

EXHIBIT A

CEQA FINDINGS OF FACT

and

STATEMENT OF OVERRIDING CONSIDERATIONS

OF THE PLACER COUNTY BOARD OF SUPERVISORS

for the

HOMWOOD MOUNTAIN RESORT SKI AREA MASTER PLAN

ENVIRONMENTAL IMPACT REPORT

December 6, 2011

INTRODUCTION

On October 3, 2011, a joint document serving as the final environmental impact report (EIR) prepared on behalf of Placer County (County) and the final environmental impact statement (EIS) prepared on behalf of the Tahoe Regional Planning Agency (TRPA) was released for public review. Pursuant to Public Resources Code section 21081, County, acting through its Board of Supervisors, adopts the following findings for the Homewood Mountain Resort Ski Area Master Plan (the Project) in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.).

This document is organized as follows:

Section I provides an introduction to these findings.

Section II provides a description of the Project proposed for adoption, the environmental review process for the Project, the approval actions to be taken and the location of records;

Section III describes the environmental review process for the Project, including public scoping and review of the Project.

Section IV identifies the Record of Proceedings for this matter, including the administrative record upon which the County's approval of the Project is based.

Section V provides general guidance regarding the County's adoption of these findings.

Section VI provides the County's findings with respect to the Project's potentially significant impacts. Attachment "A" to these findings is a table setting forth each mitigation measure adopted by the County in connection with its approval of the Project. Attachment A includes the full text of each mitigation measure adopted by the County. The mitigation measures that are identified as adopted in Attachment A are hereby adopted by the County. Section VI also addresses mitigation measures and project modifications proposed by commenters, and the County's findings with respect to these proposals.

Section VII adopts and incorporates the Mitigation Monitoring and Reporting Program ("MMRP") for the mitigation measures that have been proposed for adoption. A copy of the MMRP is attached as Chapter 21 to the Final EIR/EIS. In adopting these findings, the County hereby adopts and commits to implement the MMRP. The measures set forth in the MMRP represent binding commitments with which the project applicant must comply.

Section VIII sets forth the County's findings with respect to recirculation of the Draft EIR/EIS. These findings are adopted pursuant to CEQA Guidelines section 15088.5.

Section IX sets forth the County's findings with respect to alternatives to the Proposed Project. These findings are adopted pursuant to Public Resources Code sections 21002 and 21081, subdivision (a)(3).

Section X sets forth the County's "statement of overriding considerations" concerning the Project. These findings are adopted pursuant to Public Resources Code section 21081, subdivision (b).

The findings and determinations contained herein are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project and the EIR/EIS. The findings and determinations constitute the independent findings and determinations by the Placer County Board of Supervisors (Board of Supervisors) in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Although the findings below identify specific pages within the Draft EIR/EIS and Final EIR/EIS in support of various conclusions reached below, the Board of Supervisors incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the County's approval of the mitigation measures recommended in the Final EIR/EIS, and the reasoning set forth in responses to comments in the Final EIR/EIS. The County further intends that if these findings fail to cross-reference or incorporate by reference any other part of these findings, any finding required or permitted to be made by the County with respect to any particular subject matter of the Project must be deemed made if it appears in any portion of these findings or findings elsewhere in the record.

Like the EIR/EIS itself, these findings use a number of acronyms. To make the findings easier to follow, key acronyms are defined at the end of this document. Although the findings define most such acronyms the first time they are introduced, the listing of acronyms is also provided as a means of identifying such terms. Where terms are defined in the body of these findings in a manner that differs from the list of acronyms at the end of these findings, the definition in the body of these findings shall prevail.

These Findings, along with the Statement of Overriding Considerations set forth in Section X, the table of findings set forth in Attachment A, and the Mitigation Monitoring and Reporting Program ("MMRP") set forth at chapter 21 to the Final EIR/EIS, are made with respect to the Project Approvals for the Project and state the findings of the Board of Supervisors relating to the potentially significant environmental effects of the Project in accordance with the Project Approvals. The following Findings, along with the Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program are hereby adopted by the Board of Supervisors as required by the California Environmental Quality Act, Public Resources Code Sections 21002, 21081, 21081.5 and 21081.6, and CEQA Guidelines sections 15091 through 15093.

PROJECT DESCRIPTION

The HMR Ski Area Master Plan is a mixed-use project developed under the TRPA Community Enhancement Program (CEP) guidelines adopted in August 2007. Placer County as the lead agency under CEQA, jointly prepared an EIR/EIS for the project with TRPA. In its entirety, the documents consist of the January 2011 Draft EIR/EIS and the October 2011 Final EIR/EIS (State Clearinghouse No. 2008092008). The EIR/EIS prepared for the Project is both a program and project EIR. The EIR/EIS addresses the environmental impacts associated with adoption of the Homewood Mountain Resort (HMR) Ski Area Master Plan (Project) covering approximately 1,253 acres within the County.

The Project proposes to develop and upgrade mixed-uses at the existing North Base project area, residential uses at the exiting South Base project area, a lodge at the Mid-Mountain Base area, and support facilities within HMR Ski Area Master Plan Area. These findings have been prepared to comply with the requirements of the California Environmental Quality Act and the CEQA Guidelines.

See Chapter 3, Proposed Project and Alternatives, of the Final EIR/EIS for a complete and detailed description of the Project. This includes figures, diagrams, and tables illustrating and describing the proposed Project. (Final EIR/EIS, pp. 3-1 - 3-54.) The following text describes briefly the Project.

A. Project Location

The approximately 1,253-acre HMR Ski Area Master Plan Area, the Project area, lies on the western shore of the Lake Tahoe Basin of the Sierra Nevada Mountains, approximately six miles south of Tahoe City in Placer County, California. The Project area is bound by State Route (SR) 89 and Lake Tahoe to

the east, Ellis Peak to the southwest, and Blackwood Ridge to the north. Access to the Project area is via SR 89 (West Lake Boulevard), from either Interstate 80 (I-80) from the north or U.S. Highway 50 (US 50) from the south. The Project area includes twenty (20) contiguous parcels of varying sizes. The Project area is characterized as a "mountain," and the topography has a wide-range of values. The portions of the Project area proposed for development range from reasonably flat (1 to 10%) up to 30% slopes. Special features onsite include Watersheds (Homewood Mountain contains a portion of three watersheds and one intervening area), Lakes (Quail Lake and more than half of Lake Louis), and Mixed-Conifer forests. (Final EIR/EIS, pp. 3-1 - 3-8.)

B. Project Overview

The project as originally proposed was described in the HMR Ski Area Master Plan dated October 2010, as a conceptual plan to redevelop a mixed-use base area in the north Project area, a residential base area in the south, and a Mid-Mountain lodge and beginner ski area. The original proposed project was identified in the Draft EIR/EIS as "Alternative 1." Following the circulation of the Draft EIR/EIS and community meetings on the project, HMR proposed modifications to Alternative 1 based on input from neighbors at the north and south base areas. The purpose of the project revisions was to address community concerns regarding the Project. The revised project is identified as "Alternative 1A" in the Final EIR/EIS. Section 3.5 of the Final EIR/EIS describes Alternative 1A. HMR has requested approval of Alternative 1A. Alternative 1A thus represents the project approved by the County pursuant to these findings. When these findings use the term "Project", that term refers to Alternative 1A.

The Project area, existing zoning, existing facilities, and proposed redevelopment is shown on Figures 3-1 through 3-10 of the EIR/EIS. Alternative 1A proposed several changes to address community concerns regarding the project. In summary, at the north base area, the proposed parking structure (Building P) was moved from the existing gravel parking lot location in Alternative 1 to the SR 89 frontage just north of Fawn Street. The proposed commercial and residential building (Building C) proposed for the Alternative 1A parking structure location would be moved to the existing gravel parking lot and will only include residential condominiums and some associated surface parking spaces. The modifications do not change the number of proposed multi-family residential or tourist accommodation units, nor the amount of proposed commercial floor area, as compared to Alternative 1. The total parking provided onsite is increased by 9 spaces. (Final EIR/EIS, p. 3-16; Figure 3-8A of the EIR/EIS documents the proposed changes included in Alternative 1A.)

The south base modifications include the elimination of two of the three large multi-family residential condo buildings at the south base area (the most northerly and most southerly two buildings). These two buildings will be replaced with 24 smaller chalet buildings each containing two condo units and their associated parking in first floor garages. Total number of multi-family residential units would be reduced from 99 in Alternative 1 to 95 in Alternative 1A (48 in chalets and up to 47 in the remaining multi-family residential condo building). (Final EIR/EIS, p. 3-16; Figure 3-9A documents the proposed changes included in Alternative 1A.)

a. Removal of Existing Structures

The initial step of the Project development would be to remove existing structures and ski area facilities. At the North Base area, the Proposed Project will remove four existing ski lifts (including beginner lifts and the base of the Madden Ski Lift) and associated pads, footings and utilities; buildings and concrete foundations; storm drain structures; asphalt parking surfaces; overhead transmission lines; and a pumphouse. (Final EIR/EIS, p. 3-16; buildings and facilities at the North Base area to be removed are shown in Figure 3-5 of the EIR/EIS.)

At the South Base area, the Proposed Project will remove one existing ski lift (the beginner surface lift)

and associated pads, footings and utilities; buildings and concrete footings; asphalt parking surfaces; and overhead transmission lines. (Final EIR/EIS, p. 3-16; structures and facilities at the South Base area to be removed are shown in Figure 3-6 of the EIR/EIS.)

b. North Base Area

The approximately 17-acre North Base area will include six new mixed-use structures and eight new townhouse structures to provide up to:

- 56 residential condominiums (multi-family residential units with up to 20 potentially as fractional ownership) (TAUs with 10% or more units with kitchens);
- 16 townhouses (multi-family residential units);
- ;
- A resort lodge with:
 - 75 traditional hotel rooms (TAUs with less than 10% of units with kitchens),
 - 40 two-bedroom for sale condominium/hotel units (up to 20 of which could have one-room lock-offs, which means the units could be used as two rentals instead of one for a total of 60 TAUs with 10% or more units with kitchens), and
 - 30 penthouse condominium units (TAUs with 10% or more units with kitchens located on the upper floors of the hotel);
- 25,000 square feet of commercial floor space (a portion of which may be provided at the Mid-Mountain lodge);
- 13 employee/workforce housing units (multi-family residential bonus units);
- A 272-space day skier parking structure on four levels (one level partially below grade, 3 above grade); and
- 30,000 square feet of skier services to provide food and beverage service, adult and children's ski school services, rental shop, locker facilities, restrooms, first aid, and mountain administration and operations offices.

Under the Proposed Project, day-skier access and ski resort amenities and services will be relocated to the North Base in Buildings A and B (Figures 3-7 and 3-8 of the EIR/EIS). The Proposed Project (Alternative 1A) provides 738 parking spaces, including 272 day use parking spaces in a four-level parking structure in Building P (located at SR 89 north of Fawn Street), 56 limited surface parking spaces in two locations adjacent to Buildings A and C, and 410 underground valet parking spaces. The commercial/retail areas are designed to be accessible from the adjacent residential neighborhood, employee/workforce housing, and the day-skier parking structure.

