. In any case the facility(s) must be designed to accommodate all increased runoff from the site resulting from the project.

Condition 15- The wording of condition 15 could benefit from some editing but the intentions are valid. The initial study identified drainage and runoff from this property as a critical issue. Mitigation measures have been developed to address this issue. Staff is reluctant to reduce the level of regulatory control because of the significance of this issue.

Condition 21- The comment is valid- to address the confusion staff would recommend that the phrase "single family residence is not constructed" with the phrase "subdivision improvements are not completed and the map recorded".

Condition 32- The applicant's do not agree with the staff recommendation to exclude the slope areas in excess of 30 % from the building envelopes. The staff report describes this issue in detail and concludes that there is sufficient building envelope area excluding the slopes in excess of 30%. Staff's position has not changed.

Condition 41- The applicant's concern can be addressed by placing the word "unsupported" in front of fills. Staff can support this change.

ATTACHMENT 6
CONDITIONS OF APPROVAL

EXHIBIT "A"

APPLICATION NO. 01-039/CUP/TM MONTANO SUBDIVISION

USE PERMIT & TENTATIVE MAP CONDITIONS OF APPROVAL

General Conditions of Approval

1. This use permit is approved. The Use Permit application is approved for minor encroachments and development into and on slopes in excess of 30 percent as detailed on the site plan approved by the Planning Commission on June 12, 2002 and as modified by these conditions of approval. The applicant is responsible for complying with all conditions of approval and providing evidence to the Planning Division of compliance with the conditions. The project shall comply with the time limits established by Chapter 18.84 of the Development Code. The Planning Commission may approve a time extension to the above time frames to establish the approved use in accordance with Section 18.84.050.C of the Development Code. **(Planning Division)**
2. The effective date of approval for only the recordation of the parcel map, not the construction of the single-family residences, shall be June 24, 2002, unless the approval is appealed to the Town Council. In accordance with Section 18.84.050 of the Development Code, the approval of the development permit shall be valid for 24 months after its effective date. At the end of that time, the approval shall expire and become null and void unless the time limits of the development permit are extended per sections 18.84.050.C of the Development Code. **(Planning Division)**
3. The applicant is responsible for providing evidence of compliance with all conditions of approval imposed upon the project by the Planning Commission to the Planning Division and responsible agencies. The final map shall not be recorded, no building or grading permits shall be issued, no site disturbance permitted, and no temporary or final occupancy granted until all conditions imposed upon the project approval have been satisfied or adequately bonded. **(Planning Division)**
3. The Town Planner may authorize minor alterations to the approved plans and conditions of approval in accordance with Section 18.84.070(B)(1) of the Development Code. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Planning Commission in accordance with Section 19.84.070(B)(2) of the Development Code. **(Planning Division)**
4. The road construction and subdivision design shall comply with all applicable provision and standards of the 2000 Development Code, including, but not limited to the following:
 - General Development Standards as contained in Table 2-4 including site coverage, setbacks, and height limits;
 - Air Emissions in accordance with Section 18.30.030;

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- Drainage and stormwater runoff in accordance with Section 18.30.050;
- Open Space/Clustering in accordance within Chapter 18.46;
- Hillside Development Standards in accordance with Chapter 18.36

The provision and standards of the 2000 Development Code that shall be applied to this project shall be those provision and standards in effect on September 3, 2001. **(Planning Division)**

5. Any fees due to the Town of Truckee for processing this project shall be paid to the Town within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this determination shall be permitted, authorized, or commenced until all outstanding fees are paid to the Town. **(Planning Division)**

