

from the river. In either case, there is a strong indication that ground water can end up in the river, and thus end up in Lake Tahoe.

Of even greater significance are the highly soluble nutrients from golf course fertilizers that end up in Lake Tahoe, contributing to eutrophication problems.

According to information (draft EIR page 2-34) in the EIR highly soluble fertilizer materials are applied to the golf course in May and November. No specific data is presented in the EIR noting the actual amount or type of fertilizer materials that will (are) being used. Given the size of the golf course, the golf course management literature indicates that over 1000 lbs. of highly soluble nutrients will be applied annually given best management practices for golf courses. **How many pounds of the actual soluble nutrients, specially nitrogen and phosphorus compounds, will get into the ground or surface water and then into the river and the lake? What is the environmental impact of these nutrients entering the ecosystem? What is the mitigation proposed to offset these impacts?**

AOB21-3
cont.

Please do not hesitate to contact me if you require any additional information or have questions.

Sincerely,

David Katz
Project Manager

temperatures, reduced habitat for cover, increased susceptibility to predators and disease, stranding of young fish, and other impacts. **This environmental impact is not adequately addressed in the EIR. Adequate mitigation for this impact is not provided in the EIR.**

The EIR notes that a structural diversion using an armored outfall from the river will be used to divert water into artificial ponds for irrigation purposes. In addition, the EIR notes that a submersible pump would also be used to divert water from the river. **No quantitative data is presented for these proposed diversions, thus making it impossible to determine adverse environmental impact on fish habitat and other fishery related factors such as migration or spawning use by fish. No mitigation measures are provided to offset the impacts of these environmental impacts. This environmental impact is not adequately addressed in the EIR.**

AOB21-1
cont.

2. The EIR states:

"IMPACT 3.3-6 (Alt. 2)

Long-Term Increase in Irrigation-Water Demand. *Implementing Alternative 2 would directly modify the locations and total acreage of specific irrigated land uses within the study area. The physical and operational irrigation system would be expanded and modified. The net effect of the overall increase in the golf course footprint, reduction of intensively managed areas, and improved irrigation system would be to hold demand in the study area to a level similar to existing conditions. This impact would be less than significant."*

The above Impact analysis holds that impact would be "less than significant". This assumption is based on the fact that the probable impact would be less because irrigation water demand would be at levels similar to existing conditions. This finding in the EIR is irrelevant, as environmental impacts will occur under Alt. 2, which will occur in a setting of greatly changed physical conditions regardless of the level of previous environmental impact under existing conditions. To be perfectly clear, regardless of the level of impact in existing conditions, there will be environmental impact in the proposed condition, thus it must be addressed specifically, not just in comparison to existing conditions. **This environmental impact is not adequately addressed in the EIR.**

AOB21-2

GROUNDWATER AND NUTRIENTS:

1. The proposed river restoration and golf course re-development would occur at upstream end of the flat glacial valley of the Upper Truckee River as shown in the EIR. These types of flat mountain meadows intersected by riparian corridors found in Sierra lake basins have relatively shallow ground water levels. The technical literature clearly documents that river seepage (losses to the aquifer) and or ground water drainage (losses to the river) may be affected by ground water pumping and natural variations in aquifer water level. When the aquifer water level is near land surface, such as a result of irrigation, and the river level is low due to in-cutting caused by stream disturbance, then water moves from the ground water aquifer into the river. Activities or events that result in a lowering of the water table, such as ground water pumping, induce more seepage

AOB21-3

from the river. In either case, there is a strong indication that ground water can end up in the river, and thus end up in Lake Tahoe.

Of even greater significance are the highly soluble nutrients from golf course fertilizers that end up in Lake Tahoe, contributing to eutrophication problems.

According to information (draft EIR page 2-34) in the EIR highly soluble fertilizer materials are applied to the golf course in May and November. No specific data is presented in the EIR noting the actual amount or type of fertilizer materials that will (are) being used. Given the size of the golf course, the golf course management literature indicates that over 1000 lbs. of highly soluble nutrients will be applied annually given best management practices for golf courses. **How many pounds of the actual soluble nutrients, specially nitrogen and phosphorus compounds, will get into the ground or surface water and then into the river and the lake? What is the environmental impact of these nutrients entering the ecosystem? What is the mitigation proposed to offset these impacts?**

AOB21-3
cont.

Please do not hesitate to contact me if you require any additional information or have questions.

Sincerely,

David Katz
Project Manager

AOB21-1

The commenter is concerned that the draft EIR/EIS/EIS did not adequately identify water use and the impacts of diverting surface water and/or pumping groundwater, and that it did not propose effective mitigation. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”

The commenter is concerned that the draft EIR/EIS/EIS did not adequately evaluate either the effects on fish of surface water diversions or other related aquatic impacts. As stated in Section 3.5, “Biological Resources,” of the draft EIR/EIS/EIS, project construction activities could intermittently increase turbidity and downstream sedimentation and could release and expose construction-related contaminants. These potential effects would be short term and temporary. Such exposure could reduce or adversely affect aquatic habitat and populations, including salmonids and other native aquatic species. The alternatives include a suite of measures, including BMPs, that would minimize this potential effect.

Construction would include dewatering activities that would result in the temporary loss of aquatic habitat. Fish and macroinvertebrates could become stranded during dewatering activities, and habitat could dry out or predation by birds or mammals could occur; or the organisms could be injured or killed by heavy equipment during site access, preparation, or construction activities. However, in the short term, implementing the alternatives could result in adverse effects on aquatic habitats. This impact would be significant. The following mitigation measures would be implemented:

- ▶ Mitigation Measure 3.5-1A, “Prepare and Implement Effective Site Management Plans”;
- ▶ Mitigation Measure 3.5-1B, “Implement Preconstruction Surveys for Western Pearlshell Mussels”;
- ▶ Mitigation Measure 3.5-1C, “Develop and Implement Native-Fish and Mussel Capture and Translocation Plan”;
- ▶ Mitigation Measure 3.5-1D, “Limit Potential Localized Channel Erosion in the Upper Truckee River and Tributary Creeks”;
- ▶ Mitigation Measure 3.5-1E, “Provide Bed and Bank Stabilization Measures at and Immediately Upstream and Downstream of Bridge Removal Sites”;
- ▶ Mitigation Measure 3.5-1F, “Ensure Bed and Bank Stability Downstream of the Treated Reaches”;
- ▶ Mitigation Measure 3.5-1G, “Ensure Bed and Bank Stability in the Lower Reaches of the Two Tributary Creeks”; and
- ▶ Mitigation Measure 3.5-1H, “Monitor and Supplement Coarse-Sediment Delivery Downstream and Monitor Instream Habitat Conditions.”

With implementation of these mitigation measures, impacts on fisheries and other aquatic resources would be less than significant.

AOB21-2

The commenter disagrees with the conclusion in the draft EIR/EIS/EIS that Impact 3.3-6 (Alt. 2) would be less than significant, even if demand for irrigation water under Alternative 2 would be similar to or less than demand under existing conditions. However, the commenter is incorrect in concluding that the impact conclusion cannot be made in comparison to existing conditions, which does establish the baseline for impact analysis (State CEQA Guidelines, Sections 15229 and 15125).

A primary purpose of an EIR/EIS/EIS is to inform decision-makers and the public about the potential environmental impacts of a project. A project's impacts are evaluated based on the direct, and the reasonably foreseeable indirect, physical changes in the environment that the project may cause (either on a project-specific basis or in a cumulative context). The setting or environmental baseline provides the starting point for that analysis. The current "baseline" conditions are a reflection and culmination of both historical and existing and ongoing activities that affect a specific resource; the true baseline condition is often a dynamic range of conditions.

For clarification of the quantities of water demand under existing conditions and each alternative, see Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."

AOB21-3

The commenter is concerned about the effects of pumping groundwater on the shallow water table and interaction with surface water in the river. The commenter is correct that when the river's water surface is low and surrounded by saturated soils and/or aquifers at higher elevations, groundwater would flow toward the river. The commenter is correct in noting that the existing, incised river channel would experience more groundwater discharge from saturated soils on the surrounding land than would a higher elevation (e.g., restored) riverbed, as under Alternative 2, 3, or 5. Therefore, these action alternatives would be beneficial relative to existing conditions or Alternatives 1 and 4.

The commenter is concerned that groundwater pumping for the golf course's water supply would induce seepage from the river or add more groundwater to the river and Lake Tahoe. The commenter requests that the EIR/EIS/EIS quantify use of soluble fertilizer materials, provide additional discussion of the potential impact of nutrients entering the ecosystem, and mitigate the impact. For information on groundwater, fertilizer, and other chemical uses, see Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."

Support for Alternative 2

Jerry M. Bindel [Jerry.Bindel@astonhotels.com]

Sent: Friday, October 29, 2010 3:06 PM

To: Project, Upper Truckee

AOB-22

Dear Ms. Walck,

The South Lake Tahoe Lodging Association and Tourism Improvement District would like to endorse and support Alternative 2 for the Upper Truckee River Restoration Project. Alternative 2 provides the environmental benefits of restoring the river to its natural path, and also keeps the vital golf course in a viable 18-hole option. Any shortening of the golf course to 9-holes, or any elimination of the course, will have a detrimental effect of the South Lake Tahoe community. Many jobs will be lost, much-needed revenues for the City and State Parks will be lost, and tourism will be hurt tremendously.

AOB22-1

Thank you and please contact me with any questions.

Jerry Bindel
Chairman
South Lake Tahoe Tourism Improvement District
South Lake Tahoe Lodging Association

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AOB22-1

The commenter's support for Alternative 2 and its environmental, economic, and recreation value is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

Comment on Draft EIS for Upper Truckee River Project

Kirstin Cattell [kcattell.st@boothcreek.com]

Sent: Wednesday, October 06, 2010 3:30 PM

To: Project, Upper Truckee

AOB-23

I am writing to express my support of Alternative 2 River Ecosystem Restoration with Reconfigured 18-hole Regulation Golf Course. As a 10 year resident of South Lake Tahoe, I am regularly enjoying the outdoors around the South shore in all four seasons. Certainly, I want our community to do whatever it can to maintain the clarity of Lake Tahoe – particularly righting the wrongs made during the development boom of the 1960s era. With the Upper Truckee being the main tributary flowing into Lake Tahoe, I think it is vital that we address the issue of sediment in this river in particular. It is nice to see real progress being made.

I also believe that it is in South Lake Tahoe's best economic interest to keep a viable 18-hole golf course operating. There is already an executive-style course in Meyers (we do not need another reduced play option as outlined in Alternative 3) and not everyone can afford to play Edgewood. If South Lake Tahoe loses the only full length, affordable 18-hole course it has, we will lose scores of casual golfers to the North shore, with its abundance of affordable 18-hole resort courses. These casual golfers spend money on room nights, food, and entertainment in town in addition to their day of golf. To lose this source of income during South Lake Tahoe's busiest revenue-generating season would be short-sighted and detrimental to the health of the local economy.

I also do not believe that South Lake Tahoe needs any more State Park land, as described in Alternative 5 River Ecosystem Restoration with Decommissioned Golf Course. There is plenty of park land in and around South Lake Tahoe for those who want a managed outdoor experience. And if "maintaining the unit in perpetuity as an ecosystem restoration area with no public access or outdoor recreation would not be feasible", I see no real benefit to the community or the river. Better to fix the erosion issue and continue to allow golfers access to the land than turn it into some kind of community green space with no real active purpose.

Thank you for the opportunity to offer feedback.

Kirstin A. Cattell
Marketing & Communications Manager
Sierra-at-Tahoe® and Northstar-at-Tahoe™ Resorts
530.543.3132
www.sierraattahoe.com
www.northstarattahoe.com

AOB23-1

AOB23-1

The commenter's support for Alternative 2 and its environmental, economic, and recreation value is noted. The commenter's opposition to Alternative 5 is also noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

AOB-24



MOTHER LODGE CHAPTER
10011 Rockledge 2700
Sacramento, CA 95834
Tel: (916) 487-1100 Fax: (916) 487-0000
info@motherlodgechapter.org
www.motherlodgechapter.org

November 15, 2010

Ms. Cyndie Walck
California State Parks and Recreation
Sierra District
PO Box 16
Tahoe City, CA 96145

Dear Ms. Walck:

Attached please find the joint comments of the Tahoe Area Sierra Club and the Mother Lode Chapter of the Sierra Club on the Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS)/Environmental Impact Statement (EIS) on the Upper Truckee River Restoration and Golf Course Reconfiguration Project.

The Sierra Club has been working since 1892 to protect communities, wild places, and the planet itself. It is the oldest, largest, and most influential grassroots environmental organization in the United States. Founder John Muir appears on the back of the California quarter.

The Tahoe Area Sierra Club is a group of the Mother Lode (California) and the Toiyabe (Nevada) chapters of the Sierra Club. TASC has 600+ members in the Lake Tahoe Area.

The Mother Lode Chapter represents 16,500 members of 11 groups in 24 counties of northern and central California.

Respectfully,

Bob Anderson

Bob Anderson
Executive Committee
Tahoe Area Sierra Club

Terry Davis

Terry Davis
Conservation Program Coordinator
Mother Lode Chapter, Sierra Club

November 15, 2010

Joint Comments
Tahoe Area Sierra Club
and the
Mother Lode Chapter of the Sierra Club
on the

Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS)/Environmental Impact Statement (EIS) on the Upper Truckee River Restoration and Golf Course Reconfiguration Project.

In these comments we address:

- separating the issues of river restoration and golf reconfiguration,
- legal issues,
- TRPA's responsibility to attain and maintain thresholds,
- comparative benefits of Alternatives 2 and 3,
- the flawed economic feasibility report,
- access to the Upper Truckee River in Washoe Meadows State Park,
- water quality,
- removal of forest habitat,
- threats to wetlands and fens, and
- State Parks' duty to disturbed lands.

We conclude: Only Alternatives 3 and 5 can lead to the expeditious restoration of the river. Alternative 5 is the best environmentally. Alternative 3 is the best balance of the interests. Alternative 2 is legally questionable. Therefore, the Tahoe Area Sierra Club strongly opposes Alternative 2 and supports Alternatives 3 and 5.

River Restoration and Golf Course Reconfiguration should be separated.

This project has two elements: river restoration and golf. They should be separated.

The TASC unequivocally supports river restoration. A healthy, naturally functioning Upper Truckee River would be good in its own right, good for Washoe Meadows State Park and its users, and good for the clarity of Lake Tahoe.

River restoration will require changes to golf because the golf course encroaches on the river. Lake Valley State Recreation Area (the golf course) has a general plan, as well as a river management plan. We support those plans. They call for river restoration and reduction in the area of the golf course. State Parks should implement those plans.

AOB24-1

Alternative 2 is inconsistent with State Parks' mission, regulations and California state statutes and case law.

Alternative 2 doesn't comport with the mission of State Parks, the settlement agreement and statute leading to the acquisition of Washoe Meadows State Park, the adopted purpose of the Park,¹ and regulations that preclude the permanent commitment of Park resources in the absence of a general plan.

Washoe Meadows State Park does not have a general plan. Under state regulations, it is impermissible to permanently commit the resources of a state park unit without a general plan.

Building a golf course and a bridge permanently commit resources of the Park. A general plan for the park must be completed before any proposal to build the golf course or any other use of the park. Proceeding on the Alternative 2 track will delay restoration of the river. Alternative 3 can be pursued for the most expeditious river restoration and the best opportunity to contribute to achievement of thresholds. After a general planning process for the park occurs, if the results embrace expanded golf, then it can proceed legally.

AOB24-2

TRPA's duty is threshold achievement.

TRPA's responsibilities are achieving a broad range of thresholds, not golf, not the economics or politics of golf, or State Parks' budget problems.

The project will affect TRPA thresholds, many of which are currently out of attainment and which will be further harmed by Alternative 2, e.g., water quality, air quality vegetation/forestry, and SEZs. TRPA should require a thorough environmental analysis of how the alternatives would affect TRPA thresholds, (e.g., what are the impacts of the expanded fertilizer use in Alternative 2 on nitrogen and phosphorous levels?), then rank the alternatives according to their environmental impact, i.e., their pursuit of TRPA's thresholds.

AOB24-3

As described in the EIR, Alternative 5, full river restoration with golf course removal and meadow restoration, is the best alternative.

The next best environmental alternative is Alternative 3, full river restoration with golf reduced on the east side of the river.

¹ The purpose of Washoe Meadows State Park, in El Dorado County, is to preserve and protect a wet meadow area associated with the Angora Creek and the upper Truckee River at the southwestern side of the Lake Tahoe basin. The unit's associated forest areas sustain Jeffery pine and an exceptionally large specimen of lodgepole pine. The unit contains fourteen Native American occupancy sites and remnants of an historic dairy, and is contiguous to other public lands important for their open space values and recreational uses.

California State Parks will preserve, protect, restore, interpret and manage the unit's natural, cultural, and aesthetic resources, features and values, making them available to the public for their educational, inspirational and recreational benefits.

Alternative 3 is superior to Alternative 2.

On the merits, Alternative 3 is superior to Alternative 2. Here are some of the reasons (some of which related directly to TRPA thresholds):

1. Alternative 2 would decrease plant structure and diversity, converting 45 acres of forest to golf.
2. Alternative 2 would threaten uncommon plant communities—wetlands and fens.
3. Alternative 2 would impact sensitive species such as the Sand Lily (*Leucocrinum montanum*).
4. Alternative 2 would threaten wildlife species of special interest, such as the northern goshawk, which is specifically included in TRPA's threshold requirements.
5. Alternative 3 will achieve adequate revenues from golf, one of the goals stated in the EIR.
6. Alternative 2 would preclude much of Washoe Meadows State Park from fulfilling the vision of the settlement agreement and legislation that resulted in the acquisition of the Park. Alternative 3 would preserve the opportunity for Washoe Meadows State Park to be a park of the kind that complements the finest state park system in the country.
7. Drainages in the study area run downslope, roughly perpendicular to the river. The golf course of Alternative 2 would cross them. The EIR underestimates the impacts golf course construction and operation would have on the hydrology of the Park, especially its wetlands and fens.
8. In Alternative 2, golf would parallel the river on one side or the other for well over a mile, severely limiting access to the river corridor by Park users.
9. Fish habitat would be improved under both Alternative 2 and 3, but the fishing experience would be poor in Alternative 2 because of the proximity of so much golf course to the river.
10. The impact on water quality would be less under Alternative 3 than Alternative 2 because less area would be managed monoculture grasses, which require pesticides, fertilizers and maintenance activities (e.g. mowing) which pollute water and air and generate noise.
11. The golf course of Alternative 2 would generate noise from golf play and golf course maintenance activities such as mowing and sprinkling.
12. Compared with Alternative 2, Alternative 3 would restore more SEZ and more floodplain/meadow.

AOB24-4

The Golf Course Economic Feasibility Analysis is deeply flawed.

The economic analysis (Appendix E) uses incorrect assumptions and poor methods to reach fallacious conclusions:

The jobs estimate of 76 is for "full and part-time" jobs. On a full-time equivalent basis, the actual number of jobs would be less than half that many, approximately 28.

AOB24-5

The analysis averages data from 2003 to 2006, a period of declining trends, to illustrate revenues, expenses, golf rounds, and payments to State Parks. A better prediction of the future would be based on a continuation of the trends.

The analysis uses a survey of too small a sample, and thus not statistically significant, of the wrong people (current golf course users, not potential ones).

Despite pessimistic conclusions about the feasibility of a 9-hole course, there are 170 such courses in California.

The analysis improperly asserts that all visiting golfers would stop visiting Tahoe if the golf course were no longer 18 regulation holes.

Because of these and other deficiencies, the economic analysis provides no useful guidance to decision makers. A thorough, accurate and honest economic analysis is needed to assess each alternatives' actual impacts, including the number of golfers who would likely golf under Alternative 3's different configurations.

Access to the river would be reduced under Alternative 2.

If the golf course were moved into Washoe Meadows State Park as proposed by Alternative 2, virtually the entire river through the part would be paralleled on one side or the other by golf, often within 100 feet. Access to the river would be severely restricted on the upslope side of the west side of the river.

Water quality would be diminished under Alternative 2.

Alternatives 2, 3, and 5 would all fully restore the river and reduce the amount of sediment that erodes from the river channel and increase the amount of sediment and nutrients deposited on the flood plain in storm events.

The TASC appreciates the great strides made by golf in general and the Lake Tahoe Golf Course in particular in being better environmental stewards of the land they occupy. The programs of Audubon International have helped golf reduce its environmental impacts.² TASC has no doubt that the intentions of State Parks would be to make Alternative 2 as environmentally acceptable as possible.

But golf has unavoidable runoff of sediment, nutrients, and chemicals. Alternative 2, with nine holes on the western, upslope side of the river, would subject the river to this runoff, possibly threatening the trout fingerlings that could be produced in a restored river.

Upper Truckee River restoration may very well help reduce streambank erosion of sediment and provide other benefits, including reducing mid-lake clarity,

But the addition of more nutrients and other chemicals, as would occur under Alternative 2, is likely to further degrade the nearshore environment of Lake Tahoe because nitrogen released by fertilizer is highly soluble and will easily percolate

² <http://www.auduboninternational.org/> Audubon International, a golf industry program, is not affiliated with the National Audubon Society.

AOB24-5-
cont.

AOB24-6

AOB24-7

through the glacial moraine and into the river. Increased nitrogen levels in the lake will result in increased growth of invasive plants such as eurasian milfoil, which is already taking hold, on the river bottom, and will add nutrients to the lake's nearshore. Given the current ongoing degradation of this environment and the lack of scientific understanding of why it is occurring (and so quickly), the nutrient load to the nearshore should not be increased, as Alternative 2 would do.

AOB24-7
cont.

Forest habitat would be removed under Alternative 2.

Alternative 2 would result in the conversion of 45 acres of raw forest on the west side of the Upper Truckee River to golf course. 1,640 trees > 10" DBH would be removed. Lost would be a valuable part of a combination of ecosystems, along with the riparian corridor and the wet and dry meadows, that provide multiple benefits to wildlife. The river, the Park, and Park users would be better off with this forest intact.

AOB24-8

Alternative 2 would threaten fens and wetlands.

One of the principal reasons for the protection of Washoe Meadows State Park in the first place was the presence of fens and wetlands. Alternative 2 is too close to the largest and most important of the fens and would surround a wetland.

AOB24-9

It's not a benefit to put the golf course on "disturbed lands."

Land on the west side of the river to be occupied by golf course under Alternative 2 is often described as "disturbed."³ It is inferred that it would be a benefit to replace this "disturbed" land with golf.

AOB23-10

That's false comparison. If this land is the source of sediment runoff because it is disturbed, then it should be reclaimed no matter what. State Parks owns and is responsible for that land and its function, just like other landowners are responsible for BMPs.

Conclusion.

In conclusion, the Tahoe Area Sierra Club strongly opposes Alternative 2 and supports Alternatives 3 and 5. Only Alternatives 3 and 5 can lead to the expeditious restoration of the river. Alternative 5 is the best environmentally. Alternative 3 is the best balance of the interests. Alternative 2 is legally infeasible.

³ See, e.g., p. 2-50.

- AOB24-1 The commenter requests that river restoration and golf be separated. State Parks has an obligation to manage all of its properties to balance both biological diversity and high-quality outdoor recreation, consistent with its mission statement:
- The mission of the California Department of Parks and Recreation is to provide for the health, inspiration and education of the people of California helping to preserve the state’s extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation.
- The river restoration and golf relocation projects are directly related. The golf course currently occupies the meander belt and floodplain of the river. For many of the alternatives considered, there must be changes made to the existing golf course. Segmentation of the project is not allowable. (PRC section 15378 – “whole of the action”).
- AOB24-2 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, “Land Use.”
- AOB24-3 The commenter states that Alternative 2 would not be consistent with TRPA thresholds. The commenter also reiterates the conclusion in the draft EIR/EIS/EIS that Alternative 5 would be the environmentally superior alternative. Chapter 4, “Other Required Sections,” of the draft EIR/EIS/EIS evaluates the effects of each of the project alternatives on TRPA’s thresholds.
- AOB24-4 The commenter’s rationale for the superiority of Alternative 3 over Alternative 2 is noted. See the following master responses and responses to comments:
- ▶ Master Response Section 3.3, “Biological Resources,” for a discussion of habitat impacts, wetlands, and fens;
 - ▶ response to comment I7-4 for a discussion of sand lilies;
 - ▶ Master Response Section 3.7, “Economics”;
 - ▶ Master Response Section 3.2, “Land Use,” for a discussion of the settlement agreement and statute;
 - ▶ Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for a discussion of fen hydrology and fertilizer and other chemical use;
 - ▶ Master Response Section 3.5, “Recreation,” for a discussion of recreation access; and
 - ▶ response to comment I160-1 for a discussion of noise impacts.

- AOB24-5 The commenter disagrees with the assumptions used in the economic analysis. See Master Response Section 3.7, “Economics.”
- AOB24-6 The commenter is concerned about decreased access to the river under Alternative 2. See Master Response Section 3.5, “Recreation.”
- AOB24-7 The commenter states the opinion that although golf course management has improved, golf results in unavoidable runoff of sediment, nutrients, and chemicals that would pose a threat to water quality and aquatic resources under Alternative 2. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”
- AOB24-8 The commenter is concerned about impacts on forest habitat under Alternative 2. See Master Response Section 3.3, “Biological Resources.”
- AOB24-9 The commenter is concerned that Alternative 2 would be too close to the fens and would surround a wetland. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” and Master Response Section 3.3, “Biological Resources.” Refer to Chapter 5, “Corrections and Revisions to the Draft EIR/EIS/EIS for text revisions related to these topics.
- AOB24-10 The commenter states that the areas of “disturbed lands” within Washoe Meadows SP that would be converted to golf course under Alternative 2 should not be considered an environmental benefit, but should be “reclaimed” if it is a source of sediment. See the following response to comment and master responses:
- ▶ response to comment AOB8-6 for a discussion of quarry areas and soil piles.
 - ▶ Master Response Section 3.2, “Land Use,” for a discussion of the area proposed for golf course reconfiguration; and
 - ▶ Master Response Section 3.3, “Biological Resources,” for a discussion of sensitive habitat.



AOB-25

DATE: November 4, 2010
TO: TRPA
FROM: South Tahoe Association of REALTORS® Board of Directors
RE: Upper Truckee River Restoration & Golf Course Reconfiguration Project

To whom it may concern:

The South Tahoe Association of REALTORS® (STAR) Board of Directors would like to submit feedback on the TRPA's Upper Truckee River Restoration & Golf Course Reconfiguration Project that is currently open for public comment. STAR represents over 300 REALTOR® members in South Lake Tahoe.

The Lake Tahoe Golf Course plays a substantial role within our local economy. It is a regularly frequented recreation source for both local residents and tourists. It is also a big selling point for second homebuyers looking to move to South Lake Tahoe for its recreation amenities. Removing the golf course entirely, which is proposed in alternative #5, would have detrimental effects on our already fragile local economy, and do away with jobs, of which are sorely needed for our locals.

Also, we feel that reducing the golf course to a 9-hole course would take away the main attraction of this beautiful and popular course. Many tourists and locals enjoy having a full regulation 18-hole course available, and would drive down to the Carson Valley if the Lake Tahoe Golf Course was changed to only 9-holes.

We, the Board of Directors, have reviewed all 5 alternatives, and have come to the conclusion that alternatives #2 and #4 would be best for the community. Alternative #2 is the most "eco-tourism" friendly with the addition of pedestrian trails along the river, and moving part of the golf course away from the river into less sensitive land. This would also allow for the restoration of a natural meandering pattern for the river with the hope of reducing sediment flow into the lake.

Alternative #4 is the least expensive alternative that still allows for the banks of the river to be stabilized to reduce sediment run-off and help increase lake clarity.

Thank you for your time in reviewing and considering our comments on this important issue. If you have any questions or need clarification, please feel free to contact our office at (530) 541-7007.

Sincerely,

Theresa Souers

Theresa Souers, 2010 President
South Tahoe Association of REALTORS® (STAR)
on behalf of the STAR Board of Directors

AOB25-1

AOB25-1

The commenter's support for Alternatives 2 and 4 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.



September 27, 2010

The Board members of the Tahoe Douglas Visitor's Authority, upon review of the Upper Truckee River Restoration and Golf Course Reconfiguration Project and the goals of the project as stated in the Executive Summary of the draft EIR/EIS/EIS documents, do hereby declare,

- Whereas Alternative 2 provides for the complete restoration of the Upper Truckee River and surrounding streamside and meadow habitat along the Lake Tahoe Golf Course reach, and
- Whereas Alternative 2 maintains a regulation-size golf course for high-quality outdoor public recreation, and
- Whereas Alternative 2 maintains an annual contribution of \$6,000,000 into the local economy, supports almost 200 jobs, and maintains an annual revenue of \$880,000 to California State Parks as a direct result of Lake Tahoe Golf Course operations, and
- Whereas, Alternative 2 best meets the stated goals of the restoration project and is the best overall solution for the environment, for public outdoor recreation, and for the economy of South Lake Tahoe,

AOB26-1

And do hereby support Alternative 2 and strongly recommend that the Tahoe Regional Planning Agency and California State Parks approve Alternative 2 for implementation.

Respectfully,

John Packer
Tahoe-Douglas Visitors Authority

AOB26-1

The commenter's support for Alternative 2 and its economic, recreation, and environmental value is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.



David Lass
Northern California Field Director: Sportsman Conservation Project

AOB-27

November 7, 2010

Cyndie Walck
 CA State Parks and Rec Sierra District
 PO Box 16,
 Tahoe City, CA 96145

Re: Public Comment on EIS for California State Park's Upper Truckee River Restoration and Golf Course Reconfiguration Project

Dear Cyndie:

On behalf of Trout Unlimited (National) and the undersigned businesses and member groups, we submit our comments on California State Park's (CSP) Environmental Impact Statement (EIS) for the Upper Truckee River Restoration and Golf Course Reconfiguration Project. We welcome the opportunity to provide support for CSP to restore this section of the Upper Truckee River to a more naturally functional condition, reduce erosion, and improve meadow habitat while also maintaining a healthy South Lake Tahoe economy through the recreational opportunities provided by the public golf course.

Currently, Trout Unlimited is represented by over 150,000 members nationwide and over 14,000 members within the State of California alone. Our mission is to conserve, protect and restore North America's trout and salmon fisheries and their watersheds. Our vision is that by the next generation, we will ensure that robust populations of native and wild coldwater fish once again thrive within their North American range.

Trout Unlimited is currently in the infancy stage of developing a campaign to designate the Meiss Meadows Inventoried Roadless Area (Headwater of Upper Truckee River) as Federal Wilderness. Permanently protecting the headwaters of the Upper Truckee River is necessary to protect Lake Tahoe clarity and provide a refuge of intact habitat for the federally Threatened Lahontan Cutthroat Trout. As TU continues to work on the "Protect" side of the equation for the Upper Truckee River, we are pleased to see that California State Park's is working hard on the "Restore" part of this equation. Both will be necessary to improve the aquatic habitats of the Upper Truckee River and Lake Tahoe. Together, we feel we can bring positive changes to the Upper Truckee watershed and ultimately Lake Tahoe.

Alternatives 2, 3 and 5 of the Upper Truckee River Restoration and Golf Course Reconfiguration Project will restore the 1.5 mile stretch of the Upper Truckee, which meets both our mission and strategic vision, and therefore we are fully supportive of all these Alternatives as defined within the Project EIS. Though we support all three Alternatives that address stream and meadow restoration, we also believe that Alternative 2 is the stand out option to implement restoration while also maintaining the recreational opportunities and economic benefits of a functional golf

AOB27-1

Trout Unlimited: America's Leading Coldwater Fisheries Conservation Organization
 Truckee Office: 10356 Donner Pass Rd, STE B Truckee, CA 96161
 Direct: (530) 587-7110 • Cell: (530) 388-8261 • Email: dlass@tu.org • www.tu.org

course. Essentially, it is the best compromise. Alternative 2 is most attractive to Trout Unlimited because it provides a complete restoration of the river and surrounding meadow habitat, will improve lake clarity by reducing nutrients and sediment flowing into Lake Tahoe, will improve fish and wildlife habitat, improve angling access along the river, and allow the local golf course to continue to provide jobs and needed revenue for California State Parks. The revenue from the golf course, which is the only 18 hole public course in South Lake Tahoe, is estimated at \$6 million dollars to the local economy each year.

AOB27-1
cont.

One specific recommendation that TU has in supporting Alternatives 2, 3 and 5 of this project is consideration of spawning brown and rainbow trout during implementation of the stream and meadow restoration component of this project. The Upper Truckee River through this reach (and upstream) is one of the most important spawning habitats for brown and rainbow trout running out of Lake Tahoe. I have personally witnessed brown trout exceeding 30" and rainbow trout exceeding 10 pounds spawning in this reach of the Upper Truckee. Trout Unlimited would like the California State Park's to consider the sensitivity and importance of this area for wild Lake Tahoe trout during the spring (rainbows) and fall (browns) when planning implementation of the restoration project.