The up to 75-room boutique-style hotel (Building B, Figure 3-7 of the EIR/EIS) will feature resort amenities that are expected to include full service restaurant, spa and fitness facility. Hotel rooms will be combined with up to 40 two-bedroom, two-bath condominium/hotel units and up to 30 individually owned penthouse condominium units (top floor of Building B). The condominium/hotel units and penthouse condominium units will be individually owned and owners will be offered full hotel services.

The 56 residential condominiums, 20 of which may be fractional ownership units, will be spread between north base residential buildings (Buildings B, C, D and E, Figure 3-7 of the EIR/EIS). Alternative 1A locates Building C within the existing gravel parking area south of Fawn Street and across from existing single-family homes along Sacramento Avenue. The commercial floor area included in Building C under Alternative 1 will be included on the southwest and northwest side of the parking structure (Building P) under Alternative 1A, to remain adjacent to the proposed pedestrian plaza. Some of these units will be located in buildings with village retail space on the ground floor. Thirteen employee/workforce housing apartments the majority of which will have up to four bedrooms each, will be located adjacent to the above ground parking structure accessed from Fawn Street to the south of the hotel and condominium

units in Building P.

Vehicle access to 16 townhouses in eight buildings in the North Base area would be via an approximately 1,500 foot long extension of Tahoe Ski Bowl Way from the South Base area. Per Placer County requirements, a secondary access road is required to be constructed to serve these townhomes due to the length of Tahoe Ski Bowl Way extension, as dead end roads must not be more than 1,320 feet long for parcels 1-5 acres in size or 2,640 feet long for parcels 5-20 acres in size. The secondary access will for emergency use only and gated and will utilize the South Street easement located between Sacramento Avenue and the extension of Tahoe Ski Bowl Way. The North Base townhomes are a Phase 2 project component that will be analyzed at a project level for Placer County CEQA and TRPA purposes prior to its eventual permitting.

(Final EIR/EIS, pp. 3-18 to 3-19.)

c. South Base Area

Under the Proposed Project Alternative 1A, the South Base area will be converted to a neighborhood residential area, with day-skier access and skier amenities re-located to the North Base area. The approximately six-acre South Base area will include up to 24 Chalet buildings, each containing two multi-family residential units for a total of 48 units. Nine of the Chalets would be located to the south of the Homewood Creek and 15 of the Chalets would be located north of the creek (units B1 to B15). The northern most Chalets would be located farther up the hillside from Tahoe Ski Bowl Way providing for greater separation from existing single-family homes. Up to 47 additional multi-family residential condominiums would be provided in the three story central lodge, Building A, for a total of up to 95 residential units under Alternative 1A.

Under Alternative 1A, up to 49 spaces would be provided underground below Building A, along with two-car garages for each multi-family residential unit located in the Chalets, totaling 145 parking spaces. During peak seasons, the area will include a small snack bar and skier support in the central lodge residential building. The South Base area will include access to 16 new townhouses located slightly above the North Base area off of an extension of Tahoe Ski Bowl Way. At its crossing of Homewood Creek adjacent to the existing base lodge, Tahoe Ski Bowl Way will be realigned slightly to the east and the existing culvert will be removed and replaced with a bridge span. In order to relocate the roadway, HMR must comply with Placer County Procedures for Abandonment of County Easements and Public Resources Code section 4290. County requirements for the realigned segment of Tahoe Ski Bowl Way include a 40-foot minimum width and a turnaround (Plate U-22.1 or U-22.2) with public road easement dedication at the end of the Tahoe Ski Bowl Way public road easement (just north of the proposed South Base area buildings). The existing maintenance facility and surface parking areas will be removed from the South Base area. (Final EIR/EIS, pp. 3-19.)

d. Mid-Mountain Area

The Mid-Mountain area will include:

- A 15,000 square feet day-use lodge with a detached gondola terminal linked to the lodge by a covered passage;
- A learn-to-ski lift;
- A food & beverage facility with indoor & outdoor dining (part of day lodge);
- A small sundry outlet (part of day lodge);
- An outdoor swimming facility for use during the summer months by West Shore residents (adjacent to day lodge);
- A snow-based vehicle (e.g., grooming equipment) maintenance facility; and
- Two water storage tanks located up hill from the day-use lodge.

The Mid-Mountain lodge, as shown in Figure 3-10 of the Final EIR/EIS, will replace the white tent structure and the concrete foundation located at the Mid-Mountain near the top of the Madden ski lift. As part of the Proposed Project, the composting toilet/restroom will be removed and replaced with connection to the public sewer system. The learn-to-ski lift will be located north of the proposed lodge on gently sloping terrain. The snow-based vehicle shop/maintenance facility (i.e., no rubber-tired vehicles) will be relocated from the South Base area to the Mid-Mountain area in an 8,000 square foot facility directly behind the gondola terminal. Two 250,000-gallon water storage tanks will be constructed at Mid-Mountain area on the slope above the vehicle shop/maintenance facility to serve the entire Homewood Mountain Resort project area.

Mid-mountain lodge will include accessory uses: 1) Office of Emergency Services (OES) communication room, repeater antennas and emergency generator room; 2) An emergency cache room (fire fighting equipment) for North Tahoe Fire Protection District (NTFPD) and; 3) possibly Homewood ski patrol office. NTFPD will work with HMR to determine the size and equipment requirements for the cache room, including the maintenance of any equipment proposed to be located in the room.

(Final EIR/EIS, p. 3-29.)

e. Master Plan Phasing

HMR anticipates a ten (10) year time frame for the build out of the Ski Area Master Plan. The following outlines the anticipated development phasing.

Phase 1 – North Base area - Implementation in years 1 through 5:

- 1a. Mid Mountain Day Lodge and accessory structures (two 250,000-gallon water tanks and Gondola terminal), Mid Mountain Learn to Ski Lift, Mid Mountain Maintenance Facility, Gondola, North Base Amphitheater, North Base Hotel/Lodge (Building B), North Base Day Skier Services Building and Residential Units (Building A), North Base Commercial and Residential Units (Building C) and Landscape/Ice Pond Area, North Base Employee/Workforce Housing and Day Skier Parking Structure (Building P), TCPUD bike trail extension, and LEED Commissioning;
- 1b. North Base Residential Building Adjacent to Highway 89 (Building D); and
- 1c. North Base Residential Building Adjacent to Highway 89 (Building E).

A Phase I construction staging and parking plan will be prepared at the beginning of Master Plan implementation. HMR plans to shut down the entire North Base area for Phase 1 construction and utilize the existing parking areas according to a detailed construction logistics plan. The selected general contractor would be required to put such a logistics plan together as one of their first tasks. The focus of the first phase 1a would be the hotel, day skier facility, and parking/workforce housing structure, which would leave the existing paved parking area fronting SR 89 open and available for staging of materials and construction parking. During Phase 1a construction, winter ski operations would continue to operate out of the South Base area.

Phase 2 – South Base – Implementation in years 6 through 10:

- 2a. Culvert Removal, Tahoe Ski Bowl Way road realignment and SEZ Restoration; South Base Residential Buildings A and A1 (southern buildings) (under Alternative 1A, Building A1 is replaced with Chalets A1-1 to A1-9);
- 2b. South Base Residential Building B (northern building) (under Alternative 1A, Building B is

replaced with Chalets B1 to B15); and

2c. Tahoe Ski Bowl Way roadway extension and Townhouses (located above North Base area, but accessed from the South Base area). Additional project-level environmental review is required prior to acquiring project entitlements to complete this phase.

(Final EIR/EIS, pp. 3-53 to 3-54.)

C. Amendments to Placer County Plan Area Statements; Amendments to TRPA Ordinances, Goals and Policies, and Plan Areas Statements; Amendments to North Tahoe Fire Protection District Boundary (NTFPD)

The Project requires the following amendments to TRPA and County Ordinances, Goals and policies.

Amendments to Placer County Plan Area Statement Boundary Lines

Figure 3-13 of the EIR/EIS shows the location of the proposed PAS boundary amendments required for the Proposed Project (Alternative 1). The proposed boundary line amendments include:

PAS 158 – McKinney Tract Residential – Adjust Placer County PAS 158 boundary (shown in yellow) to include entirety of South Base area currently located in PAS 157 (yellow hatching area within black dashed line). Create a “Special Area” for the expanded portion of PAS 158.

PAS 159 – Homewood Commercial – Adjust Placer County PAS 159 boundary to include the entirety of the North Base area currently located in PAS 157.

Amendments to Placer County Plan Area Statement Allowable Uses

A copy of the proposed amendments to PAS 157, 158 and 159 (shown in revision mode) is included in Appendix E of the EIR/EIS and summarized as follows:

PAS 157 – Homewood Tahoe Ski Bowl Recreation - Add Personal Services (S) and Participant Sports Facility (S) as permissible uses.

PAS 157 – Homewood Tahoe Ski Bowl Recreation - Add TDR Receiving Area for Existing Development (commercial) to newly created Special Area 1 (that includes the Mid Mountain Lodge).

PAS 157 – Homewood Tahoe Ski Bowl Recreation – Modify Special Policy 6 to allow commercial at the mid mountain lodge.

PAS 157 – Homewood Tahoe Ski Bowl Recreation – Modify Special Policy 8 to allow commercial uses pursuant to a Ski Area Master Plan.

PAS 158 – McKinney Tract Residential - Add Multi-Family Dwellings (S) and Skiing Facilities (A) as permissible uses to the newly created “Special Area 1” shown on Figure 3-13 of the EIR/EIS (yellow hatching).

PAS 158 - McKinney Tract Residential - Add TDR Receiving Area for 1) Existing Development, and 2) Multi-Residential Units to the newly created “Special Area 1” shown on Figure 3-13 of the EIR/EIS (yellow hatching).

PAS 158 - McKinney Tract Residential - Add Multiple Family Dwellings (Special Area 1 only) to

Maximum Densities with a Maximum Density of 15 units per acre.

PAS 159 – Homewood Commercial - Add Multi-Family Dwellings (S) and Privately Owned Assembly and Entertainment (S) as permissible uses to the newly created “Special Area 1” shown on Figure 3-13 of the EIR/EIS (purple hatching).

PAS 159 – Homewood Commercial - Add TDR Receiving Area for Multi-Residential Units (to Special Area 1 only).

PAS 159 – Homewood Commercial - Increase Multiple Family Dwellings (Special Area 1 only) and Employee Housing Maximum Densities to 15 units per acre (from a current Maximum Density of 8 units per acre).

Amendments to TRPA Code of Ordinance/Plan Area Statement/Goals and Policies Amendments,

Required amendments to the TRPA Code of Ordinance, Plan Area Statement, Goals and Policies are described in the EIR/EIS. (See pp. 3-48 through 3-53.)

Amendments to North Tahoe Fire Protection District Boundary (NTFPD)

Amend NTFPD service boundary to include the Mid-Mountain lodge area. This would require an amendment of the NTFPD service boundary through the Local Agency Formation Commission (LAFCO). Placer County Fire currently has wild fire jurisdiction for the undeveloped Mid-Mountain lodge area.