Grading and Drainage

6. Prior to recordation of the parcel map, the construction of the driveway and associated improvements (landscaping, revegetation, erosion control, drainage including on-site retention, utilities, etc.) shall be completed. Site disturbance and grading shall be limited to that necessary in support of the driveway and associated improvements. Cuts and fills are only allowed for the construction of the driveway and associated improvements. Graded areas shall not remain inactive for more than three months. Off-site improvements, as required by the Town Engineer, for the project shall be completed prior to recordation of the parcel map. **(Planning Division)**
7. Prior to any site disturbance for road/driveway construction and prior to recordation of the parcel map, a soil and geotechnical study identifying special constraints and mitigation measures to minimize grading, unstable soils, landslide hazards and erosion shall be submitted to and approved by the Town Planner. The study shall analyze the road alignments and each building site. The study shall be prepared by a licensed professional engineer and shall address the potential for ground water and dewatering mitigation to address the Regional Water Quality Control Board, Lahontan Region concerns and describe soil properties and shrink-swell potential on the project site. If any soils with shrink-swell potential are identified, the report shall make recommendations on measures to be taken to minimize or eliminate the potential adverse impacts the soils may have on construction. The recommendations of the report shall be incorporated into the required improvement plans for grading, drainage, etc.. the recommendations detailed within both the required grading and landscape plans. To apply the mitigation measures to the building construction, the recommendations and mitigation measures shall be incorporated as "Notes" on the recorded map. **(Planning Division)**
8. Prior to recordation of the map, a drainage and erosion control plan shall be submitted to the Community Development Department for review and approval. The plan shall be prepared by a licensed engineer in accordance with the requirements of the Town Building Code and Development Code and any requirements imposed by the Chief Building Official and Town Engineer. No grading shall occur on the site and no grading or building permits shall be

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issued for the project until the plan is submitted to and approved by both the Chief Building Official and Town Engineer. The plan shall:

- Incorporate all requirements and standards of the Lahontan Regional Water Quality Control Board (RWQCB) including requirements and standards following the Project Guidelines for Erosion Control for the Truckee River Hydrologic Unit as adopted by the Regional Board, the Storm Water Pollution Prevention Plan, and the National Pollution Discharge Elimination System permit.
- Include, but not be limited to, calculations of existing runoff coefficient conditions; complete culvert design, including loss calculations, at each affected crossing; runoff calculations of existing runoff and potential runoff from the construction of structures and other impervious surfaces; calculations for 20-year and 100-year floods of the drainage course both before and after project completion; off-site flows which are conveyed through the project site; location of off-site discharge points; ability of drainage courses to accommodate expected runoff volumes; boundaries of all existing drainage easements.
- Analyze the existing and projected stormwater runoff from the project site and the capacity of off-site drainage facilities from the project site to determine if the existing drainage facilities have sufficient capacity to accommodate the increased stormwater runoff from the project site. If the drainage facilities do not have sufficient capacity, the plan shall identify drainage improvements (both on-site and off-site) to decrease the amount of stormwater runoff from the site and/or increase the capacity of Town drainage facilities to accommodate the project's stormwater runoff. The plan shall conclude that the project's stormwater runoff will not result in flooding impacts on Donner Lake Road, West Reed Avenue or surrounding properties.
- Incorporate any and all improvements necessary to comply with the Town Building Code, Development Code, provisions of this condition, and the requirements of the Lahontan RWQCB.

The above notes shall be provided as notes on the recorded parcel map for notice to future property owners for construction of the single-family residences. (Section 18.30.050 of the Development Code, Engineering Division)

9. Any construction work associated with the replacement of Town drainage facilities required as part of this project shall comply with the erosion control regulations of Section 18.30.050(C) of the Development Code. The Town Engineer shall verify that temporary and permanent erosion control measures consistent with Section 18.30.050(C), the Regional Water Quality Control Board's Truckee River Hydrologic Unit Project Guidelines for Erosion Control, and the State of California Stormwater Best Management Practices Handbook are incorporated into the project's improvement plans prior to their approval and all work is done in accordance with the approved improvement plans. (Planning Division, Engineering Division)
10. Slopes steeper than 1:1 shall be prohibited within the project site, to ensure natural vegetation can occur and will not require mechanical stabilization and to ensure there will be no increase in the sediment loading into the Donner Lake. (Mitigation Measure 3a)
11. The incorporation of Best Management Practices (BMP's), including but not limited to, silt

fencing, temporary gravel, or fiber rolls, shall be used to prevent the discharge of earthen materials from the site, shall be installed during and after construction of the site. The BMP's shall remain on-site until the site is restabilized. The applicant shall obtain written approval from Lahontan Regional Water Quality Control Board prior to removal of the BMP's from the site. The written approval shall be submitted to the Town Planner. All disturbed areas shall be stabilized and revegetated before October 15 and shall be winterized to prevent the soil by October 15 if it is not stabilized and revegetated. (Mitigation Measure 3b)

12. Prior to issuance of a building permit for the construction of the driveway and associated improvements, improvement plans shall be submitted with a detailed grading and drainage plan. The improvement plans shall be submitted to and approved by the Town Engineer. The grading and drainage plan shall be consistent with the requirement of the Town Grading Ordinance and shall include, but not be limited to, the following, additionally the following shall be incorporated within the Notes on the recorded map for the construction of the single-family residences:

- ✓ Temporary and permanent erosion control methods consistent with the requirements of the Lahontan Regional Water Quality Control Board Truckee River Hydrologic Unit Guidelines for Erosion Control;
- ✓ A drip line infiltration system for all structure run-off not directed towards the detention basin;
- ✓ Methods for stabilization for all disturbed areas not covered by impervious surfaces, and;
- ✓ Methods for which the on-site run-off will be directed to the proposed detention basin(s) and shall be designed to collect and treat any run-off from this activity.

There shall be no net rate increase in the release of run-off from the site based on a 100-year, storm event. The project engineer shall verify to the satisfaction of the Town Engineer that drainage from the site can be adequately conveyed into the detention basin and infiltration systems, with sufficient capacity to handle drainage from the site. The overflow from the detention basin shall be directed towards the storm drainage facilities along Donner Lake Road. All improvements required by the drainage plan shall be installed in accordance with the Town Engineer's requirements and Lahontan Regional Water Quality Control Board standards prior to final occupancy of the building of the project. (Mitigation Measure 7a)

15. Prior to recordation of the parcel map for the construction of the driveway and associated improvements and to be a note included on the final map for the construction of the single-family residences, the Regional Water Quality Control Board, Lahontan Region requires that the stormwater run-off impervious surfaces resulting from the 20-year storm (0.7 inches of rain) be contained on-site through the use of catch basins or infiltration systems. Regional Board staff is required to ensure that the project complies with all applicable State regulations and policies. The proposed driveway and associated improvements shall not commence prior to Regional Board authorization being granted. The stormwater treatment / control facilities shall be operational to the satisfaction of the Regional Board staff prior to issuance of a certificate of occupancy. Provide on-site containment of run-off in compliance with the Lahontan RWQCB. The containment plans shall be designed and located to ensure particulate removal from, and pretreatment of, parking lot run-off for the removal of petroleum and other chemical contaminants prior to flowing off-site. Verification of on-site containment of run-

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off in compliance from the Lahontan RWQCB shall be provided prior to building permit issuance or grading for the driveway and associated improvements. Proof of the Regional Board staff's approval of the installed stormwater treatment / control facilities shall be submitted to the Planning Division prior to issuance of a certificate of occupancy for each single-family residence. (Mitigation Measure 7b)

16. Prior to recordation of the parcel map and for the construction of the driveway and associated improvements and , there shall be no net rate increase in the release of run-off from the project site into the drainage course and onto off-site properties based on a 100-year storm and/or a 20-year, 1-hour event. In addition, there shall be no increase in flooding of off-site properties due to the grading, construction, and other activities conducted based on a 100-year flood. (Mitigation Measure 7e)
17. Prior to recordation of the parcel map and for the construction of the driveway and associated improvements, the applicant shall prepare and submit a comprehensive grading and drainage plan to the Planning Division and RWQCB and obtain the appropriate permit or waiver from the RWQCB. The design of the stormwater treatment / control facilities shall demonstrate consistency with the requirements of the RWQCB. The design criteria approved shall be included within the Notes of the final map for the construction of the single-family residences. (Mitigation Measure 7c)
18. Prior to map recordation and for the construction of the driveway and associated improvements, the required comprehensive grading and drainage plan shall include temporary and permanent erosion control methods consistent with the requirements of the Lahontan Regional Water Quality Control Board *Truckee River Hydrologic Unit Guidelines for Erosion Control and Best Management Practices* and *State of California Best Management Practices Handbook* prepared by the American Public Works Association Storm Water Task Force, including but not limited to:

Temporary

- a. All non-construction areas shall be clearly marked and protected during construction by fencing or other identification approved by the Director.
- b. The protection of loose piles of clay, debris, sand, silt, soil, or other earthen material during periods of precipitation or runoff with non-woven filter fabric fence, hay bales, temporary gravel, and / or earthen or sand bag dikes.
- c. All soil disturbance activities shall cease if adverse weather conditions exist, unless operating under an exception granted by the Director. Adequate temporary erosion control measures shall be immediately installed during adverse weather conditions.

