

24.13 CHAPTER 13 - NOISE

Section 13.3, DEIR/EIS page 13-17, FEIR/EIS page 13-17: Addition made in response to public comment

In 2010, the California Supreme Court clarified that “[n]either CEQA nor the CEQA Guidelines mandates a uniform, inflexible rule for determination of the existing conditions baseline. Rather, an agency enjoys the discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence.” The Court limited this flexibility by further stating that “[a]n approach using hypothetical allowable conditions as the baseline results in ‘illusory’ comparisons that ‘can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts, a result at direct odds with CEQA’s intent-’ (Communities for a Better Environment v. South Coast Air Quality Management District (2010) 48 Cal.4th 310-).

Past practice in traffic impact analysis undertaken to help determine the significance of a project’s air quality impact has often relied upon a “future no-project” scenario as its CEQA baseline. The project’s impact is derived from the difference between “future with-project” and “future no-project” scenarios. This approach has been used because it offers a means of comparing with- and without-project scenarios that share common assumptions for future growth and improvements. It may not, however, conform to the Communities for a Better Environment decision. In fact, that approach was invalidated in late 2010 in the Sixth District Court of Appeal’s decision in Sunnyvale West Neighborhood Assn. v. City of Sunnyvale (2010) —Cal.App.4th—.

In recognition of the Communities for a Better Environment and Sunnyvale West decisions, this EIR uses the baseline year of 2008 to evaluate impacts on air quality under CEQA. Data on existing noise sources, such as mobile (e.g., traffic) and stationary (e.g., snowmaking) sources are used to quantify noise generated by the Proposed Project, assuming it was constructed in 2008. The estimated noise is compared to existing conditions without the Project to determine the significance of the noise impact. This approach complies with the intent of the Communities for a Better Environment by providing a significance determination based on the change from existing conditions.

Determining the significance of an impact by comparing anticipated project conditions to existing conditions is a relatively straightforward analysis for most impacts. However, the noise impact of a project that will not be operational for years is not easily compared to existing conditions. By the time the Project is operational in 2021 there will be new infrastructure and background growth in the region unrelated to the Project that will impact area roads and noise sources. The 2008 conditions modeled for the Project and used as the basis for the noise analysis do not include reasonable assumptions about new infrastructure, background growth, and future noise generation factors. As a result, although this analysis provides a comparison between existing conditions and existing conditions with the Project in place, the resultant significance determination will likely overstate the extent of change in the noise environment that is a direct result of the Project.

Note that the existing conditions analysis is intended to satisfy the Communities for a Better Environment and Sunnyvale West decisions for the CEQA determination and does not affect the TRPA analysis, which is based on the National Environmental Policy Act (NEPA). The significance of the impacts under buildout conditions in comparison to the future no project scenario is disclosed alongside the existing conditions analysis to satisfy TRPA requirements.

Section 13.4.2, DEIR/EIS page 13-18, FEIR/EIS page 13-18: Revision made in response to public comment

13.4.2 Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 4, 5 and 6

The Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 4, 5, and 6 are similar in terms of the impacts they would have on noise and where appropriate are analyzed as a single unit below. Alternative 1A is similar to the Proposed Project, but includes four fewer residential condos. Where appropriate, the Proposed Project (and Alternatives 1/1A) and Alternative 3 are therefore analyzed as a single unit. and will be referred to as Proposed Project (Alternative 1) and Alternatives 1A/3

Impact NOISE-2, DEIR/EIS page 13-29, FEIR/EIS page 13-29: Analysis revised to include Alternative 1A and Existing Plus Project Conditions

Table 13-21

Noise Levels for Existing plus the Project (Alternatives 1/1A) and Alternative 3, ~~1A, & 3.~~