D. Project Objectives

As set forth in the EIR/EIS, the purpose and objectives for the Project are as follows:

- Construct onsite residential and tourist accommodation units to support increased HMR skier visits during mid week operations;
- Optimize the quality of the existing winter ski experience and improve the year-round use of the site while responding to changes in technology, market trends and user preferences;
- Maintain consistency with the scale and character of Homewood, California;
- Enhance the lifestyle and property values of West Shore residents; and
- Generate sufficient revenues to support the proposed environmental and fire safety improvements and ensure the continued viability of the ski operations.

(EIR/EIS, pp. 3-8 to 3-9.)

E. Combined Program and Project-Level Analysis

The EIR provides a project-level analysis for:

- Amendments to TRPA Plan Area Statements, Code of Ordinance and Goals and Policies;
- Amendments to County Plan Area Statements;
- Mid-mountain Day Lodge and Accessory Structures (e.g., Gondola Terminal);
- Mid-Mountain Maintenance/Water Tanks; Gondola; North Base Hotel/Lodge (Building B);
- North Base Day Skier Services Building and Residential Units (Building A);
- Alternative Transportation Program (e.g., Summer Water Taxi, Shuttles, Dial-A-Ride);
- Extension of TCPUD Bike Trail through North Base Area; Amphitheater;
- North Base Commercial and Residential Units Building C (Commercial excluded under Alt 1A);

- North Base Employee/Workforce Housing and Day Skier Parking Structure (Building P) (Commercial included under Alt 1A);
- North Base Gathering/Ice Pond Area; North Base Residential Units (Building D);
- North Base Residential Units (Building E);
- Demolition of South Base Maintenance Facility; South Base Residential Units (Building A);
- South Base Residential Units (Chalets A1-1 to A1-9 and B1 to B15 under Alternative 1A); and
- South Base Culvert Removal/SEZ Restoration.

(See Table 3-4 of Final EIR/EIS, p. 3-17.)

The EIR also provides a program-level analysis of the construction of facilities that are part of the proposed Project, but for which specific plans and designs have not yet been prepared:

- Extension of Cross-Country Ski Trails at South Base Area;
- Mid-Mountain Learn to Ski Lift and Ellis Chair Lift Replacement;
- Snowmaking Expansion including Accessory Buildings (e.g., pump houses);
- On Mountain Road Abandonment and Restoration (e.g., restoration sites with potential use of project generated fill material);
- South Base Tahoe Ski Bowl Way Extension to North Base Townhouses; and
- North Base Townhouses

(See Table 3-4 of Final EIR/EIS, p. 3-17.) Specific plans and designs for these facilities will not be prepared until after the Proposed Ski Area Master Plan is approved and a final Alternative is selected.

CEQA Guidelines section 15161 defines a project EIR as “focusing primarily on the changes in the environment that would result from project development.” As stated in Section 15161 of the CEQA Guidelines, a project specific EIR is required to “examine all phases of the project including planning, construction, and operation.” A project-specific analysis has been prepared for plans and facilities where sufficient information is available to allow a project-level analysis of impacts.

While the Final EIR/EIS identifies the all the plans and facilities that would be included in the proposed project, it does not provide project-specific analysis of those that are analyzed at a programmatic level. Instead, a project area boundary is provided identifying the general location of these facilities. For example, Alternative 1A includes 16 townhomes located in the North Base area. These townhomes are part of phase 2 of the project. The location of these townhomes is shown (see Figure 3-8A). Impacts associated with these townhomes has been included in the analysis of project impacts (e.g., traffic, utilities, etc.). At the time the applicant proposes to construct these townhomes as part of phase 2, project-level analysis will be performed to ensure the impacts of the townhomes are consistent with the analysis in the EIR/EIS, and applicable mitigation measures are incorporated.

As defined by CEQA Guidelines Section 15168, a program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

1. Geographically;
2. As logical parts in the chain of contemplated actions;
3. In connection with rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or
4. As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in several different ways.

A Program EIR is a type of EIR that allows a public agency to consider broad policy alternatives and

program-wide mitigation measures at the early stages of planning. The final specific plans and designs will occur within the project footprint. Thus the combined program and project elements are appropriately analyzed at a program and project level of detail. Although specific site locations and designs for some facilities are not proposed at this time (e.g. the North Base townhomes, which are part of phase 2), the ultimate development of those facilities is identified and analyzed. (See FEIR, Volume 2, pp. 2-1- 2-3.)

When HMR provides specific plans and designs within the project area, the County shall review these plans and shall determine if the impacts associated with the project-level designs are consistent with the significance conclusions of the Final EIR/EIS, after implementation of mitigation. On this basis, the County shall determine whether the specific plans and designs are within the scope of the program EIR/EIS, pursuant to the provisions of section 15168 of the CEQA Guidelines, or if additional environmental review is needed. In some cases, site-specific mitigation planning may be necessary when project designs are available. The EIR evaluates these potential consequences to the extent possible and provides program-level mitigation measures and performance criteria that will be applied when specific plans are submitted.

F. Discretionary Approvals

Project approval requires the County, as lead agency under CEQA, as well as certain “responsible agencies” to take various planning and regulatory actions to approve the overall Project. Described below are the discretionary actions necessary to carry out the Project. In addition to certifying the Final EIR/EIS and adopting these Findings and Mitigation Monitoring Plan (CEQA requirements), the County itself must take the following actions:

- Placer County West Shore Area General Plan Amendments (e.g., add multi-family dwelling, increase residential density, expand Plan Area Statement boundaries);
- Placer County Conditional Use Permit and Planned Development Permit (e.g., alpine ski facility, employee/workforce housing, hotel, motel and other transient dwelling units, outdoor concert events, single-family dwelling/condo, timeshare development and Planned Residential Development);
- Placer County Development Agreement between the County and applicant;
- Placer County Improvement Plans for Each Project Phase and Approval;
- Placer County Encroachment Permit(s);
- Placer County Highway Easement Abandonment (Tahoe Ski Bowl Way at South Base area);
- Tentative Subdivision Map Approval; and
- Final Map Approval.

TRPA is the lead agency under the Tahoe Regional Planning Compact (PL 96-551 94 Statute 3233). The Project has been proposed to achieve the goals and objectives established by TRPA in the Community Enhancement Program (CEP). TRPA adopted a resolution (No. 2008-11) in February 2008 to list minimum requirements for HMR’s continued participation as a qualified CEP project. As required by the CEP, an analysis of the project’s compliance with Resolution 2008-11 will be prepared by TRPA staff and provided to the TRPA Governing Board during review of the project application. The analysis will document measures included in the action alternatives to comply with each item in the resolution, and if necessary, will identify additional measures necessary to meet the objectives of the CEP program. In addition to certifying the Final EIR/EIS, adopting Findings and a Mitigation Monitoring Plan (TRPA requirements), TRPA itself must take the following actions in approving the Ski Area Master Plan as a CEP Project:

- TRPA Regional Plan Amendment (Plan Areas, Code of Ordinances, and Goals and Policies);
- TRPA Ski Area Master Plan Adoption; and
- TRPA Construction Permit.

Additional permits and approvals required from other federal, state and local agencies for the project include:

- California Regional Water Quality Control Board-Lahontan Region, NPDES permit;
- Occupational Safety and Health Administration (OSHA);
- California Occupational Safety and Health Administration (Cal-OSHA);
- Federal Emergency Management Agency;
- Clean Water Act §401 Certification;
- Clean Water Act §404 Nationwide or Individual Permit- United States Army Corps of Engineers (Corps);
- California Department of Fish and Game (CDFG) Lake or Stream Bed Alteration Agreement (LSAA);
- Water Service District Annexation;
- TCPUD Commercial Service Permit;
- California Department of Transportation Encroachment Permit; and
- LAFCO Amendment to NTFPD Service Boundary.

ENVIRONMENTAL REVIEW PROCESS

In accordance with section 15082 of the CEQA Guidelines, the County prepared a Notice of Preparation (NOP) of an EIR/EIS, which was published on September 2, 2008. (Appendix A of the EIR/EIS.) The NOP was distributed for a 30-day comment period concluding on October 2, 2008. The NOP was distributed to public agencies and interested individuals of the community, including residents within 1,000 feet of the Project area. Comments received on the NOP are contained in Appendix B to the EIR/EIS.

The County held agency and public scoping meetings on the proposed project on September 10, 2008, at the TRPA Advisory Planning Commission and on September 23, 2008, at the Granlibakken Resort. The scoping meeting was an opportunity for agencies and the public to obtain information about the proposed project and to provide input regarding the issues they wanted addressed in the Draft EIR/EIS. Comments on the NOP received during the scoping meeting were considered in the preparation of the Draft EIR/EIS.

The EIR/EIS includes an analysis of the following issue areas:

- Land Use;
- Population, Employment, and Housing;
- Biological Resources;
- Cultural Resources;
- Visual Resources;
- Transportation and Circulation;
- Air Quality;
- Noise;
- Soils, Geology and Seismicity;
- Hydrology, Water Rights, Surface Water Quality, and Groundwater;
- Public Services and Utilities;
- Hazardous Materials and Public Safety;
- Recreation;
- Climate Change; and
- Cumulative Impacts.

(See Draft EIR/EIS, pp. 1-2.)

The County distributed the Draft EIR/EIS to various public agencies, citizen groups, and interested

individuals for an initial 60-day public review period, from January 19 through March 21, 2011. The comment period was subsequently extended to April 21, 2011, based on requests from the reviewing public. Comments were solicited during the public comment time frame and were incorporated into the final EIR/EIS. This period satisfied the requirement for a 45-day public review period as set forth in Section 15105 of the CEQA Guidelines. The Draft EIR/EIS was circulated to state agencies for review through the State Clearinghouse of the Governor's Office of Planning and Research. Copies of the Draft EIR/EIS were available for public review during normal business hours at the County. Copies of the Draft EIR/EIS were also available for review on the County's website.

During the review period, consistent with Section 15202 of the CEQA Guidelines, the public was invited to public comment hearings held by the TRPA Advisory Planning Commission (APC) and the County. Three public meetings were held to solicit comments on the Draft EIR/EIS: (1) TRPA Advisory Planning Commission on February 9, 2011; (2) Placer County Planning Commission on February 17, 2011; and (3) TRPA Governing Board on Wednesday, February 23, 2011. The public was asked to provide written comments at the meeting or before closure of the public review period. Written comments were received from members of the public and several agencies. (See Final EIR/EIS, Chapter 23.)

On October 3, 2011, the County released the Final EIR/EIS for the Project. The Final EIR/EIS includes comments on the Draft EIR/EIS, responses to those comments, revisions to the text of the Draft EIR/EIS, and other information required by CEQA. The County distributed copies of the Final EIR/EIS to public agencies submitting comments on the Draft EIR/EIS, as required by Public Resources Code section 21092.5.

On October 18, 2011, the Placer County Planning Commission held a duly noticed public hearing to consider the Final EIR/EIS and the Project. After receiving and considering public comment, the Planning Commission certified the Final EIR/EIS, recommended the Board of Supervisors approve the amendments to the West Shore Area General Plan and the Development Agreement, and approved the conditional use permit/planned development permit and tentative subdivision map upon approval by the Board of Supervisors of the Plan amendments. On October 26, 2011, the County received an appeal appealing to the Board of Supervisors the certification of the Final EIR/EIS and the approvals by the Planning Commission.