Permanent

- a. All surplus or waste earthen materials shall be removed from the site and deposited in an approved location within 10 days from completion of construction.
- b. Earthen materials shall not be placed in surface water drainage courses, permanent or temporary, or in a location to allow the discharge of earthen material to any surface water drainage course.

- c. All disturbed areas shall be permanently stabilized or vegetated. Vegetated areas shall be continuously maintained to ensure adequate growth and root development. Vegetation shall consist of seeding, planting, mulching, and initial fertilizing and watering as needed.
- d. Before October 15 in any year, permanent and / or temporary stabilization of all disturbed or eroding areas shall be installed consistent with the above requirements.
(Mitigation Measure 7d)

The above temporary and permanent erosion control methods and requirements shall be included within the notes on the recorded final map for the construction of the single-family residences.

Street and Infrastructure Improvements

- 19. Prior to recordation of the final map, the developer shall either prohibit the use of woodstoves within the subdivision by placing a deed restriction on the title or pay \$704.00 to the Air Quality Mitigation fund to allow for EPA-certified woodstoves within the subdivision in order to ensure no net increase in particular matter from entering the Truckee air basin.
(Mitigation Measure 2a)
- 20. The following shall be a note on the recorded parcel map for the project: The driveways serving the single-family residences shall be paved. The driveway / access easement proposed to serve the four single-family residential parcels shall be paved. All other areas accessed by vehicles may be graveled. **(Mitigation Measure 2d)**
- 21. Prior to approval of the improvement plans and commencement of grading for the road and public utilities infrastructure, the applicant shall provide performance guarantees with sufficient legal commitments and financial sureties to guarantee the faithful performance of any and all conditions of approval or to guarantee the restoration of the site if the ~~single-family residence is not constructed~~ **subdivision improvements are not completed and the map recorded.** The form, manner, and amount of the guarantee shall comply with the requirements of the Town Planner and the Town Attorney and shall be reviewed and approved by the Community Development Director prior to issuance of permits. **An annual monitoring program of the revegetation shall be in prepared and approved by the Town Planner. The plan shall include but not be limited to a watering plan, re-planting/re-vegetation plan, etc. A five (5) year security, acceptable to the Town Engineer, shall held with the Town. If the revegetation does not work the applicants shall be required to try the revegetation again or replace with erosion control measures to be reviewed and approved by the Town Planner.** (Planning Division)
- 22. Water and electrical facilities shall be reviewed and approved by the Truckee Donner Public Utility District (TDPUD). Connection fees and service charges will be payable to the aforementioned utility companies prior to connect to the water, gas and/or electrical systems.
(Planning Division)
- 23. Prior to commencement of any work or construction within the Town of Truckee right-of-way, the applicant shall obtain an encroachment permit for all work to be done in the right-of-way. **(Engineering Division)**

401 135

24. All drainage improvements associated with the subdivision shall be approved by the Town Engineer prior to issuance of the Improvement Permit for the construction and installation of road and utility infrastructure. **(Engineering Division)**
25. The road improvements shall be constructed prior to parcel map recordation. Prior to construction of the road improvements, a road improvement plan shall be submitted to the Planning Division for review and approval by the Town Planner and the Town Engineer. The road improvement plan shall include all road improvements required by the subdivision including the driveway encroachment and driveway located on the project site. The improvement shall be designed in accordance with the requirement of the Town Engineer. The road improvement plan shall also be approved by the Truckee Fire Protection District. The improvement plans shall include dust control measures to be implemented during construction. The access easement, encroaching off of Donner Lake Road, proposed to serve the four newly created single-family residential parcels shall be paved. The access road, serving the four parcels shall comply with the requirements of Chapter 18.48 and of the Engineering standards. **(Planning Division, Engineering Department)**
26. Engineered improvement plans for roadway, frontage improvements, drainage facilities, guardrail relocation and utility lines within or adjacent to the Donner Lake Road rights-of-way shall be prepared and signed by a register engineer. The improvement plans shall incorporate proposed grades within those rights-of-way, as well as proposed methods by which to accommodate drainage and necessary BMP's. Improvement plans shall also be reviewed and approved by all utility agencies that will provide services to the site and incorporate cost estimates for all work to be performed on-site. Said improvement plans shall be accompanied by appropriate plan check fees to be calculated by the Town Engineer at the time of plan submittal. Public improvement plan check fees and inspection fees are calculated estimated construction costs of portion of work within the proposed right-of-way. **(Engineering Division)**