On behalf of the fish and game resources of the Upper Truckee River, we thank you for the opportunity to comment on California State Park's (CSP) Environmental Impact Statement (EIS) for the Upper Truckee River Restoration and Golf Course Reconfiguration Project. We look forward to working closely with you to develop ecologically sustainable, manageable, and enforceable management actions in the future. Thank you

Sincerely,



David Lass
Trout Unlimited, Sportsman's Conservation Project
10356 Donner Pass Rd. Suite B
Truckee, CA 96161
(530) 587-7110
dlass@tu.org

Drew Irby, Council Chair
California Council of Trout Unlimited

Tom Johns, Vice President/Conservation Chair
Tahoe Truckee Fly Fishers
Tahoe City, CA

Chip Brown; President
San Francisco Fly Casting Club
Truckee, CA

Dave Stanley; Owner
The Reno Fly Shop
Reno, NV

Stefan Mcleod; President
Truckee River Chapter TU
Truckee, CA

Organizational Overview

Trout Unlimited (TU) is the oldest and largest coldwater fish conservation organization in North America. TU's mission is to conserve, protect and restore native trout and salmon populations throughout their historic watersheds. TU accomplishes this mission through a combination of direct advocacy for changes in law and policy, organizing of sportsmen, public education and outreach, research and dissemination of new science, and on-the-ground conservation projects implemented by TU's 150,000 grassroots members and chapter leaders.

TU, based in Arlington, Virginia, operates field offices in states and regions with especially high values for coldwater fisheries and habitat. California is one such state, with its exceptional fishing and hunting opportunities, eleven native species of trout and salmon (the most of any state outside of Alaska), and thousands of miles of rivers. However, many of California's native fish are imperiled and face a multitude of threats, including human development, water use, and now climate change. Native trout that TU is working to protect and restore in California include the Lahontan cutthroat, the Paiute cutthroat, central and southern coastal steelhead, Goose Lake and Warner Lake redband, the California golden trout, and coho salmon.

We have offices in Truckee, Berkeley, Fort Bragg and Santa Cruz.

AOB27-1

The commenter's support for Alternatives 2, 3, and 5 is noted. The commenter requests that spawning habitat be considered during implementation of stream restoration. See response to comment AOB21-1.

October 1, 2010



AOB-28

State of California Department of Parks and Recreation
Sierra District
Cyndie Walck
PO Box 16
Tahoe City, CA 96145

Subject: Request for Extension of Comment Period for draft EIR/EIS/EIS for Upper Truckee River Restoration and Golf Course Reconfiguration Project

Dear Cyndie Walck:

The Washoe Meadows Community requests a 30-day extension on the comment period for the subject document.

It is necessary to know how the proposed project is going to affect the existing environment (i.e., environmental setting). At the September 8, 2010 Parks Department meeting, we requested that GPS coordinates be provided for the golf course hole/tee/fairway locations proposed for relocation within Washoe Meadows State Park. We were told that these would be given to us.

On September 22, 2010, we were provided with a map of the area with GPS coordinate grid lines. However, these grid lines are widely spaced and there is no way to accurately determine the location of the golf course holes, tees or fairways. The units shown on the map they gave us have an accuracy of very roughly 1,200 feet in one direction and very roughly 2,000 feet in the other direction. We have spent time trying to interpolate and find the locations in the park but the information provided has not been useful for this purpose.

On September 30, we received a list of coordinates, but with no names associated with each pair. Again this makes it impossible to determine the project's effect on the existing environment, since we are unable to "ground-truth" the layout of the course. So we have lost valuable and irreplaceable time trying to determine how the course will be laid out on the existing environment, and which natural resources may be adversely affected.

Furthermore, the EIR/EIS is an extensive document. It is very difficult for ordinary citizens with day jobs and other responsibilities to find the time to review the document within the timeframe provided. Even though we have divided up the review responsibilities within our group to tackle this job, we still need to review each other's separate work and organize a cohesive comment letter on the adequacy of the draft document's environmental review.

We request more specific GPS coordinates so we can evaluate the on-the-ground effects of the proposed project, and, based on the Department's inability to provide us with this information and the size of the draft environmental review document, we request an additional 30-day public review and comment period.

AOB28-1

Thank you for your consideration of this request.
Yours truly,



Lynne Paulson

Lynne Paulson
Washoe Meadows Community
Email LCPaulson@comcast.net

cc: Marnie Mayville, Bureau of Reclamation
Mike Elam, TRPA

AOB28-1

The commenter's request for more specific GPS coordinates and an additional 30 days to review the document is noted. The comment period was not extended; however, State Parks stated that comments could still be submitted without a guarantee that they would receive a response. The comment period was extended from 75 days to 85 days, which is twice the statutorily required review period for an EIR under CEQA and 25 days more than required under NEPA. GPS coordinates were also provided. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.



California Park & Recreation Commission 10-8-10

My name is Lynne Paulson from the Washoe Meadows Community (www.washoemeadowscommunity.org). As most of you know, I represent an organization of people from throughout the state that wants to preserve the integrity of Washoe Meadows State Park near South Lake Tahoe which is threatened by golf course development if the Parks Department moves 9 holes of the Lake Tahoe Golf Course into the park.

As Commissioners, the people of California rely on your wisdom and judgment to ensure that Washoe Meadows and all State Parks remain part of the heritage that we must leave for the following generations.

A lack of a General Plan for the Park for over 26 years has made it impossible to properly manage the natural resources of the park and left it vulnerable to threats such as the golf course. The proposal to move 9 holes of the golf course into the park affects a huge area of the park that would then be within sight and hearing distance of the golf course. It cuts off park users from direct access to any section of the river that is now a central feature in the park's attractions. Wildlife habitat would be replaced by acres of golf course. It is only feasible to suggest a plan like this because the park has been devalued by the Parks Department.

Please don't easily split up a park and remove its protections as a park in order to serve short-term economic profits.

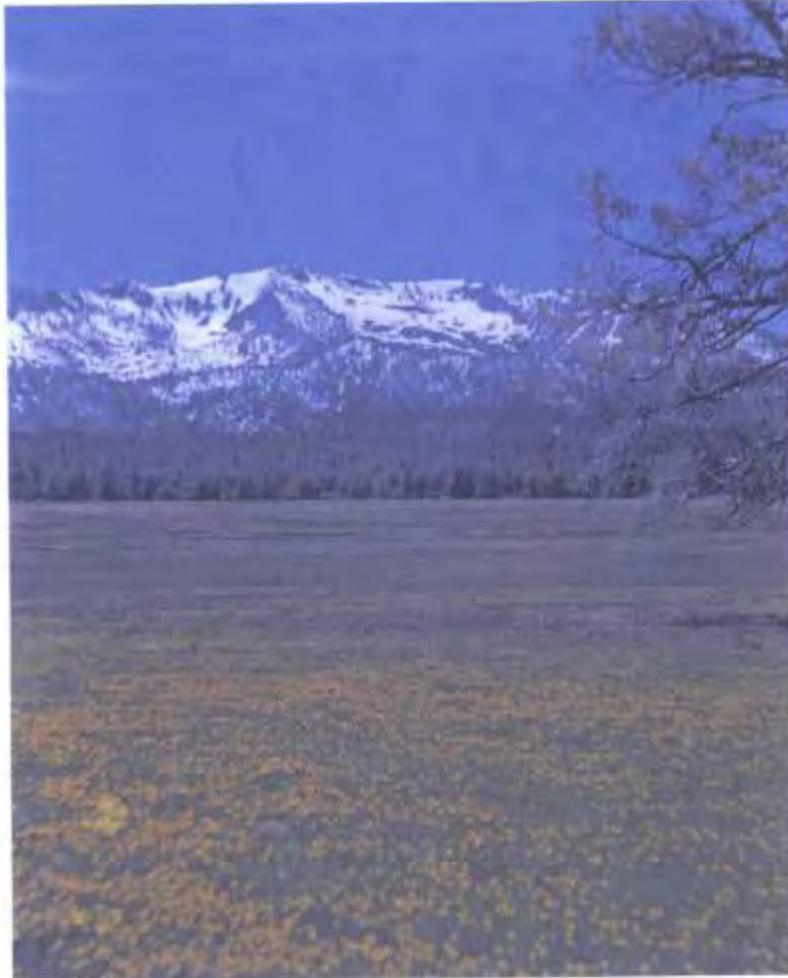
In 2006 when this proposal was made public, we had over 200 people sign a petition against it and almost 100 people sent in letters against it. Washoe Meadows Community also submitted extensive comments. We are now working on comments to the draft EIR/EIS.

Washoe Meadows State Park was acquired for its natural resource values. Restoring this stretch of the Upper Truckee River is important but the proposed Alternative 2 that would move 9 holes of the golf course from the State Recreation Area into the park is contradictory to those values. Although the draft EIR/EIS doesn't indicate any preferred option, I was shocked to find out that state employees held a meeting with golfers, in which they asked the golfers to counter the stack of letters the Parks Department had received from neighbors and environmentalists. The meeting attendees were directly asked to support Alternative 2.

My handout for the Commission includes my statement and also a letter from one of our Washoe Meadows Community members which was published in the Tahoe news.

Thank you.
Lynne Paulson
Email LCPaulson@comcast.net

AOB29-



1950's photo courtesy of Jim Hildinger

View of meadow in the 1950's before construction of the golf course.
This is now Lake Valley State Recreation Area.



Bear in Washoe Meadows State Park
August 13, 2010



Pine Marten in Washoe Meadows State Park
February 23, 2010

AOB29-1

The commenter's opposition to Alternative 2 is noted. The commenter is concerned that no general plan has been prepared for Washoe Meadows SP. See Master Response Section 3.2, "Land Use," for a discussion of consistency with applicable plans, policies, and regulations.



TRPA APC
10/13/10

My name is Lynne Paulson from the Washoe Meadows Community (www.washoemeadowscommunity.org). We are an organization of people from throughout the state that want to preserve the integrity of Washoe Meadows State Park which faces devastation if the Parks Department moves a golf course into the park.

The proposal to move the golf course is in conflict with California's legislative statute and legal settlement agreement of 1984 under which Washoe Meadows State Park was formed in order to preserve the land and protect it from development. The land was acquired by the state "for the purpose of protecting an irreplaceable watershed" as well as wetlands, meadows and wildlife habitat. A reading of these entire documents clearly expresses the significance of the Park's valuable natural resources and sensitive ecology.

AOB30-1

When the State first acquired the land, the records show that there was a debate about whether to retain the golf course. It was finally decided to allow continuing operation of the golf course on land that was classified as a State Recreation Area, an important distinction from Washoe Meadows State Park. However, now the golf course interests are being maximized at the expense of Washoe Meadows in open defiance of legislative protections afforded to the Park.

Many of our members are golfers and we do not object to continuing with golf on the east side of the river. We do support river restoration but we don't think it should be combined with moving the golf course into the park and onto an additional stretch along the river as outlined in Alternative 2. The golf course should remain within the boundaries of the State Recreation Area with a reconfigured 9 or 18 hole golf course as mentioned in the description of Alternative 3.

It is our contention that Alternative 2 will result in significant unavoidable impacts to wildlife species and sensitive biotic habitats (fens and spring complexes), to aesthetics (users of the park will now be confronted with the golf course) and to continued non-consumptive recreational activity in the park such as hiking, bird watching, botanizing, snow-shoeing, horseback riding, and cross-country skiing. Some areas of deficiency in the draft EIR/EIS include failure to address significant impacts from the proposed Alternative 2 such as

AOB30-2

- the severe impact on recreational park users when the park is fragmented and so many acres of the park will be within close distance of the golf course.
- the impact on wildlife habitat from replacement of many acres of forest, meadow and wetlands with golf course.
- the unequal quality of the land that is proposed for exchange as confirmed in the Parks Department's own General Plan for Lake Valley State Recreation Area.

AOB30-3

AOB30-4

- consequences of allowing the complicated turf management practices of a golf course with all their herbicides, pesticides, fungicides and fertilizers to be applied on sensitive land.

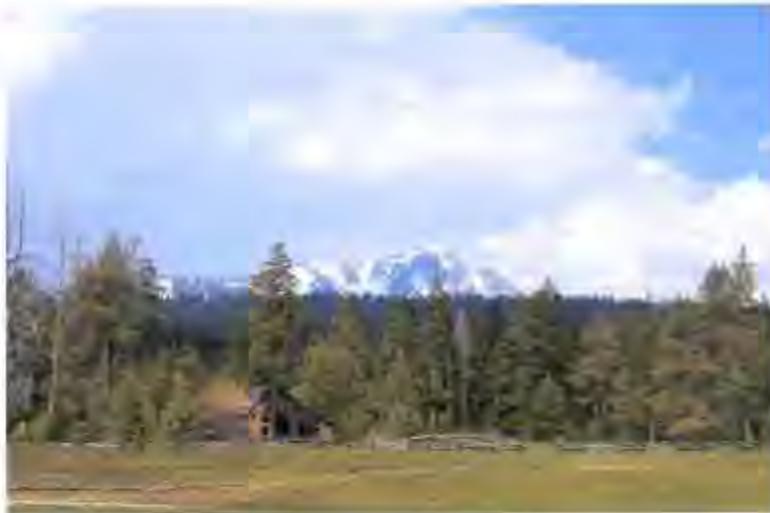
The economic analysis has many unsubstantiated assumptions that will be pointed out in our comments. Significantly, it doesn't address the reality of the current and predicted continuing decline in golf as a recreational activity and its replacement with lower-impact and family friendly sports such as hiking, river rafting, bird watching and enjoyment of nature.

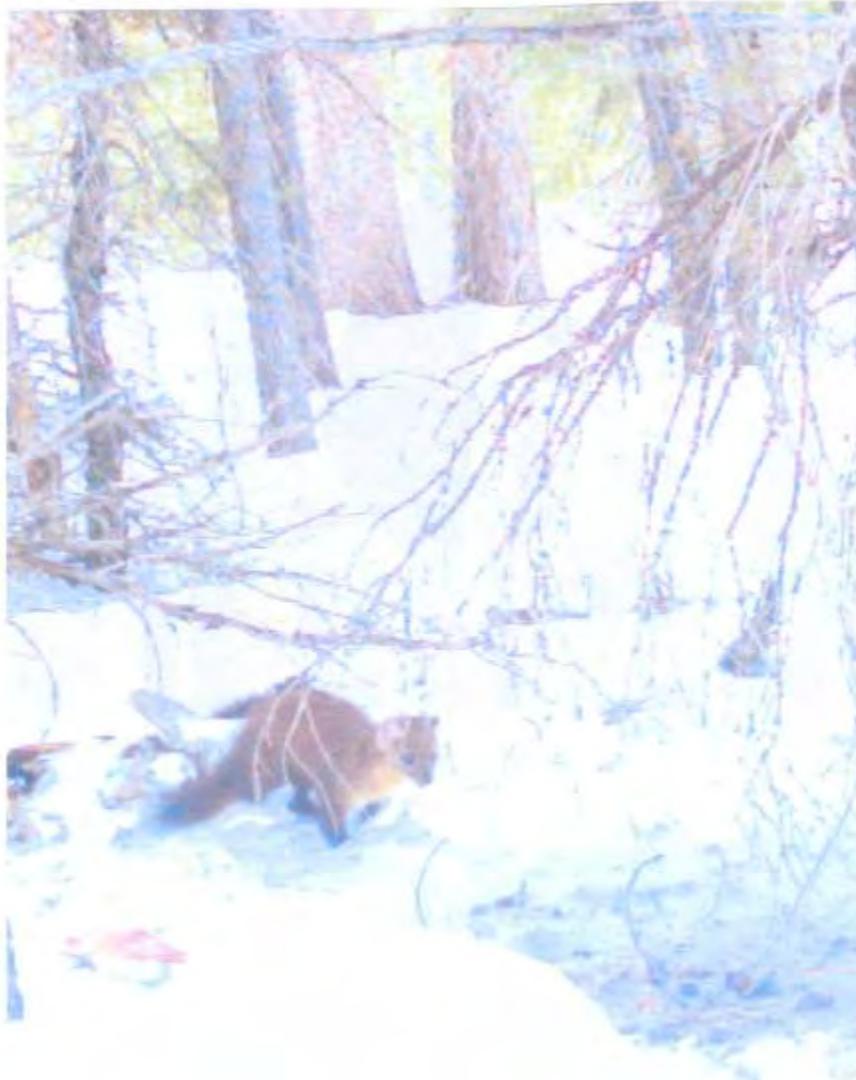
We ask that you continue to review information related to the draft EIR/EIS because we will have more detailed comments by the end of the public comment period. The draft environmental document is lengthy and requires extensive review. Some of our review of Alternative 2 has been impacted by a lengthy delay in receipt of detailed information we requested on the proposed location of the golf course within the park. We do know, however, that the proposed golf course layout is larger than the present footprint and provides for a championship golf course rather than the regulation golf course that exists today.

As commissioners, the people of California and Nevada rely on your wisdom, judgment and guidance to fulfill TRPA's mission to protect the Lake Tahoe environment in a way that benefits not just our current population but also future generations.

Thank you.

Lynne Paulson
Email LCPaulson@comcast.net





Pine Marten in Washoe Meadows State Park
February 23, 2010



Bear in Washoe Meadows State Park
August 13, 2010



The debate swirling around the Upper Truckee River Restoration and Golf Course Reconfiguration Project is not a debate about river restoration. All participants support this end. It's not even a debate between golfers and environmentalists. Few, if any, deny the right of the golfers to play on the current Lake Tahoe Country Club. This debate is rapidly becoming a confrontation between three state and local agencies, and concerned locals and neighborhood groups like the Washoe Meadows Community. The involved agencies are showing an undo bias toward Alternative 2, advocating golf course expansion. They appear ready to do this by ignoring preeminent laws protecting sensitive land, historical and cultural sites, diminishing animal and plant habitat, and quiet and peaceful local neighborhoods.

Aside from the obvious indifference to their own environmental standards, misleading the public about their intentions, and ignoring input from their own constituents, this is being pushed at a time of decreasing popularity in golf. The Environmental Impact Report or EIR clearly details the declining revenues of the current State Recreation Area's activities. And unless Global Warming overwhelms us sooner than expected, Tahoe's fragile golf season is not going to get any longer.

It's quite clear the State Parks, TRPA, and Bureau of Reclamation, are stretching their powers here by ignoring their own history of written intentions and guidelines. The land in question, is bordered roughly by Hwy 50, North Upper Truckee Rd., Sawmill Rd, and Tahoe Paradise. It was purchased by the state in 1984. The 1984 California Legislative Statute appealed for the purchase using taxpayer dollars. They called it an act of urgency; "in order to acquire as state lands an environmentally sensitive parcel of approximately 777 acres of land comprising wetlands, meadows, and wildlife habitat for the purpose of protecting a unique and irreplaceable watershed". The parcel contained an existing golf course to the East, and a fragile and diverse piece of land to the West. Separating the two, was the main tributary of Lake Tahoe, the Upper Truckee River. The side containing the golf course was designated a State Recreational Area, and the land across the river, bordering numerous neighborhoods along North Upper Truckee, was designated as a state park, originally named Washoe Meadows Wildlife Refuge.

Here, in the words of the agencies most zealous for expansion, are the reasons Alternative 2 displays a contemptuous disregard of their own standards of stewardship. According to the States' own Unit Purpose Statement adopted in 2000 "the purpose of the Washoe Meadows State Park is to preserve and protect a wet meadow area associated with Angora Creek and the Upper Truckee River at the southwest side of the Tahoe Basin. The unit's associated forest sustains Jeffrey ...and Lodgepole pine. The unit contains 14 Native American occupancy sites and remnants of a historic dairy, and is contiguous to other public lands important for their open space values and recreational uses." Consider this statement comes before the Angora fire. It should be apparent how much more important these forests and wetland areas become as a habitat for indigenous wildlife and plants.

The Plan Area Statement of the TRPA Code of Ordinances says this about "PAS 119" (Country Club Meadow), "the following special policies ...apply to the study area:

- Areas of significant resource value or ecological importance within this Plan Area should be designated as natural areas, and they should be buffered from intensive uses.
- Creation of waterfowl habitats in association with restoration efforts of disturbed areas should be encouraged.
- Intensive uses in this Plan Area that require development of impervious coverage should be discouraged.

The agencies now argue some of these areas have been "previously disturbed", thus implying it is acceptable to disturb them again. That's like saying since a bank has been robbed it's acceptable to rob it again.

What these agencies must remember is that the land in question is theirs to protect, not abuse. While they have been designated guardians of this sensitive and precious parcel of PUBLIC land, it is not theirs. The land belongs to all of us! We must let them know how we feel. Ways to comment are available at www.washoemeadowscommunity.org.

Steve Szekely
(530)577-7207
dixiemtn@sbcglobal.net

- AOB30-1 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, “Land Use.”
- AOB30-2 The commenter is concerned about impacts on biological resources, including fens within Washoe Meadows SP, aesthetics, and recreation access. Section 3.7, “Scenic Resources,” of the draft EIR/EIS/EIS discusses potential impacts of the alternatives on scenic resources. See Master Response Section 3.3, “Biological Resources,” for a discussion of impacts on biological resources, including fens. See Master Response Section 3.5, “Recreation,” for a discussion of recreation access within the study area.
- AOB30-3 The commenter has concerns about impacts on wildlife habitat. See Master Response Section 3.3, “Biological Resources.”
- AOB30-4 The quality of the land proposed for exchange between Lake Valley SRA and Washoe Meadows SP was addressed in Chapter 2, “Project Alternatives,” and several impact discussions in the draft EIR/EIS/EIS, including those in Section 3.3, “Hydrology and Flooding”; Section 3.4, “Geomorphology and Water Quality”; Section 3.5, “Biological Resources”; Section 3.6, “Earth Resources”; and Section 3.7, “Scenic Resources.” The commenter does not define “unequal quality of land”; however, Alternative 2 proposes to restore SEZ adjacent to the Upper Truckee River and relocate the golf course to an area farther from the river, much of which is within higher capability and previously disturbed lands. See Master Response Section 3.2, “Land Use,” for more detail on the quality of land proposed for exchange. In this master response, the comparative areas and resource qualities are discussed.
- AOB30-5 The commenter is concerned that the draft EIR/EIS/EIS did not address impacts of “complicated turf management practices” under Alternative 2 on sensitive land. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”
- AOB30-6 The commenter disagrees with the assumptions used for the economic analysis. See Master Response Section 3.7, “Economics.”
- AOB30-7 The commenter’s request that information related to the draft EIR/EIS/EIS continue to be reviewed is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.



November 15, 2010
Cyndie Walck
California State Parks and Recreation
Sierra District
P.O. Box 16
Tahoe City, CA 96145
utproject@parks.ca.gov

Tahoe Regional Planning Agency
P.O. Box 5310
128 Market Street
Stateline, CA 95814

U.S. Bureau of Reclamation
Mid-Pacific Regional Library
2800 Cottage Way
Sacramento, CA 95825

Re: Draft EIR/EIS/EIS Upper Truckee River Restoration and Golf Course
Reconfiguration Project (State Clearinghouse #200608215)

Dear Ms. Walck:

We appreciate the opportunity to comment on the subject EIR for this very important project. It is an extensive document that has a great deal of information about a place that is special to us.

The Washoe Meadows Community (WMC) consists of hundreds of citizens of California and patrons of Washoe Meadows State Park. From the beginning, prior to the issuance of the Notice of Project (NOP) in 2006, WMC has supported restoration of the Upper Truckee River through Washoe Meadows State Park and Lake Valley State Recreation Area, but has been concerned about the proposal to convert a large area of Washoe Meadows State Park to a golf course. WMC filed detailed comments on the NOP on October 6, 2006.¹

Many WMC members are frequent users of Washoe Meadows State Park and have intimate knowledge of the Park and its features and resources. Our review of the EIR/EIS/EIS has been enriched by the knowledge and wisdom of these members.

We have reviewed the Draft EIR/EIS/EIS titled Upper Truckee River Restoration and Golf Course Reconfiguration Project and have identified many issues. The comments that are attached to this letter detail these issues.

¹ Draft EIR/EIS/EIS, Volume III

Ms. Walck
November 15, 2010

Page 2

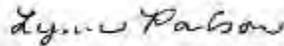
In many instances, our comments reach conclusions, in particular about Alternative 2. Those conclusions should be viewed in the context of the EIR/EIS/EIS in this way: the EIR/EIS/EIS should have addressed issues it failed to address; the EIR/EIS/EIS should have addressed issues in a different way or the EIR/EIS/EIS should have reached different conclusions.

The Washoe Meadows Community supports Alternative 3 or a yet to be defined alternative which restores the river, retains Washoe Meadows State Park in its entirety, and meets the primary purpose of this project which is to restore the river and protect the environment.

AOB31-1

Our comments are being submitted with an additional WMC comment letter from our attorneys at Kenyon Yeates, LLP.

Sincerely,



Lynne C. Paulson
LCPaulson@comcast.net

on behalf of Washoe Meadows Community

P.O. Box 8787
South Lake Tahoe, CA 96150
info@WashoeMeadowsCommunity.org
www.WashoeMeadowsCommunity.org

Attachment – Washoe Meadows Community Comments

**Washoe Meadows Community Comments on
Draft EIR/EIS/EIS – Upper Truckee River Restoration
and Golf Course Reconfiguration Project – August 2010**

**Restore the Upper Truckee River
and
Save Washoe Meadow State Park**



Section	Description
1	Plans, Policies, and Procedures
2	Comparison of WMC's Recommendations in NOP with EIR/EIS/EIS
3	Public Recreation Planning Workshops in 2007
4	Evaluation of Alternative Locations
5	General Comments
6	Environmental Planning
7	Economic Feasibility Analysis
8	Water Quality
9	Wildlife Species of Special Interest

1 Plans, Policies, and Procedures

The project and the EIR/EIS/EIS must conform to applicable policies, regulations, and statutes. However, there are serious conflicts and deficiencies¹ related to:

- the Litigation Settlement Agreement,
- California Statute,
- the Parks Classification Decision,
- the California Public Resources Code,
- Washoe Meadows State Park Purpose Statement,
- State Parks Policies,
- the State Parks Planning Handbook, and
- federal funding processes.

Litigation Settlement Agreement

The litigation settlement agreement² describes the events leading up to the lawsuit filed over the properties that now comprise Washoe Meadows State Park and Lake Valley State Recreation Area (LVSRA).

In 1972 developers wanted to build 2,800 homes and some commercial facilities. The Tahoe Regional Planning Agency (TRPA) refused to approve the application and rezoned the property from a "General Forest and Conservation Reserve" to entirely a "Conservation Reserve" zone designation. The developers sued in 1973 and the case went all the way to the US Supreme Court.

In 1984 the case was settled prior to going to trial. In a compromise agreement the state agreed to purchase the land for about \$5 million.

The litigation settlement agreement states:³

WHEREAS, the unique characteristics and location of the subject property have been described by biologists, hydrologists, limnologists, plant physiologists and summarized as follows: The subject property contains unique and irreplaceable resources in the Lake Tahoe Basin, and is extremely valuable to the maintenance of the water quality of Lake Tahoe itself,....

The litigation settlement agreement describes the purpose of acquisition of the property by the State of California to: "preserve the region's environmental and recreational values and would help restore and insure equilibrium between the region's natural endowment and

AOB31-2

¹ Impact Statements 3.2-2 and 3.2-3 in Draft EIR/EIS/EIS Vol II

² Litigation Settlement Agreement, Lake Country Estates, Inc., et al Plaintiffs vs. Tahoe Regional Planning Agency, et al, Defendants, No. CV-F-81-127-REC and Lake Country Estates, Inc., et al, Plaintiffs, vs. California Tahoe Regional Planning Agency, et al, Defendants, No. CV-F-81-132-REC, dated June 12, 1984

³ Page 3.

its man-made environment, goals deemed imperative by Congress in the Lake Tahoe Basin...⁴

The agreement also promotes "the maintenance of significant scenic, recreational, educational, scientific, natural and public health values..." all of which characterize the values of Washoe Meadows State Park.

The purpose for state purchase of the property also includes protecting and preserving:

- Tahoe's natural resource values
- Exceptional wildlife habitat
- Natural wildlife corridors at the Upper Truckee River and the intersecting Angora Creek
- Habitat for birds that migrate on the Pacific Flyway
- Diverse plant communities including rare plants
- Low lying ground with high water table and capability to uptake nutrients and trap sediments which would otherwise flow into Lake Tahoe.
- Two creeks and several pond areas
- Attractive forests
- Meadows
- Valuable wildlife areas where forest and meadow intersect
- Unusual fish habitat described as follows:

The most unusual feature of this property, however, is the presence of a fish habitat which has never before been observed in the Tahoe Basin. The western portion of the property is characterized by a series of wetland and bog plant communities recognized as unique in the High Sierra. These bogs and wetlands contain streams which flow through the forest areas and into holes of 2' to 3' depth. These holes are connected by subsurface stream flows and within these holes, resident Eastern Brook Trout have been observed. The trout are able to live year round in these deep holes because the water is below the freezing level and is supplied by the subsurface flows. Such a phenomenon is of great scientific interest. The Upper Truckee River is noted for the best trout fishing in the Lake Tahoe Basin and the segment of the river which bisects the property provides the best trout habitat along the river. It is a spawning area for Rainbow, Eastern Brook and Brown trout.⁵

The settlement agreement also concludes that:

The unique subject property is scientifically valuable, environmentally sensitive, vital to the maintenance of riparian habitat and to the maintenance of water quality in Lake Tahoe, and is, therefore, highly suitable for public acquisition in order to preserve and maintain these natural resource values...⁶

⁴ Page 5.

⁵ Pages 4-5.

⁶ Page 5.

AOB31-2
cont

The EIR/EIS/EIS and its description of Alternative 2 are not in conformance with the language of the settlement agreement.

AOB31-2
cont.

California Statute

To implement the settlement agreement, the California legislature enacted "an urgency statute."⁷ Its stated purpose included the acquisition as state lands of "...an environmentally sensitive parcel of approximately 777 acres of land comprising wetlands, meadows, and wildlife habitat for the purpose of protecting a unique and irreplaceable watershed through which the Upper Truckee River supplies approximately 40% of the water flowing into Lake Tahoe..." Its purpose also was "to settle and dismiss, with prejudice, the litigation regarding that property..." The statute emphasized urgency: "...it is necessary that this act take effect immediately."

AOB31-3

The description of the land in the statute indicated the importance of land conservation for this parcel. The EIR/EIS/EIS and its description of Alternative 2 are not in conformance with this statute.

Parks Classification Decision

In the cover letter transmitting the Resource Summary,⁸ the park area was determined to be classified as park because "the project lands west of the Upper Truckee River ... contain outstanding values of statewide significance and areas capable of being restored to such values." The park was named Washoe Meadows SP because the name "recognizes both the Native American historic presence and the environmentally sensitive natural resources."

In March, 1987, the Commission recommended that the land west of the Upper Truckee River be a State Park "due to its wetlands, meadows, and wildlife habitat."⁹

The golf course area was recommended for classification as a state recreation area to allow golf course operation to continue.

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The 1987 decision to continue to operate the golf course may have been in contradiction to the values set forth in the litigation settlement agreement and statute. The property was acquired "for public uses compatible with the property's natural resource and environmentally sensitive features."¹⁰ It further indicated that "any human disturbance (as by development) within the reaches of the stream environment zone of the Upper Truckee River could have long-lasting adverse effects on the quality of water flowing into Lake Tahoe."¹¹ It is also stated that "By preventing the flow of nutrients and sediments into Lake Tahoe, the Lake's remarkable clarity is preserved—a clarity which has been observed in only one other location in the world, resulting in the Congressional recognition of Lake Tahoe as a national treasure."¹² The Resource Summary document¹³ mentions water

⁷ California Legislative Statute 1984 CH. 1470 SEC. 3

⁸ Transmittal letter for Resource Summary dated Feb 4, 1987.

⁹ Minutes from meeting of the California State Park and Recreation Commission, March 13, 1987.

¹⁰ Page 8 of litigation settlement agreement.

¹¹ Page 3

¹² Page 3

quality concerns in the Tahoe Basin, especially from fertilization of golf courses in the watershed.

This language could have precluded continuation of use of a golf course on the banks of the Upper Truckee River. More to the point for the decisions that will be made as a part of this process, accepting the land with golf is entirely different from approving development of a new course. Just imagine proposing a golf course in the Park if one didn't already exist. Linking river restoration to the prevention of revenue loss has created temptation for resource managers to compromise the core values of the Department of State Parks and Recreation (State Parks).

These documents and statutes together establish the values for which the property was to be brought into the public trust and preserved.

However, State Parks now states that these values don't apply to the land identified in Alternative 2 into which golf course holes and fairways would be moved.¹⁴ Part of this area was restored several years ago.

The proposal for Alternative 2 would be in conflict with the values stated in the Commission's classification decision. The EIR/EIS/EIS fails to adequately address this in discussions of impact 3.2-3.

California Public Resources Code

Section 5001.9 of the California Public Resources Code indicates that no new facility may be developed in any unit of the state park system unless it is compatible with the classification of the unit. A golf course is clearly not compatible with Washoe Meadows State Park's classification.

Section 5002.1 specifies that there needs to be an inventory of the unit's scenic, natural and cultural features, including, but not limited to, ecological, archaeological, historical, and geological features. No such inventory for Washoe Meadows State Park has been documented and made available to the public since the Resource Summary of 1987.¹⁵ If such a revision were prepared, it must be submitted by State Parks to the Commission prior to its consideration of reclassifying park land.

The Resource Summary describes Washoe Meadows State Park as a "natural oasis" in the discussion on the value of the area's aesthetics, noting "from the center of the western portion, all one sees are lush meadows, brooks, and snow-capped peaks."¹⁶ This would change under implementation of Alternative 2. The golf course, described as a visual and audible intrusion, would adversely affect a greater portion of the park.

¹³ State of California, Department of Parks and Recreation, Lake Country Estates Project, Resource Summary, February 1987.

¹⁴ State Parks personnel at the 9/8/10 State Parks public meeting at Lake Tahoe Golf Course.

¹⁵ State of California, Department of Parks and Recreation, Lake Country Estates Project, Resource Summary, February 1987.

¹⁶ Page 34.

