



Resolution 3-2012
Adopted by the
CALIFORNIA STATE PARK AND RECREATION COMMISSION
at its regular meeting in Brentwood, California
January 27, 2012

**Review and Consideration of the Environmental Impact Report for the
Upper Truckee River Restoration and Golf Course Reconfiguration Project and
Approval of the Land Classification Adjustments and
General Plan Amendment for the Project**

WHEREAS, the Director of the California Department of Parks and Recreation (California State Parks or CSP) has certified the Final Environmental Impact Report (FEIR), as the lead agency and conditionally approved the project, the Upper Truckee River Restoration and Golf Course Reconfiguration Project (Project), subject to certain approvals by the State Park and Recreation Commission (SPRC); and

WHEREAS, certain approvals require land in Lake Valley State Recreation Area to be transferred to Washoe Meadows State Park and land in Washoe Meadows State Park to be transferred to Lake Valley State Recreation Area, which would be accomplished with land classification adjustments; and

WHEREAS, pursuant to Public Resources Code 5002.2 and 5002.3, this project also requires a General Plan Amendment to the Lake Valley State Recreation Area General Plan; and

WHEREAS, the Director of California State Parks has presented to the Commission, as a Responsible Agency, for review and consideration, the certified FEIR, which addresses, among other project actions, the proposed classification adjustments and General Plan Amendment to the existing Lake Valley State Recreation Area General Plan; and

WHEREAS, previous uses of the land in Washoe Meadows State Park included logging, a dairy in the meadow areas, gravel extraction, an automobile drag strip, the extension of utility infrastructure through the property, and in Lake Valley State Recreation Area the straightening of the Upper Truckee River to improve drainage and reduce flooding; and

WHEREAS, the designation of Lake Valley State Recreation Area, approved by the Commission in 1987, provides for the continuing operation of the Lake Tahoe Golf Course within Lake Valley State Recreation Area; and

WHEREAS, the existing Lake Valley State Recreation Area General Plan calls for the restoration and reconfiguration of the Upper Truckee River and the perpetuation of an existing public golfing opportunity; and

WHEREAS, the General Plan Amendment amends the boundaries of Lake Valley State Recreation Area to implement the classification adjustment and exchange of land with Washoe Meadows State Park and replaces specified maps and information in the General Plan with modified maps and information; and

WHEREAS, Public Resources Code section 5002.2 designates the General Plan Amendment as a project under the California Environmental Quality Act ("CEQA" - Public Resources Code 21000 et seq.); and,

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WHEREAS, an FEIR has been prepared by California State Parks as lead agency for the Project which requires the amendment of the Lake Valley State Recreation Area General Plan by the State Park and Recreation Commission as a responsible agency; and

WHEREAS, the FEIR provides discussion, disclosure, analysis and findings of the impacts of future development associated with the classification adjustments, General Plan Amendment, and Project; and

WHEREAS, in Table ES-1, the FEIR determines that significant adverse impacts associated with the Project have been mitigated to a level that is less-than-significant for the following effects: on-site storm water runoff, 100-year flood hazard, site-specific erosion risks, risk of damage to an adjacent sewer line, coarse sediment transport, water quality contamination from golf course operations, short-term habitat degradation and disturbance during construction, potential effects to special-status plants, tree removal, introduction of invasive species, short-term wildlife disturbance, potential disturbance of cultural resources, construction truck damage to local streets, construction traffic conflicts, temporary disruption of access to utilities, short-term construction air emissions and risk of hazardous materials release during construction; and

WHEREAS, in Table ES-1, the FEIR determines that four potentially significant effects have been recognized as significant and unavoidable as discussed in the Findings of Fact and Statement of Overriding Considerations document, attached and hereby incorporated by reference:

- Hydrology and Water Quality – Short-Term Risk of Surface Water or Groundwater Degradation during Construction,
- Hydrology and Water Quality – Short-Term Risk of Surface Water or Groundwater Degradation Following Construction,
- Cumulative Geomorphology and Water Quality – Short-Term Risk of Surface Water or Groundwater Degradation during Construction,
- Cumulative Geomorphology and Water Quality – Short-Term Risk of Surface Water or Groundwater Degradation Following Construction,

which are indirect but foreseeable impacts related to the approval of the general plan amendment, remain significant and unavoidable, even after the application of all Project mitigation measures to lessen those impacts; and