On November 15, 2011, the Board of Supervisors held a duly noticed public hearing to consider the Final EIR/EIS, the appeal and the Project. The Board received public comment, and continued the matter to December 6, 2011. On December 6, 2011, the Board concluded the public hearing. The Board of Supervisors has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR/EIS, the evidence and analysis presented in the comments on the Draft EIR/EIS, the evidence and analysis presented in the Final EIR/EIS, the information submitted on the Final EIR/EIS, and the reports prepared by the experts who prepared the EIR/EIS, the County's planning consultants, and by staff, and after receiving and considering public comment, makes the findings set forth herein.

RECORD OF PROCEEDINGS

In accordance with Public Resources Code section 21167.6, subdivision (e), the record of proceedings for the County's decision on the Project includes the following documents:

- The NOP and all other public notices issued by the County and TRPA in conjunction with the Project;
- All comments submitted by agencies or members of the public during the comment period on the NOP;
- The Draft EIR/EIS for the Project (January 2011) and all appendices;

- All comments submitted by agencies or members of the public during the comment period on the Draft EIR/EIS;
- The Final EIR/EIS for the Project, including comments received on the Draft EIR/EIS, and responses to those comments and appendices (September 2011);
- Documents cited or referenced in the Draft EIR/EIS and Final EIR/EIS;
- The mitigation monitoring and reporting program for the Project;
- All findings and resolutions adopted by the Planning Commission or the Board of Supervisors in connection with the Project and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the County, consultants to the County, or TPRA as well as responsible or trustee agencies with respect to the County's compliance with the requirements of CEQA and with respect to the County's action on the Project;
- All documents submitted to the County by other public agencies or members of the public in connection with the Project, up through the close of the public hearing on October 18, 2011;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the County in connection with the Project;
- Any documentary or other evidence submitted to the County at such information sessions, public meetings, and public hearings;
- The Placer County General Plan and all environmental documents prepared in connection with the adoption of the General Plan;
- The Placer County Zoning Ordinance and all other County Code provisions cited in materials prepared by or submitted to the County;
- Any and all resolutions adopted by the County regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Matters of common knowledge to the County, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The County has relied on all of the documents listed above in reaching its decision on the Project, even if not every document was formally presented to the County. Without exception, any documents set forth above not so presented fall into one of two categories. Many of them reflect prior planning or legislative decisions with which the County was aware in approving the Project. Other documents influenced the expert advice provided to Planning Department staff or consultants, who then provided advice to the Board of Supervisors. For that reason, such documents form part of the underlying factual basis for the County's decisions relating to the adoption of the Project.

The record of proceedings does not include documents or other materials subject to the attorney/client

privilege, the common-interest doctrine, the deliberative process privilege, or other privileges recognized by statute or common law. Administrative draft documents that were prepared at the County's direction, but were not provided to the public or other agencies, and intra-County communications with respect to such administrative draft documents, are not part of the record of proceedings; rather, such documents reflect the County's deliberative process. In adopting these findings, the County does not waive its right to assert applicable privileges.

The public hearing transcript, a copy of all letters regarding the Draft EIR/EIS received during the public review period, the administrative record, and background documentation for the Final EIR, as well as additional materials concerning approval of the Project and adoption of these findings are contained in County files, and are available for review by responsible agencies and interested members of the public during normal business hours at the Placer County. The custodian of these documents is the Placer County Planning Director. The documents are located at the Placer County Community Development Resource Center, 3091 County Center Drive, Auburn, CA 95603 and/or Placer County Tahoe Planning Office, 565 West Lake Blvd, Tahoe City, CA. All files have been available to the County and the public for review in considering these findings and whether to approve the Project.

FINDINGS REQUIRED UNDER CEQA

The California Environmental Quality Act, Public Resources Code §§ 21000 et seq. and the regulations implementing that statute, Cal. Code Regs. tit. 14, §§ 15000 et seq. (the "CEQA Guidelines") (collectively, the act and the CEQA Guidelines are referred to as "CEQA") require public agencies to consider the potential effects of their discretionary activities on the environment and, when feasible, to adopt and implement mitigation measures that avoid or substantially lessen the effects of those activities on the environment. Specifically, Public Resources Code section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in Public Resources Code Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); CEQA Guidelines, § 15091, subd. (a).) For each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The three possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment

opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(Pub. Resources Code, § 21081, subd (a); see also CEQA Guidelines, § 15091, subd. (a).)

Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” CEQA Guidelines section 15364 adds another factor: “legal” considerations. (See also *Citizens of Goleta Valley v. Board of Supervisors (Goleta II)* (1990) 52 Cal.3d 553, 565.)

The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*).) “[F]easibility” under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (Ibid.; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715 (*Sequoyah Hills*); see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 [after weighing “‘economic, environmental, social, and technological factors’ ... ‘an agency may conclude that a mitigation measure or alternative is impracticable or undesirable from a policy standpoint and reject it as infeasible on that ground’”].)

With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project’s “benefits” rendered “acceptable” its “unavoidable adverse environmental effects.” (CEQA Guidelines, §§ 15093, 15043, subd. (b); see also Pub. Resources Code, § 21081, subd. (b).) The California Supreme Court has stated, “[t]he wisdom of approving . . . any development project, a delicate task which requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.” (*Goleta II, supra*, 52 Cal.3d at p. 576.)

In making these Findings and the determination regarding the Project Approvals, the Board of Supervisors recognizes that the Project implicates a number of controversial environmental issues and that a range of technical and scientific opinion exists with respect to those issues. The Board of Supervisors has acquired an understanding of the range of this technical and scientific opinion by its review of the EIR/EIS, the comments received on the Draft EIR/EIS and the responses to those comments in the Final EIR/EIS, as well as testimony, letters and reports regarding the Final EIR and the merits of the Project. The Board of Supervisors has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR/EIS, the evidence and analysis presented in the comments on the Draft EIR/EIS, the evidence and analysis presented in the Final EIR/EIS, the information submitted on the Final EIR/EIS, and the reports prepared by the experts who prepared the EIR/EIS, the County’s planning consultants, and by staff, addressing these comments. In particular, the Board of Supervisors has considered the Alternatives presented in the EIR/EIS, as well as the proposed comments submitted by various commenters and the responses of the EIR/EIS preparers and staff to those comments. The Board of Supervisors has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. In turn, the understanding has enabled the Board of Supervisors to make its decisions after weighing and considering the various viewpoints on these important issues. Accordingly, the Board of Supervisors certifies that its findings are based on a full appraisal of all of the evidence contained in the Final EIR/EIS, as well as the evidence and other information in the record addressing the Final EIR/EIS.

These findings constitute the Board of Supervisors' best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings are not merely informational, but rather constitute a binding set of obligations that come into effect with the County's approval of the Project. In particular, in adopting these findings, the County commits itself to ensure the implementation of the mitigation measures approved in these findings.

The Board of Supervisors is adopting these findings for the entirety of the actions described in these findings and in the Final EIR/EIS. Although the findings below identify specific pages within the Draft and Final EIR/EIS in support of various conclusions reached below, the Board of Supervisors incorporates by reference and adopts as its own, the reasoning set forth in both environmental documents, and thus relies on that reasoning, even where not specifically mentioned or cited below, in reaching the conclusions set forth below, except where additional evidence is specifically mentioned. This is especially true with respect to the Board of Supervisors' approval of all mitigation measures, policies and implementation programs recommended in the Final EIR/EIS, and the reasoning set forth in responses to comments in the Final EIR/EIS.

As noted, the Final EIR/EIS is incorporated into these Findings in its entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of Mitigation Measures, the basis for determining the significance of impacts; the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant and unavoidable adverse impacts. In the event a mitigation measure recommended in the Final EIR/EIS has inadvertently been omitted below, such a mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Section VI does not accurately reflect the mitigation measures in the Final EIR/EIS due to a clerical error, the language of the policies and implementation measures as set forth in the Final EIR/EIS shall control, unless the language of the policies and implementation measures has been specifically and expressly modified by these findings. Where the language of such measures differs between the Final EIR/EIS and these findings, the more stringent language shall control. The Board of Supervisors provides this direction in order to ensure that any such discrepancy shall be regarded as inadvertent, and shall not be regarded as an effort by the Board of Supervisors to undermine its commitment to adopt mitigation measures as necessary to avoid or substantially lessen significant environmental effects of the Project.

More generally, to the extent there are any inconsistencies in the mitigation measures identified in these findings, in Attachment A, or in the MMRP, any such inconsistencies are inadvertent and unintentional. The County intends that, in the event of such inconsistencies, such inconsistency shall be reconciled in the manner that affords the greatest possible protection to the environment, in a manner consistent with the specific terms of the mitigation measures as adopted. In the event there are any future uncertainties or disputes regarding the nature, scope or feasibility of the adopted mitigation measures, the Board of Supervisors directs staff to return to the Board of Supervisors, at a properly noticed public hearing, to consider any such uncertainties or disputes. The Board of Supervisors intends that, in the event such a hearing is necessary, the public and other agencies will have an opportunity to review and comment on the manner in which such measures are implemented, and the Board of Supervisor's resolution of such issues occurs in a manner that allows the public to understand the basis for the Board of Supervisor's decision.

These findings provide the written analysis and conclusions of the Board of Supervisors regarding the environmental impacts of the Project and the mitigation measures included as part of the Final EIR/EIS and adopted by the Board of Supervisors as part of the Project. To avoid duplication and redundancy, and because the Board of Supervisors agrees with, and hereby adopts, the conclusions in the Final EIR/EIS, these findings will not always repeat the analysis and conclusions in the Final EIR/EIS, but instead incorporates them by reference herein and relied upon them as substantial evidence supporting these findings.

In making these findings, the Board of Supervisors has considered the opinions of other agencies and members of the public. The Board of Supervisors finds that the determination of significance thresholds is a judgment decision within the discretion of the Board of Supervisors; the significance thresholds used in the EIR/EIS are supported by substantial evidence in the record, including the expert opinion of the EIR/EIS preparers and County staff; and the significance thresholds used in the EIR/EIS provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project. Thus, although, as a legal matter, the Board of Supervisors is not bound by the significance determinations in the EIR/EIS (see Pub. Resources Code, § 21082.2, subd. (e)), the Board of Supervisors finds them persuasive and hereby adopts them as its own.

Section VI of these findings summarizes the environmental determinations of the Final EIR/EIS and Project's potentially significant impacts before and after mitigation. Section VI does not attempt to describe the full analysis of each environmental impact contained in the Final EIR/EIS. Instead, Section VI provides a summary description of each impact, sets forth the mitigation measures identified to reduce or avoid the impact, and states the Board of Supervisors' findings on the significance of each impact after imposition of the adopted HMR Ski Area Master Plan Project's provisions and the recommended mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Final EIR/EIS and these findings hereby incorporate by reference the discussion and analysis in the Final EIR/EIS supporting the Final EIR/EIS's determination regarding the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the Board of Supervisors ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final EIR/EIS relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

Because the EIR/EIS identified significant effects that may occur as a result of the project, and in accordance with the provisions of the Guidelines presented above, the County hereby adopts these findings as part of the approval of the HMR Ski Area Master Plan Project. These findings constitute the County's best efforts to set forth the evidentiary and policy bases for its decision to approve the Project in a manner consistent with the requirements of CEQA. These findings, in other words, are not merely informational, but rather constitute a binding set of obligations that come into effect with the County's approval of the Project.