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Section 5002.2 specifies the need for a general plan for Washoe Meadows State Park or any unit that was reclassified by the State Park and Recreation Commission. Neither the reclassification nor preparation of a general plan has taken place for Washoe Meadows State Park. In the 26 years of ownership by State Parks, Washoe Meadows State Park has never had a general plan. A general plan would contain specific long-range management objectives for the unit consistent with its objectives. A plan would be used to evaluate and define the proposed land uses, facilities, concessions and operation of the unit. It would to serve as a guide for the future development, management, and operation of the unit. Without a general plan, Washoe Meadows State Park is vulnerable to a piecemeal, patchwork approach such as Alternative 2.

The section states:

(a) Following classification or reclassification of a unit by the State Park and Recreation Commission, and prior to the development of any new facilities in any previously classified unit, the department shall prepare a general plan or revise any existing plan, as the case may be, for the unit. (Emphasis added.)

Nine holes of a golf course, restrooms, a bridge, and roads clearly constitute new facilities, in violation of this code section.

Section 5002.2 (b) allows for exemptions from the general plan requirement, but only for:

... the repair, replacement, or rehabilitation of an existing facility; the construction of a temporary facility, so long as such construction does not result in the permanent commitment of a resource of the unit;

Building a golf course in Washoe Meadows State Park represents a permanent commitment of the land, wildlife and dispersed recreation "resources" of the state park unit. The exemption from the requirement to prepare a general plan before developing new facilities would not qualify alternative.2 for an exemption.

The assertion in the EIR/EIS/EIS regarding Impact 3.2-3 being less than significant for alternative 2 is not correct.¹⁷

Section 5019.53 describes the character and nature of state parks. Washoe Meadows State Park was purchased because it contains many important historical, archaeological, ecological, geological properties and values. These include Washoe Indian cultural and historical sites, ranching sites, rare plants, fens and spring complexes and extensive wildlife habitat suitable for rare and endangered species. In defining the land as state park, its purpose is:

"to preserve outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California such as the Sierra Nevada, ..."

This code section declares:

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¹⁷ Page 3.2-15.

"Each state park shall be managed as a composite whole in order to restore, protect and maintain its native environmental complexes to the extent compatible with the primary purpose for which the park was established."

Fragmenting the park and exchanging land of unequal value would violate this code section. The many unique ecosystems of the park with their complex interactions would have their natural dynamics of ecological interaction disrupted. The wildlife habitat would become a golf course rather than a natural wildlife environment.

State Parks has a vision and mission to preserve areas for the 7th Generation.¹⁸ This is supported in this code section:

"Improvements undertaken within state parks shall be for the purpose of making the areas available for public enjoyment and education in a manner consistent with the preservation of natural, scenic, cultural and ecological values for present and future generations."

To develop a golf course within Washoe Meadows State Park would not preserve the natural values including its wildlife habitat. It would severely disrupt its scenic values, trading views of the forest, wetlands, meadows, river and mountains for views of the golf course. The Washoe Indian Tribe cultural sites would be inaccessible for tribe members or future educational purposes. The ecological values would be damaged as many sensitive upstream spring complexes and fens are affected by nearby golf course development. The Seventh Generation further emphasizes the protection of parks for future generations and states: "This system of parks is being held in trust for those generations that come after us."

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This code section also specifies that improvements to the park can only be made for certain types of recreational activities and that these improvements cannot "involve major modification of lands, forests, or waters." Improvements that "do not directly enhance the public's enjoyment of natural, scenic, cultural or ecological values of the resource" are specifically forbidden. It is stated that these resources are "attractions in themselves" and it is implied that they do not require major land modifications to preserve those attractions. To reclassify a portion of Washoe Meadows State Park land to State Recreation Area for the purpose of developing golf course holes on it would sidestep these regulations that have been made to protect park land for perpetuity. Instead of confronting these issues head-on, it would be a back-door approach to the decision on reclassification by combining the classification issue with unrelated concerns regarding the financial viability of the golf course.

This section of the code also points out that state parks may be established in the terrestrial or nonmarine aquatic (lake or stream) environments of the state. It is very important that Washoe Meadows State Park has been established to include important stream environments in the Upper Truckee River watershed including Angora Creek and approximately a 1.2 mile segment of the Upper Truckee River.

Section 5019.56 makes it clear that state recreation areas are not suitable for "areas containing ecological, geological, scenic, or cultural resources of significant values." These

¹⁸ <http://www.parks.ca.gov/resources/23071/files/seven01.pdf>

areas are to be preserved in one of a number of other types of state park system units, one of which is the designation of state parks.

The section states:

(a) State recreation areas, consisting of areas selected and developed to provide multiple recreational opportunities to meet other than purely local needs. The areas shall be selected for their having terrain capable of withstanding extensive human impact and for their proximity to large population centers, major routes of travel, or proven recreational resources such as manmade or natural bodies of water....

Washoe Meadows State Park has significant fens, spring complexes, wildlife habitat, and historical and cultural sites that should be protected and would be severely impacted by a golf course development.

A project that requires reclassification of land within Washoe Meadows State Park to downgrade its protections to those of a State Recreation Area and to develop a golf course on that land would be in conflict with these California Resources Code sections that were established to specifically protect state park land.

The EIR/EIS/EIS fails to adequately address these issues with conflicts of Alternative 2 and the California Public Resources code in the discussion of impact 3.2-2.

Washoe Meadows State Park Purpose Statement

The purpose statement for Washoe Meadows State Park is:

To preserve and protect a wet meadow area associated with the Angora Creek and the upper Truckee River at the southwestern side of the Lake Tahoe basin. The unit's associated forest areas sustain Jeffery pine and an exceptionally large specimen of lodgepole pine. The unit contains fourteen Native American occupancy sites and remnants of an historic dairy, and is contiguous to other public lands important for their open space values and recreational uses.

This statement highlights preservation and protection of the park's natural and cultural resources. The Park contains significant forests, meadows, wetlands, rare plants, wildlife habitat, historic ranching sites and Washoe Indian cultural sites. This park's land is also mentioned as being important because it is contiguous to other public lands important for their open space values and recreational uses. The park's educational, inspirational and recreational benefits for the public are mentioned.

The purpose statement for Washoe Meadows State Park also says how State Parks should manage the Park:

California State Parks will preserve, protect, restore, interpret and manage the unit's natural, cultural, and aesthetic resources, features and values, making them available to the public for their educational, inspirational and recreational benefits.

A transformation of a large portion of this park's land to golf course landscape, as in Alternative 2, would be inconsistent with the Park's purpose.

The EIR/EIS/EIS fails to adequately address these this in the discussion of impact 3.2-3.

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State Parks Policies

State Parks and the Commission have adopted policies to guide the management of all state park units.¹⁹

Preamble

This section of the Statements of Policy indicates that “a continuing review of park policies is essential to keep them consistent with recreational trends...” The selection of Alternative 2, which would transform approximately 70 acres of parkland to create the golf holes and approximately 25 acres of unusable park land around the holes, runs counter to the continuing trend of decreasing public interest in golf as a recreation, and increasing interest in other lower-impact forms of recreation such as bicycling, hiking, bird watching, snowshoeing, cross country skiing and floating. State Parks’ own surveys coincide with widely published information on these trends in recreational needs. To substitute the year-round family-oriented recreation in Washoe Meadows State Park for seasonal golfing activities which have a declining trend makes little sense.

This policy notes that the State Parks holds land “in trust as irreplaceable portions of California’s natural, cultural, and historic heritage.” Transformation of approximately 95 acres of Washoe Meadows State Park to a golf course development would violate this public trust.

Policy I.1 2005 California Recreation Policy

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This policy states:

Recreation areas should be planned and carefully managed to provide optimum recreation opportunities without damaging significant natural or cultural resources. Management actions should strive to correct problems that have the potential to damage sensitive areas and degrade resources.

Allowing operation of the golf course to continue with holes adjacent to the river and in its floodplain violates this policy.

Policy II.1 Integrity of State Park System Lands

This policy includes: “Land acquired for the use and enjoyment of the people according to the statutes governing the State Park System is classified for use and enjoyment by this and future generations...” To change the classification of approximately 95 acres of Washoe Meadows State Park would deny not only the current park users but also future generations of the use and enjoyment of the park.

It also states: “Land acquired for the State Park System shall be dedicated to public use and managed in accordance with its classification, the Public Resources Code, the Department’s adopted Resource Management Directives and as outlined in approved resource elements of general plans.”

¹⁹ http://www.parks.ca.gov/?page_id=22538

Changing of the use of State Park System lands from how they were classified and planned is discouraged and can only occur with the concurrence of the State Park and Recreation Commission.

Policy II.2 Classification and Naming Units, Features, Groves, and Trails of the State Park System (Amended 5-4-94)

This policy indicates that the classification and naming process are expected to result in a permanent name and classification for the California System park unit. This and other policies together emphasize the fact that it is unusual to change unit classifications, especially a case where the classification is downgraded to one of lesser protections.

Reclassifying 95 acres of Washoe Meadows State Park would be inconsistent with these policies.

Recently, reclassification of Tolowa Dunes State Park lands was cancelled and replaced with a process to produce a comprehensive general plan for the park in which reclassification will be one of the alternatives.²⁰ It was reported that this proposal to ease protection of park land by reclassification was apparently unprecedented.²¹

In Washoe Meadows State Park, the classification of the land as state park should continue in order to allow management of the natural and cultural resources in this area for their protection and the preservation of the park's important resource values.

The unique ecological natural resources and cultural resources of Washoe Meadows State Park should be protected by State Parks and not traded away in favor of development.

Policy II.4 Preservation of Vegetative Entities

This policy indicates that State Parks should acquire and preserve outstanding examples of native California species. It also states that they should acquire and perpetuate significant natural plant communities, associations, and examples of rare, endangered, endemic, or otherwise sensitive native California plants, as indicated on state and federal lists.

Rare and sensitive plants exist in the fens and spring complexes of Washoe Meadows State Park. Having a golf course development next to, or surrounding, any of these sensitive and uncommon botanical communities, is contrary to this policy. Indeed, as proposed in Alternative 2, the fen's partial outfall, which dumps into the un-restored portion of the quarry and is already reestablishing a peat association, would become part of the golf course.

Policy II.5 Wildlife Management in Units of the State Park System

This policy indicates that one of the purposes of the State Park System is to protect "native wildlife in a natural status within State Park System unit boundaries." Transformation of park land to golf landscape, essentially a monoculture, is counter to this purpose.

²⁰ California Department of Parks and Recreation News Release, September 23, 2010.

²¹ The Crescent City Triplicate, September 20, 2010, "State Parks to weigh dunes hunting plan"

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Policy III.1 Planning

This policy indicates the importance of determining the extent of need for recreation in the context of long-range objectives. State Parks periodically conducts surveys to determine current and future recreational trends and needs. These surveys are consistent with outside agency surveys which indicate the trend for more family-oriented natural, interpretive and educational recreational experiences compared with a declining sport with less diverse appeal, such as golf. Alternative 2 is counter to this trend.

Policy III.6 Development of Facilities within State Parks and State Seashores

This policy includes: "the facility will be compatible with natural and historical resources and historical periods identified in the unit's general plan and should be designed to contribute to the enjoyment of the natural and cultural resources." Even though Washoe Meadows State Park doesn't have a general plan, the park's purpose statement highlights preservation and protection of the park's natural and cultural resources (e.g., Washoe cultural history and evidence of the early years of development of the Lake Valley area, such as the dairy complex). Constructing a golf course within Washoe Meadows State Park, as in Alternative 2, would conflict with this Purpose Statement.

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cont**Policy III.7 Conflicting Recreational Use**

If the Commission finds that a specific recreational use is damaging to the unit's natural or cultural resource values or to the health, safety, or welfare of visitors, it shall be re-evaluated and may be restricted. The golf course has a 26-year history under State Parks stewardship. During that time the golf course and bridges have continued to damage the LVSRA natural resources by continued operation of golf course holes on the banks of the Upper Truckee River and within its flood plain to the point that a major river restoration is required. Moving the golf holes to Washoe Meadows State Park would continue the damage to the resource values of the park and should not be allowed.

The EIR/EIS/EIS fails to adequately address these issues with Alternative 2 and the States Parks Policies:

Conflict with State Parks Planning Handbook

The State Parks Planning Handbook (Handbook)²² establishes procedures for adopting and amending general plans for state park units.

A question raised for several years²³ is whether State Parks is following state law and its own procedures in the proposed approach for boundary "trading." A simple review of the guidance in the Handbook indicates the legal vulnerabilities associated with this approach.

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Needed Correction to the Record.

²² State Parks Planning Handbook, April, 2010.

²³ Refer to the WMC NOP Scoping Comments, in Vol. III of the EIR/EIS/EIS.

In each alternative description, in the Summary and the primary document, there are references to a “General Plan Litigation Settlement,” related to the Lake Country Estates parcels that ultimately were classified as Washoe Meadows State Park and LVSRA. It was not a general plan litigation settlement—it was a litigation settlement between Lake Country Estates, Inc. and the TRPA. A 956-acre development of nearly 3,000 units was denied approval by the California TRPA (TRPA’s predecessor) in 1972 because the project would have substantially modified the environment through “mechanical” drainage from the meadow. The settlement indicates allegations that CTRPA targeted the property for acquisition as wildlife habitat and imposed restrictions to prevent development and depress the property value, resulting in the 1977 lawsuit.

The 1988 LVSRA General Plan presents an important and relevant history of the acquisition of Washoe Meadows State Park and LVSRA:²⁴

“The land acquisition process that resulted in the establishment and classification of the Lake Valley SRA began with acquisition of the Lake Country Estates project by the Wildlife Conservation Board (WCB) in 1984. The acquisition is described in Chapter 1470 of the 1984 statutes (SB 1374, Johnson)... which appropriated the sum of \$5,697,000 for acquisition, restoration, and maintenance of the property.”

This land was transferred by the Wildlife Conservation Board to State Parks in January, 1985.

The August 6, 1985, State Parks memo from James Doyle, Assistant Chief of the Resource Protection Division, to David Schaub, Supervisor of the Natural Heritage Section, directed exploration of a variety of alternatives for the property, including transfer of the golf course to others and designation of the entirety of the 777 acre acquisition area as a State Recreation Area. It was after great analysis and coordination with the public that the Commission, on March 23, 1987, classified and named two separate and distinct state park units: Washoe Meadows State Park, approximately 627 acres²⁵ and Lake Valley State Recreation Area, approximately 150 acres.²⁶

The official Land Ownership Record maps Washoe Meadows State Park with a boundary that has never been changed. The Land Ownership Record for LVSRA has expanded four times through three private acquisitions and a fourth acquisition from another state agency. There have been no adjusted boundaries between these units.

Proposed General Plan Amendment Strategies

While Alternative 1 proposes no general planning actions, all other alternatives do.

Alternative 2 outlines preparation of an “Interim Management Plan” for Washoe Meadows, because there is no general plan for the unit.²⁷ It is proposed for Washoe Meadows to “enhance accessibility for the broader public” including trails, interpretation, and small

²⁴ Page 33.

²⁵ Resolution 18-87.

²⁶ Resolution 17-87.

²⁷ Pages 2-56/57.

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cont.

parking area(s). (There are inconsistencies within the alternative as to the number of parking areas and spaces within them.) Alternative 2 also proposes realigning the boundaries between the units, removing "nearly all" the river zone from the SRA and placing it within Washoe Meadows. In "trade," a similarly undisclosed number of acres of the Park would be used to place nine holes of the golf course, requiring "substantial" tree removal and including 32 acres of turf, a 1.6 acre pond, and a new 650 square foot restroom facility. The document states that the park boundary revision would require a general plan amendment to the LVSRA General Plan, which would also modify the LVSRA river protection goals and policies. Details of the map and text amendments would come after identification of the preferred alternative, to be "submitted with the completed EIR/EIS/EIS to the Commission for consideration of approval at the conclusion of the environmental review process."

Alternative 3 also outlines preparation of an "Interim Management Plan" for Washoe Meadows State Park because there is no general plan for the unit.²⁸ It is proposed to "manage Washoe Meadows State Park in a manner consistent with its purpose." It would also "enhance accessibility for the broader public" including trails, interpretation, and small parking area(s)." This alternative views it as "necessary" to adjust the boundaries between Washoe Meadows State Park and LVSRA, shrinking the size of the "SRA boundary to fit the smaller golf course." It does not describe how this will be accomplished procedurally, but in a separate paragraph notes that the LVSRA General Plan "calls for an 18-hole regulation golf course," necessitating a general plan amendment to "allow for development and management of the reduced play golf course."

Alternative 4 mimics the language of Alternative 3 regarding the Interim Management Plan for Washoe Meadows State Park.²⁹ It proposes no boundary adjustments between the units; however, it indicates that amendments are required because the natural channel contemplated in the LVSRA General Plan would not be accomplished.

Alternative 5 does not propose an Interim Management Plan for Washoe Meadows State Park.³⁰ It indicates that the LVSRA General Plan would be revoked and that the land would be reclassified to become part of Washoe Meadows State Park. If significant future permanent facilities were proposed, a new general plan would be prepared. It also indicates that if an 86-acre, nine-hole course would be "temporarily" retained during river restoration and state park general planning, the boundaries would remain unchanged until a decision was made about the future disposition of the park units. What is the duration of "temporary" in this case?

The 2006 Notice of Preparation for the project and the purpose, need, and objectives in the EIR/EIS/EIS all describe a river restoration and golf course development project. Yet, the detail provided for Alternative 2 and summarized above (but not delineated in any other alternative) describes a general plan amendment with the decision by the Commission.

²⁸ Page 2-75.

²⁹ Page 2-90.

³⁰ Pages 2-104/105.

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How does what is proposed fit with the State Park's standard planning path? Who is the decision maker on the document on behalf of State Parks?

From the description in the NOP, it appeared that this was a Specific Project Plan,³¹ which is a detailed implementation plan needed to accomplish a specific project. The Handbook indicates that some specific project plans should not proceed without first having a Management Plan in place, using the example that a visitor center should only be built based on an interpretive management plan. A multi-million dollar river restoration proposal should be based in a River Management Plan, but in the EIR/EIS/EIS³² we learn that the February 2000 River Management Plan obtained through a Public Records Act request was a "draft internal study" to provide "informal guidelines" that was never completed, not formally adopted, not reviewed under CEQA, and that the "effort was terminated." Instead, other studies conducted the more detailed analysis that provides the "foundation information for developing river restoration concepts of the proposed project."

Consequently, rather than follow the Management Plan process outlined in the Handbook, an alternative process provided the guidance for this project. Unlike the process for Management Plans, this alternative process was not subject to CEQA and the public scoping and comment process it would have entailed. In addition, the State Parks review process for Management Plans was not followed. If this had occurred, the public controversy over the proposal and its irreversibility and magnitude, concerns about Public Resources Code requirements related to general plans, and adherence to State Parks planning policies could have been transparently vetted.

It's indisputable that a golf course is a substantial development of a facility that is inconsistent with the definition of a State Park. The argument in the EIR/EIS/EIS that only a simple boundary line amendment is proposed between park units and that only an amendment to the LVSRA General Plan is required from this action is not valid.

There is still the chicken or egg question related to the planning process proposed to be employed. What is the initial decision: the specific golf course and restoration project or the general plan amendment? "General plans are reconsidered for amendments or revisions when circumstances or needs dictate, such as additional land acquisitions and/or substantial development considerations that were not addressed in the general plan."³³ The EIR/EIS/EIS has not made a statement why a general plan amendment is needed when other suitable alternatives (3 or 5) exist.

The Land Use Section of the EIR/EIS/EIS draws conclusions that require clarification. Impact 3.2.3, Potential Conflict with State Parks Plans, Policies, or Regulations, is flawed. Golf course recreation is more than just "better suited"³⁴ to a SRA than a State Park; it is not allowed within state parks units classified as state parks. The general Plan consistency determination discussion for the LVSRA is contrary to its multifaceted Declaration of Purpose Statement which includes "restoring the Upper Truckee River, protecting its water

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³¹ Handbook page 155.

³² Page 3.2.3.

³³ Handbook page 17.

³⁴ Page 3.2.15.

quality, and protecting and interpreting significant natural, cultural, and scientific values.” The same Declaration of Purpose discusses an “18 hole” golf course, not a regulation course as stated in several places in the EIR/EIS/EIS. The Stream Management Sensitivity Zone within the SRA includes a policy that calls for special management actions which includes “restoration of natural stream configuration.” In fact, the Stream Management Sensitivity Zone was supposed to increase to more than 70 acres as a result of general plan implementation. Nowhere does it say that restored stream should be transferred to another State Park unit. The statement that a simple land transfer between Park units keeps them “whole” in terms of acres neglects to mention that, under the existing general plan policies, the riverside land in question should have already been protected from disturbance within the boundary of the SRA. Adding these acres to Washoe Meadows is contrived to make it seem like nothing has changed, when in fact the restoration should have occurred through general plan implementation. The addition of golf course acres in the State Park unit is indeed a negative effect, and may have increased the development capacity of the Lake Tahoe region, in conflict with the TRPA’s Regional Plan.

The statement in the draft EIR/EIS/EIS that “consistency with a general plan is, therefore, not an issue, because a Washoe Meadows SP plan does not exist” draws such an intriguing conclusion. It is not an issue with consistency with the general plan that doesn’t exist, but instead a requirement of the PRC that such planning be conducted for the park unit as a whole prior to an irrevocable commitment of its resources.

Further, the significant conclusions drawn in the analysis assume a general plan change has already been adopted “because land uses in the study area would be consistent with the revised unit boundaries and these amendments would require approval by the Commission, implementation of Alternative 2 would be less than significant.” This preempts the primary Commission discretionary decision to be made regarding the general planning process (raised by WMC and others in the public scoping process) in a sweeping statement of presumption of approval. If the Commission concurs instead with the WMC in not changing the boundaries, the conclusion of a less than significant impact would not be substantiated and implementation or approval of Alternative 2 could not proceed.

It would be counter to the Parks planning process to make any decision selecting Alternative 2 for implementation ahead of the Commission’s actions on a general plan amendment and determination of whether the proposed amendment strategy conforms with the Public Resources Code regarding improper commitment of resources ahead of general planning for Washoe Meadows. Even a “conditional” approval, pending action by the Commission would be procedurally flawed without disclosure of a significant unmitigatable environmental impact and a Statement of Overriding Considerations.

While we highlight the flaws associated with Alternative 2, we highly recommend that the land use conclusions for each alternative be reviewed for consistency with State Parks’ planning policy and CEQA requirements.

Similarly, for the other lead agencies—the Bureau of Reclamation (under NEPA) and TRPA (under the Compact)—to make a decision on an alternative ahead of the applicant, which elected to not identify a proposed action among the five alternatives considered in this

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document, would be an inconsistent and usual way for a regulatory or funding agency to operate.

Rather than honor the Purpose Statements of the two park units, river planners became golf course and budget planners and reduced park-purposed acreage, instead of valuing the sense of place associated with each acre within the designated boundaries. Improving the golf course "layout, infrastructure, and management" and maintaining its quality of play as well as revenues were part of the project's original objectives in the NOP. Has the Planning Policy and Programming Committee (PPPC) been consulted on this matter?

The environmental document presumes that a general plan amendment is adequate for processing the changes to the boundary and policies being contemplated under Alternative 2. We suggest that the item be considered "potentially controversial" and that the changes and their magnitude could be fairly argued to warrant a general plan revision for the LVSRA.³⁵

We do not raise this same argument for the amendments being contemplated under other alternatives. However, for Alternative 3, which also proposes a boundary amendment, we must ask why it is presented in the EIR/EIS/EIS as "necessary" to correlate a boundary adjustment with Washoe Meadows State Park into its description. The Declaration of Purpose for the LVSRA has since its inception in 1988 incorporated "the scenic Upper Truckee River and its environs." Over 70 acres of streamside Management Sensitivity Zone, outside of the golf course, had been planned for the unit under its General Plan. It is unclear why the specter of the boundary question needs to be raised, although adding land to a State Park unit without a general plan in place is certainly different than removing land from it.

The WMC has reviewed the Handbook in light of its direction specific to unit boundary adjustments. All references to boundaries contemplate those related to internal sub-classifications and boundary changes associated with acquisitions that are thus park expansions. Adjustments between disparate park units with different classifications and general plan status are not specifically mentioned. Boundaries matter and the general plan obligation is the roadmap for State Parks to honor in its planning processes and policies before making irrevocable commitments of its resources through a boundary adjustment.

The Handbook directs sub-classification areas to "establish an area boundary that encompasses the significant resources and provides an adequate buffer from adjacent land uses. The size of the area should be large enough to provide effective resource management." Yet, the maps never depict the boundary of the area proposed to be usurped from the park into the SRA. Instead, colorful depictions of the areas of the golf course footprint are shown,³⁶ yet Exhibit 2-7 depicts the use of "existing trails" shown on Exhibit 2-5 as haul routes. These lie outside of the golf course footprint, presumably within what would remain of Washoe Meadows State Park. The proposed "trespass" into Washoe Meadows places these construction routes and the responsibility for golf course buffers for holes 9, 10, 11 and 13 outside of the SRA. The park is given the responsibility to absorb the

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³⁵ Handbook page 152.

³⁶ Exhibit 2-5.

impacts of construction and golf course use. This is an unacceptable impact to the integrity of the Park and is contrary to Handbook direction. It artificially contrives the golf course boundary adjustment to seem smaller than the area of actual effect and exaggerates the restoration benefit. This occurs adjacent to some of the most special resources of the park, including Washoe Meadow itself, the fen, and the Upper Truckee River and its floodplain.

The concept of creating an "Interim Management Plan" for Washoe Meadows (Alternatives 2-4) is also not defined in the Handbook. Appendix C of the Handbook describes Interim Guidelines (or Interim Management Guidelines), in order to provide direction and guidance to staff. They can only result in "no development" and are consequently not subject to CEQA, but must be approved by the PPPC. They are neither projects nor proposed plans, so it's unclear how parking facilities could be contemplated as stated in the EIR/EIS/EIS. The Handbook simply does not provide the option of an "Interim" Management Plan. It is impossible to evaluate what is contemplated in the EIR/EIS/EIS in light of the planning processes outlined in the Handbook.

Alternative 5 adds to this planning process confusion. It contemplates a potential scenario whereby the river is initially restored with the ultimate end that the LVSRA General Plan would be revoked and that the land would be reclassified to become part of Washoe Meadows State Park. It also indicates that if an 86-acre, nine-hole course would be "temporarily" retained during river restoration and state park planning, the boundaries would remain unchanged until a decision was made about the future disposition of the park units. This scenario further complicates the chicken or egg question. As proposed it seems to envision a project similar to one permutation of Alternative 3, which independently would require a LVSRA General Plan amendment pursuant to what is described under that alternative (because it would no longer be an 18-hole regulation course). The planning process for this alternative doesn't appear to have been thoroughly thought through and should be clarified.

The EIR/EIS/EIS fails to adequately address conformance with the State Parks Planning Handbook.

Federal Funding Processes

The Bureau of Reclamation (Bureau) stated in a 3/15/10 email from the NEPA Coordinator:

"Although at this time, Reclamation has not committed funds for construction, a joint NEPA and CEQA document is being prepared in the event that federal funding becomes available for this project. In any event, Reclamation would not provide funding for the golf course relocation aspects of the project, should that occur."

However, the Bureau provided a grant to State Parks for "preparation of conceptual designs and the environmental impact document." The project title was "Upper Truckee River and Wetland Restoration in the Lake Valley State Recreation Area."

This funding has apparently been used for golf course design and evaluations in Washoe Meadow State Park as well as the Lake Valley Recreation area. Is this a proper use of Federal funds?

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A0831-8

Plans, Policies, and Procedures | 1

The EIR/EIS/EIS fails to adequately address this issue with an apparent failure to adhere to Federal Policies and Procedures.

AOB31-9
cont.

2 Comparison of WMC's Recommendations in NOP with EIR/EIS/EIS

On October 6, 2006, the WMC filed comments on the Notice of Preparation (NOP) for the Draft EIR/EIS/EIS for the Upper Truckee River Restoration and Golf Course Relocation Project, Lake Valley State Recreation Area and Washoe Meadows State Park, Meyers, California.

The conclusions we drew were:

1. The NOP describes a project that is defined incorrectly and reflects a flawed project approach that will needlessly delay restoration of the River with consequent effects on the clarity of Lake Tahoe (Lake).
2. Unless the scope (including the goals/objectives and alternatives) of the EIR/EIS/EIS is significantly revised prior to initiation of the review, the results will be biased and the project subject to legal challenge.
3. Unless important new commitments to an open public dialogue are included in the lead agency processes it is unlikely that any project reflecting community and stakeholder consensus will reach implementation in a timely manner.
4. Completion of the project as described in the Preferred Alternative would have significant, irreversible impacts on Park and River resources.
5. Implementation of either Alternative 1 or Alternative 2 would be inconsistent with:
 - the 1984 statute which authorized acquisition of lands now categorized and named Units 382 and 390 of the California state park system;
 - California Parks and Recreation Department (CDPR) planning, regulation and statutes; and
 - the mandate of the Tahoe Regional Planning Agency (TRPA) contained in statute and adopted goals, plans and thresholds.

AOB31-10

The remedies requested as a result of the scoping process were:

1. revision of the project description to be *Upper Truckee River Restoration*;
2. revision of the project goals and objectives to eliminate ones related to championship golf and golf course revenues;
3. redefinition of the alternatives to address the full potential for restoration and for multiple configurations of the golf course within the boundaries of the Lake Valley State Recreation Area (LVSRA);
4. addition of an alternative that would evaluate relocation of the entire golf course
5. establishment of an independent panel of experts to review and advise staff and decision-makers on the EIR/EIS/EIS;
6. establishment of a citizens advisory committee representative of all users and stakeholders of the Park to work directly with the agency staff and the consultant in preparation of the EIR/EIS/EIS;
7. initiation of an open public process, led by a professional facilitator consensus

outcomes that can achieve timely restoration. For the 2010 workshops, the bias was so notable that the Lake Tahoe News made mention in a recent article:

<http://www.laketahoenews.net/2010/10/trpa-gets-earful-on-river-project-at-golf-course-state-park/>.

8. broad and detailed review of all impacts, including those described in comments submitted by the public;
9. elimination of Park boundary adjustments from this process; and
10. allowance for filing of Supplemental Comments after the extended deadline, to allow review of documents requested under the Public Records Act.

The remedies as manifested in the Draft EIR/EIS/EIS:

1. The project was not redefined as *Upper Truckee River Restoration*. In the EIR/EIS/EIS it has been modified slightly to the *Upper Truckee River Restoration and Golf Course Reconfiguration Project*. (Underscore added.)
2. Project goals and objectives were revised to eliminate ones related to championship golf. The EIR/EIS/EIS now calls for maintaining "adequate" golf course revenues.
3. Alternatives were revised to address the full potential for restoration and for alternative configurations of the golf course within the boundaries of the LVSRA on the east side of the river. However, there was a failure to identify a satisfactory array of feasible options. In addition, options for layouts for an 18-hole golf course on the east side of the river were not provided in detail or with configurations that would demonstrate adequate review of optimized options. Also added was consideration of other locations for the golf course but these other locations were dismissed from consideration. Our detailed comments (see Section 4) describe the inadequacies of this analysis.
4. Alternative 5 was added. It would remove the entire golf course.
5. An independent panel of experts to review and advise staff and decision-makers on the EIR/EIS/EIS was not established.
6. A citizens advisory committee with representative of all users and stakeholders of the Park to work directly with the agency staff and the consultant in preparation of the EIR/EIS/EIS was not established.
7. An open public process, led by a professional facilitator, to seek consensus outcomes that can achieve timely restoration was not performed. Instead, State Parks conducted a process with consultants and facilitators clearly biased toward Alternative 2 (see Section 3).
8. A broad and detailed review of all impacts, including those described in comments submitted by the public, are the subject of the EIR/EIS/EIS. This set of detailed comments of the WMC addresses deficiencies in that review.
9. Park boundary adjustments were not eliminated from this process.
10. There was no allowance for filing of Supplemental Comments after the extended deadline, to allow review of documents requested under the Public Records Act. The

AOB31-10
cont.

Comparison of WNC's Recommendations in NOP with EIR/EIS/EIS

2

documents supplied from these requests continue to be delayed, which has not allowed adequate review of the statements in the EIR/EIS/EIS.

AOB31-10
cont.

Page 3 of 3

3 Public Recreation Planning Workshops in 2007

The Draft EIR/EIS/EIS³⁷ mentions "two public recreation planning workshops in 2007" as part of its demonstration of the effort to prepare the range of alternatives. Many members of WMC participated in these events. The workshops were held on February 8 and 9, 2007. In each workshop, there was an overall meeting facilitator from State Parks' consultant EDAW and additional facilitators from EDAW and other organizations for the break out session, entitled: "Group Planning Activities (Small Break-Out Groups)." The stated goal was: "To gather information about existing public access and use patterns in Washoe Meadow SP and Lake Valley Recreation Area and provide an opportunity for the public to help identify public access and resource protection features of this project."

During the meeting and break-out groups it was clear that there was a bias for Alternative 2. The Vice President of EDAW said during her summary, "It was our (the facilitators) job to get ideas on Alternative 2." She should have said: "It was our job to get ideas on options for alternatives." The other alternatives weren't mentioned. It was clear that the organization that hired by State Parks to produce an adequate EIR/EIS/EIS for the golf course relocation would not be objective in the presentation of the results of this public meeting.