WHEREAS, a statement of overriding considerations was made by the Director when she made the findings required as a part of the approval of the Project ; and

WHEREAS, the Environmental Impact Report (EIR) is a part of the combined EIR/Environmental Impact Statement/Environmental Impact Statement (EIR/EIS/EIS) prepared for the Project, pursuant to CEQA, the National Environmental Policy Act (“NEPA”), and the Tahoe Regional Planning Agency (“TRPA”) Compact, ordinances, and rules; and

WHEREAS, the EIR will be used for tiering pursuant to Public Resources Code (PRC) Section 21093, covering general goals and guidelines of the General Plan, as modified by the General Plan Amendment, and the appropriate level of CEQA review for each subsequent project relying on the General Plan Amendment; and

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WHEREAS, California State Parks has met all obligations in seeking input from all interested parties during General Plan Amendment development through meetings, a planning workshop, web-based information, information exchanges and public scoping, including public meetings before the TRPA, one of the Project's lead agencies, where planning issues were discussed, and in addition all materials pertaining to the planning process were made available on the California State Parks public website;

NOW THEREFORE BE IT:

RESOLVED: That the California State Park and Recreation Commission, as a responsible agency pursuant to PRC section 21069, has reviewed and considered the Final Environmental Impact Report as prepared by the lead agency; and be it

RESOLVED: That the Commission agrees with the characterization of the draft EIR and final EIR with respect to those impacts identified as "less than significant" and finds that those impacts have been described accurately and are less than significant as so described in the draft EIR and final EIR; this finding does not apply to impacts identified as significant or potentially significant that are reduced by mitigation measures to a level characterized in the draft EIR and final EIR as less than significant or impacts characterized in the draft EIR and final EIR as significant and unavoidable as those impacts and the mitigation measures adopted to reduce them are dealt with specifically in the findings below; and be it

RESOLVED: That the Commission agrees with the characterization of the draft EIR and final EIR with respect to Impact 3.4-6, "Short-Term Risk of Surface Water or Groundwater Degradation during Construction," that is identified as significant and unavoidable; implementation of Mitigation Measure 3.4-6: Prepare and Implement Effective Site Management Plans would reduce this impact; however, this impact would remain significant and unavoidable because no other best management practices (BMPs) are available and implementation of site management plans cannot feasibly eliminate potential violations of narrative or numerical water quality objectives in the Basin Plan at least for short periods of time. This impact would not occur under the No-Project/No-Action Alternative; however, the No-Project/No-Action Alternative would not meet the project goals of improving geomorphic, ecosystem, and water quality targets. Implementation of this alternative would also result in continued erosion and water quality impacts to the Upper Truckee River from the existing golf course and therefore, no feasible mitigation is available to fully reduce the short-term risk of water degradation during construction; and be it

RESOLVED: That the Commission agrees with the characterization of the draft EIR and final EIR with respect to Impact 3.4-7, "Short-Term Risk of Surface Water or Groundwater Degradation Following Construction," that is identified as significant and unavoidable; implementation Mitigation Measures 3.4-7A: Minimize Fine Sediment and Organic Material Available for Mobilization and 3.4-7B: Adaptively Manage Potential Flood Damage in the Interim Period after Construction would reduce this impact, however, this impact would remain significant and unavoidable because no other best management practices are available and implementation of these measures cannot feasibly eliminate potential violations of narrative or numerical water quality objectives in the Basin Plan at least for short periods of time; this impact would not occur under the No-Project/No-Action Alternative, however, the No-Project/No-Action Alternative would not meet the project goals of improving geomorphic, ecosystem, and water quality targets and implementation of this alternative would also result in continued erosion and water quality impacts to the Upper Truckee River from the existing golf course; therefore, no feasible mitigation is available to fully reduce the short-term risk of water degradation following construction; and be it