POTENTIALLY SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Draft EIR/EIS identified a number of significant and potentially significant environmental effects (or impacts) that the Project will cause or contribute to. These significant effects can be avoided or substantially lessened through the adoption of feasible mitigation measures. The Board of Supervisors' findings with respect to the Project's significant effects and mitigation measures are set forth in the table appearing at Attachment A to these findings. The findings set forth in the table are adopted and incorporated by reference.

This table does not attempt to describe the full analysis of each environmental impact contained in the Final EIR/EIS. Instead, the table provides a summary description of each impact, describes the applicable mitigation measures identified in the Draft EIR/EIS or Final EIR/EIS and adopted by the Board of Supervisors, and states the Board of Supervisors' findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found the Draft EIR/EIS and Final EIR/EIS, or elsewhere in the record of proceedings, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR/EIS's determinations regarding the Project's impacts and mitigation measures

designed to address those impacts. In making these findings, the Board of Supervisors ratifies, adopts, and incorporates into these findings the analysis and explanation in the Draft EIR/EIS, the Final EIR/EIS, or elsewhere in the record, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft EIR/EIS and Final EIR/EIS relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The Board of Supervisors has adopted all of the mitigation measures identified in the table. Some of the measures identified in the table are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the Board of Supervisors finds those agencies can and should implement those measures within their jurisdiction and control.

Some of the comments on the Draft EIR/EIS suggested additional mitigation measures and/or modifications to the measures recommended in the Draft EIR/EIS. In considering specific recommendations from commenters, the County has been cognizant of its legal obligation under CEQA to substantially lessen or avoid significant environmental effects to the extent feasible. The County recognizes, moreover, that comments frequently offer thoughtful suggestions regarding how a commenter believes that a particular mitigation measure can be modified, or perhaps changed significantly, in order to more effectively, in the commenter's view, reduce the severity of environmental effects. The County is also cognizant, however, that the mitigation measures recommended in the Draft EIR/EIS represent the professional judgment and experience of the County's expert staff and environmental consultants. The County therefore believes that these recommendations should not be lightly altered. Thus, in considering commenters' suggested changes or additions to the mitigation measures as set forth in the Draft EIR/EIS, the County, in determining whether to accept such suggestions, either in whole or in part, has considered the following factors, among others: (i) whether the suggestion relates to a significant and unavoidable environmental effect of the Project, or instead relates to an effect that can already be mitigated to less than significant levels by proposed mitigation measures in the Draft EIR/EIS; (ii) whether the proposed language represents a clear improvement, from an environmental standpoint, over the draft language that a commenter seeks to replace; (iii) whether the proposed language is sufficiently clear as to be easily understood by those who will implement the mitigation as finally adopted; (iv) whether the language might be too inflexible to allow for pragmatic implementation; (v) whether the suggestions are feasible from an economic, technical, legal, or other standpoint; (vi) whether the proposed language is consistent with the project objectives; and (vii) whether the suggestions may result in other impacts that are more severe than the impacts that the suggestions are designed to address, such that on the whole the suggestions do not reflect an improvement over those measures identified in the EIR/EIS.

As is evident from the specific responses given to specific suggestions, County staff and consultants spent significant time carefully considering and weighing proposed mitigation language, and in many instances adopted much of what a commenter suggested. In some instances, the County developed alternative language addressing the same issue that was of concern to a commenter. In no instance, however, did the County fail to take seriously a suggestion made by a commenter or fail to appreciate the sincere effort that went into the formulation of suggestions.

Based on this review, as is evident from the Final EIR/EIS and the above-described table, the County modified several of the original proposed measures in response to such comments (see Final EIR/EIS, chapter 24). The Board of Supervisors commends staff for its careful consideration of those comments, agrees with staff in those instances when staff did not accept proposed language, and hereby ratifies, adopts, and incorporates staff's reasoning on these issues.

For this project, the following impacts were identified as significant and unavoidable. That is, these impacts remain significant, despite the incorporation of all feasible mitigation measures to substantially lessen or avoid these impacts:

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Impacts TRANS-3 and TRANS-C1

The Project will result in a substantial impact upon the existing transportation systems, including roadways and intersections (TRANS-3). The Project will also result in significant cumulative impacts to transportation or circulation (TRANS-C1). Specifically, the Project will contribute to summertime traffic at the SR 89/SR 28 and SR 89/Pedestrian Crossing intersections (Fanny Bridge). Because this area is already known to be congestion, the addition of any traffic is considered significant, for both the Project and for cumulative conditions. The Project will contribute traffic to this area during the summertime Friday PM peak hour. Other studies (e.g., SR 89 Fanny Bridge Alternatives Traffic Study) have identified improvement alternatives to relieve congestion and reduce queuing on Fanny Bridge. Once these improvements are implemented the Project impact will be less than significant; however, funding for the improvement project (particularly state funding) has not been secured. The Project applicant is required to implement mitigation measure TRANS-3 (Implement Intersection Improvements). The Project applicant is also required to implement mitigation measure TRANS-C2 (Payment of Countywide Traffic Impact Fees). The applicant is therefore meeting its obligations to address these impacts. (CEQA Guidelines, § 15126.4, subd. (a)(4).) The impacts are significant and unavoidable due to uncertainties of other funding sources to address this impact, rather than due to the Project or project-related mitigation. Therefore, these impacts are significant and unavoidable. This impact is discussed in Final EIR/EIS chapter 11, and in chapter 23 (responses to comments) at Master Response 9.

The County received a number of comments concerning traffic impacts at Fanny Bridge and the “Y.” Generally, these comments noted the congestion at these locations. The comments also noted that plans have been developed to alleviate this congestion, and that funding sources are being identified. (See, e.g., Comment 250-2.) The County did not receive comments proposing new or revised mitigation measures to address these impacts. Rather, the comments recognized that this is an existing problem that is in the process of being addressed. The absence of such comment indicates that the measures identified in the EIS/EIR represent the only feasible mitigation measures available to address these impacts.

Impacts CC-C1 and CC-C2

The Project will generate GHG emissions, either directly or indirectly, that may, on a cumulative basis, have a significant impact on the environment (Impact CC-C1). In addition, the Project may conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs (Impact CC-C2). The Project has made a variety of commitments to address these impacts. These commitments are part of the Project Description, and therefore are binding elements of the Project that the applicant must implement. These commitments are described in Final EIR/EIS section 19.5. The Project is required to implement the following mitigation measures: CC-C1 (Document and Verify Implementation of the Project GHG Reduction Commitments); and CC-C2 (Implement Project Design Features to Further Reduce Project Contribution to Climate Change). No additional feasible mitigation measures have been identified to address these impacts. These impacts are therefore considered significant and unavoidable.

The County received a number of comments concerning the Project’s impact on GHG emissions and climate change. (See, e.g., Comment Letters 11, 12.) These letters state generally the County should not approve the project due to its climate-related impacts. The County has already described in detail measures available to address the Project’s GHG and climate change impacts. No new or different proposals to address GHG emissions were provided. (Final EIS, EIR, chapter 19 (climate change), chapter 23 (Master Response 19). Some comments stated the project should be down-sized in order to reduce its GHG emissions. These comments are addressed below under “alternatives.”

Other comments proposing new mitigation measures, or modifications of existing mitigation measures,

addressed impacts already found to be less than significant, avoided, and/or substantially lessened. The Final EIR/EIS reflects the County's response to all such proposals. The County hereby adopts the responses set forth in the Final EIR/EIS. The County notes further that, because these impacts have already been determined to be less than significant, the County need not adopt new or additional mitigation measures with respect to such impacts. (Pub. Resources Code, §§ 21002, 21081, subd. (a).)

MITIGATION MONITORING AND REPORTING PLAN

The County has prepared a Mitigation Monitoring and Reporting Plan (MMRP) for the Project. A copy of the MMRP appears at Chapter 21 to the Final EIR/EIS. The County, in adopting these findings, also approves the MMRP. The County will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period. The MMRP is attached to and incorporated into the Project and is approved in conjunction with certification of the EIR/EIS and adoption of these Findings of Fact. In the event of any conflict between these findings and the MMRP with respect to the requirements of an adopted mitigation measure, the more stringent measure shall control, and shall be incorporated automatically into both the findings and the MMRP.

RECIRCULATION OF DRAFT EIR/EIS

The Board of Supervisors adopts the following findings with respect to the need to recirculate the Draft EIR/EIS. Under section 15088.5 of the CEQA Guidelines, recirculation of an EIR/EIS is required when "significant new information" is added to the EIR/EIS after public notice is given of the availability of the Draft EIR/EIS for public review but prior to certification of the Final EIR/EIS. The term "information" can include changes in the project or environmental setting, as well as additional data or other information. New information added to an EIR/EIS is not "significant" unless the EIR/EIS is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.

"Significant new information" requiring recirculation includes, for example, a disclosure showing that:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The Draft EIR/EIS was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

(CEQA Guidelines, § 15088.5.)

Recirculation is not required where the new information added to the EIR/EIS merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The above standard is "not intend[ed] to promote endless rounds of revision and recirculation of EIRs." (*Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1132.) "Recirculation was intended to be

an exception, rather than the general rule.” (*Ibid.*)

The Board of Supervisors recognizes that the Final EIR/EIS incorporates information obtained by the County since the Draft EIR/EIS was completed, and contains additions, clarifications, modifications, and other changes. As noted above, several comments on the Draft EIR/EIS either expressly or impliedly sought changes to proposed mitigation measures identified in the Draft EIR/EIS as well as additional mitigation measures. As explained in the Final EIR/EIS (Text Changes and Responses to Comments), some of the suggestions were found to be appropriate and feasible and were adopted in the Final EIR/EIS and included in the MMRP. As discussed in the previous section of these findings, where changes have been made to mitigation measures to respond to comments, these changes do not change the significance of any conclusions presented in the Draft EIR/EIS.

CEQA case law emphasizes that “[t]he CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal.” (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-737; see also *River Valley Preservation Project v. Metropolitan Transit Development Bd.* (1995) 37 Cal.App.4th 154, 168, fn. 11.) “CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process.” [Citation.] In short, a project must be open for public discussion and subject to agency modification during the CEQA process.” (*Concerned Citizens of Costa Mesa, Inc. v. 33rd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 936.) Here, the changes made to mitigation measures are exactly the kind of project improvements that the case law recognizes as legitimate and proper.

The changes to the Project and mitigation measures described in Final EIR/EIS chapters 3 and 24. The changes are designed to incorporate specific suggestions from commenters. These revisions do not require recirculation of the Draft EIR/EIS. (See Final EIR/EIS, chapters 3, 24; see also responses to Comments 13a-33, 13a-64, 213-1.) None of these changes involves “significant new information” triggering recirculation because the changes to the mitigation measures do not result in any new significant environmental effects, any substantial increase in the severity of any previously identified significant effects, or otherwise trigger recirculation. Instead, the modifications were either environmentally benign or environmentally neutral, and thus represent the kinds of changes that commonly occur as the environmental review process works towards its conclusion. Under such circumstances, the County finds that recirculation of the EIR/EIS is not required.