Segment along SR 89	Noise Level at 100 feet CNEL			Distance to Contours (feet)			
	Existing No Project	Existing + Alts. 1/1A, 1A , and 3	Change	55 dBA	60 dBA	65 dBA	70 dBA
<u>Driveway to SR 28</u>	<u>55.5</u>	<u>55.4</u>	<u>-0.2</u>	<u>102.6</u>	<u>55.4</u>	<u>-</u>	<u>-</u>
<u>SR 28 to Granlibakken</u>	<u>62.8</u>	<u>63.0</u>	<u>0.2</u>	<u>291.3</u>	<u>146.3</u>	<u>77.5</u>	<u>38.3</u>
<u>Granlibakken to Sequoia</u>	<u>62.0</u>	<u>62.2</u>	<u>0.2</u>	<u>261.4</u>	<u>130.7</u>	<u>69.8</u>	<u>-</u>
<u>Sequoia to Pineland</u>	<u>61.6</u>	<u>61.9</u>	<u>0.2</u>	<u>249.4</u>	<u>125.3</u>	<u>66.3</u>	<u>-</u>
<u>Pineland to Grand</u>	<u>62.2</u>	<u>62.5</u>	<u>0.3</u>	<u>262.8</u>	<u>135.3</u>	<u>74.0</u>	<u>36.3</u>
<u>Grand to Park</u>	<u>62.1</u>	<u>62.4</u>	<u>0.3</u>	<u>258.6</u>	<u>132.9</u>	<u>72.7</u>	<u>35.4</u>
<u>Park to Silver</u>	<u>61.1</u>	<u>61.5</u>	<u>0.4</u>	<u>235.5</u>	<u>119.1</u>	<u>63.2</u>	<u>-</u>
<u>Silver to Homewood Driveway</u>	<u>61.1</u>	<u>61.4</u>	<u>0.3</u>	<u>235.1</u>	<u>118.9</u>	<u>63.1</u>	<u>-</u>
<u>Homewood Driveway to Fawn</u>	<u>61.1</u>	<u>61.4</u>	<u>0.3</u>	<u>235.0</u>	<u>118.8</u>	<u>63.1</u>	<u>-</u>
<u>Fawn to Tahoe Ski Bowl Way</u>	<u>61.3</u>	<u>61.6</u>	<u>0.2</u>	<u>239.7</u>	<u>120.9</u>	<u>64.1</u>	<u>-</u>
<u>Tahoe Ski Bowl Way to Elm Street</u>	<u>62.1</u>	<u>62.3</u>	<u>0.2</u>	<u>255.6</u>	<u>131.1</u>	<u>71.9</u>	<u>34.8</u>
<u>Elm Street to Pine Street</u>	<u>60.9</u>	<u>61.1</u>	<u>0.2</u>	<u>225.5</u>	<u>114.3</u>	<u>60.9</u>	<u>-</u>

Impact NOISE-2 and Mitigation Measure NOI-2, DEIR/EIS page 13-29, FEIR/EIS page 13-30: Analysis revised to include Alternative 1A and address Placer County comments

In Placer County, noise from mobile sources would be significant if exterior noise levels are greater than 55 dBA, $L_{dn}/CNEL$ at the property line of the receiving land use. The TRPA Community Plan regulates noise for transportation corridors. For SR 89, noise is regulated to 55 dBA within 300 feet of the roadway. Noise from mobile sources would be significant if exterior noise levels are greater than 55 dBA within 300 feet of the roadway, or if the change in noise is greater than 3 dBA. In addition, for Plan Areas that are out of attainment, any increase in noise would be significant.

Plan Areas 156, 157, and 160 have noise standards of 55, 55, and 60 dBA, respectively. As shown in Table 13-21, noise exceeds 55 dBA (the more stringent threshold) even without the Project. Based on a personal communication with TRPA staff, any increase in noise, relative to future no project conditions, would be significant because the standard is currently exceeded. Therefore, it is necessary to fully mitigate/offset the incremental increase in noise, relative to future no project conditions (Emmett, pers. comm.). Using an existing baseline indicates that traffic noise levels would increase by 0.4 dBA under the Project (Alternative 1/1A) and Alternative 3. ~~The greatest incremental increase in noise levels, relative to existing conditions, due to project related traffic is predicted to be 0.4 dBA, while the greatest incremental increase in noise levels, relative to future no project conditions, due to project-related traffic noise is predicted to increase by 1.2 dBA.~~ Noise from the shuttles and dial-a-ride vehicles will be consistent with current noise on local roadways. Noise from the water taxi will be consistent with other boating activities in the Tahoe City and Homewood areas. Traffic noise would increase by 0.4 dBA, relative to existing conditions, and 1.2 dBA, relative to future conditions, for areas that are currently out of attainment with regards to TRPA Plan Areas. Therefore, this impact is considered to be significant.