The meeting and breakout facilitators were not neutral. They pushed participants to support Alternative 2 and repeatedly requested input for this alternative. In one case, the facilitator mentioned they were told to obtain comments on how Alternative 2 could be modified to be acceptable. In another case, the facilitator could not get anyone at the table to propose or agree to comments on Alternative 2 because the participants felt that Alternative 2, with its invasive golf course footprint in Washoe Meadows State Park, was not acceptable. The facilitator then wrote comments on the map of Alternative 2 where comments were to be recorded. One WMC member wrote on this chart that the facilitator, not the meeting participants, wrote the comments. We later asked for copies of these charts through a Public Records Act Request after the meeting, but we were denied access to them. This same "input," which the public did not have access to, was used to create the misrepresentation that the public was in favor of Alternative 2.

The two meetings were attended by many members of the public. However, the workshop was obviously designed to encourage people to show where and how they would locate golf in Washoe Meadows State Park, thereby obtaining what was later used as misleading "public input." Many participants objected to the exercise on the grounds that it went against what they believed in. There are many creative ways to design an 18-hole golf course without using park land, but the facilitator and the State Parks meeting leaders were uninterested in exploring them in these workshops.

These workshops were controlled in a way that did not allow full public input to modify or develop additional project alternatives in public meetings.

WMC's comments to the Notice of Preparation requested "an open public process, led by a professional facilitator, to seek consensus outcomes that can achieve timely restoration."

³⁷ Volume 1, Section I.2, Page 1-6.

The 2007 workshops were a poor example of such an open public process. The bias is so notable that the Lake Tahoe News mentioned it in a recent article.³⁸

At the same meeting, State Parks personnel said that she had spoken with the Director of State Parks who indicated that if there are too many obstacles, the project would revert to the do-nothing alternative. This same conclusion has been expressed by other agencies and organizations, so this message has obviously been delivered in discussions to other agencies and the public. The State Parks intent to limit the outcome to alternative 1 or 2, however, was not disclosed in the draft EIR/EIS/EIS, which, under CEQA, requires full disclosure.

WMC's comments to the Notice of Preparation requested "an open public process, led by a professional facilitator, to seek consensus outcomes that can achieve timely restoration." The 2007 workshops were a poor example of such an open public process.

The EIR/EIS/EIS fails to adequately address these issues with the process for public input.

A0831:11
cont.

³⁸ <http://www.laketahoenews.net/2010/10/trpa-gets-earful-on-river-project-at-golf-course-state-park/>

4 Evaluation of Alternative Locations

As requested by the WMC and the public, the Draft EIR/EIS/EIS examined alternative locations for a golf course.³⁹ The evaluation of Alternative Locations for the golf course is inadequate because:

- siting criteria development was flawed, and
- application of the siting criteria was inconsistent.

Siting Criteria Development

This section and the section on Method of Evaluation list many people involved with the criteria development and evaluation of potentially feasible alternative locations for Lake Tahoe Golf Course. However, no real estate agent is listed. A real estate professional, in particular an expert in commercial or large parcels, could have helped with those criteria and with identifying alternative sites and their owners and agencies. It also would have been valuable to engage an appraiser to review any information received from a real estate professional. The result was that the development of siting criteria⁴⁰ was flawed.

AOB31-12

Application of the Siting Criteria⁴¹

Public Ownership Criterion

The elimination of consideration of private property is an unjustified omission:

1. State Parks purchases land every year for public use. In the 2006/2007 fiscal year, State Parks acquired 8,336 acres of land worth \$48,015,600.⁴² In the 2005/2006 fiscal year, 5,333 acres were purchased by State Parks.⁴³ In addition, State Parks has negotiated for donations of some of the land value. The agency has also obtained donated funds for private land acquisitions. The EIR/EIS/EIS fails to explain why purchase of private property is infeasible. A purchase of private land should have been considered.
2. Real estate values are at historical lows. Many more options for golf course relocation could have been identified and the selection narrowed for detailed evaluation.
3. The economic analysis was not broad enough. It didn't include evaluation of purchase of private property in the analysis for the economic feasibility of the

³⁹ Volume I, Section on Alternative Locations for the Golf Course p 2-15-22.

⁴⁰ Page 2-15.

⁴¹ Page 2-16 Table 2-2.

⁴² Annual Report to the Governor on the California State Park System, California State Park and Recreation Commission, 2006-2007

⁴³ Annual Report to the Governor on the California State Park System 2005-2006, California State Park and Recreation Commission

various alternatives, which could have been feasible and would have changed the economic analysis appended to the EIR/EIS/EIS.⁴⁴

Use Allowance Criterion

The description states that the property use as a golf course must be consistent with various documents and rules including "property acquisition purposes." This criterion is then applied to eliminate consideration of the Upper Truckee River Marsh because the site was purchased for the purpose of restoration and "development of a golf course on this site would not be consistent with the purpose for which the property was purchased." If so, this criterion should preclude golf course development on the undeveloped Washoe Meadows State Park, because the development of a golf course is inconsistent with the purpose for which the property was purchased as described in the settlement agreement and legislation that authorized the purchase of this land.

This restoration criterion is used to eliminate the property across U.S. 50 from further consideration, because the site "is planned for restoration." It says: "Development of a golf course would not be consistent with the proposed restoration." Washoe Meadows State Park has many areas where restoration has occurred and where further restoration is needed. This criterion is being arbitrarily applied to eliminate certain off-site alternatives, while ignoring the development of a golf course on the west side of the Upper Truckee River on restored areas within Washoe Meadows State Park.

AOE31-12
cont.

Topography Criterion

The criterion specifies that slopes be 20% or less throughout the area used to develop a golf course, although small areas of steeper slope can be accommodated. Some relocated golf holes of Alternative 2 don't meet this criterion because much of the area where the golf course would be relocated in the park has slopes greater than 20%. On-site measurements indicate a substantial area of slopes of greater than 20% in the area of involving the proposed locations of fairways and greens for holes 9, 10, 11 and 12. Yet, the use of this criterion eliminated some options such as the undeveloped land at the Lake Tahoe Community College.

The Tahoe Paradise Golf Course Area was also eliminated from consideration due to the topography and public ownership criteria.

Consultation with a professional real estate agent would have assisted with both the siting criteria development and application of the siting criteria.

The evaluation for alternate siting for the golf course is part of an apparent pattern of narrowing the required reasonable range of feasible alternatives so that only Alternative 2 appears feasible.

Correction needed: The draft EIR/EIS/EIS⁴⁵ says, "The residential areas to the east, west, and south of the study area are known as Country Club Estates." They are not; Country

⁴⁴ Volume III, Appendix E.

Club Estates is the area on the east side of the river. The area west and a portion of the area south of the study area are known as Mountain View Estates and a portion of Tahoe Paradise.

AOB31-12
cont.

5 General Comments

Introduction

The Washoe Meadows Community (WMC, or Community) consists of hundreds of citizens of California and patrons of the park. WMC has supported restoration of the Upper Truckee River through Washoe Meadows State Park and Lake Valley State Recreation Area.

However, we have reviewed the Draft EIR/EIS/EIS titled Upper Truckee River Restoration and Golf Course Reconfiguration Project and find many issues.

It appears that a majority of EIR/EIS/EIS effort was used for Golf Course design, which was done in great detail, at the expense of the actual environmental evaluations required to meet CEQA requirements.

The document is written in a way that links river restoration with the development of a golf course. Linking these two activities has resulted in flawed analysis. Since the NOP four years ago, State Parks has indicated that Alternative 2 was the preferred Alternative. However, the EIR/EIS/EIS has no preferred Alternative, even though State Parks has shown its support of preferred Alternative 2 at many meetings.⁴⁶ State Parks also arranged for public speakers to advocate for Alternative 2. State Parks even held private meetings at the golf course advocating golfers to send letters in support of Alternative 2. State Parks' support of Alternative 2 should have been disclosed in the EIR/EIS/EIS to allow public comment. Masking the true intent for a preferred Alternative 2 is misleading and improperly diffuses the interest the public would have in the EIR/EIS/EIS.

AOB31-13

We have heard in public meetings and in meetings with other involved agencies and organizations that State Parks will not restore the river unless the golf course is expanded into Washoe Meadow State Park. However, these statements of intentions were not disclosed in the draft EIR/EIS/EIS. CEQA requires full disclosure of the developer's intentions and this has not been provided, violating the transparency and due process of the EIR/EIS/EIS. We agree that the River restoration is important, but strongly oppose Alternative 2, which has been propped up by misrepresented facts, improper public process, and the unnecessary linking of river restoration and golf reconfiguration. Alternative 3 provides the best balance of environmental restoration and economics.

The following sections provide comments on the EIR/EIS/EIS. Many assertions are incorrect; many things are inadequately analyzed; and many things are missing.

⁴⁶ E.g., the Meyers Round table, LTUSD school board meeting, and the Soroptomists.

Land Use

Alternative 2 would bracket the river fully for the entire length that it is owned by the state, on either the west or east side by a golf course. This is contrary to the stipulation in the original lawsuit that committed the state to protect the land in perpetuity. It would reduce the access to and enjoyment of the river by Park users. The sights and sounds of golf and the maintenance and upkeep of the course would be often within 100 feet of the river.

AOB31-14

Alternative 2 also increases the yardage of the current golf course. Hence, it is an expansion of a golf use at the expense of natural wild habitat in Washoe Meadows State Park.

AOB31-15

Washoe Meadows State Park includes a variety of resources: wet meadow, Jeffrey pine, lodgepole pine, Native American occupancy sites, and remnants of a historic dairy. The land use maps used for the analysis are incorrect. One area near proposed holes 6, 7, and 13, is listed as dry meadow; it is a wet meadow with standing water, downhill of an SEZ. In another area, Alternative 2 proposes grading above and below a sensitive wetland area with no apparent consideration of the effects of this change in hydrology.

AOB31-16

The EIR/EIS/EIS suggests campgrounds for Washoe Meadows State Park. The Lake Country Estates Project Resource Summary⁴⁷ states: *"the soils in Lake Country Estates pose severe constraints to constructing roads, buildings, and campgrounds."* The EIR/EIS/EIS does not factor this information in to the evaluation of Alternative 2 and its needed cart paths, and restroom facilities. The EIR/EIS/EIS has not gone into the depth required to evaluate this sensitive parcel of land for these proposed uses.

AOB31-17

State Parks is promoting the golf course as "Audubon" certified. It has been certified by Audubon International, an organization formed by the golf industry to help golf courses be better environmental stewards and to market a better image for golf. Presentation of this information in public meeting by representatives of the State Parks is misleading and represents yet another case of bias towards Alternative 2.

AOB31-18

Alternative 3 would establish a better geomorphically-functioning channel that would allow for improved groundwater recharge, nutrient catchment, and wildlife habitats. Alternative 3 would reduce the size of the golf course footprint and increase the area of restored riparian area. The boundary of WMSP would be adjusted to encompass all of the restored river and riparian corridor. Alternative 3 would decrease golf landscape adjacent to the river and decrease irrigation and fertilizer use. Alternative 3 would increase the area of WMSP available for low-density use.

AOB31-19

Relocating golf course holes as proposed in Alternative 2 would remove and fragment upland habitat, bisect wildlife habitat and increase disturbance levels west of the Upper Truckee River. A road built all the way around Lake Tahoe prevents animals from safely navigating to that annual water source. The Upper Truckee River habitat has already been compromised with many roads and developments that have eliminated habitat and prevented animals from safely reaching an annual water source. The Upper Truckee River and Angora Creek result in a merger of two natural wildlife corridors. Leaving a 100-foot

AOB31-20

⁴⁷ February 1987, p. 12.

strip along the river is not sufficient to maintain a wildlife corridor. Bisecting this habitat with managed turf and golf cart pathways is a significant environmental impact. AOB31-20
cont.

Alternative 2 would hinder access and diminish the park experience. The additional buffer required around the golf course required for safety is not considered in the coverage or in the negative impacts for Alternative 2. The 1.4 miles of designated trails in the park either would border the golf course or cross through the golf course, eliminating quiet open space for wildlife viewing. AOB31-21

State Parks has taken many actions in preparation for the golf course in advance of the EIR/EIS/EIS and without a general plan for Washoe Meadow State Park. The agency:

- 1) brought in a large dirt pile in 2007 in an area it describes as disturbed,
- 2) logged the area where the new bridge is planned for Alternative 2 as part of the East Meadow "Dead Tree Removal" project in 2009,
- 3) put in a new well and pump with sufficient size to support the new golf course,
- 4) logged the river bank area to improve views directly adjacent to the proposed location of the golf course.

AOB31-22

These and other Park resource-affecting actions were done without a general plan (or any other plan) and without due process that could engage the public in the affairs of the Park.

The EIR/EIS/EIS does not adequately address these issues and does not adequately address the impact of the proposed change in land use for Alternative 2.

Earth Resources

For Alternative 2, a new bridge and restroom with sewer connection would be constructed. This would involve modifications where shallow groundwater occurs and where tree removal would be extensive. It would impact areas mischaracterized as dry meadow (really, a wet meadow), and grading would occur on slopes greater than 20% and directly above and around a sensitive wetland area (holes 9, 10, 11, and 12). Given the nature of the sedimentary soils from the historical meanders of the river, tree removal could cause instability in soils. AOB31-23

This is not adequately addressed in the EIR/EIS/EIS.

Scenic Resources

Alternative 2 would require substantial grading to modify the terrain for the golf holes, substantial removal of existing trees, and construction of golf facilities in the existing forest. In Alternative 2, approximately 1,640 trees of greater than 10-inches DBH would be removed, changing the views from points within the park from forested to more open views of golf course tees, fairways, greens, bunkers, cart paths, and a restroom near hole 9. The layout for the relocated holes would result in removal of three trees greater than 30-inches DBH. The view into the Park from nearby streets such as Chilicothe Street, Normuk Street, and Delaware Street, and also from Grizzly Mountain, would be greatly altered. AOB31-24

There would be a substantial change in views from existing trails within Washoe Meadows State Park. These views would change from dense forest to more open views and golf course tees, fairways, greens, bunkers, and cart paths irrevocably changing the experience for other recreational pursuits in Washoe Meadows. This impact would be significant and impact the current park users.

AOB31-24
cont

The EIR/EIS/EIS minimizes these issues, rather than addressing the impact and significance.

Biological Resources

The existing disturbed wetland on the floor of the quarry,⁴⁸ which would be restored under Alternative 2, is hydrologically connected to and receives drainage from the large fen to the west via a small rivulet as well as being fed by groundwater. Although Alternative 2 purports to avoid the fen, it unaccountably circles a sensitive wetland area. The grading for the golf course could alter the groundwater or surface water hydrology. Drainage from the fen could increase and cause the fen to become drier if landscape alteration down slope of the fen modifies groundwater flow. These risks are not accounted for in the EIR/EIS/EIS nor the layout of the proposed golf course of Alternative 2.

AOB31-25

Common wildlife species would be disturbed by operation of the golf course through increased and regular human intrusion in the area between the Upper Truckee River and the neighborhoods to the south and west. Increased golf use of this area would reduce the habitat value for wildlife. The mix of forest, meadow, and riparian habitat in this block of open space, within the context of the larger complex of open space or low-density development to the north and south of the study area, provides a potential habitat link within the Upper Truckee River watershed and the Tahoe Basin.

AOB31-26

Alternative 2 promises to use the latest techniques to minimize herbicides and pesticide intrusion in the upper Truckee River. However, as evidenced by the diesel spill leak in 2005, good techniques are not always successful.⁴⁹ Adding a golf course of any kind to an area that is currently natural wildlife habitat poses an unnecessary and undue risk to the environment, the rivers, and waters of Lake Tahoe. The current water monitoring practices which, only monitor one time per year, are inadequate to prevent problems and protect the watershed. Mitigation for Alternative 2 needs to include additional monitoring and the expense for this must be factored into the economic analysis.

AOB31-27

Alternative 3 would have a net decrease of managed turf, resulting in less water use, less herbicides and pesticides, making it the better choice to meet the future needs of a climate that is targeted to be warmer with less water availability.

AOB31-28

The increased area of SEZ restoration and improved ecosystem functions of SEZ, floodplain, and wetland communities would be beneficial because they would result in a long-term net increase in the acreage of sensitive habitats. No construction disturbance related to golf course reconfiguration, quarry restoration, or trail development would occur on the west

AOB31-29

⁴⁸ The "quarry" is really a gravel pit.

⁴⁹ That spill resulted adding the monitoring of hydrocarbons by the Lahontan Regional Water Quality Control Board.

side of the Upper Truckee River under this Alternative; therefore, spring complexes (including fens) and other sensitive habitats west of the Upper Truckee River riparian corridor and floodplain would not be affected.

Areas of restored SEZ and floodplain would increase the area of suitable habitat for special-status plant species that have potential to occur within the area. Marsh skullcap, Oregon fireweed, and Bolander's candle moss, discussed under Impact 3.5-4 (Alternative 2), have potential to occur in moist riparian habitats and would benefit from the long-term increase in this habitat type.

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cont

Flawed range and description of alternatives

The Public Resources Code⁵⁰ states that the "general plan for a unit serves as the guide for future development, management and operation of the unit." There is no alternative that simply follows State Park's commitment to what is written in its general plan, including consideration of its effects to public use and resources of Washoe Meadows State Park.⁵¹ This would have been a reasonable alternative to consider.

The Plan identifies the following existing land uses:⁵²

Zone	Acres	% of Total
OPEN SPACE/River-Stream	11.54	6.3%
OPEN SPACE/Undeveloped	55.67	30.7%
WETLANDS/Ponds-Drains	8.14	4.5%
GOLF COURSE/Developed-Undeveloped	102.35	56.4%
ENTRY-PARKING-CLUBHOUSE-MAINTENANCE	3.73	2.1%
State Recreation Area Acres	181.43	100.0%

A0B31-30

Proposed land uses in the general plan are:

Zone	Acres	% of Total
OPEN SPACE/Stream Management Sensitivity Zone	70.46	28.3%
OPEN SPACE/Undeveloped	37.79	15.2%
OPEN SPACE/Rehabilitated	32.44	13.1%
WETLANDS/Ponds-Drains	16.42	6.6%
GOLF COURSE/Developed	86.42	34.8%

⁵⁰ Section 5002.2.

⁵¹ Pages 4 and 43.

⁵² Page 72.

Day Use/Developed	1.28	.5%
ENTRY-PARKING-CLUBHOUSE-MAINTENANCE	3.73	1.5%
SRA plus Potential Ownership	248.54	100.0%

Alternative 1 is properly described as the CEQA baseline for the project, but misses the mark in describing whether the current golf course operates in conformance with its general plan, in place for over 20 years, and permits issued by regulatory agencies for its activities. While the CEQA baseline is rooted in the physical conditions actually existing at the time of environmental analysis, the public should have the benefit of understanding whether that is consistent with the commitments made by State Parks to the public through the general plan and its other operational permits, by such agencies as the Tahoe Regional Planning Agency and Lahontan Water Quality Board.

Analysis of the currently-operating groundwater well doesn't indicate whether the current ground water use for irrigation affects the surface water resources of the Upper Truckee. Is it: 1) an interconnected river and aquifer, with the river losing water to the aquifer, 2) an interconnected river in which the river is gaining water from the ground water, or 3) a perched river which is losing water to the aquifer? In the first condition river losses will increase in response to ground water pumping. In the second condition, river gains will decrease in response to ground water pumping. In either case, ground water pumping will result in a depletion or capture of surface water. In the third case, ground water pumping has no impact on surface water resources. Which condition exists and does it change at different times of year? Because Alternative 1 sets the environmental baseline for the project, it is important to disclose this information.

AOB31-30
cont.

How do the 35 non-golf special events (banquets and weddings) fit under TRPA's permit for the golf course? The LVSRA General Plan? The concession contract? Could that be a contributing factor to the desire to pave 89 more parking spaces under Alternative 2?

Alternative 2 suggests that there is a mandate to retain an 18-hole regulation course that "requires" placement of the course in Washoe Meadows State Park. Alternative 3 echoes that theme with the statement that there is a need for a general plan amendment if it's converted to an 18-hole executive course. The Declaration of Purpose for LVSRA does not mention a "regulation" course:

The purpose of Lake Valley State Recreation Area is to make available to the people for their enjoyment and inspiration the 18-hole golf course, and the scenic Upper Truckee River and its environs. The department shall balance the objectives of providing optimum recreational opportunities and maintaining the highest standards of environmental protection. In so doing, the department shall define and execute a program of management within the unit that shall perpetuate the unit's declared values, providing for golfing along with other compatible summer and winter recreation opportunities while restoring the natural character and ecological values of the upper Truckee River,

*protecting its water quality, and protecting and interpreting significant natural, cultural, and scientific values.*⁵³

For Alternative 5, we concur that the existing clubhouse and parking area are of community benefit for reuse. Ideas for reuse were presented in WMC's NOP comments. Some reasonable alternatives apparently were ignored. For all units of the California State Park System, "The Mission of the California Department of Parks and Recreation is to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation." The reuse of the building could be of enormous community benefit, from providing space for the long-envisioned Meyers Visitor or Interpretive Center, to a core facility for public access along the Truckee River as a greenway park potentially extending to the lake. A vision for the long-term public interest would make it a showpiece of the state parks system and the community. Instead, the alternative is treated unsubstantially and only the river restoration component is described. The possible "temporary" nine-hole course adds to the confusion about what's proposed.

AOB31-30
cont

Preferred Alternative

While the EIR/EIS/EIS maintains that there is no preferred alternative for the project, State Parks' pervasive marketing effort for Alternative 2 belies those claims. This marketing of Alternative 2 is contrary to NEPA and CEQA requirements for a comparable level of analysis among alternatives.

For example, at a recent public meeting, the State Parks consultant extolled the benefits of the links style course planned for Washoe Meadows designed by John Harbottle, who she indicated also designed the nearby Genoa Lakes course. Yet, it's undefined what the proposed course type is for Alternative 3. Someone who enjoys a nine-hole experience but eschews an executive 18-hole course could advocate for Alternative 3, yet be unsure of the ultimate outcome of what would be built. A very unequal effort went into the golf aspects of Alternatives 2 and 3.

AOB31-31

If Alt 5 is selected, what will happen on the ground? How will the golf course be removed and the meadow restored? It is unclear how this alternative complies with NEPA and TRPA requirements for comparable detail among alternatives in an environmental analysis. It appears that the statement by State Parks Senior Environmental Scientist in an October 6, 2006 letter to the TRPA APC and Governing Board is coming true: "It is likely that a 'No Golf course' alternative will be analyzed and discussed early on in the documents but may not receive the full evaluation afforded the more feasible alternatives that more closely match the department's vision for the project."

⁵³ Pages 34 and 35.

6 Environmental Planning

The draft EIR/EIS/EIS⁵⁴ indicates that "Under Alternative 3 the floodplain near the bridge proposed in Alternative 2 could be more fully restored than under Alternative 2..." This is a factor in favor of Alternative 3 over Alternative 2.

The draft EIR/EIS/EIS⁵⁵ ⁵⁶ shows that Alternative 3 is clearly better than Alternative 2 due to:

- more acreage of Restored SEZ,
- more acreage of Restored 100-year floodplain/meadow,
- more acreage of Restored floodplain/meadow,
- less acreage of golf course within SEZ,
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- less linear feet of golf course adjacent to the Upper Truckee River,
- fewer acres of managed landscape, and
- no bridges over the Upper Truckee River or Angora Creek.

AOB31-32

The draft EIR/EIS/EIS⁵⁷ says with regards to Alternatives 2, 3, and 5: "Implementing any of these three alternatives would also restore varied areas of floodplain and SEZ vegetation and soil conditions." This confirms that the selection of Alternative 3 for previously described benefits would restore floodplain and SEZ areas.

The draft EIR/EIS/EIS⁵⁸ says that Alternatives 3 and 5 would decrease the sources of nutrient, sediment, or hydrocarbon pollutants to stormwater as well as reduce stormwater runoff.

From a land use planning perspective, it makes more sense to select Alternative 3 in order to optimize environmental benefits while still retaining the ability to have a reduced area 9- or 18-hole golf course. It avoids the undesirable impacts that would result from a golf course development within land that was set aside as a State Park for its conservation values.

Note: Environmental Planning comments provided per communication from: Robert A. Johnston, Professor of Environmental Planning, Department of Environmental Science & Policy, University of California, Davis.

⁵⁴ Volume 1 on page 2-7.

⁵⁵ Volume 1 Table 2-3 on page 2-25.

⁵⁶ Volume 1, page 2-74.

⁵⁷ Volume 2, page 4-8.

⁵⁸ Volume 2, page 4-9.

7 Economic Feasibility Analysis

The economic analysis for this project⁵⁹ takes a different strategy than those typically prepared for government agencies at Lake Tahoe. The threshold evaluations⁶⁰ and the Forest Service's Watershed Assessment⁶¹ all describe a recreation/tourism economy based on a variety of recreational activities available in a superior setting. The latter study estimated annual visitation to the South Shore as 1.8 million visitor days, 621,400 attributed to South Lake Tahoe (the balance to Stateline).

The LTGC study drills down not only to golf, but to a specific golf course, in making its assessments and projections. It projects an increase in revenues after implementation of Alternative 2, presumably because a different and better 18-hole regulation course is implemented. The 2008 date of the economic feasibility report, in contrast to the date of the release of the environmental documents two years later, could have allowed for an addendum to be prepared that incorporates the most recent data from state parks reports.⁶²

The study recognizes a declining number of rounds being played, partly as a function of increased competition.⁶³ However, this is ignored in the estimates of use and revenue for the golf alternatives.

The 07/08 gross (on a fiscal year basis, it transcends the Angora Fire) was reported as just under \$2,500,000 with a rent to the state of \$604,214. For 08/09, the figures are over \$2,200,000 with a rent to the state of \$544,352. The trend of decline is clear.

The report cites to the importance of LTGC as State Park's fifth largest source of concession revenue (2006/7), even with declining gross revenues since 1997.⁶⁴ It fails to mention that State Parks' own 2008/2009 concessions report attributes golf course gross receipts and rent for all golf courses to be just 4% of its budget. Conversion to state parks-style lodging, a 20% slice of the revenue and rent pie, could be a large contributor to the State's coffers based on the report.

The report recognizes the 5% of gross receipts that must be contributed to the maintenance CIP fund, which can attribute to capital improvements, resource management, or as additional rent.⁶⁵ The report does not indicate the balance in the fund and whether the fund is saving to pay for the "Golf Course Irrigation

AOB31-33

⁵⁹ Volume 3, Appendix E, and Volume 2, Section 3.15.

⁶⁰ TRPA, various years, latest in 2006.

⁶¹ 2000.

⁶² http://www.parks.ca.gov/?page_id=23308

⁶³ Page 9.

⁶⁴ Page 11.

⁶⁵ Page 12.

Rehabilitation Project,” noted on the State Parks Crime and Maintenance Data base, at a cost of \$1,435,920. It is not mentioned on the maintenance costs discussion.⁶⁶

The report did not use revenue data from 2007, the year of the Angora fire, because of its effect on businesses. The report indicates that the drop in rounds played at LTGC would skew the analysis and pull it down artificially.⁶⁷ However, the data from 2008 and 2009 also show this declining trend.

The Market Analysis Findings,⁶⁸ based on the statistically invalid survey (conceded in the report), makes conclusions about the viability of an executive course based upon the proximity of Tahoe Paradise rather than considering course design and marketing potential. This was done at Incline: “Shot making’ skills are necessary to navigate this terrain and this course demands more accuracy than distance. Many of the holes on this course have incredible views of Lake Tahoe and surrounding Sierra Nevada mountains. The Mountain Course was named one of the Top Short Courses of America by Golf Range magazine for its third consecutive year because of its layout and design, community involvement, and customer service.”⁶⁹

The report neglects to explain its assumption that the presence of a golf course gives LTGC a competitive edge over other wedding venues at Lake Tahoe.⁷⁰ It is unclear how this occurs and no consideration is given to the natural setting, the increased availability of parking without a golf course, the greater exclusivity that would be provided for the event, the possibility of reconfiguring the 7,000 square foot structure to provide for more than 2,000 square feet of rentable space. It’s possible that the summer wedding season could accommodate multiple events on the limited and popular peak weekends, giving the opportunity for significantly increased event revenues.

Scope of the Economic Analysis Report

The scope of the economic analysis report is too limited to provide support for an informed decision on the project alternatives:

- 1) The cost of implementation for various project options should be factored into the overall economic picture. For example, the cost of relocating and constructing the golf course holes, tees and fairways into Washoe Meadows State Park was not an element in comparison of project options.
- 2) The economic analysis was not broad enough. It didn’t include evaluation of purchase of private property in the analysis for the economic feasibility of the various alternatives. The decision to not consider purchase of private

⁶⁶ Page 55.

⁶⁷ Page 12.

⁶⁸ Summarized on page 48.

⁶⁹ From Golf the High Sierra, a publication and organization that includes courses in Lake Tahoe, Carson Valley, Reno/Sparks and Graeagle as a marketing cluster, but for which the LTGC is not included.

⁷⁰ Page 51.

AOB31-33
cont.

AOB31-34

property did not allow additional options for consideration of alternative locations for the golf course which could have been feasible and would have changed the economic analysis appended to the EIR/EIS/EIS.

A0B31-34
cont.

Project Goals

The goals of the project listed in the economic feasibility report are approximately the goals listed in the EIR/EIS/EIS. The exception is C. Maintain the revenue level of the golf course to State Parks. The goal stated in the EIR/EIS/EIS is: Maintain adequate revenue generation from the LVSRA and/or WMSP. (Underscore added.) This is a key distinction.

A0B31-35

Improper use of Survey

The report notes that State Parks conducted an on-site survey of golfers in 2007 (the year of the Angora Fire), with responses from less than 1% of the total player population. Because of the small sample size,⁷¹ the results were "statistically invalid," yet "useful and indicative of the total player population profile and preferences" and sweeping conclusions were reached based on the results, e.g., that the percentage of golfers who said they would not play a 9-hole or 18-hole executive course with all holes located on the east side of the river. Or, that two thirds of the rounds played at LTGC are by non-locals. The report did not comment on the validity and quality of the survey instrument, which was included in the appendices, and whether the tool itself exhibited a biased response from the local users who might have viewed it as an opportunity to comment on river restoration.

A0B31-36

More important, the survey samples the wrong population.⁷² A market survey for future use of a differently configured golf course would not just sample users of the existing course. It would sample others who don't use the course now but might in the future, e.g. some of the users of the 170 nine-hole courses in California.⁷³

Consequently, a statistically invalid survey of questionable quality, in a year when visitation would have reflected more the local population since overall Tahoe visitation was down due to the fire and the number of rounds played was too low to count in the study, forms the basis of conclusions of golf course alternatives viability. This makes the use of the survey even more questionable.

Feasibility Results

Alternative 3, Reduced Play Area Course

A reduced play area course is estimated to be infeasible, but a review of the report shows that this conclusion to be unfounded.

A0B31-37

⁷¹ Page 28.

⁷² A footnote on Page 30 acknowledges that "survey respondents are likely to be biased regarding changes made to LTGC; a reduced play golf course would likely appeal to a different group of golfers."

⁷³ <http://www.californiasgolf.com/9holesgolfcourses.html>

Various studies have shown that women and children are more likely to utilize a 9-hole golf course. If a 9-hole course were selected for scenario 2 (Alternative 3), there would be an opportunity for an increase in this population of players which could offset some revenue loss due to having a less than regulation-size.⁷⁴ A recent Wall Street Journal article says: "According to the National Golf Foundation's most recent participation report, the number of golfers age 6-17 dropped 24%...between 2005 and 2008." It also says: "The future for golf not only for kids but for families has got to be short-course facilities, like the nine-hole executive course that wraps around the range..."⁷⁵

Some income loss could be offset by increased use of the clubhouse facility for weddings or other events. The report indicates that an increased number of events held at Lake Tahoe Golf Course could potentially enhance the revenue stream of a nontraditional-length golf course.⁷⁶ The report indicates that they have been successful in increasing the number of events per year. They already have a snowmobile concession for additional revenue. There are many additional activities that could be pursued to provide additional revenue to replace some revenue lost if an option other than Alternative 2 is selected. E.g., "If LTGC could generate the same revenues as NTCC (North Tahoe Conference Center) for non-golf-related events it could capture an additional \$121,000 under scenario 3."⁷⁷ These options for Alternative 3 were not evaluated in the report and not included as economic benefits.

A comparison of Alternatives 2 and 3 is key to evaluating the feasibility of the options. Because the projections of future golf income appear to be overestimated, this results in an incorrectly exaggerated difference between the incomes for the two alternatives. Significantly, the economic analysis doesn't address the reality of the current and predicted continuing decline in golf as a recreational activity and its replacement with lower-impact and family friendly sports such as hiking, river rafting, bird watching and enjoyment of nature.

The report establishes a baseline of 33,163 annual rounds of golf played at LTGC⁷⁸ and indicates the demand for golf is declining and golf revenues are declining⁷⁹ and mentions "declining number of rounds played over the four year period" (2003 through 2006).⁸⁰ The report mentions the decreasing number of rounds played at LTGC.⁸¹ This trend is likely to continue.

AOB31-37
cont.

⁷⁴ Golf Searches for Its Feminine Side", Wall Street Journal, March 27-28, 2010.

⁷⁵ Golf's Big Problem: No Kids", Wall Street Journal, May-15-16, 2010.

⁷⁶ Page 8.

⁷⁷ Page 51.

⁷⁸ Page 19.

⁷⁹ Pages 9, 11.

⁸⁰ Page 19.

⁸¹ Page 19.

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cont.

⁵⁴ Volume 1 on page 2-7.

⁵⁵ Volume 1 Table 2-3 on page 2-25.

⁵⁶ Volume 1, page 2-74.

⁵⁷ Volume 2, page 4-8.