Other changes are designed to reflect “Alternative 1A” – a revised version of the Project proposed by the applicant in order to reduce impacts on adjacent neighbors. As the Final EIR/EIS explains, the impacts of Alternative 1A are either the same as, or less than, the impacts of Alternative 1. The same mitigation measures apply. For this reason, the Board of Supervisors finds that the identification of “Alternative 1A” does not require recirculation of the Draft EIR/EIS. This alternative was developed by the applicant, the County and TRPA in order to respond to public comment on the original proposed project. Alternative 1A would reduce the impacts of Alternative 1. The applicant has not refused to proceed with Alternative 1A. Thus, the identification of Alternative 1A does not require recirculation. (See CEQA Guidelines, § 15088.5, subd. (a)(3); Final EIR/EIS, Chapter 23, Comments 13a-33.)

PROJECT ALTERNATIVES

A. Findings Regarding Project Alternatives

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would

substantially lessen the significant environmental effects of such projects[.]” The same statute states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR/EIS must evaluate this range of potentially feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible.

All of the environmental impacts associated with Alternative 1A – the Proposed Project – may be substantially lessened or avoided with the adoption of the mitigation measures set forth in these findings, with the exception of the following impacts:

- TRANS-3 (contribution to congestion at Fanny Bridge and “Y” at summertime PM peak hour)
- TRANS-C1 (cumulative contribution to congestion at Fanny Bridge and “Y” at summertime PM peak hour)
- CC-C1 (direct or indirect GHG emissions)
- CC-C2 (conflict with applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions)

The Board of Supervisors’ goal in evaluating the project alternatives was to select an alternative that feasibly attains the project objectives, while further reducing the proposed project’s significant and unavoidable impacts. (Final EIR/EIS, p. 3-9.) As set forth in the Final EIR/EIS, the purpose and objectives for the Project are as follows:

- Construct onsite residential and tourist accommodation units to support increased HMR skier visits during mid week operations;
- Optimize the quality of the existing winter ski experience and improve the year-round use of the site while responding to changes in technology, market trends and user preferences;
- Maintain consistency with the scale and character of Homewood, California;
- Enhance the lifestyle and property values of West Shore residents; and
- Generate sufficient revenues to support the proposed environmental and fire safety improvements and ensure the continued viability of the ski operations.

(Final EIR/EIS, chapter 3.2.)

The Draft EIR/EIS and Final EIR/EIS discussed several alternatives to the Project in order to present a reasonable range of options. To meet TRPA requirements for the consideration of alternatives, this environmental document evaluates the potential impacts of the Proposed Project (Alternative 1 – HMR Ski Area Master Plan), continuing operations in the Project area under existing conditions (Alternative 2 –

No Project), and four “Action Alternatives” that involve varying quantities and locations of Project elements. The Action Alternatives, described in detail below, are:

- Alternative 3 – No Code Amendment for Building Height;
- Alternative 4 – Close Ski Area, Develop Estate Lots;
- Alternative 5 – Compact Project area; and
- Alternative 6 –Reduced Project.

The Board of Supervisors finds that that a good faith effort was made to evaluate all feasible alternatives in the EIR/EIS that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the Project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR/EIS is not unduly limited or narrow. The Board of Supervisors also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the EIR/EIS and the ultimate decision on the Project. (See, e.g., Draft EIR/EIS, pp. 3-9 to 3-83; Final EIR/EIS, pp. 3-8 to 3-90; Final EIR/EIS, chapter 23, Master Response 2.)

B. Alternatives Analyzed in the Draft EIR/EIS and Final EIR/EIS

The goal for developing a set of possible alternatives was to identify other means to attain the project objectives while further reducing the less than significant environmental impacts caused by the Project. The EIR/EIS analyzed Alternatives 1, 1A, 2, 3, 4, 5 and 6. The EIR/EIS contains a detailed analysis of the impacts of each of these alternatives. The analysis appears throughout the Final EIR/EIS. The Board of Supervisors hereby incorporates by reference this analysis. Table 2-1 in the Final EIR/EIS summarizes the EIR/EIS’ conclusions concerning the impacts of, and mitigation measures applicable to, each alternative. This table includes Alternative 1A – the Project now proposed by the applicant.

Based on this analysis, the Board of Supervisors adopts the following findings with respect to each alternative.

Alternative 1 – Originally Proposed Project (HMR Ski Area Master Plan)

Alternative 1 is described in the HMR Ski Area Master Plan dated October 2010 and is a conceptual plan to redevelop mixed-uses at the North Base area, residential uses at the South Base area, a lodge at the Mid-Mountain Base area, and beginner ski area at the top of a new gondola that would originate from the North Base area. Alternative 1 is generally consistent with Alternative 1A, except that Alternative 1A includes certain refinements to the Master Plan in order to respond to concerns of neighbors. (See Final EIR/EIS, section 3.5.)

At the North Base area, Alternative 1 would remove four existing ski lifts and associated pads, footings and utilities; buildings and concrete foundations; stormwater treatment systems; asphalt parking surfaces; overhead transmission lines; and a pumphouse. At the South Base area, the Alternative 1 would remove one existing ski lift and associated pads, footings and utilities; buildings and concrete footings; concrete parking surfaces; and overhead transmission lines. The 17-acre North Base area will include six new mixed-use buildings and eight new townhouse buildings to provide 36 residential condominiums, 16 townhouses, 20 fractional ownership units, 75 traditional hotel rooms, 40 two-bedroom for sale condominium/hotel units, 30 penthouse condominium units, 25,000 square feet of commercial floor area (CFA), 13 affordable housing units (adjoined to a 4-story 272 space day skier parking structure), and a 30,000 square foot skier services lodge. The 6-acre South Base area will be converted to a 99-unit neighborhood condominium complex. Day-skier access and skier amenities will be relocated to the North Base area. The South Base area condominiums will be in three, three-story buildings.

The Mid-Mountain Base area will include a new 15,000 square foot day-use lodge with a detached

gondola terminal linked to the lodge by a covered passage, a new learn-to-ski lift, an outdoor swimming facility for use during the summer months by West Shore residents, a new snow-based vehicle (e.g., grooming equipment) maintenance facility, and two water storage tanks.

Alternative 1 would require TRPA Code of Ordinance amendments to Chapter 22 (Height) and 64 (Grading Standards), and TRPA Plan Area Statement (PAS) amendments for Plan Areas 157 (Homewood), 158 (McKinney Tract Residential) and 159 (Homewood/Commercial). Placer County Plan Areas would also require amendments to the same Plan Area Statements under the adopted West Shore Area General Plan (1998).

Alternative 1 would have the same potentially significant impacts as the Project. The same mitigation measures would apply. As the Final EIR/EIS notes, “[m]oving the parking structure near SR 89 and relocating the condominiums nearer existing residential units under Alternative 1A better reflects the existing neighborhood land use layout.” (Final EIR/EIS, p. 24-66; see also *id.* at p. 24-68.) In this respect, Alternative 1 would have greater land-use impacts than would the Project. Similarly, because Alternative 1 includes four more residential units than Alternative 1A (the Project), Alternative 1 would result in slightly greater traffic and air quality impacts; here again, the same mitigation measures would apply, and the resulting impacts would be virtually identical to those of the Project. (See Final EIR/EIS, p. 24-144, fn. 2; p. 24-295, fn. 4.) The Board of Supervisors therefore finds that, from an environmental perspective, Alternative 1 is environmentally comparable to the Project. The County finds that Alternative 1 is feasible and attains the objectives for the Project. By comparison, the Project (Alternative 1A) is more responsive to land-use compatibility concerns of neighbors, is feasible, and also attains the objectives for the Project. For this reason, the County rejects Alternative 1.

Alternative 1A – Revised Proposed Project

HMR has proposed modifications to Alternative 1 based on input from neighbors at the North and South base areas. The modifications and resultant environmental analysis are identified as Alternative 1A in Final EIR/EIS chapters 3 through 21, and are described throughout these findings as the “Project.”

Alternative 2 – No Project (Existing Conditions)

Under the No Project (Alternative 2), HMR will continue to be operated under existing conditions. Total land coverage will remain around 1,781,000 square feet, (approximately 271,000 square feet - North Base area, 117,000 square feet - South Base area, and 1,394,000 square feet - on-mountain hard and soft coverage). Facilities at the existing North Base area include food services/bar, restrooms, ski school, rentals and repairs, retail sales, ticket sales, ski patrol, employee lockers, storage, mechanical rooms, and administrative offices. Facilities at the existing South Base area include food services/bar, restrooms, retail sales, daycare/nursery, ticket sales, ski patrol, employee lockers, storage, mechanical rooms, and administrative offices. The white tent structure (warming shelter) and the existing concrete foundation located near the Mid-Mountain will remain. No TRPA Code of Ordinance or PAS amendments would be required for the No Project (Alternative 2).

Alternative 2 avoids the Project’s significant and unavoidable impacts with respect to traffic at Fanny Bridge and GHG emissions. In this respect, Alternative 2 is environmentally superior to the Project. Alternative 2 would also result in the following significant and unavoidable impacts:

- LU-1
- SCENIC-1
- SCENIC-2
- GEO-3
- HYDRO-1

- HYDRO-2
- HYDRO-4
- HYDRO-C1

These impacts relate to the fact that visual, geological and hydrological improvements proposed as part of the Project would not occur, such that existing problems would remain.

For example, the EIR/EIS includes a description of existing conditions with respect to hydrology. Under existing conditions, sediment yields exceed applicable thresholds of concern. This impact is considered significant and unavoidable because under this alternative no actions would be taken to address this existing condition. (Draft EIR/EIS, p. 15-49.) Similarly, existing visual conditions that do not comply with applicable thresholds will persist. (Draft EIR/EIS, p. 10-28.)

As the Draft EIR/EIS states, “[s]election of the No Project Alternative 2 would avoid the adverse impacts generated by construction activity and residential and tourist growth resulting from the CEP action alternatives; however, the water quality and soil restoration benefits would not occur and according to HMR, the long-term economic viability of the ski resort would be in doubt. Consequently, the No Project Alternative is not considered to be environmentally superior or environmentally preferred.” (Draft EIR/EIS, p. 20-21.) For this reason, the Board of Supervisors rejects Alternative 2. The Board of Supervisors rejects Alternative 2 for the further reason that this alternative would meet none of the objectives for the Project.

Alternative 3 – No Code Amendment for Building Height

Alternative 3 would include the same uses identified above for the Proposed Project (Alternative 1). However, under Alternative 3, additional buildings with larger building footprints would accommodate proposed uses with building heights that meet existing TRPA height standards. At the North Base area, Buildings A and B would include four additional structures located up slope of the building sites in the Proposed Project (Alternative 1). At the South Base area, Buildings A and B would include two additional structures located up slope of the building sites in the Proposed Project (Alternative 1). Alternative 3 would require each of the TRPA Code of Ordinance and PAS amendments outlined for the Proposed Project (Alternative 1) with the exception of the Chapter 22 amendment for additional height, which would not be required.