Mitigation: **Mitigation Measure NOI-2: Employ measures to ensure Project-related traffic noise does not increase relative to existing and future no project conditions.**

The Project Applicant shall design and implement measures to reduce noise from traffic related to the Proposed Project (Alternative 1). HMR will prepare a noise control plan that will identify feasible measures that can be employed to reduce traffic noise by 0.4 dBA, relative to existing conditions, and 1.2 dBA, relative to future conditions. The noise control plan shall employ noise-reducing measures such that Project-related noise does not increase relative to future no project conditions. This is in addition to the ongoing reduction in traffic volumes observed on SR 89 (see Chapter 11 – Transportation, Parking, and Circulation). The plan must be approved by the TRPA and Placer County prior to issuing a Grading Permit. The noise control plan may include, and is not limited to, the following measures:

- Constructing/use of barriers, berms, and acoustical shielding (reductions of 3dB to 5dB).
- Utilizing noise-reducing pavement (reductions of 2-5dB).
- Lowering speed limits, if feasible and practical (reductions of 1-2dB).
- Programs to pay for noise mitigation such as low cost loans to owners of noise-impacted property or establishment of developer fees (no actual noise reduction from this, reduction depends on actual measure that is implemented.).
- Acoustical treatment of buildings (reductions of 3-5dB).

After

Mitigation: *Less than Significant Impact; Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~ and 3*

Mitigation Measure NOI-2 would ensure that the Project-related traffic noise impacts would not result in any increase in noise levels (CNEL) relative to existing and future no project conditions, which would mitigate the Project’s impact on traffic noise.

Impact NOISE-2, Table 13-22, DEIR/EIS page 13-31, FEIR/EIS page 13-31: Analysis revised to include Alternative 1A

Table 13-22

Noise Levels for Existing plus Alternative 4.

Segment along SR 89	Noise Level at 100 feet CNEL			Distance to Contours (feet)			
	Existing No Project	Existing + Alt. 4s, 1, 1A, & 3	Change	55 dBA	60 dBA	65 dBA	70 dBA
Driveway to SR 28	55.5	54.5	-1.0	92.9	49.4	-	-
SR 28 to Granlibakken	62.8	62.8	0.0	283.1	142.0	75.4	36.8
Granlibakken to Sequoia	62.0	62.0	0.0	253.7	127.2	67.6	-
Sequoia to Pineland	61.6	61.6	0.0	240.9	121.5	64.3	-
Pineland to Grand	62.2	62.2	0.0	252.5	129.8	71.0	34.1
Grand to Park	62.1	62.1	0.0	247.8	127.6	69.6	33.1
Park to Silver	61.1	61.1	0.0	225.0	114.1	60.8	-
Silver to Homewood Driveway	61.1	61.1	0.0	225.3	114.2	60.9	-
Homewood Driveway to Fawn	61.1	61.2	0.1	227.0	115.1	61.3	-
Fawn to Tahoe Ski Bowl Way	61.3	61.4	0.1	233.3	118.1	62.7	-
Tahoe Ski Bowl Way to Elm Street	62.1	62.2	0.1	250.1	128.6	70.2	33.6
Elm Street to Pine Street	60.9	61.0	0.0	220.1	111.6	59.6	-

Noise Levels for 2030 + Alternative 4.