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⁶¹ 2000.

⁶² http://www.parks.ca.gov/?page_id=23308

⁶³ Page 9.

⁶⁴ Page 11.

⁶⁵ Page 12.

also been modified in the report to convert to 2007 dollars. These actions arbitrarily inflate the perception of the amount of income in order to distort the fact that the revenue in 2008/09 from Lake Tahoe Golf course was only \$449,324.

Even this figure is too high, because averages are used improperly. The report analyzes data from 2003-2006, which show a declining trend in golf rounds played and net revenues,¹⁰² but calculates the averages for those years and infers these averages are indicative of the future. This is wrong. For data with declining trends, the future is more likely based on a continuation of the trends. The result is the massive over-estimation of future revenues.

The conclusion that a reduced play area course would result in a negative cash flow for the concessionaire is faulty. If payments to State Parks were reduced proportionally, and the golf course concession increased income from events, the golf course concession would be feasible.

These factors show that the difference between economic factors for an 18-hole regulation golf course and a reduced play course are much less than shown in the report.

B) Feasibility of Alternative 5

The report concluded that Alternative 5 is infeasible because the operation of the LVSRA clubhouse for events only would lose money. The report did not sufficiently analyze methods to increase event usage at the clubhouse. It did not adequately consider options for additional facilities or activities to increase income.

Economic Impact to the Local Economy

This section neglects to consider the Lake Tahoe visitor economy as a whole, which relies much more on the region's amenities, of which LTGC is one asset. It is not proven why LTGC is considered a "driver" of the economy and no discussion is made that displaced retail, food and beverage might get subsumed in the businesses offered by the private sector if they disappeared from LTGC. The conclusion of a \$7.5 million dollar community loss¹⁰³ because it assumes that all the visitors to the Lake Tahoe region who use the golf course would disappear instead of continuing to participate in the myriad of recreational activities available at Tahoe.

The inclusion of second homeowners being included in total visitor spending for the course¹⁰⁴ is mistaken. Will these people sell their homes should the course close? Or will they redirect to other activities?

The economic analysis does not mention or consider the City of South Lake Tahoe's "leakage" study regarding spending and instead assumes that all the money from service workers and visitors stays in the community for recirculation.¹⁰⁵

¹⁰² Fig. 1, page 11.

¹⁰³ Page 63

¹⁰⁴ Page 64.

AOB31-3/
cont.

AOB31-38

Total additional LTGC revenues and taxes benefiting the local economy are estimated at \$6.1 million annually. These numbers are based on incorrect assumptions. While economic activity in the local economy may be reduced by selecting Alternative 3 as compared to selecting Alternative 2, the difference would be much smaller than \$1 million annually.

The report relies heavily on the estimated number of Lake Tahoe Golf Course visitors to estimate the additional revenues and taxes to the local economy that are attributable to LTGC. This is the number of visitors who are visiting Lake Tahoe for the purpose of playing golf at LTGC and who would not otherwise be visiting Tahoe. The report states that in the Base Case with a regulation 18-hole golf course there are 8,942 annual individuals for this category of visitor.¹⁰⁶ This estimate was apparently based on the faulty survey (see above). This estimate assumes that 2/3 of LTGC players are visitors and 1/3 are locals.

Information provided in State Parks public meetings was inconsistent with the source of this estimate. At one point, State Parks personnel implied that this was estimated by zip code of the person making the reservation. This could be highly inaccurate because it doesn't account for the fact that second homeowners make up about 25% of South Lake Tahoe residence owners.

At another meeting, State Parks personnel implied that this estimate was based on the number of tournaments at LTGC. However, neither State Parks nor American Golf would release a list of tournaments even though at one meeting the State Parks project manager said she had been given a list of tournaments for 2009. In any case, many of the tournaments are principally local, such as the benefit for St. Theresa School.¹⁰⁷

The assumption on the number of visitors using LTGC is therefore unsubstantiated.

The 2002 SRI study projects that 32% of golf trips are planned with the sole intention of playing golf.¹⁰⁸ It's bold to transfer this generality to a recreational area like Tahoe, which has many other visitor attractions. This might be true for a course like Edgewood, but not for LTGC.

All the succeeding calculations for the impact on the local economy are then based on this faulty assumption.

Issues with estimate for total additional revenue benefiting the economy

Because the number of visitors who only come to Tahoe to play at Lake Tahoe Golf Course is not supported by the analysis and because it appears to be much less than estimated in this report, the total additional revenue benefiting the economy would

AOB31-38
cont.

AOB31-39

¹⁰⁵ <http://www.cityofslt.us/economicdevelopment/PDF/Doc5.3AppendixJobs.pdf>

¹⁰⁶ Page 61, Table 27, Visitation, Spending, Earnings and Jobs by Scenario.

¹⁰⁷ www.laketahoenews.net/2010/09/st-theresa-golf-tournament

¹⁰⁸ SRI International, 2002 report.

then be less than shown in this report. In fact, even if the report estimate of \$6 million annually were accurate, this would represent a miniscule amount of the \$ 1.2 billion income earned by residents of the Lake Tahoe region directly attributable to tourist expenditures.¹⁰⁹

With a reduced golf course under Alternative 3, some golfers may choose to play golf at other regulation courses, which would increase the use of other 18-hole regulation golf courses already in the surrounding area. The economic analysis did not consider that other golf courses in the area would retain the revenue for the community, and presented a mistaken view that the loss would result in a loss of revenue for the entire region.

From this analysis, very little is known about how that economic activity would change under different scenarios. Some fraction of current golfers, probably very high, would visit and do other things in the absence of golf.

Visitor spending in Tahoe is \$474 million and golfers spend 7.5 million,¹¹⁰ or 1.6%, a small percentage. But this is overestimated because many golfing visitors would visit anyway.

The draft EIR indicates that LTGC averaged generation of 76 full and part time jobs which are mostly for minimum wage food and beverage activities. The analysis of effects on employment if Alternatives 3 or 5 are selected failed to take into account options for additional revenue that could be provided if additional events and activities are developed, retaining many of these jobs.

Throughout the document, the number of jobs is mentioned as "full and part time." Nowhere are the jobs reported as Full-time Equivalents. The report asserts "168 full and part-time jobs (76 at LTGC and 92 elsewhere).¹¹¹ The annual payroll of these 76 jobs is estimated to be \$628,000,¹¹² an average of \$8,263/job. If those jobs earned the El Dorado County average wage of \$22,296,¹¹³ this payroll would support 28 full-time equivalents.

Earnings by employees generated elsewhere in the South Shore

The report estimates that 92 related jobs are supported elsewhere in the South Lake Tahoe area and earnings by employees generated elsewhere in South Shore by visitors to LTGC are estimated to decrease by \$287,000 to \$880,000 annually with a reduced play area course. This is estimate of decrease fails to take into account that most golfers would still be likely to play in a local golf course, or, if not, still visit Lake Tahoe.

Other Issues

¹⁰⁹ Email from Georgette Riley (info@tahoechamber.org) sent August 23, 2010.

¹¹⁰ Page 64.

¹¹¹ Volume II, page 3.15-1.

¹¹² Page 23.

¹¹³ Page 65.

AOB31-39
cont.

AOB31-40

- Risks and associated costs. The summary of direct financial impacts does not take into account the continuing risks and costs associated with having a golf course along the Upper Truckee River with damages from floods and diesel or other chemical spills (which have occurred at Lake Tahoe Golf Course), with exposure along a longer stretch of the river or with uncertainties in future water supplies.

AOB31-41
 - Economic impact on Tahoe Paradise Golf Course. Alternative 2 would create a state-funded, improved and expanded golf course that would directly compete with the privately owned nearby 18-hole executive Tahoe Paradise Golf Course. The draft EIR/EIS/EIS does not address the potential impact of Alternative 2 on this local business' revenue or employees.

AOB31-42
 - Who will pay. In Public meetings with the project manager, she was questioned how the concessionaire was going to be repaid for the golf course design and development. She stated that the public would be charged more (in violation of the State Parks stated goal of providing affordable golf) and State Parks would receive less revenue from the concession for 10 years after the golf course was completed. This loss of income was not reported in the EIR/EIS/EIS and the present worth of this loss was not considered in the biased evaluation of economic impact.

AOB31-43
 - Income loss during construction. For Alternative 2, construction would be phased over a 3- to 4-year period. In Year 1 of construction, golf play would be limited to a 9-hole course on the east side of the river to allow for construction access adjacent to the river. In Year 2, golf play would be either completely shut down or located on the western nine holes constructed in Year 1. The reconfigured 18-hole regulation golf course would be open to play in Year 3, with possible minor short-term modifications to allow for construction access to the river. The economic impact of this loss of income was also not accounted for in the economic analysis.

AOB31-44
- The report has several disclaimers on the Contact Information page.
- 1) The data from secondary sources are not guaranteed to be accurate. This is an issue because the public is not provided with the basis for certain key assumptions in the report.
 - 2) It is stated that the report "should not be relied upon as sole input for decision-making." This is an issue because the draft EIR/EIS/EIS relies too heavily on the economic analysis report to severely limit the number of feasible alternatives. Parks Dept staff and their consultants have stated in meetings that only Alternative 2 is feasible.
 - 3) The report states that the "Updates to information obtained for this report could change or invalidate the findings contained herein." This is an issue because the report used out dated data and/or did not adequately account for some relevant data.
- AOB31-45

Conclusion

The feasibility analysis is based on many incorrect assumptions and results are based on faulty methods. Therefore, the conclusions stated on page 55 are not valid based on the analysis.

The report wildly overestimates the impact on the Lake Tahoe economy and jobs if the golf course were to disappear and underestimates the feasibility of a reduced-play course on the east side of the river.

AOB31-46

8 Water Quality

Perhaps the most important element of the project and the EIR/EIS/EIS is water quality. The principle reason, but not the only one, for restoring the Upper Truckee River is to reduce bed and bank erosion of fine sediment and nutrients, which contribute to the decline of clarity of Lake Tahoe and to increase the deposition and absorption of fine sediments and nutrients on the flood plain during flood events.

Alternatives 2, 3 and 5 all call for more-or-less full restoration of the river. But they would have markedly different impacts on water quality.

Pesticide Use

TRPA sets requirements and standards for water quality control. In the TRPA Code of Ordinances,¹¹⁴ standards are set for discharges to groundwater and surface water. Concern is expressed regarding pesticide use for pest management.¹¹⁵

A representative of State Parks recently stated that Lake Tahoe Golf course does not use pesticides. This assertion is contradicted by the EIR/EIS/EIS, in the section describing Alternative 2:

Fertilizer and pesticide use would continue to occur twice per year in May and November and if requested by overseeing agencies (Lahontan RWQCB, TRPA or El Dorado County), an updated chemical, irrigation, agronomic, and erosion control plan, with reporting requirements would be prepared. However, it is expected that application protocols and monitoring and reporting requirements would continue as is occurring today.¹¹⁶

AOB31-47

Furthermore, the State Parks concession contract allows use of pesticides.

The TRPA's 2006 Threshold Evaluation Report,¹¹⁷ states that Lahontan and TRPA prohibit the use of pesticides in SEZs or where aquatic systems are at risk. However, this is not reflected in the Lahontan's discharge requirements for the golf course.¹¹⁸ Nor is it reflected in the concession contract between State Parks and American Golf Corporation. Therefore, there is a continuing concern that additional golf course development (with a larger footprint, including a location the Upper Truckee River, wet meadows, sensitive spring complexes and fens) will lead to use of pesticides which could pollute the environment and adversely affect water quality.

¹¹⁴ Chapter 81, Section 81.2.

¹¹⁵ Section 81.6.

¹¹⁶ Page 2-54.

¹¹⁷ 2006 Threshold Evaluation Report, Water Quality Appendix, Table 3-4, Item 3B, page 25.

¹¹⁸ Updated Waste Discharge Requirements for California Department of Parks and Recreation and American Golf Corporation, Lake Valley State Recreation Area, Board Order 6-00-48, and Monitoring and Reporting Program 6-00-48.

These concerns and their environmental impact are not adequately addressed in the draft EIR/EIS/EIS

Fertilizer Use

TRPA's Code provides criteria for fertilizer management that are not carried out in practice at Lake Tahoe Golf Course.¹¹⁹ Examples include:

- Criterion 1 requires a demonstration of the need for the use of phosphorus and recommends consideration of phosphorus-free fertilizer. Soil tests and reports show excessive amounts of phosphorus are being used at Lake Tahoe Golf Course.¹²⁰
- Criterion 3 recommends avoiding early and late season fertilizer. However, this is exactly when the golf course uses fertilizer. According to the draft EIR/EIS/EIS, fertilizer use at Lake Tahoe Golf Course typically occurs in May and November.¹²¹
- Criterion 11 requires that a soil testing program be combined with an assessment to adjust use of nitrogen and phosphorus for Tahoe Basin growing conditions. Lake Tahoe Golf Course uses a Midwest company to perform the soil testing analysis and make recommendations. Its recommendations are not appropriate for Tahoe growing conditions or the Tahoe Basin regulatory environment and concerns.

AOB31-48

This nonconformance with the current guidance leads to concerns that golf course development in a larger area, including uplands (as in Alternative 2), could lead to additional pollution events and adverse effects on water quality and the environment. Alternative 3 would have a lower number of acres of managed landscape with a lower volume and acreage of fertilizer use, thus lower risks.

Several sections of TRPA's Code indicate concerns for the management of fertilizer for large users such as golf courses.¹²² Golf courses are listed as potential sources of drinking water source water contaminating activities.¹²³ This highlights the similar potential for golf course contamination of Lake Tahoe through discharge into the Upper Truckee River or nearby ground water. Alternative 3, with lower acreage of golf course and avoidance of uplands and spring complexes, presents a lower risk.

As mentioned in the draft EIR/EIS/EIS and in TRPA's 2006 Threshold Evaluation Report, Lake Tahoe has been designated an "Outstanding National Resource Water" and every effort should be made to avoid actions which will risk degradation of the lake water quality. This Threshold Evaluation Report expresses concern for

¹¹⁹ Chapter 81 Section 81.7.A.

¹²⁰ Turf and Ornamental Soil Test and Recommendation Report 1/14/2009 from Parks Dept PRA request

¹²¹ Page 2-34.

¹²² Chapter 81, such as Section 81.7.C.

¹²³ Chapter 83.

fertilizers being used largely to support non-native vegetation as would be the case for a greater area of golf course as proposed for Alternative 2.

A0B31-40
cont.

These concerns on fertilizer use are not adequately addressed in the EIR/EIS/EIS.

SEZ and Floodplain

The Water Quality Appendix of the Threshold Evaluation indicates: "All new development must be setback from the defined extent of the SEZs to preserve their integrity. There are important values of the edge zone created by the SEZ and surrounding vegetation types."¹²⁴ The draft EIR/EIS/EIS has failed to demonstrate that Alternative 2 would be in compliance with this requirement.

This table also indicates that "Additional restrictions on fertilizer use could include bans on fertilizer applications in some situations, such as golf courses in SEZs..."¹²⁵ Alternative 3, with a reduced golf course footprint out of the SEZ, would be more consistent with this goal.

A0B31-49

The current TRPA Regional Plan has criteria for allowing new land coverage or other permanent disturbance in SEZs.¹²⁶ These criteria are also listed in the TRPA Goals and Policies document.¹²⁷ Alternative 3 would be more consistent with these criteria than Alternative 2 would, because Alternative 3 would greatly reduce the extent of encroachment in SEZs.

The Regional Plan also requires that the 100-year flood plain be restricted from development. Alternative 3 would come much closer to meeting this requirement than Alternative 2.

TRPA Goals & Policies

The TRPA Goals & Policies document indicates the intention to reduce dissolved inorganic nitrogen loading to Lake Tahoe from all sources.¹²⁸ Goal #1 is "...restore 80 percent of the disturbed lands." As mentioned in item 4 of this document, "It is the Agency's intent to have at least 80 percent of these lands restored to a natural or near natural state..."¹²⁹ Alternative 2 would disturb additional land in Washoe Meadows State Park with a larger golf footprint while restoring a portion of land in the State Recreation Area. This represents little, if any, net gain. Alternative 3 would more closely meet the goal in this policy document by restoring more land than it disturbed. For Alternative 2, the golf course development in Washoe Meadows State Park would not be as natural of a state as the existing park land, some of which has been restored in recent years.

A0B31-50

¹²⁴ Table 3-4, item 15 on page 17.

¹²⁵ Item 16 on page 18.

¹²⁶ Page 129, in the section on Stream Environment Zone Encroachment.

¹²⁷ Page IV-2, Item 5.

¹²⁸ Page II-39.

¹²⁹ Page II-43.

The Goals & Policies document states: "fertilizers shall not be used in or near stream and drainage channels, or in stream environment zones, including setbacks..."¹³⁰ Currently, some use of fertilizer does occur at Lake Tahoe Golf Course within the SEZ for golf course greens located next to the Upper Truckee River. For Alternative 2, there would be new development in a SEZ which would not comply with this policy. This item goes on to state: "Since Lake Tahoe's primary water quality problem is an imbalance in the lake's nutrient budget, control of artificial fertilizers (which add nutrients to the Basin) is an essential component of TRPA's water quality policy." Alternative 3 would better address this by reducing the golf course footprint and moving more acreage out of the SEZ and flood plain.

AOB31-50
cont

Lake Tahoe as an Outstanding National Resource

The Tahoe Basin Plan of the Lahontan Regional Water Quality Control Board states that there is a requirement "that the water quality of the waters which constitute an outstanding national resource be maintained and protected."¹³¹ Lake Tahoe, as one of only two California waters designated by Federal Regulation as outstanding national resources, requires additional protections from potential contamination from golf course turf management practices.

AOB31-51

This issue is not adequately addressed in the EIR/EIS/EIS.

Lahontan's Tahoe Basin Plan

This Basin Plan notes that "existing and future golf course development in the Lake Tahoe Basin requires special control measures to prevent further eutrophication of surface waters and contamination of drinking water supplies."¹³² "The use of fertilizer in stream environment zones is prohibited...the use of chemicals other than fertilizer should also be prohibited in stream environment zones."¹³³ Alternative 2 would result in some greens in SEZ where fertilizer would be applied. Alternative 3 would eliminate this conflict with the requirements.

AOB31-52

The Basin Plan states that "Golf courses involve intensive management of turf, including the use of pesticides and fertilizer which may run off into surface waters or percolate into ground water."¹³⁴ It also states that "Golf course turf demands large amounts of water for irrigation." The concession contract between State Parks and the American Golf Corporation requires that "no pumping or diversion of water from the river or its ground water aquifers shall take place within the unit when the river is at or below established minimum flow levels."¹³⁵ The draft EIR/EIS/EIS indicates that the actual quantity of water historically pumped for irrigation from

¹³⁰ Page II-43 in item 6.

¹³¹ Chapter 3, page 3-12.

¹³² Chapter 5, Page 5.15-3.

¹³³ Page 5.15-4.

¹³⁴ Page 4.11-10.

¹³⁵ Appendix D, page D-3.

the Upper Truckee River, and retained as a back up system, has not been officially recorded.¹³⁶ This lack of records causes a concern for whether the above requirements for limitations of use of water sources have been met. However, the 1988 LVSRA General Plan states that daily water use was, at that time, about 756,000 gallons.¹³⁷

AOB31-52
cont.

The process for monitoring water quality is not robust. While the practices may meet most legal requirements, there are issues with the process that erode confidence that pollutants are kept from the Upper Truckee River:

- According to the draft EIR/EIS/EIS, the golf course currently occupies an area of 133 acres. There is about 6,382 linear feet of golf course along the Upper Truckee River. There are only a few water monitoring stations.¹³⁸ By order of Lahontan: "The Monitoring and reporting program established two surface water monitoring and three monitoring wells."¹³⁹ The monitoring locations were established in 1989. Since that time, advances in techniques of water monitoring would dictate additional monitoring stations and methods in an area of high sensitivity. Close monitoring of the effects of the golf course on the Upper Truckee River are important from the aquatic habitat standpoint as well as for the maintenance of the clarity of Lake Tahoe.
- Who takes the samples and what their qualifications are is not specified. Lahontan merely requires that the sample collector's name be provided along with the date, and information about the analyses.¹⁴⁰ Due to the sensitivity of potential pollutant discharge to the Upper Truckee River, strict requirements for sampling personnel and sampling protocol should be provided. This would be consistent with the best practices implemented at Squaw Creek Golf Course.
- According to Lahontan, beginning on December 15, 2001, annual reports must be submitted for Lake Tahoe Golf Course for the following:¹⁴¹
 1. Erosion Control Repairs/Stormwater Treatment Systems
This is to include any problem encountered and/or any corrective actions taken during the season.
 2. Irrigation System Performance and Improvements

AOB31-53

¹³⁶ Page 2-34.

¹³⁷ Page 89.

¹³⁸ Volume 1, Table 2-3.

¹³⁹ California Regional Water Quality Control Board, Lahontan Region, Board Order No. 6-00-48, WDD No. 6A098811003. Updated Waste Discharge Requirements for California Department of Parks and Recreation and American Golf Corporation, Lake Valley State Recreation Area, June 14, 2000.

¹⁴⁰ California Regional Water Quality Control Board, Lahontan Region, Board Monitoring and Reporting Program 6-00-48 for California Department of Parks and Recreation and American Golf Corporation, Lake Valley State Recreation Area, June 14, 2000, Appendix A, page 2.

¹⁴¹ *Ibid.* Pages 7-8.

This is to include information on measurements of irrigation efficiency such as distribution uniformity, water applied versus evapotranspiration, leaching fraction, or other applicable measurement identified in the Chemical and Irrigation Management Plan as a means of achieving reduced transport of applied chemicals into groundwater. Include a progress report on improvements made to irrigation system.

3. Reporting and Update of Chemical and Irrigation Management Plan

Report any adjustments to the Chemical and Irrigation Management Plan, and whether these changes were successful or not, and note any planned changes in next year's management plan.

Reports were made available for 2002 through 2007. No reports were available for 2008 or 2009. Reports did not include the items outlined above. Instead they only included information on fertilizer quantities used per golf course location.

Combined with an undocumented change to reduce the frequency of monitoring at Lake Tahoe Golf Course, these factors result in a perception that it is not easy to confirm whether or not there are issues with contamination of the ground water or river.⁴²

"Potential Pollutant discharge from the facility consists of nutrients from fertilizers, and toxic compounds from the use of pesticides, products of erosion, construction waste materials, and small amounts of oil and grease contained in stormwater runoff from impervious surfaces, diesel fuel and gasoline fuel from the two fuel tanks..."

To reduce these concerns, Alternative 3 is preferred over Alternative 2. Alternative 3 would reduce the amount of irrigation water and would have a smaller area of application for pesticides and fertilizers than Alternative 2.

Additional Risks Associated with Golf Course Operation

Additional risks associated with golf course operation are not mentioned or quantified in the draft EIR/EIS/EIS:

- Flooding, such as occurred in 1997, can cause movement of chemicals from golf course turf to the Upper Truckee River, as well as damage to cart paths and roads with potential erosion and sediment loads to the river. Alternative 3 would reduce this risk because it would have only 10 acres of golf course within the 100-year floodplain as opposed to the 40 acres of golf course within the 100-year floodplain for Alternative 2.

⁴² Page 3, California Regional Water Quality Control Board, Lahontan Region, Board Order No. 6-00-48, WDID No. 6A098811003, Updated Waste Discharge Requirements for California Department of Parks and Recreation and American Golf Corporation, Lake Valley State Recreation Area, June 14, 2000.

- The snowmobile operation on the golf course during the winter resulted in a diesel spill in 1999. Diesel fuel discharged to a pond and the Upper Truckee River. The spill occurred over several months and the operator was cited and fined \$20,000. The golf course is now required to sample runoff from the parking lot and maintenance area.
- Lake Tahoe is a designated an Outstanding National Resource Water and its clarity has declined due to the delivery of fine sediments from various watersheds in the basin as well as due to "increased phytoplankton productivity, which in turn has been attributed to an increase in nutrients, especially nitrogen and phosphorous."¹⁴³ Numerous scientific papers reference concerns about the fertilizers used on golf courses and their effects on water quality and ecosystem health. One mentions that golf courses are contributing to the eutrophication of Lake Tahoe, which is "a process whereby water bodies, such as lakes,... receive excess nutrients that stimulate excessive plant growth (algae,...etc.)."¹⁴⁴

A0631-55

A0631-56

To reduce these risks, snowmobile operations should be re-evaluated and Alternative 3 should be preferred over Alternative 2.

¹⁴³ Volume 1, Section 1.1.1.

¹⁴⁴ Primary Productivity, Nutrients, and Transparency During the Early Onset of Eutrophication in Ultra-Oligotrophic Lake Tahoe, California-Nevada, Author: Charles R. Goldman, Source: Limnology and Oceanography, Vol. 33, No. 6, Part 1: W.T. Edmondson Celebratory Issue (Nov. 1988), pp. 1321-133.

9 Wildlife Species of Special Interest

The draft EIR/EIS/EIS fails to fully consider the environmental impact of Alternative 2 on the mule deer population and habitat.

According to the EIR/EIS/EIS: "Mule deer is designated as a special-interest species by TRPA."¹⁴⁵ Mule deer have been sighted in the study area in Washoe Meadows State Park and reported to WMC:

- Ron Robbins sighted deer in the park near Delaware St. on or around August 11, 2010.
- Washoe tribe member Buck Cruz saw deer prints in the park near the main meadow on or around October 30, 2009.
- Bill Butler saw a mule deer doe accompanied by two fawns at around 5:45am on May 30, 2009.

These sightings, as well as the vegetation and forest habitat described in the study area, indicate that the area in Washoe Meadows State Park where the golf course is proposed for relocation is suitable for deer travel and foraging. Because there are many areas of the park with deep cover and no trails, as well as springs, creeks and the nearby Upper Truckee River, and because fawns were sighted in the park recently, the area could also be important for fawning. Because the EIR/EIS/EIS does not directly address the impact of the golf course development in the park on mule deer habitat and movement corridors, the analysis is inadequate.

The EIR/EIS/EIS mentions expected disturbances from recreation and residential development. The report does not address recent park visitors' deer sightings or address specific issues with golf course development that would replace natural deer habitat. Deer frequent many urban/rural interfaces all over California, including next to many cities such as those in the San Francisco Bay Area. Golf courses add an altered landscape that has the potential to attract deer in a way that is not desirable. Golf landscaping generates an unnatural food source for deer such that the deer can become a nuisance to the golf course operation. In some cases, golf courses seek depredation permits to remove the deer. The effect of the golf course development on deer movement corridors in Washoe Meadows State Park is also not addressed in the draft EIR/EIS/EIS.

TRPA's Goals and Policies establishes Goal #2 to "Preserve, enhance, and, where feasible, expand habitats essential for threatened, endangered, rare, or sensitive species found in the Basin."¹⁴⁶ The Policy states that:

"Endangered, threatened, rare, and special interest species shall be protected and buffered against conflicting land uses." "Species in the above categories need extra protection to ensure their longevity in the Basin. Critical habitat sites

AOE31-57

¹⁴⁵ Volume 2, Page 3.5-84.

¹⁴⁶ Updated October 25, 2006 in the Wildlife Section, page IV-11.

of these animals need to be protected and buffered from disturbing land uses. This will be accomplished by regulating uses within the disturbance and influence zones of seven species for which thresholds have been adopted.”

TRPA's 2006 Thresholds report, indicates that there is “a non degradation standard for riparian habitat and providing for a minimum number of population sites for a list of special interest species.”¹⁴⁷ Progress is to be made towards achieving threshold standards for wildlife. Meadows are identified as important areas for deer. The impact of Alternative 2 on attainment of these standards related to special interest species such as deer is not addressed.

The TRPA Code indicates that “Special interest species which are locally important because of rarity or other public interest ... shall be protected from habitat disturbance from conflicting land uses.”¹⁴⁸ The development of a golf course in Washoe Meadows State Park represents a conflicting land use for mule deer that would be inconsistent with compliance with this ordinance.

Similar comments apply for snowshoe hare and American marten which have both been documented in Washoe Meadows State Park.

AOB31-57
cont.

¹⁴⁷ Chapter 7, Wildlife.

¹⁴⁸ Chapter 78, Wildlife Resources

- AOB31-1 The commenter's support for Alternative 3 or another alternative that restores the river, retains Washoe Meadows SP in its entirety, and protects the environment is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- AOB31-2 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-3 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-4 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-5 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-6 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-7 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-8 The commenter states that Alternative 2 would not be consistent with applicable plans, policies, and regulations. See Master Response Section 3.2, "Land Use."
- AOB31-9 The commenter states that the project is not an appropriate use of Federal funds. Restoration of the Upper Truckee River is a primary purpose of Reclamation's Tahoe Regional Wetland Development Program. As described in Chapter 1, "Introduction and Statement of Purpose and Need," of the draft EIR/EIS/EIS (page 1-4), the primary purpose and need for the project is related to the river restoration, with modifications of the golf course a required secondary action to accomplish an effective restoration approach. Consequently, the appropriateness of the use of Federal funds is related to achieving the river restoration goals of the project as determined by Reclamation. Federal funds were not and will not be used for golf course design or construction.
- AOB31-10 The commenter reiterates scoping comments and states that not all scoping comments provided were incorporated into the draft EIR/EIS/EIS. See response to comment AOB8-1.
- AOB31-11 The commenter's opinion of the public workshops held for the project is noted. See response to comment AOB8-1.
- AOB31-12 The commenter states that siting criteria used for the alternatives analysis in the draft EIR/EIS/EIS are flawed and that the State should have used a real estate agent and looked at private parcels, because costs have gone down. As described in Chapter 2, "Project Alternatives," of the draft EIR/EIS/EIS, Section 15126.6(f) of the State CEQA Guidelines states that the alternatives analysis should identify whether any of the

project's potentially significant effects would be avoided or substantially lessened by putting the project in another feasible location. Section 15126.6(f) also states that if the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion. Among the factors that may be taken into account when addressing the feasibility of off-site alternatives are site suitability, economic viability, availability of infrastructure, consistency with plans and policies, other regulatory limitations, and ability of the project proponents to reasonably acquire, control, or otherwise have access to the alternative site. In determining whether alternative locations for the project need to be considered in an EIR, Section 15126(f)(1) indicates that the proponent's ability to reasonably acquire or control an alternative location can be taken into account. Recognizing the current state budget circumstances, it would not be feasible to set aside public funds for state acquisition of private property for alternative golf course locations, so available public parcels were considered. Section 15126.6(f)(2)(A) of the State CEQA Guidelines states that only locations that would feasibly avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR. Purchasing a large private parcel was not only infeasible but none that met most of the other siting criteria were known to be available at the time of the analysis.

See Master Response Section 3.7, "Economics," for a discussion of the scope of the economic analysis. See Master Response Section 3.2, "Land Use," for a discussion of consistency of the project with plans, policies, and regulations related to land uses within Washoe Meadows SP. As shown in Exhibit 2-2 of the draft EIR/EIS/EIS, the area proposed for the reconfigured golf course under Alternative 2 is predominantly less than 20% slopes.

- AOB31-13 The commenter's opinion of the EIR/EIS/EIS analysis and process is noted. As described in Chapters 1 and 2 of the draft EIR/EIS/EIS, State Parks, Reclamation, and TRPA followed CEQA, NEPA, and TRPA requirements on full disclosure, transparency, and due process. Multiple outreach events were held by State Parks to provide information about the proposed alternatives beyond public scoping meetings and recreation workshops; however, no outreach events were private and all members of the public were welcome to attend each of these events. See response to comment AOB8-1 for a discussion of selection of a proposed Preferred Alternative.
- AOB31-14 The commenter states that reconfiguring the golf course would be inconsistent with a previous lawsuit related to the park units. See Master Response Section 3.2, "Land Use."
- AOB31-15 The commenter states that the yardage of golf course would be increased under Alternative 2. As described in Section 2.5.1, "Project Features" the current Lake Tahoe Golf Course is an 18-hole regulation length, par 71 course with a total walking distance of 6,741 yards designed to host championship play. The current course has three sets of tees at 6,741; 6,327; and 5,703 yards. The course rating and slope for the three tees are, respectively, 70.8/126, 68.9/120, and 66.7/109. The conceptual design for the reconfigured course maintains its status as an 18-hole regulation course designed to be able to host championship play, with approximately the same slope, rating, length, par, and variety of holes as currently exist. In addition to the natural features of a site, the golf course layout incorporates design features, such as teeing areas, greens complexes, sand and grass bunkers, and water features to define the strategy of each hole and produce the desired visual quality, keeping in mind circulation, speed-of-play, and safety. AOB31-16
The commenter states that land use maps are incorrect but lists information presented in habitat maps. See Master Response Section 3.3, "Biological Resources," and

Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”

- AOB31-17 The commenter states that campgrounds and golf course facilities were not adequately evaluated. Campgrounds within Washoe Meadows SP are not being considered at this time and are beyond the scope of the current project objectives. As described in Chapter 2, “Project Alternatives,” of the draft EIR/EIS/EIS, if Alternative 5 were selected, State Parks would be able to embark on a new planning effort for the entire area at any time in the future when it wishes to consider developing permanent facilities. This effort could involve planning for Washoe Meadows SP and Lake Valley SRA together or separately. It could involve reclassifying land and considering a variety of actions related to outdoor recreation and resource management. Campgrounds are one type of recreation facility that could be considered in the future, but they are not proposed at this time and would require separate environmental review. Locations for golf course facilities were considered in depth. See Master Response Section 3.2, “Land Use,” for a discussion of lands proposed for exchange. Also see Chapter 3, “Affected Environment and Environmental Consequences,” of the draft EIR/EIS/EIS for a detailed evaluation of impacts of reconfiguring the Lake Tahoe Golf Course on each resource area.
- AOB31-18 The commenter states that promoting the golf course as “Audubon” certified in the public meeting is misleading and represents bias toward Alternative 2. The draft EIR/EIS/EIS simply presents factual information about the existing golf course, which includes its certification. As described in Chapter 2, “Project Alternatives,” of the draft EIR/EIS/EIS, the Lake Tahoe Golf Course is a member of the Audubon Cooperative Sanctuary Program for Golf Courses (ACSP) and is a certified cooperative sanctuary under the ACSP. The ACSP is an award-winning education and certification program that helps golf courses protect the environment and preserve the heritage of the game of golf. Since its inception in 1992, the ACSP has assisted golf courses in integrating environmentally responsible maintenance practices into day-to-day course operations. The ACSP helps people to enhance valuable natural areas and wildlife habitats that golf courses provide, to improve efficiency, and to minimize potentially harmful impacts of golf operations (ACSP 2006). This information presented in Chapter 2 of the draft EIR/EIS/EIS characterizes existing conditions that would continue under Alternative 2; therefore, presentation of this information at the public meeting did not mislead the public.
- AOB31-19 The commenter states an opinion that Alternative 3 would establish a “better” geomorphically functioning channel. However, as described in Chapter 2, “Project Alternatives,” of the draft EIR/EIS/EIS, Alternatives 2, 3, and 5 would all follow the same approach to restoring the river. Alternative 3 would decrease the golf landscape adjacent to the Upper Truckee River; however, as described in response to comment AOB8-7, Alternative 2 would also decrease the golf course landscape adjacent to the river (as would Alternative 5). The commenter correctly states that low-density use would increase and the use of irrigation and fertilizer would decrease within Washoe Meadows SP; however, as described in Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” the water used for irrigation is obtained under an existing water right and fertilizer use is limited.
- AOB31-20 The commenter is concerned about habitat fragmentation under Alternative 2. See Master Response Section 3.3, “Biological Resources.”
- AOB31-21 The commenter states that the buffer area around the golf course is not considered in the coverage impacts. This is correct; a buffer would not be considered coverage and would

not create a negative impact. The commenter is concerned about reduced recreation access through the study area. See Master Response Section 3.5, “Recreation.”