Impacts associated with Alternative 3 are generally comparable to those of the Project, and the same mitigation measures would apply. With respect to air quality, however, Alternative 3 would result in the following significant and unavoidable impacts:

- AQ-1 (PM10 and PM2.5 emissions during construction)
- AQ-4 (conflict or obstruct with implementation of the applicable air quality plans_
- AQ-C1 (cumulative emissions during construction)

The Project, as mitigated, avoids these impacts. In that respect, the Project is environmentally superior to Alternative 3. Alternative 3 does not avoid the Project’s significant and unavoidable impacts (TRANS-3, TRANS-C1, CC-C1, CC-C2). Because Alternative 3 does not offer any environmental advantages over the Project, and results in significant and unavoidable impacts that would not occur under the Project, the Board of Supervisors rejects Alternative 3.

Alternative 4 – Close Ski Resort – Estate Lots

Alternative 4 would close HMR and create 16 estate residential lots on the mountain and one commercial lot. A majority of the estate home lots would be located on the lower portion of the former ski area, and

the commercial lot would be located at the North Base area. For purposes of this analysis, the commercial lot would include up to 15,000 square feet of CFA in the area of the existing parking lots, which would have to be transferred to the Project area. One PAS amendment is proposed under Alternative 4. Alternative 4 proposes commercial uses within the North Base area parking lot currently located in TRPA Plan Area 157 and Placer County Plan Area 159. No TRPA Code of Ordinance amendments would be required for Alternative 4.

Alternative 4 would generate less traffic, and would therefore avoid the Project's significant and unavoidable impacts with respect to traffic and climate change. (TRANS-3, TRANS-C1, CC-C1, CC-C2.) In this respect, Alternative 4 is environmentally superior to the Project. Nevertheless, the Board of Supervisors rejects Alternative 4. First, Alternative 4 would result in the following significant and unavoidable impacts:

- LU-1
- LU-C1
- REC-2
- REC-C1

In particular, Alternative 4 would eliminate existing ski runs at Homewood. As the Draft EIR/EIS states: "[I]mplementation of Alternative 4 would cause a significant and unavoidable impact based on the loss of the winter ski resort use and the currently assigned PAOTs for HMR. There are currently no closed ski areas in the Basin that could be re-opened to replace recreational uses at HMR, and the development of a new ski area is not considered feasible based on land ownership, environmental constraints, and land management regulations in the Basin. Consequently, no feasible mitigation measure is identified to reduce the significant impact of Alternative 4 on recreational access." (Draft EIR/EIS, pp. 18-14 - 18-15.) This impact is significant and unavoidable on a project-specific and cumulative basis. The loss of these recreational facilities would also result in significant and unavoidable land-use impacts on a project-specific and cumulative basis. As the Draft EIR/EIS states:

As addressed above and in Chapter 4 (Relationship to Existing Land Use Plans, Policies, and Regulations), Alternative 4 is not consistent with many TRPA or Placer County land use plans, goals, policies, and provisions adopted for the purpose of avoiding or mitigating environmental effects. For example, closure of the ski resort is considered a significant land use impact as a major recreational provider would cease to exist/operate affecting recreation resources available in the Lake Tahoe Basin and supporting commercial services. As a result, numerous policies included in the County and TRPA Plan Areas would not be achieved. Ski Resort closure would also affect the adjacent tourist plan area 159 as the resort area would be substantially redefined and future commercial uses would be severely limited without the tourist draw of the ski resort. As discussed above, long-term environmental impacts may also result, such as water quality impacts from the on mountain roadway network. Therefore, this impact is considered to be significant and unavoidable. (Draft EIR, p. 6-31.)

The Board of Supervisors rejects Alternative 4 on this basis.

Moreover, Alternative 4 would meet none of the objectives for the Project. The existing ski facility would be closed, and the site would be redeveloped for estate residential uses. The project objectives focus on ensuring the continued viability of the ski resort.

Alternative 5 – Compact Project Area

Under Alternative 5, the PAS 159 boundary line adjustment proposed under Alternatives 1 and 3 would be reduced to include only the existing paved and gravel parking lots at the North Base area. North Base areas above these two parking areas and the entirety of the South Base area would remain in Plan Area

157 (Recreation). The proposed 225 multi-family residential units would be located in the existing North Base parking areas, substantially reducing the area proposed for addition to Plan Area 159 (Commercial). The 75-room hotel, 30,000 square feet of CFA, and 25,000 square feet of skier service uses would remain in Plan Area 157 up slope of the multi-family residential uses, where these uses are currently allowed. At the South Base area, 16 single-family residential lots would be reconfigured along with a small skier services building for locals using existing HMR parcels and a boundary line adjustment. Alternative 5 includes 12 onsite affordable housing units attached to a 156-space day skier parking structure. An amendment to TRPA Code of Ordinances Chapter 22 will be required for additional building height. TRPA will require PAS 159, 158 and 157 amendments for plan area boundaries, allowable uses, density, and special policies. Placer County Plan Areas would also require amendments to the same Plan Area Statements under the adopted West Shore Area General Plan (1998).

Alternative 5 would result in impacts to traffic and climate change that would be comparable to those of the Project (TRANS-3, TRANS-C1, CC-C1, CC-C2). Alternative 5 would also result in the following, additional significant and unavoidable impacts:

- LU-1
- LU-2
- LU-C1
- AQ-1
- AQ-4
- AQ-C1

Alternative 5 is also less consistent with TRPA policies related to building heights. (Final EIR/EIS, p. 10-54 et seq.) Thus, as compared to the Project, Alternative 5 avoids no significant impacts, and results in additional significant impacts that the Project does not. For this reason, the Board of Supervisors rejects Alternative 5.

Alternative 6 – Reduced Project

Under Alternative 6, the PAS 159 boundary line adjustment proposed for the Proposed Project (Alternative 1) and Alternative 3 would be reduced to eliminate the proposed townhouses at the North Base area. A majority of the South Base area would remain in Plan Area 157 (Recreation) with the exception of the site of the existing skier services lodge, which would be redeveloped into a multi-family residential condominium building and added to Plan Area 158 (Residential). Alternative 6 proposes 75 tourist accommodation units (TAUs) located in the hotel/lodge building. To offset the large reduction in TAUs under Alternative 6, the number of proposed multi-family residential units (for sale units) would be increased to a total of 195 (from 181 included in Alternative 1), of which 145 units would be located at the North Base area and 50 units would be located at the South Base area. The remainder of the South Base area would include 14 single-family residential lots reconfigured along with a small skier services building using existing HMR parcels and a boundary line adjustment. Alternative 6 includes 12 onsite affordable housing units attached to a 156-space day skier parking structure. The proposed development at the Mid-Mountain area will be the same as the Proposed Project (Alternative 1) and Alternatives 3 and 5. Amendments to TRPA Code of Ordinances are proposed for Chapter 22 – additional building height, Chapter 33 – additional TAU distribution, Chapter 35 – tourist accommodation bonus units, and Chapter 64 – groundwater interception for below-grade parking. TRPA will require PAS 159, 158 and 157 amendments for plan area boundaries, allowable uses, density, and special policies. Placer County Plan Areas would also require amendments to the same Plan Area Statements under the adopted West Shore Area General Plan (1998).

Alternative 6 would result in the same significant impacts as the Project, and the same mitigation measures would apply. In particular, Alternative 6 would result in significant and unavoidable impacts to

traffic and climate change (TRANS-3, TRANS-C1, CC-C1, CC-C2). Alternative 6 includes a lower number of residential units, and therefore results in incrementally lower impacts with respect to traffic and climate change (although these impacts remain significant and unavoidable). (See Final EIR/EIS, Table 11-17). In this respect, Alternative 6 is environmentally superior to the Project. (See Draft EIR, pp. 20-21 – 20-22.)

Alternative 6 would result in significant and unavoidable air quality impacts during construction. (Final EIR/EIS, Table 12-14.) Although mitigation measures are available to address this impact, PM10 emissions remain significant and unavoidable under this alternative. (Final EIR/EIS, pp. 24-160 – 24-161.) The Project, as mitigated, avoids this impact. In this respect, Alternative 6 is not the environmentally superior alternative.

From an environmental perspective, Alternative 6 represents a trade-off as compared to the Project. Alternative 6 would result in incrementally fewer traffic and climate change impacts, although certain of these impacts would remain significant and unavoidable. At the same time, Alternative 6 would result in significant and unavoidable air quality impacts during construction, whereas the Project would avoid these impacts. The Board of Supervisors finds that, from an environmental perspective, long-term impacts related to traffic and climate change are of greater weight than short-term impacts related to construction. For this reason, the Board of Supervisors agrees with the EIR that, taken as a whole, Alternative 6 is the environmentally superior alternative.

The EIR states that Alternative 6 would meet the project objectives. (Draft EIR/EIS, pp. 20-21 – 20-22.) The Board of Supervisors disagrees based on a determination that Alternative 6 is infeasible. Economic analyses have been provided to the County concluding that Alternative 6 will generate an insufficient rate of return to finance long-term operations and capital improvements necessary to ensure the viability of the ski resort. Based on reasonable estimates of occupancy rates and per-skier revenue, Alternative 6 does not provide enough residential units to support the resort. This information is summarized in Final EIR/EIS Master Response 3. The Board of Supervisors has reviewed this master response, and the information submitted in support of the master response, and concurs with its analysis. For this reason, the Board of Supervisors rejects Alternative 6.

C. Other Alternatives

A number of alternatives were considered in the initial screening and were not considered or further analyzed in the EIR/EIS. The Board of Supervisors hereby incorporates by reference the discussion of these alternatives in the Draft EIR/EIS. (Draft EIR/EIS, pp. 4-17 - 4-19.)

The public suggested several alternatives during the Project Scoping process through written and oral comments. While the specific components varied with each comment, three main types of alternatives were suggested: A Reduced Size Alternative, an Existing Land Coverage Alternative, and a Conservation Alternative. These alternatives were suggested to reduce or avoid potential project-related impacts to air and water quality, noise, traffic, biological resources, and compatibility with adjacent communities. The alternatives were considered during initial alternative development and in response to public scoping, but were rejected for further, detailed consideration as described in Section 3.4. Table 3-3 summarizes the comments received during scoping that requested further analysis of additional alternatives and identifies the Draft EIR/EIS' consideration of such alternatives.

During the public review period for the Draft EIR/EIS, comments were submitted stating that the EIR/EIS should analyze additional alternatives. Generally, these comments were not specific regarding the alternatives to be added to the analysis. These comments stated generally, however, that the EIR/EIS should analyze an alternative consisting of fewer residential units. The Final EIR/EIS responds to these comments. (See Final EIR/EIS, Master Response 2.) The Board of Supervisors hereby finds that this

response is appropriate.

In particular, the EIR/EIS analyzes in detail Alternative 6, which consists of a reduced number of residential units. As set forth above, the Board of Supervisors finds that Alternative 6 is infeasible. For the same reason, the Board of Supervisors finds that alternatives consisting of fewer units than Alternative 6 are similarly infeasible.

The Board of Supervisors also finds such alternatives would not avoid or substantially lessen the Project's significant and unavoidable effects. As noted above, two of the Project's significant and unavoidable impacts concern existing traffic congestion at Fanny Bridge. The traffic analysis prepared for the Project concludes, however, that Alternative 6 will also contribute to congestion at Fanny Bridge, even though Alternative 6 contains fewer residential units. (See Final EIR/EIS, chapter 11, discussion of Impact TRANS-3 – see Table 11-21.) An alternative containing fewer residential units than Alternative 6 will nevertheless contribute traffic to this intersection. The only way to avoid this impact would be to reduce peak-hour summertime traffic generated by the project so that the project generates less traffic at this intersection than it does under existing conditions. That cannot be accomplished while achieving the basic objectives of the project. Reductions in residential units would also reduce traffic impact fees paid by the project; a portion of these fees will be used to help finance construction of improvements at Fanny Bridge.