Segment along SR 89	Noise Level at 100 feet CNEL			Distance to Contours (feet)			
	2030 No Project	2030 + Alt 4	Change	55 dBA	60 dBA	65 dBA	70 dBA
Driveway to SR 28	55.6	55.5	-0.1	101.7	54.9	-	-
SR 28 to Granlibakken	66.4	66.4	0	456.3	226.6	114.9	61.2
Granlibakken to Sequoia	65.6	65.6	0	407.8	202.9	102.8	55.5
Sequoia to Pineland	65.1	65.1	0	382.0	190.3	96.7	52.2
Pineland to Grand	67.6	65.7	-1.9	391.2	199.8	104.0	57.2
Grand to Park	65.4	65.5	0.1	380.3	194.1	100.8	55.6
Park to Silver	64.5	64.5	0	350.7	175.0	90.5	47.7
Silver to Homewood Driveway	64.5	64.5	0	351.1	175.2	90.6	47.8
Homewood Driveway to Fawn	64.5	64.6	0.1	353.3	176.4	91.1	48.1
Fawn to Tahoe Ski Bowl Way	63.7	64.8	1.1	362.5	181.2	93.0	49.5
Tahoe Ski Bowl Way to Elm Street	65.5	65.5	0	382.8	195.3	101.5	56.0
Elm Street to Pine Street	64.3	64.3	0	342.5	170.6	88.8	46.4

Under Alternative 4, HMR would close and there would be substantially less winter traffic. In Placer County, noise from mobile sources would be significant if exterior noise levels were greater than 60 dBA, Ldn/CNEL at the property line of the receiving land

use. The TRPA Community Plan regulates noise for transportation corridors. For SR 89, noise from mobile sources would be significant if exterior noise levels were greater than 55 dBA within 300 feet of the roadway, or if the change in noise is greater than 3 dBA.

Plan Areas 156, 157, and 160 have noise standards of 55, 55, and 60 dBA, respectively. As shown in Table 13-22, noise exceeds 55 dBA (the more stringent threshold) even without the Project. Based on a conversation with TRPA, any increase in noise, relative to future no project conditions, would be significant and that it is necessary to fully mitigate/offset the incremental increase in noise, relative to future no project conditions (Emmett, pers. comm.). ~~Using an existing baseline indicates that traffic noise levels would increase by 0.1 dBA under Alternative 4. Relative to future no project conditions Project-related traffic noise under Alternative 4 is predicted to increase by 1.1 dBA. The greatest incremental increase in noise levels, relative to existing conditions, due to project related traffic is predicted to be 0.1 dBA, while the greatest incremental increase in noise levels, relative to future no project conditions, due to project related traffic is predicted to be 1.1 dBA.~~ Because traffic noise would increase for areas that are currently out of attainment with regards to TRPA Plan Areas, this impact is considered significant.

Impact NOISE-2, Table 13-32, DEIR/EIS page 13-32, FEIR/EIS page 13-33: Analysis revised to include Alternative 1A

Table 13-23

Noise Levels for Existing plus Alternative 5.

Segment along SR 89	Noise Level at 100 feet CNEL			Distance to Contours (feet)			
	Existing No Project	Existing + Alt. 5s, 1, 1A, & 3	Change	55 dBA	60 dBA	65 dBA	70 dBA
Driveway to SR 28	55.5	55.4	-0.1	102.8	55.5	-	-
SR 28 to Granlibakken	62.8	62.9	0.1	288.7	145.0	76.9	37.8
Granlibakken to Sequoia	62.0	62.1	0.1	258.6	129.4	69.0	-
Sequoia to Pineland	61.6	61.8	0.2	246.5	124.0	65.5	-
Pineland to Grand	62.2	62.5	0.2	260.0	133.7	73.1	35.7
Grand to Park	62.1	62.3	0.2	255.6	131.1	71.9	34.8
Park to Silver	61.1	61.4	0.3	232.4	117.7	62.5	-
Silver to Homewood Driveway	61.1	61.4	0.3	232.2	117.6	62.5	-
Homewood Driveway to Fawn	61.1	61.4	0.2	232.0	117.5	62.4	-
Fawn to Tahoe Ski Bowl Way	61.3	61.5	0.2	237.6	120.0	63.6	-
Tahoe Ski Bowl Way to Elm Street	62.1	61.1	-1.0	218.0	113.5	61.7	-
Elm Street to Pine Street	60.9	61.1	0.2	223.9	113.5	60.5	-

Plan Areas 156, 157, and 160 have noise standards of 55, 55, and 60 dBA, respectively. As shown in Table 13-2123, noise exceeds 55 dBA (the more stringent threshold) even without the Project. Based on a conversation with TRPA, any increase in noise, relative to future no project conditions, would be significant and it is necessary to mitigate the incremental increase in noise, relative to future no project conditions (Emmett, pers.