AOB31-22

The commenter states that resources cannot be committed without a general plan for Washoe Meadows SP. See Master Response Section 3.2, “Land Use.”

AOB31-23

The commenter states that impacts of a bridge and restrooms on groundwater were not addressed. See response to comment AOB8-14 and Master Response Section 3.3, “Biological Resources.” The commenter states that the EIR/EIS/EIS “mischaracterized” dry meadow but does not provide details about the location of this mischaracterized area. An updated vegetation map is presented in Chapter 5, “Corrections and Revisions to the Draft EIR/EIS/EIS.”

Potential impacts related to erosion are addressed in Impact 3.6-1 (Alt. 2), “Soil Erosion, Sedimentation, and Loss of Topsoil,” and Impact 3.4-6 (Alt. 2), Short-Term Risk of Surface Water or Groundwater Degradation during Construction.” Mitigation for these potential impacts during project construction and operation is provided in Mitigation Measures 3.6-1A (Alt. 2) and 3.4-6 (Alt. 2), “Prepare and Implement Effective Site Management Plans,” and Mitigation Measure 3.6-1B (Alt. 2), “Provide On-Site Storm Drainage Facilities and Accompanying Stormwater Drainage Plan to Prevent Surface Erosion from Discharging to Creek or River Channels.” These mitigation measures require implementation of design measures and BMPs with performance requirements.

A very strict water quality criterion (exceeding 10% above background for turbidity) was used to determine that an impact on water quality would be significant. Therefore, Impact 3.4-6 (Alternatives 2 through 5) would be significant and unavoidable. However, this conclusion does not necessarily correlate with the same findings in Section 3.6, “Earth Resources.” For Impact 3.6-1 to be significant and unavoidable, the project would likely have to elevate turbidity levels by considerably more than 10% above background levels, in a larger area and for a longer duration than the limited area and brief period used for the water quality analysis. This topic was addressed in the “Methods and Assumptions” sections in Section 3.4, “Geomorphology and Water Quality,” and Section 3.6, “Earth Resources.”

AOB31-24

The commenter is concerned about impacts of the project on scenic resources. See response to comment I6-3.

AOB31-25

The commenter states that the fen and quarry pit are hydrologically connected and is concerned that although Alternative 2 would restore the quarry and avoid the fen, the surface or groundwater hydrology of the fen would be altered or degraded. The commenter is concerned that the golf course proposed under Alternative 2 would “surround” a sensitive wetland. See Master Response Section 3.3, “Biological Resources,” and Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.” Refer to Chapter 5, “Corrections and Revisions to the Draft EIR/EIS/EIS for text revisions related to these topics.

AOB31-26

The commenter is concerned about impacts of Alternative 2 on wildlife. See Master Response Section 3.3, “Biological Resources.”

AOB31-27

The commenter is concerned that any change in chemical uses in areas not now occupied by a golf course pose unnecessary risks to water quality, and that present water monitoring is inadequate and mitigation needs to include additional monitoring. The comment refers to a diesel spill that occurred in 2005. See response to comment AOB31-

55 in regard to the diesel spill. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality” for a discussion of chemical use.

- AOB31-28 The commenter expresses support for Alternative 3 because of its lower water demand and reduced chemical use. The comment is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- AOB31-29 The commenter notes that Alternative 3 would have less of an impact on biological resources. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- AOB31-30 The commenter suggests that an alternative that would implement the general plan should have been analyzed. Consistency with the general plan is discussed in Chapter 2, “Project Alternatives,” and Section 3.1, “Land Use,” of the draft EIR/EIS/EIS. See Master Response Section 3.2, “Land Use,” for additional information.
- The baseline used for the draft EIR/EIS/EIS is existing conditions at the start of the environmental review with some additional resource information since that time to update the understanding of current conditions relevant to the environmental analysis. These existing conditions have been influenced by a culmination of both historical and ongoing activities. Where appropriate and applicable, information about existing permits, concession contracting, and consistency with the Lake Valley SRA General Plan was presented in the draft EIR/EIS/EIS, either in Chapter 2, “Project Alternatives,” or in the discussion of existing conditions in specific resource sections.
- The commenter has concerns about existing and proposed impacts related to water use. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for a discussion of water use.
- AOB31-31 The commenter states that Alternative 2 is the preferred alternative and that Alternative 5 is not evaluated at an equal level of detail. See response to comment AOB8-1 for a discussion of the alternatives evaluated for the project.
- AOB31-32 The commenter states that Alternative 3 is better than Alternative 2. The comment is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- AOB31-33 The commenter disagrees with the methodology used in the economic analysis for the project. See Master Response Section 3.7, “Economics.”
- AOB31-34 The commenter disagrees with the scope used in the economic analysis for the project. See Master Response Section 3.7, “Economics.”
- AOB31-35 The commenter correctly notes that the goal of the project is to maintain *adequate* revenue generation from Lake Valley SRA and/or Washoe Meadows SP.
- AOB31-36 The commenter disagrees with the survey methods used for recreation surveys. As described in Section 3.8, “Recreation,” of the draft EIR/EIS/EIS, the economic feasibility analysis indicated that the survey respondents were likely to have been biased about proposed changes to be made to the golf course; a reduced-play golf course would likely appeal to a different group of golfers (HEC 2008:30–31 [Appendix E]). The limitations of the surveys conducted for the project are acknowledged in the draft EIR/EIS/EIS. In

addition to the surveys conducted at the golf course, data were obtained from the Lake Tahoe Golf Course concessionaire.

- AOB31-37 The commenter disagrees with the conclusions of the economics analysis. The commenter's support for Alternative 3 and opposition to Alternative 2 is noted. See Master Response Section 3.7, "Economics."
- AOB31-38 The commenter disagrees with the conclusions of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-39 The commenter disagrees with the conclusions of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-40 The commenter disagrees with the conclusions of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-41 The commenter disagrees with the scope of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-42 The commenter disagrees with the scope of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-43 The commenter questions the source of funding for the project. See Master Response Section 3.7, "Economics."
- AOB31-44 The commenter questions the loss of income during construction. State Parks plans to allow golfing to continue on 9 holes or potentially a modified 18-hole course throughout the construction period unless the contractor deems this infeasible.
- AOB31-45 The commenter disagrees with the conclusions of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-46 The commenter disagrees with the conclusions of the economics analysis. See Master Response Section 3.7, "Economics."
- AOB31-47 The commenter is concerned about pesticide use on the golf course. See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."
- AOB31-48 The commenter is concerned about fertilizer use on the golf course. See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."
- AOB31-49 The commenter is concerned that Alternative 2 would not comply with the following statement in the Water Quality Appendix to the TRPA Threshold Evaluation: "All new development must be setback from the defined extent of the SEZs..." The TRPA Threshold Evaluation is not a compliance document, but an assessment document that has not been fully adopted. This project would reduce coverage and development in the SEZ and relocation of coverage is allowed by TRPA. See response to comment AOB8-4 for additional information about the SEZ coverage evaluation.
- The commenter states that Alternative 3 would be more consistent with TRPA goals to reduce/restrict fertilizer use in SEZs. The comment is noted.

The commenter indicates that Alternative 3 would be more consistent than Alternative 2 with TRPA criteria regarding land coverage in SEZs. The comment is noted.

The commenter states that Alternative 3 would be better than Alternative 2 at meeting TRPA's restrictions from development in the 100-year floodplain. For clarification, golf course turf is not considered coverage.

AOB31-50 The commenter expresses the opinion that Alternative 3 would more closely meet TRPA goals and policies regarding restoration of disturbed lands and setbacks from SEZ/floodplain than would Alternative 2.

Alternatives 2 and 3 would both reduce the area of golf course within SEZ (to approximately 96 and 85 acres, respectively). Both alternatives would reduce the distance along the Upper Truckee River that have adjacent golf course land use: Alternative 3 would eliminate adjacent golf course land use along 6,382 linear feet (to zero) and Alternative 2 would eliminate adjacent golf course land use along 5,532 linear feet (reduced to 850 feet) (Table 2-1). Therefore, both alternatives would be consistent with the TRPA Goals and Policies regarding restoration of disturbed lands and setbacks from SEZ/floodplain.

AOB31-51 The commenter states that Lake Tahoe's designation as an "Outstanding National Resource" in the *Water Quality Control Plan for the Lahontan Region* (Basin Plan) requires additional protections from the golf course's turf management practices. The commenter is correct in noting that Lake Tahoe is a designated "Outstanding National Resource Water." This status is a key element of the control measures and waste discharge prohibitions for the protection and enhancement of Lake Tahoe contained within the Lahontan RWQCB's Basin Plan and described in the regulatory framework of the draft EIR/EIS/EIS (pages 3.4-2 to 3.4-9). The water quality control programs to protect the lake are implemented jointly by the Lahontan RWQCB, TRPA, USFS, local governments, and other parties for the California portion of the Tahoe Basin; however, the California Water Boards are ultimately responsible for implementation. The impact analysis, conclusions, and mitigation measures identified within the draft EIR/EIS/EIS fully consider the water quality requirements pursuant to Lake Tahoe's status, which are explicitly addressed by the Basin Plan.

AOB31-52 The commenter is concerned that Alternative 2 would conflict with elements of the Basin Plan requiring special control measures for golf courses, and prohibitions against chemical uses within SEZs, while Alternative 3 would eliminate this conflict. The Lahontan Regional Water Quality Control Board would make permit decisions regarding any special control measures for any golf course features that would remain within the SEZ under any of the action alternatives. The permit conditions would be consistent with, not in conflict with the Basin Plan requirements. For additional discussion of chemical management under Alternatives 2 and 3, see Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."

AOB31-53 The commenter is concerned about the water quality monitoring proposed. See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."

AOB31-54 The commenter is concerned that indirect effects of flooding on water quality impacts were not adequately described in the draft EIR/EIS/EIS. However, the water quality impact discussion within Section 3.4 of the draft EIR/EIS/EIS does consider the risks of flooding on golf course facilities and operations as part of potential water quality effects under the analysis of Impact 3.4-8 for each alternative. The types of risks and potential magnitude

of risk for each action alternative include consideration of the area of golf course within the floodplain (see Table 2-1) and the proposed condition of the course improvements under each alternative. For clarification, the acreage of golf course within the 100-year floodplain (56 acres) would not change under Alternatives 1 and 4. The acreage of golf course facilities within the 100-year floodplain would be reduced under Alternative 2 (36 acres), Alternative 3 (10 acres), and Alternative 5 (0 acres). Therefore, indirect potential flooding effects on water quality due to flood interaction with golf course features would be beneficial in all of the action alternatives on the basis of acreage alone. The commenter's note that Alternative 3 reduces the risk more than Alternative 2 is noted. No change to the text of the draft EIR/EIS/EIS is required.

AOB31-55

The commenter states that risks such as the 1999 diesel spill by the on-site snowmobile concessionaire were not disclosed in the draft EIR/EIS/EIS. However, the water quality impact discussion within Section 3.4 of the draft EIR/EIS/EIS does consider the risks of accidental spills over the operational life of the project as part of potential water quality effects under the analysis of impact 3.4-8 for each alternative. The impact analysis notes that the Lahontan RWQCB would update the waste discharge permit for any of the action alternatives, likely updating and strengthening the monitoring and reporting requirements. State Parks and its concessionaires will work with the Lahontan RWQCB to update and implement any new waste discharge permit requirements.

AOB31-56

The commenter cites past scientific studies that indicate that golf courses contribute to the eutrophication of Lake Tahoe as a reason to prefer Alternative 3 over Alternative 2. Recent basinwide technical studies for the Lake Tahoe TMDL (California Water Boards and NDEP 2007) indicate that golf courses are one of many specific land uses that may include fertilizer uses that affect surface and/or groundwater quality.

The USACE (2003) groundwater evaluation indicates that fertilized golf course area (3.9 square kilometers [sq. km]) composes 20.5% of the total fertilized area (19 sq. km) within the Lake Tahoe Basin and their application loads that range from 3.9 to 37.1% of the total basin phosphorus and from 17.6 to 36.2% of the total for nitrogen (see page 4-19 of the TMDL tech study). The fertilized golf course areas have nitrogen and phosphorus application loads that are not dissimilar to other basin land uses with turf (e.g., residential landscaping; institutions and commercial areas).

See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."

AOB31-57

The commenter is concerned about impacts on wildlife and consistency with TRPA thresholds. See Master Response Section 3.3, "Biological Resources."

Washoe Tribe of Nevada and California
Cultural Resources Office/Tribal Historic Preservation Office

AOB-32



Denise Jafke, Archeologist
Washoe Meadows State Park
P.O. BOX 266
Tahoe, CA. 96142

September 29, 2010

Subject: Comments to the Upper Truckee River Restoration Project

Dear Ms. Jafke,

Thank you for consulting with the Washoe Tribe of Nevada and California on the Upper Truckee River Restoration (UTRR). The UTRR is within the ancestral territory of the Washoe Tribe. The Washoe Tribe has occupied the project area for thousands of years and has an interest in the preservation of the lands and how the lands are used, including the natural and cultural environments. As the original inhabitants of the Lake Tahoe Basin we have seen the destruction of the lands through mismanagement and we are depending on the land managers to make the best decision to protect and preserve the lands and fulfill their responsibilities and obligations to the people and the lands they manage.

Generally, the Washoe Tribe of Nevada and California supports the protection and preservation of the natural and cultural environments. However, I must convey my position on the project effects of the UTRR to both the natural and cultural environments as a potential result of the UTRR project.

I am disputing the "No Adverse Effect" declaration of the UTRR, Alternative Two, which addresses archaeological resources. The following comments are project related effects to the cultural and natural environments of the UTRR project.

- 1 The proposed undertaking does have an adverse effect when the archaeological resources that are supposed to be protected are covered and buried. The project effects will erase all evidence of Washoe archaeological and heritage resources. Although the Washoe Meadows State Park (WMSP) may feel that encapsulating archaeological sites is an accepted practice as protection measures, it also erases all evidence that we were ever there. The action diminishes our presence and cultural association.
- 2 It is our feeling of connection and association that will be lost. Even though we may or may not visit the archaeological sites regularly, it doesn't mean we are detached from the archaeological sites and just the fact that we know they are there gives us a feeling that we are still there. Our presence is still there, which keeps us connected to our heritage. We would have nothing to show our children and future generations further diminishing our relation to the land.

AOB32-1

AOB32-2

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- | | | |
|----|--|----------|
| 3 | The Archeological Resources Protection Act of 1979 states archeological resources is protected. Because the project has components of federal permitting and federal funding mechanisms the project falls within the ARPA laws and guidelines. | AOB32-3 |
| 4 | Under the National Historic Preservation Act (NHPA), 800.5 Assessment of adverse effects (a): the Washoe Tribe attaches cultural significance to the archeological resources, (1) the proposed undertaking will alter the characteristics of the archeological properties and will diminish the integrity of the property and the feeling of association. (2) The alteration of the property. (iv) Change of the character of the property's use or of physical features within the property's setting that contribute to historic significance. | AOB32-4 |
| 5 | In the case of CA-ELD-2156, it has experienced theft and vandalism and the encapsulating process may be the only appropriate measure to protect the site. However, the Washoe Tribe would still lose our heritage and connection either through theft or by the site being buried. | AOB32-5 |
| 6 | I feel there is a lopsided injustice when our heritage resources are buried for the recreational sport activity of a few individuals. How do you justify the lose resources and uses of one group of people for the recreational uses of another small group of people. | AOB32-6 |
| 7 | We are opposed to the development a new portion of a golf course for the reasons provided and we prefer alternative three or four which is the river restoration and maintaining current golf course configuration. | AOB32-7 |
| 8 | Alternative Two would have negative impacts to the ecosystem, including habitat destruction of flora and fauna, in favor of turning the landscape into a golf course. It is inconsistent for a park to damage the natural and cultural environments for which it should be protecting in favor of developing a golf course. | AOB32-8 |
| 9 | We are concerned with the use of chemical fertilizer and herbicide applications to maintain the golf course. Fertilizer use is contributing to the degradation to water quality within the Lake Tahoe Basin. Alternative Two will increase the chemical runoff from two sides of the stream and compound the effect by two. | AOB32-9 |
| 10 | The mission of the Office of Historic Preservation (OHP) and the State Historical Resources Commission (SHRC), in partnership with the people of California and governmental agencies, is to preserve and enhance California's irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations. | AOB32-10 |

I am requesting further consultation with the Washoe Meadows State Park to discuss possible prevention, mitigation and enhancement measures related to the Adverse Effects to the archeological resources.

Thank you and please call me at (775) 888-0936 if you have any questions.

Respectfully,

Darrel Cruz, CRO/THPO

Cc; Washoe Cultural Resources Advisory Council

- AOB32-1 The commenter disagrees with the No Adverse Effect conclusion for cultural resources. See Master Response Section 3.6, "Cultural Resources."
- AOB32-2 The commenter is concerned about losing the connection with cultural resources within Washoe Meadows SP. See Master Response Section 3.6, "Cultural Resources."
- AOB32-3 The commenter states that the project is subject to the Archaeological Resources Protection Act of 1979. See Master Response Section 3.6, "Cultural Resources."
- AOB32-4 The commenter is concerned about impacts on cultural resources pursuant to the National Historic Preservation Act. See Master Response Section 3.6, "Cultural Resources."
- AOB32-5 The commenter is concerned about losing the connection with cultural resources within Washoe Meadows SP. See Master Response Section 3.6, "Cultural Resources."
- AOB32-6 The commenter is concerned about impacts on cultural resources. See Master Response Section 3.6, "Cultural Resources."
- AOB32-7 The commenter's support for Alternatives 3 and 4 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- AOB32-8 The commenter notes that Alternative 2 would have impacts on the ecosystem and cultural resources. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- AOB32-9 The commenter is concerned about increases in use of fertilizers under Alternative 2. See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality."
- AOB32-10 The commenter states the mission of the Office of Historic Preservation and State Historical Resources Commission. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

Washoe Tribe of Nevada and California

AOB-33



November 10, 2010

Cyndie Walck
CA State Parks and Recreation, Sierra District
PO Box 16
Tahoe City, CA 96145

Sent Via Email to utproject@parks.ca.gov

Dear Ms. Walck:

The Washoe Tribe of Nevada and California appreciates the opportunity to provide these written comments on the Draft EIR/EIS/EIS for the Upper Truckee River Restoration Project. These written comments reinforce and supplement the written comments submitted by THPO Darrel Cruz in a letter dated September 29, 2010 and the oral comments made at the October 13, 2010 APC meeting and the October 28, 2010 Governing Board meetings held at the TRPA offices.

The DEIS is insufficient because it fails to identify and address all significant impacts to cultural resources.

The CEQA guidelines provide that, while social effects of a project shall not themselves be treated as a significant effect on the environment, the social effects resulting from a project may be used to determine the significance of the physical changes. The document suggests that, in Alternative 2, the only impacts the construction of the golf course will have on three of the Native cultural sites in the project area will be disturbance and destruction of the site itself. This completely misses an important significant impact: the elimination of the Tribe's access to these sites.

The access issue is significant for a number of reasons. First, there are not many sites left on public lands for the Tribe to access. Second, the sites in the project area are easily reached by elders, who are often in poor health if not legally disabled. It does the Tribe no good to have access to sites that are at the top or at the bottom of a steep grade if the elders, who are the keepers of the Tribe's cultural history and knowledge, cannot physically reach them to teach the younger generations.

The DEIS is insufficient because the mitigation proposed for Alternative 2 fails to address all impacts to cultural resources.

The proposed mitigation measures will not mitigate the effect Alternative 2 will have on the cultural resources in the project area. Under Alternative 2, State Parks proposes to (1) when feasible, design the golf course so as to avoid those sites and (2) where design changes are not

AOB33-1

AOB33-2

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feasible, encapsulate the sites. Avoiding the site altogether is only contemplated for one site. That being said, the proposed mitigation for this site is also unacceptable because access and use of the site will continue to be effected in a significant manner. Tribal members and tribal organizations such as the Washoe Cultural Resources Advisory Council will likely have to count on the good will of the golf course concessionaire to allow them access the site. Additionally, the tribal members attempting to cross the golf course while it is in use will face safety hazards. While the Tribe appreciates the State Park's offer to avoid disturbing the sites, the fact is, this mitigation measure does not reduce the impact to the site to less-than-significant. As a practical matter, the Tribe can't access sites that are in the middle of a golf course.

The mitigation measures suggested for other sites, encapsulating the sites, eliminates the Tribe's ability to access the sites altogether. The possibility of deeding the sites into permanent conservation easements is not explored thoroughly. This is insufficient.

The DEIS makes an attempt to lessen the blow to the Tribe by stating that the final design for the golf course is not yet completed and that it will work with the Tribe to design the course to lessen the impact on cultural resources. With all due respect, given the history of the Lake Tahoe basin, the Tribe can not accept unenforceable assurances that the impact to cultural resources will be sufficiently reduced and they will be able to properly access those sites. As it stands, the current project design results in significant impacts to cultural resources that are not resolved via the proposed mitigation measures.

The DEIR insufficiently discusses the cumulative effects to Washoe cultural resources. The CEQA Guidelines state that "(a)n EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065(a)(3)". [§ 15130(a)] "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Under the Guidelines, it does not matter that the State Parks is not wholly responsible for what has happened to Washoe cultural resources in the Basin. What matters is the fact that the effect of a physical change to the environment, when viewed in light of other past and future physical changes to the environment, are significant.

It is well known that the cumulative effect of past projects on Washoe cultural resources has been to decimate those resources. In today's common parlance, each Washoe family was a second home owner at Lake Tahoe. Each spring, extended family groups would move back up to the Lake and live in these summer homes. The Washoe Tribe knew the Basin intimately. They knew the best locations for summer homes and the best places to take advantage of and develop the Basin's resources. When their lands were taken from them, it is no surprise that the best places were the first to go. The Tribe was pushed to the margins of non-Native society, to lands and places that were deemed undesirable. As a result, the vast majority of significant Washoe cultural resources have been buried and now reside under resorts, marinas, houses and yes, golf courses. Without a doubt, there were significant resources that were destroyed in the current project area when the river was straightened, when the golf course was put in, when the sewer lines were installed, when the quarry was developed and in short, when the ground in the project area was disturbed. The fact that significant cultural resources exist in the project area and that these resources are accessible to the Tribe is nothing short of amazing when you consider the history of the Basin and of the area. Again, the DEIS fails to consider this fact entirely by proposing mitigation measures

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AOB33-2
cont.

AOB33-3

that will increase the detrimental impact on those resources, not reduce it.

Again, State Parks could argue that the design of the golf course is not yet final and that the Tribe's access might not be eliminated. The Tribe finds speculation reassurances unacceptable and out of compliance with NEPA, CEQA and the TRPA Code of Ordinances. The Final EIR must include mitigation measures that will reduce the impacts described in this comment letter to a less than significant level. In other words, Alternative 2 must include a golf course design that does not significantly impact cultural resources. If that is not done, before State Parks can implement the project, it must issue a "statement of overriding considerations" explaining why the impact to the Tribe's resources is justified.

AOB33-3
cont.

Mitigation Techniques proposed to lessen impact on as yet unknown cultural resources during ground disturbing activities must be modified to lessen the impact on cultural resources.

The Tribe appreciates the fact that mitigation technique (c) provides that Washoe monitors *may* be employed when ground is disturbed for the project. The Tribe insists, however, that Washoe monitors *must* be hired. Washoe monitors will be most able to identify the significance of disturbed cultural resources and implement corrective action as soon as possible. Too often, the Tribe finds out about resources that are disturbed well after the fact and after they have been significantly impacted. This probable outcome must be avoided.

AOB33-4

The proposed mitigation for human remains discovered during construction is insufficient. The document states that, should human remains be found during ground disturbing activities, the El Dorado County Coroner and a professional archaeologist will be contacted to determine the nature and extent of the remains. Only if the coroner and the archaeologist determine that the remains are Native will processes be put in place to contact the Tribe. This is unacceptable. The THPO should be contacted immediately after human remains are found to enable him to assist in determining whether or not the remains are Washoe and what appropriate steps should be taken. The Tribe must be notified at the earliest possible moment.

AOB33-5

Conclusion

For all of the reasons stated above, the Draft EIS is insufficient. California State Parks was given contact information for the Legal Department almost a month ago in an attempt to start resolving these issues. As of yet, State Parks has not made contact to start this process. The Tribe looks forward to hearing from State Parks in very short order and engaging in consultation to resolve the identified issues.

Sincerely,



Waldo W. Walker
Chairman

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- AOB33-1 The commenter states that the draft EIR/EIS/EIS does not address all impacts on cultural resources. See Master Response Section 3.6, “Cultural Resources.”
- AOB33-2 The commenter states that mitigation proposed for impacts of Alternative 2 on cultural resources is inadequate. See Master Response Section 3.6, “Cultural Resources.”
- AOB33-3 The commenter states that the discussion of cumulative impacts on cultural resources is inadequate. As described in Section 3.16, “Cumulative Impacts,” of the draft EIR/EIS/EIS, even with protective regulations, cultural resources are still degraded or destroyed as cumulative development proceeds in the Tahoe Basin. This statement acknowledges the existing significant cumulative effect on cultural resources in the basin; however, with implementation of mitigation, the project would not make a considerable contribution to that significant cumulative effect. See Master Response Section 3.6, “Cultural Resources,” for a discussion of proposed mitigation measures.
- AOB33-4 The commenter is concerned about monitoring proposed in cultural mitigation. See Master Response Section 3.6, “Cultural Resources.”
- AOB33-5 The commenter is concerned about proposed cultural mitigation. See Master Response Section 3.6, “Cultural Resources.”

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SECTION B

Individuals

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Upper Truckee Restoration and Golf Course Reconfig

John Adamski [jvaski@sbcglobal.net]

Sent: Monday, November 15, 2010 3:12 PM

To: Project, Upper Truckee

Hi,
My name is John Adamski .
I attended one of your public meetings at the Country Club .

After hearing your presentation and walking the proposed golf course reconfiguration - I wish to voice my concerns.

It appears that not enough water testing for pollutants was conducted by an impartial testing agency prior to making decisions to proceed with this. I reccomend at least 5 years monitoring of the true run-off to Tahoe though this river. I question what if enough has been done previously to regulate the golf course's use of fertilizer etc. Relocating the golf course to unimproved forest closer to neighborhoods will take away even more land that serves as a quiet recreational area for hikers, mtn bikers, and x-country skiiers. We already lack enough "natural buffers" in and around our neighborhoods. Furthermore, it seems somewhat rediculous for the State Parks to propose such a tremendously expensive project for questionable results during a period of unquestionable recession for Californians. I estimate the real figure of unemployment in this community to be beyond 20%. Many of us look at and use "grant-funding" as "free money" for these types of projects - when in fact we all pay for this with federal and state taxes. I personally think State agencies should trim-back at this time and show that they take some responsibility in correcting this devastating recession.

I1-1

I1-2

It is for these reasons I recommend shelving all phases of improvements for this project until the economy substantially improves, and we have enough water/ pollutants monitoring for enough years to make sound decisions. And, after five years of monitoring is completed - we might re-visit this project to determine if possibly we could make simple incremental inporvements at less expense to achieve our goals. One such minor improvement might be simply to narrow the existing fairways near the river to create a wider natural buffer from the course.

Thank you for listening to my concerns .

Sincerely, John Adamski

- I1-1 The commenter has concerns about impacts of fertilizer use. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”
- I1-2 The commenter has concerns about recreation access and funding. The commenter recommends more monitoring and minor improvements to the golf course. The suggestions are noted. See Master Response Section 3.5, “Recreation,” and Master Response Section 3.7, “Economics.”



I Support Alternative 5 for the Upper Truckee

Eric Adema [eadema@yahoo.com]

Sent: Monday, November 01, 2010 8:07 PM

To: Project, Upper Truckee

I strongly urge that the Department of Parks and Recreation choose Alternative 5 for the Upper Truckee River Restoration & Golf Course Decommissioning Project.

The continued deterioration of the Upper Truckee cannot continue. Its health is vital to habitat, fish and Lake Tahoe.

By decommissioning or moving the golf course away from the river, Alternative 5 will arrest this deterioration. Its a lasting solution that will benefit the river and the broader Tahoe ecosystem.

Eric Adema

I2-1

I2-1

The commenter's support for Alternative 5 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

Dear Ms. Cyndie Walck,

I am a nature lover. I don't like this idea of destroying a wildlife ecosystem for any reason, especially golf. I've been in the meadow at all times of the season and hours of the day and night. I've watched owls hunting mice and voles at dusk. I've followed coyote tracks in the snow to where they pounced on the small prey that lives in the meadows under the snow. I've seen perfect impressions of hawk wings left in the snow where they dove, impacting the spot where they caught their prey.

These animals are small and seem insignificant, but they are part of the web of life. I don't need to be a wildlife biologist to know that they can't live on a golf course. The foods that small prey animals eat are in the diversity of the plants and insects that eat the plants. All this would be eradicated for a perfect green lawn. Where will the owls and hawks go? I know the coyotes will be going to the neighborhoods more than they do now.

I know some would love to boast about the bigger better golf course if that move ever happened and how good for Tahoe's economy it would be, but I doubt that it would make any difference to Tahoe businesses. The business that golfers and their shopping wives brought to South Lake didn't save Mikasa, Wranglers, High Sierra books, Neighbors Book Store, countless restaurants and businesses that I have seen close down while their store fronts remain vacant to this day.

There are enough golf courses at Lake Tahoe. I oppose Alternative 2. Keep the golf course where it is. The environment there is already destroyed. Leave the wilderness of Washoe Meadows State Park alone.

I support Alternative 4 if the need for revenue is so great.

Sincerely,

Daniel Albanese

daniel.albanese@gmail.com, 829 Kiowa Drive , South Lake Tahoe, CA, 96150

(3.1)

I3-1

The commenter's opposition to Alternative 2 and support for Alternative 4 is noted. The commenter has concerns about the baseline conditions used for analysis of wildlife habitat and about effects on the region's economy. See Master Response Section 3.3, "Biological Resources," and Master Response Section 3.7, "Economics."

Comments to Upper Truckee River Restoration and Golf Course Reconfiguration Project

Dear Ms. Cyndie Walck,

I am Jenny Albanese, an analytical chemist (Ph.D.), neighbor and member of the Washoe Meadow Community. I like to comment on the Upper Truckee River Restoration and Golf Course Reconfiguration Draft EIR/EIS. The efforts by California State Parks to restore a very important section of the Upper Truckee River are very welcome.

Since the Upper Truckee River supplies approximately 40% of the water flowing into Lake Tahoe, I am a strong supporter of its restoration to reduce erosion, fine sediment and nutrients into the Upper Truckee River and finally Lake Tahoe.