Site and Building Design

27. The project shall comply with all applicable Truckee Fire Protection District ordinances and requirements as determined by the District Fire Marshall. These ordinances and requirements may include, but not be limited to, installation of fire hydrants, minimum fire flow, automatic sprinkler systems for buildings, driveway and turnaround specifications, fuel clearance, and payment of fire mitigation fees. The mitigation fee shall be paid prior to issuance of a building permit. **(Planning Division)**
28. Prior to recordation of the parcel map and for the construction of the driveway and associated improvements, the applicant shall prepare and submit a final landscape plan. The plan shall include trees detailed to be retained on the approved site plan. A minimum undisturbed area to the distance to the dripline shall also be detailed on the final landscape plan, and identified within the field to prevent accidental removal or damage by orange construction fencing or other protective barrier approved by the Town Planner. **(Mitigation Measure 3a)**

29. The areas graded for construction of the retaining walls, driveway, improvements, etc. shall be revegetated. The revegetation shall occur within one week of disturbance. The areas of disturbance shall be revegetated to the satisfaction of the Town Planner. (Planning Division)

Noise

28. For the construction of the driveway and associated improvements, the hours of operation of construction activities shall be limited from 7:00 am to 7:00 pm or dusk; whichever occurs first, Monday through Saturday. No construction shall be permitted on Sundays. Interior construction activities may occur after these hours if such activities will not result in exterior noise audible at property lines. Improvements, grading, and building plans shall note these limited hours of construction. (Mitigation Measure 10a)

Cultural Resources

29. If artifacts, paleontological or cultural, or unusual amounts of stone, bone, or shell are uncovered during construction activity, all construction activities shall cease within a 200-foot radius of the find. The Town Planner shall be notified of the find, and an archaeologist shall investigate the find to determine the extent and location of the discovered materials. The archaeologist shall amend the cultural resources evaluation conducted on the site to determine the significance of the discovered materials and to identify mitigation measures to eliminate or reduce any significant effects to a less than significant level in accordance with the CEQA Guidelines. The Town Planner shall require the mitigation measures to be incorporated into the project and to be implemented prior to recommencement of construction activity. Construction shall not recommence until authorized by the Town Planner. (Mitigation Measure 4a)

Other Conditions of Approval

30. Pursuant to Section 21089 of the California Public Resources Code and Section 711.4 et seq. of the California Fish and Game Code, fees in the amount of \$1,250.00 and \$32.00 shall be submitted to the Planning Division within five (5) working days of this permit approval of the project. A check in the amount of \$1,282 shall be made payable to the County of Nevada and submitted to the Town Planning Division. No grading or building permits shall be issued until the fees are paid. The fees are required to be collected on behalf of the Department of Fish and Game and are not for Town purposes.