comm.). Using an existing baseline indicates that traffic noise levels would increase by 0.3 dBA under Alternative 5. Relative to future no project conditions Project-related traffic noise under Alternative 5 is predicted to increase by 1.2 dBA. ~~The greatest incremental increase in noise levels, relative to existing conditions, due to project-related traffic is predicted to be 0.3 dBA, while the greatest incremental increase in noise levels, relative to future no project conditions, due to project-related traffic is predicted to be 1.2 dBA.~~ Noise from the shuttles and dial-a-ride vehicles will be consistent with current noise on local roadways. Noise from the water taxi will be consistent with other boating activities in the Tahoe City and Homewood areas. However, because traffic noise would increase by 0.3 dBA, relative to existing conditions, and 1.2 dBA, relative to future conditions, for areas that are currently out of attainment with regards to TRPA Plan Areas, this impact is considered significant.

Impact NOISE-2, Table 13-23, DEIR/EIS page 13-34, FEIR/EIS page 13-36: Analysis revised to include Alternative 1A

Table 13-24

Noise Levels for Existing plus Alternative 6.

Segment along SR 89	Noise Level at 100 feet CNEL			Distance to Contours (feet)			
	Existing No Project	Existing + Alts. 4, 4A, & 36	Change	55 dBA	60 dBA	65 dBA	70 dBA
Driveway to SR 28	62.8	62.9	0.1	287.1	144.1	76.5	37.6
SR 28 to Granlibakken	62.0	62.1	0.1	257.7	129.0	68.8	-
Granlibakken to Sequoia	61.6	61.8	0.2	246.4	123.9	65.5	-
Sequoia to Pineland	62.2	62.4	0.2	259.5	133.4	73.0	35.6
Pineland to Grand	62.1	62.3	0.2	254.8	130.8	71.6	34.6
Grand to Park	61.1	61.3	0.2	231.4	117.2	62.3	-
Park to Silver	61.1	61.3	0.2	231.0	117.0	62.2	-
Silver to Homewood Driveway	61.1	61.3	0.2	231.8	117.4	62.4	-
Homewood Driveway to Fawn	61.3	61.5	0.2	236.8	119.6	63.5	-
Fawn to Tahoe Ski Bowl Way	62.1	62.2	0.1	251.2	129.2	70.6	33.8
Tahoe Ski Bowl Way to Elm Street	60.9	61.1	0.2	225.0	114.1	60.8	-
Elm Street to Pine Street	62.8	62.9	0.1	287.1	144.1	76.5	37.6

Plan Areas 156, 157, and 160 have noise standards of 55, 55, and 60 dBA, respectively. As shown in Table 13-24, noise exceeds 55 dBA (the more stringent threshold) even without the Project. Based on a conversation with TRPA, any increase in noise, relative to future no project conditions, would be significant and it is necessary to mitigate the incremental increase in noise, relative to future no project conditions because the area is out of attainment (Emmett, pers. comm.). Using an existing baseline indicates that traffic noise levels would increase by 0.2 dBA under Alternative 6. Relative to future no project conditions Project-related traffic noise under Alternative 6 is predicted to increase by 1.2 dBA. ~~The greatest increase in noise levels, relative to existing conditions, due to project-related traffic is predicted to be 0.2 dBA, while the greatest incremental increase in noise levels, relative to future no project conditions, due to the traffic is predicted to be 1.2~~

~~dB~~A. Noise from the shuttles and dial-a-ride vehicles will be consistent with current noise on local roadways. Noise from the water taxi will be consistent with other boating activities in the Tahoe City and Homewood areas. However, because traffic noise would increase by 0.2 dBA, relative to existing conditions, and 1.2 dBA, relative to future conditions, for areas that are currently out of attainment with regards to TRPA Plan Areas, this impact is considered significant.