However, I do oppose the State Parks department presented and preferred alternative 2 for the following reasons:

- Alternative 2 would impact the environment by turning raw undeveloped forested land into a developed golf course and increasing the size of the golf course from 133 acres to 156 acres. The new location and size of the golf course would have an input and effect on water quality, soils, vegetation, recreation, wildlife and their habitats as well as cultural resources.
- Despite bisecting wildlife habitats and limiting wildlife access to the river, the 200-300 feet proximity to the propose golf course (alternative 2) does not prevent that toxic herbicides, fertilizers and pesticides will find their way into river or sensitive fen area through runoff or groundwater collection. Do we need to have another 100 year flooding situation, such as the year 1997, after which the golf course had to repair damaged cart paths and roads, to demonstrate the potential danger on how chemicals and toxic components can enter the river and therefore end up in Lake Tahoe? No, we don't, because even moderate flooding would cause this.
- There is about 6382 linear feet of golf course along the Upper Truckee River this close proximity to the river would approximately double with the new proposed golf course location. Potential flooding and typical surface runoff or collected ground water will significantly increase (almost double) the level of applied chemicals such as granulated lime stone (CaCO3) or Gypsum (CaSO4). These chemicals and others are currently used. Lime stone is applied in lbs/m ranging from 25-100 according to the golf course soil tests from 2000-2009. Furthermore, soil Test and Recommendation Reports dated 1/14/09 obtained through Public Records Act requests, indicate recommended rates of application of nitrogen that are twice as much as would be advisable for the Tahoe basin. In addition, the

I4-1

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I4-3

recommended rates of application of phosphorus are also too high. The company preparing the report is located in Ohio and is likely not familiar with Tahoe area regulations and conditions including the short season of play.

14-3
cont.

- These examples demonstrate that we need better requirements for soil testing than just trust best promised golf course maintenance practices. Soil testing is not required to be reported to the Lahontan Regional Water Quality Control Board (LRWQRB).
- According to the draft EIR/EIS/EIS Volume 1, Section 1.1.1, Lake Tahoe is a designated Outstanding National Resource Water and its clarity has declined due to the delivery of fine sediments from various watersheds in the basin as well as due to "increased phytoplankton productivity, which in turn has been attributed to an increase in nutrients, especially nitrogen and phosphorous." Numerous scientific papers reference concerns about the fertilizers used on golf courses and their effects on water quality and ecosystem health. An example is the Reference 4 article, which mentions that golf courses are contributing to the eutrophication of Lake Tahoe, which is "a process whereby water bodies, such as lakes,... receive excess nutrients that stimulate excessive plant growth (algae,... etc.)."
- We have to rethink and reevaluate the problems occurring with such close proximity to the Upper Truckee River of a bigger golf.
- It becomes even more evident and concerning, when looking at **process of monitoring water quality, which is not analytical and robust**. While the practices may meet most legal requirements, the issues with the process erode confidence that pollutants are kept from the Upper Truckee River.
 1. There are only a few water monitoring stations. According to Reference 1, page 1: "*The Monitoring and reporting program established two surface water monitoring and three monitoring wells.*" The monitoring locations were established in 1989. Since that time, advances analytical technology for water monitoring would dictate additional monitoring stations and methods in an area of such high sensitivity. Close monitoring of the effects of the golf course on the Upper Truckee River are important from the aquatic habitat standpoint as well as for the maintenance of the clarity of Lake Tahoe. The situation relies too much on actions taken by the Golf Course and there is little monitoring by LRWQCB.
 2. Monitoring does not take place at peak watering periods in the summer. LRWQCB has requested monitoring at this time period (Reference 2). Instead water samples were taken in May or November, when obviously less pollutant are expected due to snow coverage or after a long winter periods. We need less self regulation of the golf course, in order to keep Lake Tahoe clean.
 3. Who takes the samples and what are their qualifications is not specified. The document with requirements on this is Reference 3.

14-4

14-5

14-6

14-7

14-8

Appendix A, page 2 merely requires that the sample collector's name be provided along with the date, and information about the analyses. Due to the sensitivity of potential pollutant discharge to the Upper Truckee River, strict requirements for sampling personnel and sampling protocol should be provided. This would be consistent with the best practices implemented at Squaw Creek Golf Course. This is not the case for the current golf course and therefore not an analytical procedure, which requires consistency. For examples water samples are taken from the same location, same water depth, same times to plot trends and represent a real analytical picture of chemicals and toxic herbicides, fertilizers and pesticides.

14-8
cont.

4. There are concerns about water sources for the golf course irrigation and golf course facilities. The golf course is already using water diverted from the Upper Truckee River. Any new well could harm the river and meadow ecosystems in the Park including fish habitat and its unusual fens. More water would be used in alternative 2 to keep the course green, a new well could potentially lower the water levels, which is concerning particularly in drought times.

14-9

- Therefore, I support Alternative 3, in which the floodplain would be more fully restored compared to Alternative 2.
- I like to emphasize, that I strongly oppose Alternative 2 and urge the State Parks System, TRPA, and the Bureau of Reclamation to choose Alternative 3, which would allow Washoe Meadows State Park to remain an intact viable ecosystem, wildlife habitat, and recreational resource for the community and visitors to Lake Tahoe. I understand the economic pressure for maintaining a Reduced-Play Golf Course, but I support stricter and more analytical robust procedures and regulations to monitor water quality and to test soil for the existing golf course.

14-10

Sincerely,
Jenny Albanese

Jenny.albanese09@gmail.com, 829 Kiowa Drive, South lake Tahoe, CA, 96150

References:

1. California Regional Water Quality Control Board, Lahontan Region, Board Order No. 6-00-48, WDID No. 6A098811003, Updated Waste Discharge Requirements for California Department of Parks and Recreation and American Golf Corporation, Lake Valley State Recreation Area, June 14, 2000.

2. Water quality monitoring records obtained by Public Records Act request from Lahontan Regional Water Quality Control Board
3. California Regional Water Quality Control Board, Lahontan Region, Board Monitoring and Reporting Program 6-00-48 for California Department of Parks and Recreation and American Golf Corporation, Lake Valley State Recreation Area, June 14, 2000.
4. Primary Productivity, Nutrients, and Transparency During the Early Onset of Eutrophication in Ultra-Oligotrophic Lake Tahoe, California-Nevada, Author: Charles R. Goldman, Source: Limnology and Oceanography, Vol. 33, No. 6, Part 1: W.T. Edmondson Celebratory Issue (Nov. 1988), pp. 1321-1333

- I4-1 The commenter has concerns about the proposed golf course reconfiguration and impacts on water quality, wildlife habitat, recreation access, and cultural resources. See the following response to comment and master responses:
- ▶ response to comment AOB4-5 and Master Response Section 3.3, “Biological Resources,” for discussion on golf course reconfiguration and wildlife habitat;
 - ▶ Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for discussion on water quality and erosion;
 - ▶ Master Response Section 3.5, “Recreation” (the commenter does not state the recreation impact); and
 - ▶ Master Response Section 3.6, “Cultural Resources” (the commenter does not state the cultural resources impact).
- I4-2 The commenter is concerned that the golf course’s chemical use and infrastructure (e.g., cart paths) pose potential water quality problems in relation to river flooding processes. See response to comment AOB31-54.
- I4-3 The commenter has concerns about impacts related to herbicides, fertilizers, pesticides, and flooding. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for a discussion on herbicides, fertilizers, pesticides, and flooding. Commenter states the golf course along the river would double. This project would reduce the amount of the golf course directly adjacent to the river from 6,382 linear feet to 850 linear feet and reduce the area of the golf course in the floodplain and in SEZ.
- I4-4 The commenter suggests testing the soil. The suggestion is noted. State Parks and its concessionaire will work with the Lahontan RWQCB to update the golf course’s chemical application and management plan as needed to update permit requirements for golf course operations.
- I4-5 The commenter is concerned that Lake Tahoe’s designation as an Outstanding National Resource Water and its reduced clarity require special protection from golf course turf management. See response to comment AOB31-51.
- I4-6 The commenter has concerns about the water quality monitoring program. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”
- I4-7 The commenter has concerns about the water quality monitoring program. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”
- I4-8 The commenter has concerns about the water quality monitoring program. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality.”

- I4-9 The commenter has concerns about impacts related to the existing well. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for discussion of the existing well.
- I4-10 The commenter’s opposition to Alternative 2 and support for Alternative 3 is noted. The commenter summarizes comments addressed in letter I4 above.

Kudo's to Cyndie Walck and All:

I appreciate the enormous effort put forth by Cyndie Walck and her colleagues at the CA State Parks in developing these alternatives. I agree that the river needs restoration work and that it is important to maintain recreational opportunities in the Washoe Meadows State Park and the neighboring state recreation area.

Give equal consideration and effort to both Alternatives 2 and 4

It appears from my reading of the EIS that the planners have shown a preference for alternative #2 that may have led to an inadequate development of the possibilities for successful compromise between the primary interest groups. Those groups are: The river restoration folks, the golf enthusiasts and golf inc., the other recreational users of the state park (hikers, cyclists, runners, x-c skiers, and equestrians), and last but not least: the natural landscape/habitat and the wildlife that lives there!

If the same wonderful restoration efforts described for alternative #2 were applied to alternative #4, then alternative 4 becomes a much more viable option and could be a working compromise for the primary interest groups. If we can excavate and recover 2500 feet of old river channels for alternative 2 then we can do it for alternative 4 and avoid moving the back 9 holes to the West side of the river. In essence, why can't we move the river to the West and North, out of the golf course, into it's historic channels instead of moving golf course into the park.

Excerpt from draft EIR:

Under Alternative 2, the new channel would incorporate sections of the existing channel, re-activate historic meanders, and construct new sections of channel. This combination would give the desired sinuosity and slope.

Approximately 4,240 feet of the existing channel would be used without modification, 5,000 feet of the existing channel would be modified (as described below), 2,490 feet of historic channel remnants would be reconnected, and 1,700 feet of new channel would be constructed

Specific suggestions for improving Alternative #4

1. This plan deserves credit for minimizing the impact on aesthetic and recreation values of Washoe Meadows State Park while partially restoring the river system. This alternative is the best option for maintaining the values intended when the TRPA and State Parks acted to establish this wonderful gem of a park.
2. This option should include a greater effort to perform Geomorphic restoration along the reaches of river that are far enough away from the current golf course. The 1500 foot stretch from RS 7500 to RS 6000 is the most significant example. This section is far enough away from the existing golf course to allow complete restoration without changing the golf course.
3. **Re-activate historic meanders:** At the RS 8600 there is an old river channel to the west of the current channel that could be used to completely avoid the notorious erosion site near the bridge at RS 8000. Redirecting the river to the west

at this old natural channel (please see photos) would avoid holes 6 and 7 and eliminate the need for 2 problem bridges. This change in course would enable complete restoration of the river upstream from hole 14 at RS 5900. This single change, when combined with reaches of the river in the park and not adjacent to the existing golf course, would enable restoration of fully **two thirds** of the river footage in the state park: 8000 feet (from RS 0 to RS 2000 and from RS 5900 to RS 12000).



Historic Channel at Bridge for hole #7 RS 7600



The same Historic Channel at RS 7750

4. Near RS 6000 there are additional old river channels to the north that could be used to divert the river 300 feet north of hole 14 and the tee for 15 allowing for more complete geomorphic river restoration with a wide flood plane.
5. With a more sinuous design curving back to the north at RS 5100, once again taking advantage of old river channels that require moderate excavation, the river could be redirected to the north of the tee for hole 17. The tees for hole 17 could be moved 150-200 feet along the shot line to the southeast to allow more room to shape the river banks and create geomorphic restoration. The bridge to hole 17 can now be eliminated.
6. In the region of RS 4400 to RS 4600 there are additional channels of a sinuous nature that curve to the north. In this reach we could take advantage of the old course of the river to avoid holes 12 and 18 completely as the river is diverted to the north into the meadow that was restored in 1997 along Angora creek. The restored river channel would join Angora creek at a point due north of RS 4000.
7. One more bridge can now be eliminated between hole 12 and tee 13

8. With a combined Angora creek and Truckee river course upstream from holes 10 and 11 a single bridge could be used to cross the river, parallel to and between the shot lines of holes 10 & 11
9. Below the line of hole 10 is the 2000-foot mark. From here to highway 50 restoration of the river should be identical to that proposed in option #2.
10. The length of present river channel addressed here and in option #2 is 6600 feet (from RS2000 to RS 8600). The changes outlined above would add several hundred feet to the river length, allowing for decreased velocity, a lower percentage slope, and a more natural flood plain.
11. To maintain interest and challenges for the golf course, ponds could be kept in areas removed from active river flow rather than completely filling them with soil.
12. Take advantage of the land available for restoring the river that is already a part of Washoe Meadows State park to the West and North of the golf course.
13. Restore all reaches of the river upstream of the golf course from RS8600 to RS12000. There are several large erosion sites with no golf course to limit restoration. See photos. Restoration efforts in this area is not in conflict with any wildlife, or recreational uses, including the existing golf course and yet improving this stretch of the river with complete Geomorphic Restoration is essential to the success of any restoration efforts further downstream adjacent to the golf course.



Eroding Bank at RS 9100



Eroding Bank at RS 9300



Eroding Bank at RS 10000

TRAILS

A quote from alt #4:

The gravel road on the west side of the river is used by the STPUD as a required maintenance road for its subsurface sewer line in that area. No new public trails would be constructed on the east side of the river, and no tie-in would be made with the Sawmill Bike Path. The golf course bridges would remain closed to non-golfing public use.

14. Please, do not punish recreation users by limiting trail and access improvements with this option. Why are you not including some of the same trail improvements designed to help make alternative #2 so attractive. Do you really only want to include trail improvements if you get alternative #2 approved?

- a. Add recreational user access across the river: the new bridge described for alternatives #2 and #4 and make the connection to the bike trail via Country Club Drive.
- b. Or, build a bridge connecting Washoe Park to Tahoe Paradise Park, (upstream at about RS 11200), thus connecting two parks. The bridge could be of much lighter construction as it no longer needs to carry golf carts.

- c. Improve the trails along the river and work to limit duplicate trails serving the same zone.
- d. Add a smooth surface of sand, dirt or chips to the rocky surface of the STPUD access road to make it safe and functional for all recreational users. The materials are already stored nearby in the park.



Let's work Together... Take another sincere look at improving this Alternative:
With some or all of the above modifications this alternative can become the win/win/win solution for River restoration, golf course improvements, minimal disturbance of the natural state of Washoe Meadows State Park, and continuation with modest improvements to for all other recreational users of the park.

Thank you for your time and attention to ideas and recommendations.

I will submit further comments on Alternative #2 in another email.

Rick Alexander
927 Mountain Trout Dr
S. Lake Tahoe Ca 96150
alex1956@sbcglobal.net

Letter
I5
Response

Rick Alexander
October 27, 2010

I5-1

See responses to letter I6. The letter was attached to letter I6.

Rick Alexander
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alextahoe@sbcglobal.net

**Comment on the EIR/EIS regarding the Alternative #2
("The preferred alternative" p. 6 scoping document)**

Cyndie Walck and her colleagues at the CA State Parks appear to have good intentions with this, their 'preferred alternative' for river restoration and improvement of golf recreation. Their effort to improve trail access between Washoe Meadows State Park and the adjoining area is also a positive development. I agree that the river needs restoration work and that it is important to maintain recreational opportunities in the Washoe Meadows State Park and the neighboring state recreation area.

However, there are several unresolved issues with alternative #2:

- 1. The conversion of State Park lands to state recreation area lands for the purpose of development of golf course facilities appears to be in violation of the statutes from CA State Legislature that established this particular state park and the public resources code that defines state parks:**

EXCERPTS FROM CHAPTER 1470 STATUTES OF 1984-CA LEGISLATURE:

SEC.2. (a) The sum of \$5,697,000 is hereby appropriated.. ...
(1) \$5,010,000 to the Wildlife Conservation Board for the acquisition of real property... (Washoe Meadows State Park)
...in order to acquire as state lands an environmentally sensitive parcel of approximately 777 acres of land comprising wetlands, meadow, and wildlife habitat for the purpose of protecting a unique and irreplaceable watershed through which the Upper Truckee River supplies approximately 40% of the water flowing into Lake Tahoe...

Definition of "State Parks" -- Public Resources Code Section 5019.53.
State parks consist of relatively spacious areas of outstanding scenic or natural character, oftentimes also containing significant historical, archaeological, ecological, geological, or other similar values. **The purpose of state parks shall be to preserve outstanding natural, scenic, and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California,** such as the Sierra Nevada, northeast volcanic, great valley, coastal strip, Klamath Siskiyou Mountains, southwest mountains and valleys, redwoods, foothills and low coastal mountains, and desert and desert mountains. **Each state park shall be managed as a composite**

I6-1

whole in order to restore, protect, and maintain its native environmental complexes to the extent compatible with the primary purpose for which the park was established. Improvements undertaken within state parks shall be for the purpose of making the areas available for public enjoyment and education in a manner consistent with the preservation of natural, scenic, cultural, and ecological values for present and future generations. Improvements may be undertaken to provide for recreational activities including, but not limited to, camping, picnicking, sightseeing, nature study, hiking, and horseback riding, so long as those improvements involve no major modification of lands, forests, or waters. **Improvements that do not directly enhance the public's enjoyment of the natural, scenic, cultural, or ecological values of the resource, which are attractions in themselves, or which are otherwise available to the public within a reasonable distance outside the park, shall not be undertaken within state parks.**

I6-1
cont.

The statute and code quoted above appear to prohibit the building a golf course on state park land.

The approval of the state legislature should be required to convert or trade land between State Parks and SRA.

2. This land exchange would create a devastating fracture in the continuity of Washoe Meadows State Park. The idea of a land exchange sounds good initially, but this particular land exchange, converting state park lands to SRA, fractures some of the best features of Washoe Meadows State Park, destroying habitat and blocking both recreational and wildlife corridors between the main body of the state park and the Upper Truckee River. We should be restoring this area rather than building a new area of golf development.

I6-2

3. If you go forward with this alternative it should be revised to improve preservation of recreation and scenic resources by building a more natural style golf course with minimal traditional turf and most of the natural plants preserved. Minimize the cutting of trees and narrow the fairways to preserve the natural features and make the course challenging.

I6-3

4. The proximity of holes 6 & 14 to the river is not compatible with the river restoration goals. Move the portion of the golf course adjacent to the new bridge away from the river a minimum of 100 to 200 feet. The cart path can cross the river without holes and tees for #6 and #14 being so close to the river.

I6-4

5. **Maintain a buffer of native vegetation**, especially native trees, between meadow and trail areas in the state park and any golf course development. Mitigate your damages to the scenic splendor of this state park by requiring these buffers in the planning and approval process. Move the lines of holes 7 through 13 closer together to enable increasing the size of these buffers. Move the recreational trails further away from the new golf course area wherever possible. For example: the trail from the "old barn" to the river area (RS 9500) could be moved to the west side of the meadow and still line up with the pathway between holes 8 and 12. | 16-5

6. **Separate golf cart paths from recreation trails.** Hikers, horseback riders, mountain bikers and other recreational users would be put at risk if they are forced to share a trail or bridge with golf carts. | 16-6

7. **The trail crossing the golf course between holes 8 & 12 should have a 200-300 foot wide buffer of native vegetation...** a natural break in the golf course to maintain a natural scenic quality for this corridor and to improve safety, separating non-golf recreation users from the threat of being hit by golf balls. This trail should not be accessible to golf carts. |

8. **Build separate bridges over the Truckee River for golf and non-golf recreation users.** Move the bridge for hikers, cyclists and all non-golf recreational users away from the golf course, locate it near **RS 6300** to reduce conflicts with golfers, flying golf balls and carts. | 16-7

9. **The new trail along the river should be moved as far away from the golf course as possible...** and as close to the river as feasible. Keep in mind that a view of the golf course is not "scenic" by State Park standards. Such scenery is more appropriate in an urban greenbelt park. | 16-8

10. Include horseback riding in your recreational and trail considerations. | 16-9

11. Economic damages:

From Alt #2 CONSTRUCTION SCHEDULE

"In Year 2, golf play could be located on the western 9 holes constructed in Year 1 if vegetation is properly established or the golf course may need to be completely shut down in Year 2. Year 2 would include reconfiguring the existing golf course and upgrading irrigation for play in Year 3." | 16-10

Annual revenue loss with this closure would be around \$3,000,000, according to figures in the economic feasibility study in the appendix. This would be devastating to the sensitive economy of S. Lake Tahoe, resulting in unemployment and subsequent damages to community as a whole. These damages are not acceptable.

Let's work Together...

Your premature preference for alternative #2 has created a skewed development of the other alternatives, making alternative two the only viable option for TRPA approval. You need to mitigate the damages caused to the other alternatives in this skewed planning process and restore the viability of the other alternatives. (Please see my previously submitted comments on alternative 4 included as here as an addendum below)

I strongly encourage you to put the same effort given to alternative #2 into alternatives #3 or #4 and create a win/win/win solution for River restoration, golf course and recreation improvements, with minimal disturbance of the natural state of Washoe Meadows State Park.

Thank you for your time and attention to these ideas and recommendations.

Rick Alexander
927 Mountain Trout Dr
S. Lake Tahoe Ca 96150
alexahoe@sbcglobal.net

16-11

Addendum: Previously submitted comments on Alternative #4:

Kudo's to Cyndie Walck and All:

I appreciate the enormous effort put forth by Cyndie Walck and her colleagues at the CA State Parks in developing these alternatives. I agree that the river needs restoration work and that it is important to maintain recreational opportunities in the Washoe Meadows State Park and the neighboring state recreation area.

Give equal consideration and effort to both Alternatives 2 and 4

It appears from my reading of the EIS that the planners have shown a preference for alternative #2 that may have led to an inadequate development of the possibilities for successful compromise between the primary interest groups. Those groups are: The river restoration folks, the golf enthusiasts and golf inc., the other recreational users of the state park (hikers, cyclists, runners, x-c skiers, and equestrians), and last but not least: the natural landscape/habitat and the wildlife that lives there!

If the same wonderful restoration efforts described for alternative #2 were applied to alternative #4, then alternative 4 becomes a much more viable option and could be a working compromise for the primary interest groups. If we can excavate and recover 2500 feet of old river channels for alternative 2 then we can do it for alternative 4 and avoid moving the back 9 holes to the West side of the river. In essence, why can't we

16-12

move the river to the West and North, out of the golf course, into it's historic channels instead of moving golf course into the park.

Excerpt from draft EIR:

Under Alternative 2, the new channel would incorporate sections of the existing channel, re-activate historic meanders, and construct new sections of channel. This combination would give the desired sinuosity and slope.

Approximately 4,240 feet of the existing channel would be used without modification, 5,000 feet of the existing channel would be modified (as described below), 2,490 feet of historic channel remnants would be reconnected, and 1,700 feet of new channel would be constructed

Specific suggestions for improving Alternative #4

1. This plan deserves credit for minimizing the impact on aesthetic and recreation values of Washoe Meadows State Park while partially restoring the river system. This alternative is the best option for maintaining the values intended when the TRPA and State Parks acted to establish this wonderful gem of a park.
2. This option should include a greater effort to perform Geomorphic restoration along the reaches of river that are far enough away from the current golf course. The 1500 foot stretch from RS 7500 to RS 6000 is the most significant example. This section is far enough away from the existing golf course to allow complete restoration without changing the golf course.
3. **Re-activate historic meanders:** At the RS 8600 there is an old river channel to the west of the current channel that could be used to completely avoid the notorious erosion site near the bridge at RS 8000. Redirecting the river to the west at this old natural channel (please see photos) would avoid holes 6 and 7 and eliminate the need for 2 problem bridges. This change in course would enable complete restoration of the river upstream from hole 14 at RS 5900. This single change, when combined with reaches of the river in the park and not adjacent to the existing golf course, would enable restoration of fully **two thirds** of the river footage in the state park: 8000 feet (from RS 0 to RS 2000 and from RS 5900 to RS 12000).

16-12
cont.



Historic Channel at Bridge for hole #7 RS 7600



The same Historic Channel at RS 7750

4. Near RS 6000 there are additional old river channels to the north that could be used to divert the river 300 feet north of hole 14 and the tee for 15 allowing for more complete geomorphic river restoration with a wide flood plane.
5. With a more sinuous design curving back to the north at RS 5100, once again taking advantage of old river channels that require moderate excavation, the river could be redirected to the north of the tee for hole 17. The tees for hole 17 could be moved 150-200 feet along the shot line to the southeast to allow more room to shape the river banks and create geomorphic restoration. The bridge to hole 17 can now be eliminated.
6. In the region of RS 4400 to RS 4600 there are additional channels of a sinuous nature that curve to the north. In this reach we could take advantage of the old course of the river to avoid holes 12 and 18 completely as the river is diverted to the north into the meadow that was restored in 1997 along Angora creek. The restored river channel would join Angora creek at a point due north of RS 4000.
7. One more bridge can now be eliminated between hole 12 and tee 13

B-12
cont.

8. With a combined Angora creek and Truckee river course upstream from holes 10 and 11 a single bridge could be used to cross the river, parallel to and between the shot lines of holes 10 & 11
9. Below the line of hole 10 is the 2000-foot mark. From here to highway 50 restoration of the river should be identical to that proposed in option #2.
10. The length of present river channel addressed here and in option #2 is 6600 feet (from RS2000 to RS 8600). The changes outlined above would add several hundred feet to the river length, allowing for decreased velocity, a lower percentage slope, and a more natural flood plain.
11. To maintain interest and challenges for the golf course, ponds could be kept in areas removed from active river flow rather than completely filling them with soil.
12. Take advantage of the land available for restoring the river that is already a part of Washoe Meadows State park to the West and North of the golf course.
13. Restore all reaches of the river upstream of the golf course from RS8600 to RS12000. There are several large erosion sites with no golf course to limit restoration. See photos: Restoration efforts in this area is not in conflict with any wildlife, or recreational uses, including the existing golf course and yet improving this stretch of the river with complete Geomorphic Restoration is essential to the success of any restoration efforts further downstream adjacent to the golf course.

16-12
cont.



Eroding Bank at RS 9100



Eroding Bank at RS 9300



Eroding Bank at RS 10000

TRAILS

A quote from alt #4:

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14. Please, do not punish recreation users by limiting trail and access improvements with this option. Why are you not including some of the same trail improvements designed to help make alternative #2 so attractive. Do you really only want to include trail improvements if you get alternative #2 approved?

- a. Add recreational user access across the river: the new bridge described for alternatives #2 and #4 and make the connection to the bike trail via Country Club Drive.
- b. Or, build a bridge connecting Washoe Park to Tahoe Paradise Park, (upstream at about RS 11200), thus connecting two parks. The bridge could be of much lighter construction as it no longer needs to carry golf carts.

16-13

- c. Improve the trails along the river and work to limit duplicate trails serving the same zone.
- d. Add a smooth surface of sand, dirt or chips to the rocky surface of the STPUD access road to make it safe and functional for all recreational users. The materials are already stored nearby in the park.

18-13
cont.



Let's work Together... Take another sincere look at improving this Alternative:
With some or all of the above modifications this alternative can become the win/win/win solution for River restoration, golf course improvements, minimal disturbance of the natural state of Washoe Meadows State Park, and continuation with modest improvements to for all other recreational users of the park.

Thank you for your time and attention to ideas and recommendations.

I will submit further comments on Alternative #2 in another email.

Rick Alexander
927 Mountain Trout Dr
S. Lake Tahoe Ca 96150
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- I6-1 The commenter has concerns about trading land between Washoe Meadows SP and Lake Valley SRA. See Master Response Section 3.2, “Land Use,” for a discussion of the settlement agreement that followed the 1984 litigation and of provisions in the California Public Resources Code related to land trades.
- I6-2 The commenter has concerns about wildlife habitat and recreation access related to the proposed golf course reconfiguration. See the following master responses and response to comment:
- ▶ Master Response Section 3.2, “Land Use,” for a discussion on land exchange;
 - ▶ Master Response Section 3.3, “Biological Resources,” for discussions on wildlife habitat;
 - ▶ Master Response Section 3.5, “Recreation,” for a discussion on recreation access; and
 - ▶ response to comment AOB4-5 for a discussion of the proposed location of the reconfigured golf course.
- I6-3 The commenter suggests revising the golf course proposed under Alternative 2 to improve and preserve recreation and scenic resources. As discussed in Chapter 2, “Project Alternatives,” of the draft EIR/EIS/EIS, and in Chapter 2, “Project Description,” of this final EIR/EIS/EIS, the golf course was designed as a link- or target-style course with narrower fairways, minimal traditional turf, and more native areas than the existing golf course. Natural topography will be used to minimize grading for the layout. Tree removal would be minimized, with trees greater than 30 inches in diameter at breast height (dbh) avoided. Mitigation Measure 3.7-2 (Alt. 2), “Prepare and Implement a Landscaping and Forest Management Plan,” would be developed and implemented to maximize visual screening of the golf course, while balancing vegetation management with other resource objectives, including habitat quality and fire fuel management. A buffer landscape would also be managed to maintain a minimum depth of 200 feet between residential properties and the golf course. The forest vegetation in the buffer would be managed to maintain an effective visual screen, appropriate fire fuel control, and wildlife habitat qualities. The plan would be prepared in conjunction with detailed golf course design so that precise areas of disturbance are known and the landscaping and forest management process can be coordinated with golf course construction. The buffer and vegetative screening are not meant to fully block views of all golf course activities, but to help screen views of the course, reduce the visibility of the course to neighbors, and retain the overall forest landscape character outside of the golf course, while allowing proper vegetation management for defensible space.
- I6-4 The commenter states that holes 6 and 14 are incompatible with restoration goals and should be moved. For connectivity and playability of the golf course, holes 6 and 14 need to be placed adjacent to the Upper Truckee River. However, as discussed in Chapter 2,

“Project Alternatives,” of the draft EIR/EIS/EIS, minimally managed landscape (unfertilized native vegetation) buffers have been included as part of the golf course’s design to protect water quality of the Upper Truckee River. Furthermore, as discussed in response to comment AOB8-7, the design under Alternative 2 decreases the amount of golf course adjacent to the Upper Truckee River from 6,382 linear feet under existing conditions to 850 linear feet.

- I6-5 The commenter suggests maintaining a buffer of native vegetation and trail improvements. To protect park resources, holes 7–13 cannot be moved closer together; however, as shown in Chapter 2, “Project Description,” of this final EIR/EIS/EIS, the conceptual golf course design has been modified slightly based on public comments on the draft EIR/EIS/EIS. The trail to the “old barn” is outside of the project area and would not be modified as part of the project. The only changes to the trail would be farther east within the project area to provide connectivity to this existing user-created trail.
- I6-6 The commenter suggests separating cart paths from recreation trails. A separate recreation trail bridge is not proposed as part of this project; however, State Parks could assess the need for an additional bridge as part of future, separate planning efforts. Trails are designed to diverge from the cart path quickly on both sides of the bridge. See Master Response Section 3.5, “Recreation,” for a discussion of trail safety.
- I6-7 The commenter suggests constructing a separate bridge for park recreationists. The request is noted. No additional bridges are proposed for this project. State Parks could assess the need for an additional bridge as part of future, separate planning efforts. See Master Response Section 3.5, “Recreation,” for discussion of trail safety.
- I6-8 The commenter suggests moving the new trail closer to the river and farther from the golf course. The request is noted. Trails were located in their proposed location to minimize impacts on other resources. See Master Response Section 3.5, “Recreation,” for discussion of trail safety.
- I6-9 The commenter requests horseback riding within Washoe Meadows SP. Horseback riding is currently allowed and would continue to be an allowed use within Washoe Meadows SP with implementation of the project.
- I6-10 The commenter has concerns about revenue loss relating to closing the golf course during construction. State Parks plans to allow 9 holes of golf to continue during the entire construction period unless the contractor deems it infeasible, and will keep 18 holes open most years, although they may be shortened or modified temporarily.
- I6-11 The commenter has concerns that the approach to the alternatives analysis was skewed. As discussed in Chapter 1, “Introduction and Statement of Purpose and Need,” and as required by NEPA and TRPA, each alternative (Alternatives 1–5) was considered at an equal level of detail. Where impacts were the same or similar, a reference to a previous impact discussion was used to minimize repetitive language and avoid a lengthier document.
- I6-12 The commenter provides suggestions for improving Alternative 4. The project proponents appreciate suggestions for Alternative 4; however, as discussed in previous studies and in Section 2.2.2, “River Alternatives,” of Chapter 2 of the draft EIR/EIS/EIS, the alternatives were developed by a diverse team of technical experts that included a geomorphologist, hydrologist, engineers, biologist, and other professionals who considered numerous possibilities for potential design opportunities and constraints. Many of the historic meanders mentioned have either been incorporated or considered in the design for

restoration. These other options were eliminated from detailed evaluation for various reasons, such as limited ecosystem benefits, high costs, and environmental risks versus potential benefits.

I6-13

The commenter provides suggestions for improving Alternative 4. The project proponent appreciates trail suggestions for Alternative 4. Although not a part of the proposed Alternative 4, improvements to trail and access roads throughout Washoe Meadows SP are ongoing under existing conditions and would continue under Alternative 4.

Comments to Upper Truckee River Restoration and Golf Course
Reconfiguration Project

David and Lori Alessio
P.O. Box 7304
South Lake Tahoe, CA 96158

October 23, 2010

We appreciate the opportunity to comment on the EIR/EIS/EIS and we also recognize the tremendous effort by agency personnel in preparing a complex document. In review of the EIR/EIS/EIS, we have the following comments.

Under section 2.5.2 General Plan Amendment (page 2-56), it's acknowledged in the document that there isn't a general plan for Washoe Meadows State Park, yet there is a proposed boundary change for this area under Alternative 2. Utilizing the Lake Valley SRA General Plan amendment process to change boundaries within Washoe Meadows State Park for the sake of implementing Alternative 2, would nullify this alternative as being viable. This appears to be an illegal action by the California State Parks under their own regulations. How can this alternative be legal without a general plan in place for Washoe Meadows State Park when it would remove a large area of land that was purchased with public funds for the intent of preserving the unique characteristics of the property (1984 Litigation Settlement Agreement)?