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RESOLVED: That the Commission agrees with the characterization of the draft EIR and final EIR with respect to Impact 3.16-9, "Short-Term Risk of Surface Water or Groundwater Degradation during Construction," that is identified as significant and unavoidable; all feasible mitigation measures as described above in Mitigation Measures 3.4- 6 have been incorporated into the individual restoration project plans and construction BMPs; however, this impact would remain significant and unavoidable because no other best management practices (BMPs) are available and implementation of adaptive management plans cannot feasibly eliminate potential violations of narrative or numerical water quality objectives in the Basin Plan at least for short periods of time and therefore, no feasible mitigation is available to fully reduce the short-term risk of a cumulative contribution to water degradation during construction; and be it

RESOLVED: That the Commission agrees with the characterization of the draft EIR and final EIR with respect to Impact 3.16-10, "Cumulative Geomorphology and Water Quality – Short-Term Risk of Surface Water or Groundwater Degradation Following Construction," that is identified as significant and unavoidable; implementation of Mitigation Measures Mitigation Measure 3.16-10A: Cumulative Geomorphology and Water Quality – Implement Alternative-Specific Measures to Minimize or Correct Temporary Water Quality Effects Following Construction and Mitigation Measure 3.16-10B: Cumulative Geomorphology and Water Quality – Implement an Interim Adaptive Management Plan on the Upper Truckee River would reduce this impact; however, this impact would remain significant and unavoidable because no other best management practices are available and implementation of these measures, including adaptive management, cannot feasibly eliminate potential violations of narrative or numerical water quality objectives in the Basin Plan at least for short periods of time and therefore, no feasible mitigation is available to fully reduce the short-term risk of water degradation following construction; and be it

RESOLVED: That the California State Park and Recreation Commission has reviewed and considered the information and analysis in the General Plan Amendment and FEIR prior to approving the classification adjustments and General Plan Amendment, and this Commission finds that the EIR reflects the independent judgment and analysis of this Commission and has been completed in accordance with the California Environmental Quality Act; and be it

RESOLVED: That in connection with its review prior to approving the General Plan Amendment, this Commission independently finds that the environmental conclusions contained in the FEIR for the Project, which also supports adoption of the classification adjustments and General Plan Amendment, are supported by the facts in the FEIR and that each fact in support of the conclusions is true and is based on substantial evidence in the record and that mitigation measures, guidelines, or other changes or alterations have been incorporated into the Project that will avoid or substantially lessen the potential impacts identified in the FEIR to the extent feasible; and be it

RESOLVED: That all feasible mitigation measures have been incorporated into the Project to substantially reduce significant effects on the environment, as described in the Findings and implemented through the Mitigation Monitoring and Reporting Program, which have both been adopted by the Director of State Parks at the time of Project approval, and be it

RESOLVED: That the legal, social, economic, technological and other benefits of the Project described herein outweigh the unavoidable short-term environmental risks, as described in the Statement of Overriding Considerations adopted by the Director of State Parks at the time of Project approval, and so the unavoidable significant environmental impacts are overridden by these factors and are, therefore, acceptable; and be it

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RESOLVED: Pursuant to Section 5019.50 of the Public Resources Code, the California State Park and Recreation Commission hereby approves the classification adjustments and amendment of the Lake Valley State Recreation Area General Plan to fulfill the Director's condition of the approval of the Project; and be it

RESOLVED: That the location and custodian of the Plan and other materials which constitute the record of proceeding on which the Commission's decision is based is: California State Park and Recreation Commission, P.O. Box 942896, Sacramento, California 94296-0001, Telephone 916/653-0524, Facsimile 916/653-4458; and be it

RESOLVED: That a Notice of Determination will be filed with the Office of Planning and Research within five (5) days of the Commission's approval of the land classification adjustments and general plan amendment.

Attest: This Resolution was duly adopted by the California State Park and Recreation Commission on January 27, 2012 at the Commission's duly-noticed public meeting at Brentwood, California.

By: _____ ORIGINAL SIGNED BY _____ Date: 1-27-12

Louis Nastro
Assistant to the Commission
For Ruth Coleman, Director
California State Parks
Secretary to the Commission