Impact NOISE-3, DEIR/EIS page 13-34, FEIR/EIS page 13-37: Baseline analysis revised

Impact: **NOI-3. Will noise from Project concerts, snowmaking, or other resort operations effect existing or proposed noise-sensitive land uses?**

Analysis: *Significant Impact; Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 5, and 6*

Noise from operational sources would be significant if exterior noise levels were greater than the Placer County standards of 50 dBA, L_{dn} /CNEL at the property line of the receiving land use. Noise is regulated under the *TRPA Community Plan* by land use category. Noise for high density residential uses are regulated to 55 dBA, noise from hotels and commercial uses are regulated to 60 dBA, and noise for outdoor recreational uses are regulated to 55 dBA. For Plan Areas that are out of attainment, any increase in noise would be considered significant. Plan Areas 156, 157, and 160 have noise standards of 55, 55, and 60 dBA, respectively.

Operations and maintenance at HMR would generate noise under the Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 5, and 6 due to activities such as snow grooming, ski patrol activities, avalanche control, snowmaking, and concerts. The Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 5, and 6 propose no changes to existing grooming, or ski patrol activities at HMR, so no impact would occur. Other operational noise sources include HVAC systems, cooling towers/evaporative condensers, loading docks, lift stations, emergency generators, and outdoor public address systems. Similarly, these noise sources are a part of the existing noise environment with HMR operations and noise levels associated with other noise sources are not anticipated to increase under the Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 5, and 6.

Snowmaking typically occurs at nighttime throughout the ski season depending upon the amount of natural snowfall. To represent a worst-case scenario, it was assumed that snowmaking would occur every night of the ski season from midnight until 7:00 AM, and for 3 continual days per week for two weeks in the beginning of the season (Tirman pers. comm.). This is comparable to existing snowmaking operations. HMR currently uses 25 horsepower fan-gun technology for snowmaking. Fan guns include the Super Polecat, Super Wizzard, and the Viking Snowtower models. There are five guns operating at the north side and 5 guns operating at the south side of HMR. The Proposed Project (Alternative 1/1A) and Alternatives ~~1A~~, 3, 5, and 6 would add guns on both the north and south sides, but it is currently unknown how many new guns will be used and the exact locations of the guns relative to existing and proposed noise sensitive land uses (Tirman, pers. comm.). Because the number and type of guns as well as the location of each gun is currently unknown, the noise levels from snowmaking cannot be quantified.

***Mitigation Measure NOI-3a and NOI-3b, DEIR/EIS page 13-36, FEIR/EIS page 13-38:
Revised based on public comment***

Mitigation: **Mitigation Measure NOI-3a: Design new residences to reduce interior noise below 45 dBA, L_{dn}.**

HMR shall design and construct new residences such that interior noise from snowmaking and other sources of noise (including concerts, HVAC systems, cooling towers/evaporative condensers, loading docks, lift stations, emergency generators, and outdoor public address systems) in the area does not exceed 45 dBA, L_{dn}. HMR will retain a qualified acoustical consultant to design the necessary acoustical treatments. Measures that can be implemented include installing acoustically rated doors and windows, use of upgraded wall and roof materials to provide additional acoustical insulation, and sealing gaps in walls and ceilings with acoustical caulking. The acoustical consultant will prepare a report for the TRPA and Placer County demonstrating compliance with noise standards inside of residential units.

Mitigation Measure NOI-3b: Implement design and operational measures at the amphitheater to ensure compliance with the adjacent Planning Area Statement (PAS) CNEL limit at existing residences.

HMR shall demonstrate that the amphitheater has been designed such that operational noise at existing residences will be in compliance with the adjacent Planning Area Statement (PAS) CNEL limit. An acoustical engineer with experience in the prediction and mitigation of outdoor theater sound levels, HVAC systems, cooling towers/evaporative condensers, loading docks, lift stations, emergency generators, and outdoor public address systems shall be consulted prior to design and construction of the proposed amphitheater and other stationary ~~p~~Project elements with the potential to generate noise. The acoustical engineer shall identify feasible mitigation measures for reducing noise-related impacts to nearby residences. Mitigation measures may include, but are not limited to, orientation and location of the amphitheater, construction of noise

barriers and shielding, limitations on speaker orientation, limitations on noise-generation levels, and hours of activity. The ~~p~~Project Applicant shall incorporate the mitigation measures into the design and operation of the amphitheater and other stationary ~~p~~Project elements with the potential to generate noise.