17-1

Under section 2.5.3 Project Construction (page 2-65), it's stated in the document that construction activities would include street access from Chilcothe Street. Access from Chilcothe Street to Washoe Meadows State Park would take place on a undeveloped sewer maintenance easement, which would have to be upgraded minimally to a native surface road by placing fill in the wetlands and SEZ's. This portion of the easement is on a parcel of National Forest System lands which was purchased under the Santini-Burton Sensitive Land Acquisition Act. Under this federal legislative authority, road construction is prohibited.

17-2

Under the proposed golf course expansion into Washoe Meadows State Park for Alternative 2, the proposed restroom/storage facility is adjacent to the undeveloped sewer maintenance easement. For this facility, it would be unrealistic that routine daily maintenance in the long-term would be accessed

17-3

only by the paved cart path. More than likely, the ongoing servicing of this facility would need to be accessed from the undeveloped sewer maintenance easement, which would also require a new spur from the facility into the boundaries of Washoe Meadows State Park (reference Alternative 2 map). This would require further evaluation of the effects of the proposed golf course reconfiguration on Washoe Meadows State Park. In addition, any operating plan for the golf course under Alternative 2 must show an access route for commercial use in the state park.

In reviewing the map for Alternative 2, the legend and map is misleading in its representation of pedestrian paths and paved cart paths. The map shows the undeveloped sewer maintenance easement as a pedestrian path when it fact it may be needed for vehicle traffic to service the golf course and restroom facility. The map also shows the scale of the pedestrian path as four times the width of the paved cart paths. This is misleading and may result in misrepresentation of proposed hardened surface areas for coverage in wetlands and SEZ's.

Further, the map for Alternative 2 indicates the proposed Truckee River Bridge as only showing a pedestrian path and a paved cart path. It's likely that this bridge would need to have motor vehicle access.

In summary, the document does not address the complications with Washoe Meadows State Park vehicle access through National Forest System lands and the map for Alternative 2 is incomplete and misrepresents information for an analysis.

Section 3.5 Biological Resources (Fisheries and Aquatic Resources, Vegetation, and Wildlife)

1. Under Affected Environment, V-2, Uncommon Plant Communities (pages 3.5-6 and 9, it's addressed in the document protection of sensitive and uncommon plants. The TRPA Code of Ordinance, Chapter 75, calls for the protection of uncommon plant communities. The TRPA threshold applies to but is not limited to those that are listed. The plant, sand lily (*Leucocrium montanum*), was discovered in Washoe Meadows State Park in 2004 and shown to California State Park and other agency botanist. This population occurs in the study area in and adjacent to the proposed expansion of the golf course under Alternative 2. Any temporary loss of habitat during construction of the golf course under Alternative 2 could lead to permanent loss of habitat for the sand lily. In accordance with TRPA's Initial Environmental Checklist (page 3.5.57),

17-3
cont.

17-4

significant impact would occur if any alternative would reduce the numbers of any unique, rare, or endangered species. To date there is no other known occurrence of the sand lily in the Lake Tahoe Basin and in El Dorado County, and the species should be considered unique to the area and possibly rare.

17-4
cont.

There is an active seasonal stream that flows west to east in the study area that intersects with the proposed golf course location around holes 7 and 13. The new course would change the local hydrology and soil moisture within the dry meadow plant community. Therefore, under Impact 3.5-5 (Alt. 2), page 3.5-74, the long-term impact on sensitive habitats for this uncommon plant species would be significant and not beneficial.

17-5

2. Under Impact 3.5-3 (Alt. 2) pages 3.5-69 to 72, it's stated in the document that there will be a short-term significant impact disturbance within SEZ and jurisdictional wetlands and by implementation of the three mitigation measures listed, it's claimed that the impacts would be less than significant.

These three mitigation measures are not sufficient in lessening the significant impacts. Mitigation Measure 3.5-3A is a standard permitting requirement to implement the river restoration portion of the proposal and therefore is not a mitigation; vegetation protection measures briefly described in Mitigation Measure 3.5-3B is a design feature that should be inherent to the proposed action for Alternative 2 and therefore is not a mitigation; it's stated under Mitigation Measure 3.5-3C that during construction the spring complexes (including a fen) will be flagged and avoided, however, the document establishes (page 3.5-71) that the likelihood of effects to local hydrology on this resource is significant, and it's presently unknown what the potential magnitude of these effects will be to the local hydrology in the short-term. Therefore, flag and avoiding does not mitigate this significant effect. In summary, these three mitigations do not lessen the short-term significant impacts.

17-6

In addition, construction and buffer zones adjacent to golf course holes 9, 10, and 11 would be within Washoe Meadows State Park and outside of the SRA. The proposed SRA boundary change would not entirely encompass the affected golf course area, therefore resulting in a significant impact to the integrity of Washoe Meadows State Park area. This is not addressed in the document.

17-7

3. Under Impact 3.5-5 (Alt. 2) pages 3.5-74 to 75, it's stated in the document that the fen and spring complexes outside of the disturbed quarry area would not be affected by the project. Yet, as addressed above, it's already established in

17-8

the document that there is a significant likelihood of effects to the change in local hydrology and the potential magnitude is unknown to the fen and spring complexes. Therefore, there would be long-term effects. The document fails to address this issue specifically for fens and spring complexes.

17-8
cont.

4. Under Impact 3.5-6 (Alt. 2) pages 3.5-75 to 79, it's stated in the document that the proposed conversion of over 45 acres of forest to a golf-course, the substantial tree removal and loss of the few remaining old-growth trees greater than 30 inches in diameter in the area, would result in a significant impact. The proposed mitigation measure to minimize tree removal and develop an implementation plan does not replace the clear-cutting effect of forest vegetation and change in habitat. Therefore, the proposed mitigation measure does not reduce the impact to less than significant for tree removal and land conversion.

17-9

5. Under Impact 3.5-7 (Alt. 2) pages 3.5-79 to 80, the long-term effects from the introduction of over 45 acres of non-native grass species that would be planted in the golf-course, and some can be invasive, is not addressed in the document.

17-10

6. Under Impact 3.5-9 (Alt. 2) pages 3.5-86 to 88, the treatment of long-term effects on Special-Status and common wildlife species as a result of habitat fragmentation and elimination of upland forest lands from the proposed golf-course reconfiguration lacks essential information to make a determination of effects.

The document does not state clearly (page 3.5-50) the protocol followed for surveying northern goshawk. The statement, "full protocol surveys were initiated in 2008" does not give the reader complete information as to how many years full protocol surveys were conducted in the study area. Consistency with surveys conducted to protocol is essential in the biological sciences. For example, survey protocol requirements for northern goshawk on the adjacent National Forest System lands is two years minimum for a proposed project. For information, we have personally observed northern goshawks annually within the study area of Washoe Meadows State Park during the past 20 years. In addition, we have observed long-eared owls within the study area of Washoe Meadows State Park during the past 10 years. The list of raptors (Raptor Community, page 3.5-55) is incomplete; in addition to those listed, we have observed in the study area of Washoe Meadows State Park golden eagle, northern harrier, red-shouldered hawk, red-tailed hawk, Cooper's hawk, sharp-shinned hawk, and northern pygmy owl. Therefore, the document does not provide a complete assessment of species diversity.

17-11

The analysis of potential effects to special status and common wildlife species and habitats is on the premise that the upland forested habitat proposed for conversion to a golf course is marginal because of second growth structure, urban interface disturbance, and lack of species occurrence levels (page 3.5-8, Alt. 2 and page 3.5-87). These claims are not based on an objective assessment of the landscape, but rather exhibit an unbalanced focus of proposing a Cadillac River restoration project at the expense of degrading the surrounding matrix of forest habitat.

Within the study area, the upland forest habitat is functioning as a whole ecosystem for its current evolved stage. This should not be interpreted as substandard habitat and unworthy of its continued existence. Given the urban impacts of the land in the Lake Tahoe Basin at the 6,200 foot elevation, this upland forest habitat with the river corridor provide habitat diversity for a variety of species. It's as good as it gets for what we have left in the Lake Tahoe Basin at this elevation. If nests for protected species are not detected at this point in time, it does not preclude that in the future the forest may evolve into having the components necessary for protected species to nest, if left without significant land use changes.

Population viability includes the needs of juveniles to disperse. Although the area may not be suitable for nesting at this time, the dispersal of juveniles and their ability to forage is integral to population viability, and the upland forested habitat provides such habitat. It should be noted that thinning of forests within the study area for defensible space has removed forest thickets which are used for long-eared owls, pine marten, and bears, to name a few species. To further alter the forested habitat by converting to a monoculture of manicured lawns would result in a significant effect.

The claim that adjacent public lands are sufficient to support the needs of wildlife species is inconsistent with the California State Park mission to protect existing wildlife habitat. Implementing the portion of Alternative 2 to convert upland forest habitat into a golf course would perpetuate land practices that have historically degraded the meadow, river, and forest habitats within the SRA and study area. This practice would be inconsistent with the purpose and need of the proposed project to restore ecological processes.

Therefore, the determination that the golf course reconfiguration and trail development would be less significant is inaccurate. The change in habitat would be significant and implementation of Alternative 2 would be inconsistent with the purpose and need of the project by not restoring ecological and

17-11
cont.

geomorphic processes, and diminishing species diversity locally and regionally. Restoring the river corridor and altering the upland forest habitat as proposed under Alternative 2 is like mending one broken wing and creating a new broken wing. It still can't fly.

17-11
cont.

7. Under Impact 3.5-10 (Alt. 2) pages 3.5-88 to 89, the importance of the wildlife corridor through the upland forest area is dismissed by a statement that it's not expected to function as a significant wildlife corridor. There is no scientific support for this determination that was presented in the document and therefore, it is a subjective assessment. The discussions of a wildlife corridor in the document are mostly focused on the river corridor. A wildlife corridor for this project should include the combination of the study area's river corridor and adjacent forest habitat. It's unquestionable that the entire Washoe Meadows State Park is used by wildlife and hence should be addressed in its entirety, river and forest area, as a functioning wildlife corridor, regardless of its rating of some undisclosed scale. Therefore, fragmenting the forest habitat by conversion to a golf-course would have a long-term significant effect.

17-12

These conclude our comments as concerned citizens.

Respectfully,

David Alessio
Lori Alessio

- I7-1 The commenters state that a land exchange between Washoe Meadows SP and Lake Valley SRA is illegal. See Master Response Section 3.2, "Land Use," for discussion of the settlement agreement from the 1984 litigation, the 1984 statute, and a general plan amendment.
- I7-2 The commenters have concerns about access through Chilicothe Street through National Forest System lands purchased with Santini-Burton Sensitive Land Acquisition Act funds. Access through this sewer maintenance easement has historically occurred and is an acknowledged use, and pre-dates USFS acquisition. As necessary, State Parks has improved the roads to provide access through this area. State Parks and STPUD have been coordinating with USFS to obtain a special use permit for access through this parcel. If additional disturbance is necessary to widen the access road for construction purposes, these areas will be restored consistent with current conditions to allow for continued access into the future.
- If Chilicothe Street cannot be used to access the project site, then construction traffic would be diverted to the Sawmill Road entrance. This would add approximately 1,670 inbound and outbound trips for an estimated total of 2,051 trips at Sawmill Road (36% of total project construction trips) under Alternative 2, and less under Alternatives 3, 4, and 5. The Sawmill Road/U.S. Highway 50 (U.S. 50) intersection currently operates at Level of Service (LOS) A overall in the a.m. and p.m. peak hours. LOS at Sawmill Road was not calculated for existing plus project conditions with trips diverted from Chilicothe Street; however, if the LOS were to drop from LOS A overall to LOS E or LOS F overall, the impact would be less than significant. The impact of reduced traffic levels would be less than significant because the impact would be short term and would occur only during construction. Project operations would not affect LOS at the Chilicothe Street/Sawmill Road intersection because the level of use would not change. Any possible construction-related effects on circulation and safety associated with the project would be addressed and mitigated through implementation of the construction traffic management plan described under Mitigation Measure 3.10-3 in Section 3.10, "Transportation, Parking, and Circulation," of the draft EIR/EIS/EIS.
- I7-3 The commenters have concerns about permanent needs for golf course maintenance access from Chilicothe Street. As discussed in Chapter 2, "Project Alternatives," of the draft EIR/EIS/EIS and in "Chapter 2, "Project Description," of this final EIR/EIS/EIS, the golf course restroom proposed would be accessed only by cart path and would not require access from the property boundary at Chilicothe Street. Also as discussed in Chapter 2, if required, State Parks and/or its golf course concessionaire would prepare an updated operation and maintenance plan in collaboration with the Lahontan RWQCB as part of updated permit requirements. An operation and maintenance plan for Washoe Meadows SP would not be needed, because areas affected would be part of the Lake Valley SRA and included in the plan for the golf course. The existing bridges are currently used for golf course vehicle access when necessary. The proposed bridge under the proposed Preferred Alternative would continue to allow access for State Parks and their concessionaire.

- I7-4 The commenters have concerns about impacts on sand lily habitat. The sand lily, or common starlily (*Leucocrinum montanum*), is a member of the lily family (Liliaceae). It is found in California and in other western states. The sand lily occurs at Washoe Meadows SP in a seasonally wet meadow north of the quarry and south of the STPUD sewer access road. This area is not proposed for habitat alteration under any of the project alternatives. Other locations of this plant have not been positively identified. If this species were to occur in other wet meadow locations, mitigation measures proposed in the draft EIR/EIS/EIS for the protection of sensitive habitats would protect this species. No specific mitigation measures or surveys are required for this species because it has no formal special-status designations by regulatory agencies. *L. montanum* is not recorded for El Dorado County on the CalFlora database Web site as of March 15, 2011. At this time, *L. montanum* does not have any Federal, State, or California Native Plant Society status (CNPS 2011).
- I7-5 The commenters have concerns about impacts on dry meadow plant communities. See Master Response Section 3.3, “Biological Resources.”
- I7-6 The commenters have concerns about impacts on SEZ, fens, and wetlands. See Master Response Section 3.3, “Biological Resources.”
- I7-7 The commenters have concerns about impacts on Washoe Meadows SP relating to the buffer area adjacent to golf course holes 9, 10, and 11. This area would be managed as part of Washoe Meadows SP to protect park resources. Fens are not located within this area. See Master Response Section 3.3, “Biological Resources,” for a discussion of fens.
- I7-8 The commenters have concerns about impacts on fens. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” and Master Response Section 3.3, “Biological Resources,” for discussion of fens.
- I7-9 The commenters have concerns about impacts related to tree removal. The draft EIR/EIS/EIS concludes that tree removal would be a significant impact under Alternative 2 as defined by TRPA regulations. Mitigation Measure 3.5-6 (Alt. 2) would reduce this impact to a less-than-significant level as per TRPA regulations. This measure was developed in accordance with Chapter 71, Section 71.3.B, and Chapters 30 and 77 of the TRPA Code of Ordinances. The mitigation measure requires preparation of a tree removal and management plan and a tree replacement plan by a qualified environmental professional. The significance of this impact with and without mitigation proposed was determined based on the regulatory significance criteria described in the draft EIR/EIS/EIS. Furthermore, the proposed Preferred Alternative will avoid and minimize removal of 30” dbh trees. See Master Response Section 3.1, “Land Use” for a discussion of habitat value.
- I7-10 The commenters have concerns about golf course turf becoming invasive and spreading outside of the managed golf course area. While turf grasses are known to be among the most invasive plant species, in a highly regulated environment such as a golf course, no spread of turf grass into surrounding is expected due to active management including mowing (which would prevent the grass going to seed), and limiting irrigation to the areas where turf grasses are desired for the golf course. Furthermore, native vegetation buffers are included within the golf course footprint to provide additional protection measures.
- I7-11 The commenters have concerns about impacts caused by fragmentation and elimination of upland forest habitat and data used for existing conditions. Raptors such as the Northern Goshawk and Long-eared owl have been documented utilizing the study area for foraging

but are not known to nest within the study area. See Master Response Section 3.3, “Biological Resources,” for a discussion of baseline conditions and wildlife habitat.

I7-12

The commenters have concerns about impacts on the wildlife corridor. See Master Response Section 3.3, “Biological Resources,” for discussion of wildlife habitat.

Re: Upper Truckee River Restoration and Golf Course Reconfiguration Project

Richard Anderson [calflyfisher@sbcglobal.net]

Sent: Sunday, November 07, 2010 11:36 AM

To: Project, Upper Truckee

David, thank you for e-mailing me the joint TU/CalTrout letter. I sent the e-mail below off to Cyndie Walck earlier this morning. Basically, it echoes what you and Jenny had written, although I excluded considerations of economic benefit related to the golf course because they don't relate to the focus of CFF.

-Richard

From: Richard Anderson <calflyfisher@sbcglobal.net>

To: utproject@parks.ca.gov

Sent: Sun, November 7, 2010 9:07:34 AM

Subject: Upper Truckee River Restoration and Golf Course Reconfiguration Project

Attn: Cyndie Walck
California State Parks and Recreation
Tahoe City, CA

Dear Ms. Walck:

As the editor and publisher of *California Fly Fisher* magazine, I emphatically support the restoration of riparian and instream habitat along the upper Truckee River within the Lake Valley State Recreation Area. A healthy riparian corridor and river are obviously worthy goals in and of themselves, but these improvements to ecological health will likewise benefit the upper Truckee's sportfishery and the sportfishery of Lake Tahoe, both of which rely in part on robust populations of benthic macroinvertebrates and prey-fish species, and sediment-free trout spawning and rearing habitat that also provides adequate cover from predators.

Accordingly, I would like see California State Parks adopt alternative 2, 3, or 5 for the above-referenced project. Each of these alternatives will significantly benefit the upper Truckee River and its trout through improvements to the streamside environmental zone and through reductions in sediment impacts that currently occur through river bank erosion. Although alternative 4 also provides ecological benefits in relation to alternative 1 (no action), my impression is that these improvements would be substantially less than would occur under the other alternatives.

Thank you for the opportunity to comment on this important project.

Cordially,

Richard Anderson
Publisher and Editor
California Fly Fisher magazine
PO Box 8535
Truckee, CA 96162

18-1

I8-1

The commenter's support for Alternatives 2, 3, and 5 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

Truckee River Restoration and Golf Course Reconfiguration

harold anino [haroldanino@sbcglobal.net]

Sent: Sunday, September 19, 2010 11:18 AM

To: Project, Upper Truckee

I9

I would like to voice my support for Alternative 2 of this project. It is the ONLY alternative that actually meets the project's stated objectives of reducing erosion and maintaining recreational and Economic benefit.

While it is important to do what we can to reduce the flow of sediment into Lake Tahoe, it is equally important to do what's best for the residents of South Lake Tahoe and the State of California. The community can ill afford to lose 168 jobs and the \$6 Million in revenue that the golf course generates annually; nor can the State of California afford to lose nearly \$990K in revenue used to support our state parks and recreation areas.

As a resident of South Lake Tahoe, and user of State Parks such as D.L.Bliss and Pope Beach, the revenue generated by the golf course is very important to me.

Lake Tahoe is a worldwide tourist destination based not only on it's natural beauty, but also for it's variety of activities, golf among them. Any reduction in choices available has a negative impact on our economy.

I would like to see Alternative 2 implemented for its positive impact on our environment as well as its economic benefit. With this in mind, I would also suggest that the new holes be built and ready for play, prior to restoration of the existing holes.

Sincerely,

Harold A. Anino
South Lake Tahoe

I9-1

I9-1

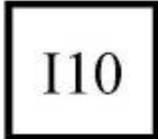
The commenter's support for Alternative 2 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS. State Parks will attempt to have new holes available for play before restoration of existing holes. See Chapter 2, "Project Description," of this final EIR/EIS/EIS for an updated construction schedule.

Restoration of the Truckee River in Washoe State Park

Patricia Ardavany [patriciaardavany@yahoo.com]

Sent: Monday, September 27, 2010 12:33 PM

To: Project, Upper Truckee



Gentlemen:

I am strictly against relocating any portion of the Lake Tahoe Golf Course into other areas of Washoe State Park. Golf courses are detrimental to the water quality of Lake Tahoe due to the fertilizers that are used to maintain their greens. The \$880,000 that I have read that was paid to the Park System last year for the use of the area that the golf course occupies, is but a drop in the bucket as compared to the cost of the water quality of the Lake and cleaning it up.

110-1

The relocation of some of the holes into other areas of the Park is a violation of the Mission Statement under which the Park was created and is unacceptable. It was to be maintained for the use of future generations.

110-2

Rivers naturally change their courses over time and whose to say where it's natural meanderings would have located it today had it not been changed over a century ago. At this point, digging up its present established location will probable cause more sedimentary runoff into the Lake than than it does now. Golf courses use a lot of water and the grasses grown on them are not indigenous to this area. In addition, wildlife habitat will be destroyed, and the animals living within it will be disrupted and more than likely, disappear.

110-3

110-4

Of the alternatives being considered, the best one is

110-5

complete removal of the Golf Course. There are several golf courses both at South Shore and around the Lake, as well as in the Carson Valley. How many do we really need? The next best alternative is to reduce the Golf Course to a nine hole course and last best, leave everything just as it is and research remedies to reduce the runoff of sediment that runs off into the Lake as a result of the Golf Course being erroneously located where it is in the first place.

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cont.

Respectfully,

Patricia Ardavany

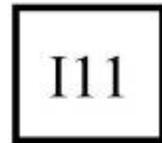
- I10-1 The commenter’s opposition to Alternative 2 is noted. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for discussions related to fertilizer use.
- I10-2 The commenter states that Alternative 2 conflicts with State Parks’ mission statement. See Master Response Section 3.2, “Land Use,” for a discussion of consistency with State Parks’ mission statement.
- I10-3 The commenter is correct in noting that rivers naturally change their course over time and that human disturbances make it difficult to reconstruct or predict river migration. However, the draft EIR/EIS/EIS included analysis of historic meander patterns and science-based modeling of the dynamics of the Upper Truckee River channel, performed as part of the technical studies for the Lake Tahoe TMDL. The modeling was validated with historic data and used to simulate future conditions that were presented in the draft EIR/EIS/EIS (pages 3.4-34 to 3.4-36) to represent the anticipated channel status under the No Project/No Action Alternative.
- The commenter is concerned that moving and reconstructing portions of the channel would increase sediment runoff relative to the baseline. However, the results from technical studies for the Lake Tahoe TMDL that were included in the draft EIR/EIS/EIS (pages 3.4-42 to 3.4-43), which used science-based predictions of future erosion of the Upper Truckee River’s stream channel, support the conclusion that Alternative 2, 3, or 5 would result in a substantial long-term reduction in sedimentation. Quantitative and relative comparisons of water quality benefits, in terms of the reduction of pollutant sources from channel erosion and sedimentation, is provided for all alternatives (see Impact 3.4-1 and Table 3.4-11). The draft EIR/EIS/EIS fully considers potential short- and long-term impacts of river channel dynamics on sediment pollution associated with all of the alternatives. Short-term changes in transport of coarse sediment and delivery downstream (Impact 3.4-5) would be mitigated to a less-than significant level by Mitigation Measure 3.4-5 (Alt. 2). Short-term impacts on water quality impacts caused by natural channel adjustments and/or a large flood during the first few years after construction (Impact 3.4-7) would be minimized by Mitigation Measures 3.4-7A and 3.4-7B. However, the strict narrative or numerical water quality standards in the Basin Plan could still be exceeded, at least for short periods of time, and the residual impact would remain significant and unavoidable.
- I10-4 The commenter has concerns about water use and wildlife habitat. See Master Response Section 3.4, “Hydrology, Flooding, Geomorphology, and Water Quality,” for a discussion of water use; see Master Response Section 3.3, “Biological Resources,” for a discussion of wildlife habitat.
- I10-5 The commenter’s support for Alternative 5 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

Golf Course Project

patrickatherton@charter.net [patrickatherton@charter.net]

Sent: Thursday, October 07, 2010 9:24 AM

To: Project, Upper Truckee



After review of the alternatives for the Lake Tahoe Golf Course I am strongly in favor of alternative#2. I realize there are those who do not care if we provide any amenities to our guests. This narrow-minded view is an attack on those who wish to work, live and enjoy Lake Tahoe. YES to alternative #2.
Patrick Atherton

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I11-1

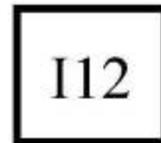
The commenter's support for Alternative 2 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

I Support Alternative 2 for the Upper Truckee

Rob Ayers [kaibacha@gmail.com]

Sent: Tuesday, October 19, 2010 2:35 AM

To: Project, Upper Truckee



Moving the golf course and restoring the habitat makes sense.

| 112-1

Rob Ayers

I12-1

The commenter's support for Alternative 2 is noted. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.

From: Bob Baiocchi [rbaiocchi@gotsky.com]
Sent: Monday, November 15, 2010 10:06 AM
To: Green, Matt
Cc: Percy Banks; Roy Thomas; Hank Smith; Kent Smith; Arnold, John
Subject: Washoe Meadow State Park - Request for Information

November 15, 2010

Mr. Matt Green,
Acting Superintendent
Sierra District
California State Parks
Tahoe City, California

Re: Washoe Meadows State Parks; Proposed Restoration Project; Request for Information

It is my understanding the proposed restoration project, is the expansion of a golf course on state property. It is also my understanding the proposed project s highly controversial among the public.

Please forward the following information and data to me pursuant to section 6250 et seq of the California Public Records Act:

- 1. A copy of the water right petition application for the water rights permit to divert and use more water from the Truckee River that was filed with the State Water Board by State Parks. | I13-1
- 2. A copy of the water rights petition order that was approved by the State Water Board to divert and use more water from the Truckee River for the expansion of the golf course by State Parks. |
- 3. Copies of the Statement of Divesion and Use filed by State Parks with the State Water Board for the past 10 years for the diversions to the existing golf course. A copy of the written analysis prepared by State Parks that shows the daily, monthly, and annual amount of water to be used for the expansion of the project. | I13-2
- 4. A copy of the written analysis prepared by State Parks that provide evidence there is sufficient water in the Truckee River to divert more water for the expansion of the golf course during low and critically dry water years. | I13-3
- 5. A copy of instreamflow fishery and aquatic study that was conducted for the existing and proposed water diversions from the Truckee River for said golf course during low and critically dry water years. Aquatic means macroinvetrebrate species and their habitat. | I13-4
- 6. A statement to determine whether the diversion from the Truckee River for said golf course is screened to prevent adult and juvenile trout from being entrained and harmed. |
- 7. Copies of letters of consultation between State Parks and the California Department of Fish and Game, and the US Fish and Wildlife Service regarding their comments concerning threatened and endangered species that may be affected by the proposed expansion of the golf course. | I13-5
- 8. A statement that shows that California licensed anglers can access and fish the Truckee River within the high water mark on the state lands through the existing and proposed expansion of the golf course. | I13-6

9. A written analysis that shows the Washoe Meadows State Park is in compliance with State of California statutes regarding providing accessibility and accommodations at said state park. Disabled persons do not need to be in wheelchairs to be disabled. I reference Tucker v. California State Parks. | 113-7

10. A copy of the study that shows the effects to Canadian Geese species resulting from the management of the existing golf course and also the management of the proposed expansion of the golf course. i.e. predation of this species by management operations. | 113-8

11. A copy of the budget for the proposed restoration project. |

12. A copy of the budget for the management of the expansion of the golf course which shows state taxpayers are not subsidizing golfers. Include the daily golf rates for the existing and for the expansion of the project, including the cost to reimburse the state taxpayers for said project cost.. | 113-9

13. Forward to me the e-mail addresses of the fisheries biologist and the water rights expert/agent for State Parks that was involved in the proposed restoration project. | 113-10

14. I could not file a copy of the EIS/EIR on the website for the Sierra District. Please forward a copy of the EIS/EIR for my review electronically to me. | 113-11

The California Fisheries and Water Unlimited is a non-profit corporation. We request you waive the cost of forwarding the above information to me. I am requesting the information and data is electronically forwarded to me.

My intention was to file comments with State Parks, but I need the above information before I file comments on the proposed restoration project. I also understand this is the last day for submitting comments to State Parks for said project. Since the State of California is going bankrupt, and there is a significant depression/recession among working and retired people, and also that the proposed project is being funded by the taxpayers., it would be reasonable to allow for an additional 30 days for comments for the proposed expansion of the project. | 113-12

A written response with said information is requested. Thank you.

Sincerely

Signed by Robert J. Baiocchi

Robert J. Baiocchi, President
California Fisheries and Water Unlimited

cc: Interested Parties (bcc)

- I13-1 The commenter requests information on water right applications and permit approvals for Alternative 2. State Parks will pursue modifications (if needed) to its existing water rights as part of permitting (and final design if necessary based on permitting requirements) after the final EIR/EIS/EIS is certified, because the status of water rights and possible changes are important legal issues, but would not affect the physical environment, because Alternative 2 would not use more water than historical use that was allowed under the existing water right. The irrigation demand is not increased as turf area is actually reduced. Furthermore, if any change to surface water right was needed the deep groundwater well could provide water needs instead of river without creating negative impacts to the river and surrounding habitat. Water rights information is included in Section 3.3, "Hydrology and Flooding," of the draft EIR/EIS/EIS (page 3.3-34). See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality," for discussion of water use.
- I13-2 The commenter requests information on the existing statement of diversion and use. Existing statement of diversion and use information was provided by State Parks. See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality," for a discussion of water use under Alternative 2.
- I13-3 The commenter requests a written analysis demonstrating evidence that there is sufficient water in the Upper Truckee River to divert more water during critically low and dry water years. Diversion of more water is not proposed. See Master Response Section 3.4, "Hydrology, Flooding, Geomorphology, and Water Quality," for a discussion of water use under Alternative 2.
- I13-4 The commenter requests fisheries and aquatic studies and information on macroinvertebrates. A summary of results from the fisheries and aquatic studies, including results of macroinvertebrate studies, is included in Section 3.5, "Biological Resources." In addition, the fisheries report is presented in Appendix G of the draft EIR/EIS/EIS.
- I13-5 The commenter requests consultation letters between State Parks and USFWS and DFG. As discussed in Section 3.5, "Biological Resources," and Chapter 5, "Environmental Laws," of the draft EIR/EIS/EIS, impacts on fish and wildlife would be less than significant, or would be mitigated with measures such as conducting preconstruction surveys to avoid the loss of individuals, nests, or roost sites; developing and implementing a native fish and mussel capture and translocation plan; implementing vegetation protection measures and revegetation of disturbed areas; minimizing tree removal; and developing a tree removal and management plan. USFWS has been sent a copy of the draft EIR/EIS/EIS for review and comment to facilitate consultation on fish and wildlife issues. USFWS has determined that no formal consultation is necessary for the project (Karuzas, pers. comm., 2011).
- As stated in Section 3.5, "Biological Resources," evaluations have been conducted for State-listed endangered and threatened species, and have determined that the project would not likely affect any State-listed species. Therefore, a take permit is not needed for the project. Because surveys have been conducted and effects on listed species would be avoided, the project would comply with the California Endangered Species Act. Section

1602 of the California Fish and Game Code requires that a streambed alteration agreement be granted before any action that may divert or obstruct the natural channel flow; substantially change the bed, channel, or bank of any river, stream, or lake designated by the California Department of Fish and Game (DFG); or use any material from the streambed of a DFG-designated waterway. Implementation of the project would require a streambed alteration agreement from DFG for work on the bed and banks of the Upper Truckee River. State Parks will obtain the streambed alteration agreement from DFG and implement all terms required for permit compliance. Therefore, the project would be in compliance with Section 1602 of the California Fish and Game Code.

- I13-6 The commenter requests a statement that California licensed anglers can access and fish the Upper Truckee River within the high-water mark on the State lands through the existing and proposed golf course. See Master Response Section 3.5, “Recreation,” for a discussion of river access.
- I13-7 The commenter requests information about current and proposed compliance with the American With Disabilities Act. It is State Parks policy to provide accessible environments in which all visitors are given the opportunity to understand, appreciate, and participate in the state’s cultural, historical, and natural heritage. Concessionaires must ensure that the services they offer are accessible to and usable by persons with disabilities; as a general rule, they must perform facility upgrades to meet that mandate. Under new construction under any of the alternatives, renovation or area improvements commencing on State Park property shall be subject to compliance with the requirements of the Americans With Disabilities Act of 1990 (Public Law 101-336; Title 42, Section 12101 et seq. of the U.S. Code [and including Titles I, II, and III of that law]); the Rehabilitation Act of 1973; and all related regulations, guidelines, and amendments to both laws. Such renovation or area improvements must also comply with Section 4450 et seq. of the California Government Code (“Access to Public Buildings by Physically Handicapped Persons”), Government Code Section 7250 et seq. (Facilities for Handicapped Persons), and any other applicable laws. The outcome of all site improvements must include seamless integration of accessible features to the greatest extent possible. This comment does not raise issues regarding the adequacy, accuracy, or completeness of the draft EIR/EIS/EIS.
- I13-8 The commenter requests information on Canada geese. See “Impact Analysis for Wildlife and Wildlife Movement Corridors” in Master Response Section 3.3, “Biological Resources,” for a discussion of impacts on common wildlife species.
- I13-9 The commenter requests funding information. See Master Response Section 3.7, “Economics,” for a discussion of funding.
- I13-10 The commenter requests contact information for fisheries and water right experts involved in the analysis of the project. Chapter 6, “List of Preparers,” of the draft EIR/EIS/EIS provided information on parties involved in preparing the draft EIR/EIS/EIS.
- I13-11 The commenter requests a copy of the draft EIR/EIS/EIS, which State Parks provided.
- I13-12 The commenter requests an additional 30 days for comments. The comment period was not extended; however, State Parks stated that comments could still be submitted without a guarantee that they would receive a response. The comment period was extended from 75 days to 85 days, which is twice the statutorily required review period for an EIR under CEQA and 25 days more than required under NEPA.