Tentative Map Conditions of Approval

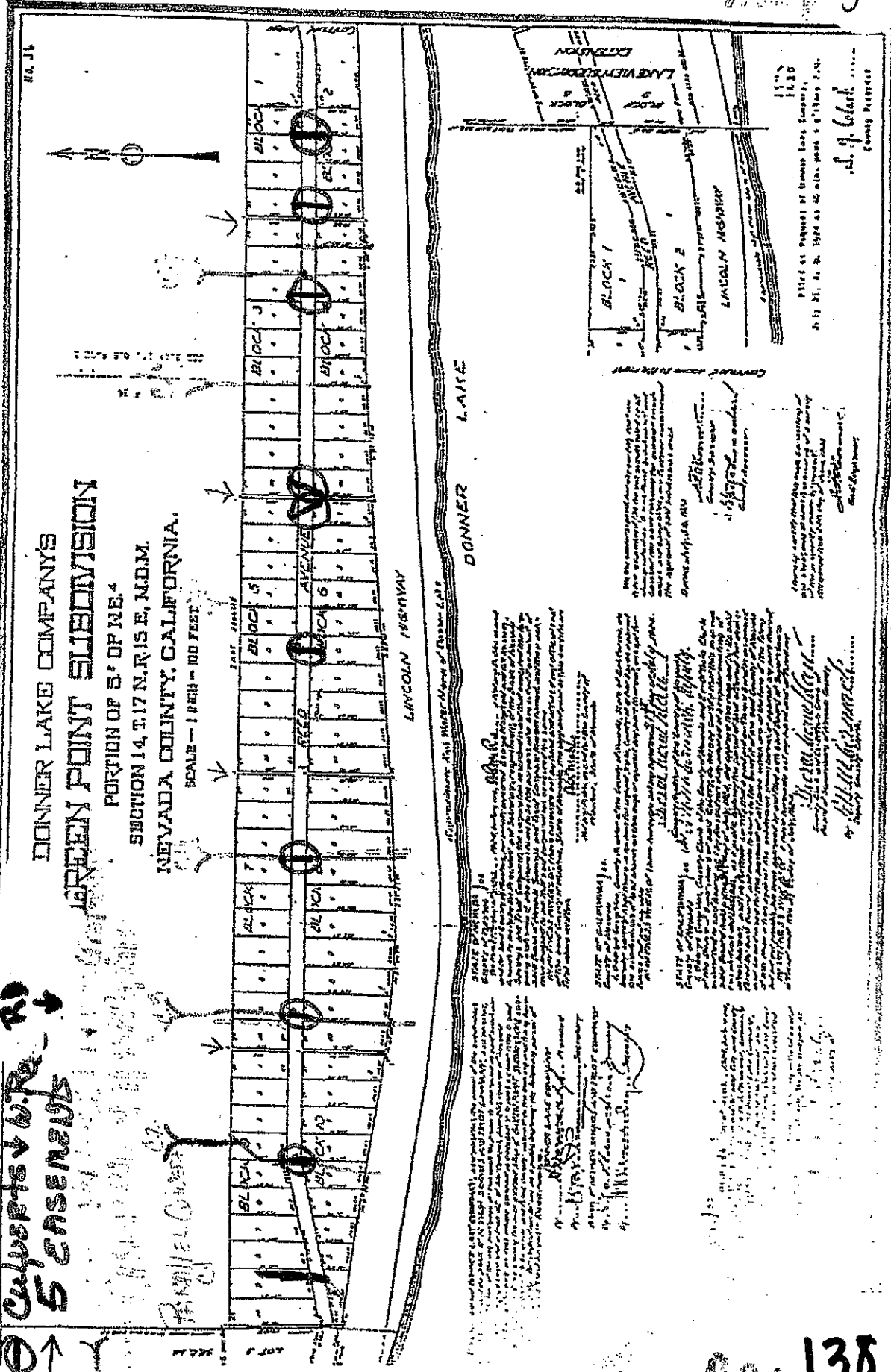
31. The tentative map is approved for the subdivision of the 10.62-acres into four individual, single-family residential parcels and as modified by these conditions of approval. The applicant shall submit a final map to the Planning Division for review and approval, prepared by a licensed land surveyor or engineer, in accordance with the Subdivision Map Act and Town Subdivision Ordinance. The final map shall be recorded within 24 months of the date of approval, otherwise the approval of the tentative map shall become null and void unless an extension of time is granted by the Planning Commission pursuant to Section 18.96.150

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Donner Lake
Culverts v. W.R. Rd
5 easements

DONNER LAKE COMPANYS
GREEN POINT SUBDIVISION
PORTION OF S. OF NE. 4
SECTION 14, T. 17 N., R. 15 E., N.M.M.
NEVADA COUNTY, CALIFORNIA.
SCALE - 1 PERCH = 100 FEET



1177
1180
1183
PRICE AS PERCHAL IN BLOCKS LAST CEMENTED,
AS TO N. E. W. 1918 AS WITH PERCH 1 1/2 PERCH 1/4 N.

J. J. Colwell
County Recorder

By the undersigned County Recorder, I have examined the foregoing plat of a portion of the Green Point Subdivision, and find that the same conforms to the requirements of the laws of this State in relation to the recording of such subdivisions.

STATE OF CALIFORNIA
COUNTY OF NEVADA
I, J. J. Colwell, County Recorder, do hereby certify that the foregoing plat of a portion of the Green Point Subdivision, as shown on the attached sheet, is a true and correct copy of the original as recorded in my office, and that the same conforms to the requirements of the laws of this State in relation to the recording of such subdivisions.

STATE OF CALIFORNIA
COUNTY OF NEVADA
I, J. J. Colwell, County Recorder, do hereby certify that the foregoing plat of a portion of the Green Point Subdivision, as shown on the attached sheet, is a true and correct copy of the original as recorded in my office, and that the same conforms to the requirements of the laws of this State in relation to the recording of such subdivisions.

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