The Project will also result in significant and unavoidable climate change impacts. These impacts are analyzed in detail in Final EIR/EIS chapter 19. The EIR/EIS includes an estimate of the Project's GHG emissions. The EIR/EIS also estimates GHG emissions from Alternative 6. As the analysis shows, reducing the number of residential units under Alternative 6 does not result in a substantial decrease in GHG emissions. (Final EIR/EIS, chapter 19, Table 19-28.) The Board of Supervisors finds that further reducing the number of units would not avoid or substantially lessen these impacts. Any further reductions in units will also render the project financially infeasible, and therefore fail to achieve project objectives.

The alternatives analyzed in the EIS/EIR already consists of a reasonable range of potentially feasible alternatives. For this reason, the detailed analysis of another alternative is not required. In addition, an alternative consisting of further reductions in the size and scale of development is considered infeasible and would not attain most of the basic objectives of the Proposed Project. The project objectives include:

- Construct onsite residential and tourist accommodation units to support increased HMR skier visits during mid week operations;
- Generate sufficient revenues to support the proposed environmental and fire safety improvements and ensure the continued viability of the ski operations.

(Draft EIR/EIS, pp. 3-8 – 3-9.)

HMR has submitted information showing that Homewood's current winter operations are financially infeasible to sustain. Homewood had an operating loss of approximately \$5 million during the period 2006-2009. That loss did not take into account additional capital investments that need to be made on an ongoing basis in order to remain competitive within the ski industry. Based on its attendance figures, HMR has concluded that Homewood's mid-week, non-holiday attendance figures are too low to support ski operations. The key project objective, therefore, is to construct improvements at Homewood that will boost mid-week, non-holiday attendance figures. Boosting mid-week, non-holiday patronage would also attract visitors during the time of the week when traffic is relatively light, such that impacts on the surrounding area would be minimized. The traffic analysis confirms that, due to the shift from weekend/holiday to mid-week patronage, the Proposed Project would not have a significant impact on winter-time traffic levels of service.

An alternative that eliminates overnight lodging would be inconsistent with HMR's objective to transform Homewood into an overnight destination, rather than a resort patronized primarily by day-skiers. In addition, an alternative that reduces further the number of residential units would be financially infeasible. HMR has provided TRPA and the County with an analysis by Bay Area Economics. The analysis concludes that Alternative 6 (282 units) would generate an insufficient rate of return in order to be feasible. Alternatives consisting of fewer than the 282 units included in Alternative 6 would likewise be financially infeasible, in that such alternatives would further reduce the number of mid-week, non-holiday skiers. For further information regarding financial feasibility and Homewood's objectives for the Proposed Project. (See Findings Relating to Alternative 6 and EIR/EIS, Chapter 23, Master Response 3.)

A number of public comments on the Draft EIR/EIS request consideration of an Alternative that complies with all current TRPA Codes and Plan Areas. There is no legal requirement that an alternative be considered that complies with all Regional Plan documents (e.g., Code of Ordinances, Goals and Policies, Plan Areas) without amendment. As described above, the TRPA Code of Ordinances Subsection 5.8.A(2) only requires that an EIS include appropriate alternatives to the proposed action.

The "No Project Alternative" does not require amendments to the TRPA Codes or Plan Areas and is evaluated in the EIS/EIR as required under CEQA (See Draft EIR/EIS, p. 3-48). Alternative 4 is an Estate Lot Alternative developed by HMR to comply with existing Codes and Plan Area guidance. Alternative 4 would close the ski resort and convert the mountain into 16 residential estate lots and one commercial lot. Alternative 4 includes a proposal to convert the existing North Base ski area parking area into a commercial use. Plan Area 157 allows commercial uses, but does not allow for transfer of development rights (e.g., the transfer of commercial floor area into the Plan Area). To accommodate transfer of commercial floor area to PAS 157, one PAS amendment is required, adding transfer of development rights for existing development. No other Code of Ordinance or PAS amendments would be required for Alternative 4 (See Draft EIR/EIS, p. 3-53).

(See EIR/EIS, Chapter 23, Master Response 2.)

D. Environmentally Superior Alternative

CEQA requires the identification of an Environmentally Superior Alternative; an alternative to the project that has no significant effect or has the least significant effect on the environment while substantially accomplishing the objectives of the project. For reference, significance under CEQA is determined based on substantial or potentially substantial adverse changes of any of the physical environmental conditions due to the Project as compared to the existing conditions.

The Proposed Project (Alternative 1/1A) and other CEP Alternatives would redevelop the Base Areas of the existing HMR and improve the quality of the existing winter day use recreational facility. Alternatives 1/1A, 3, 5 and 6 are CEP Alternatives and include restoration of existing ground disturbance on the upper mountain, land coverage reduction, and stormwater treatment systems at the base areas designed for the 50 year, 1 hour storm, which would create benefits for long-term water quality, soil condition, and stream environment zones (SEZ). Alternative 4 would close the ski resort and therefore include the eventual restoration of much of the existing upper mountain disturbance, but would eliminate an existing winter day use recreational facility. Selection of the No-Project Alternative 2 would avoid the adverse impacts generated by construction activity and residential and tourist growth resulting from the CEP action alternatives; however, the water quality and soil restoration benefits would not occur and according to HMR, the long-term economic viability of the ski resort would be in doubt. Consequently, the No Project Alternative is not considered to be environmentally superior or environmentally preferred.

The No Project Alternative would not meet the project objectives stated in Chapter 3, "Project Description," of the Draft EA/EIR. CEQA Guidelines section 15126, subdivision (d)(2), requires that the

Description,” of the Draft EA/EIR. CEQA Guidelines section 15126, subdivision (d)(2), requires that the EA/EIR identify another alternative as environmentally superior. Of the CEP Action Alternatives, Alternative 6, Reduced Project, is identified in Section 19.5 of the Draft EA/EIR as the environmentally superior alternative among the other development alternatives because it would:

- reduce the amount of existing land coverage (approximately 23 20 percent) the most among viable CEP Alternatives (Alternative 5 is not viable because of proposed density and adverse impacts to scenic quality ratings), which would reduce soils, hydrologic, and stream zone impacts;
- include the greatest decrease of winter vehicle trips and VMT of the CEP Alternatives (see Table 11-17);
- include the smallest increase of summer vehicle trips and VMT of the CEP Alternatives (see Table 11-17); and
- implement the proposed environmental benefits included in the HMR Master Plan and summarized in Table 2-2 of this EIR/EIS.

(Draft EIR/EIS, Chapter 20, pp. 20-21 to 20-22.)

As explained above, based on the analysis in the EIR/EIS, the Board of Supervisors finds that Alternative 6 (“Reduced Project”) is the environmentally superior alternative. The Board of Supervisors rejects this alternative, however, because this alternative is infeasible. The basis for this finding is summarized above.

STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA section 21081 and CEQA Guideline 15093, the Board of Supervisors hereby finds, after consideration of the Final EIR and the evidence in the record, that each of the specific overriding economic, legal, social, technological and other benefits of the Project as set forth below independently and collectively outweighs these significant and unavoidable impacts and is an overriding consideration warranting approval of the Project. Any one of the reasons for approval cited below is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Board of Supervisors will stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this Section, and in the documents found in the Record of Proceedings.

On the basis of the above findings and the substantial evidence in the whole record of this proceeding, the Board of Supervisors specially finds that there are significant benefits of the proposed Project to support approval of the Project in spite of the unavoidable significant impacts, and therefore makes this Statement of Overriding Considerations.

Specifically, the Project will result in significant and unavoidable impacts to Transportation (Impacts TRANS-3 (Summer Queuing) and TRANS-C1 (Cumulative Summer Queuing)), CC-C1 and Climate Changes (Impacts CC-C1 and CC-C2).

The project’s air quality impacts, including GHG emissions, are associated in large measure with indirect emissions from persons travelling in vehicles to or from the site. As required under the TRPA Code of Ordinances, the Project is required to offset the proposed on-site increase in TAUs with a reduction in TAUs elsewhere in the Tahoe basin. The reduction of TAUs elsewhere in the Tahoe basin will result in a reduction of vehicle trips as well, with a corresponding reduction in VMTs. The analysis set forth in the

EIR/EIS did not take into account the offsetting reduction in VMTs or emissions associated with the retirement of TAUs. In this respect, the analysis in the EIR/EIS is overly conservative. Following publication of the Final EIR/EIS, the County's consultants performed an analysis of the impact of a reduction in TAUs elsewhere in the Tahoe basin. The analysis shows that, taking this factor into account, the Project will result in a net decrease in VMTs. For this reason, the analysis of air pollutant emissions (including GHGs) in the EIR/EIS overstates the actual impact of the Project. Nevertheless, Impacts CC-C1 and CC-C2 are still considered significant and unavoidable.

Impacts TRANS-3 and TRANS-C1 are associated with congestion at Fanny Bridge and the "Y" during the summertime peak hour. The project is required to pay its "fair share" towards the cost of constructing planned improvements at Fanny Bridge. (See Mitigation Measure TRANS-3; Development Agreement, § 2.5.4.1.) This impact is identified as significant and unavoidable due to uncertainties about other sources of funding or the timing of construction of this improvement. The Project, however, is already required to contribute to implementing this improvement. (See Memorandum to Board of Supervisors from Hauge Brueck re: appeal of certification of EIR, response 1; see also Final EIR/EIS, Master Responses 9, 10, 11.) Nevertheless, Impacts TRANS-3 and TRANS-C1 are considered significant and unavoidable.

Although the Board of Supervisors finds that the Project will result in these significant and unavoidable impacts, the Board also finds that the Project benefits as described below, including benefits such as water quality improvements, retirement of sensitive lands, an overall reduction in land coverage and sustainable development that relate directly to areas of impact, as well as all other benefits described below and elsewhere in this document, outweigh these impacts.

The Board of Supervisors further finds that, as part of the process of obtaining Project approval, all significant effects on the environment from implementation of the Project have been eliminated or substantially lessened where feasible. All mitigation measures proposed in the FEIR that are applicable to the Project are adopted as part of this approval action. Furthermore, the County has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following specific overriding economic, technical, legal, social and other considerations. Any alternatives proposed by the public are rejected for the reasons set forth in the EIR/EIS and the reasons set forth herein.

The Project has the following benefits:

EIP Projects

- Project Number 632 - Homewood Ski Area Master Plan
- Project Number 86 - Scenic Roadway Unit 11- Homewood
- Project number 775 - Homewood Area Pedestrian Facilities
- Project Number 855 - Tahoe City "Y" Realignment (fair share participant)
- Project Number 725 – Design a stormwater treatment system to treat the 50 year/1 hour storm event within the north and south base areas
- Project Number 996 – SR 89 stormwater treatment

The Development Agreement requires that the Applicant pay a fee of \$250,000 toward improvements for the Fanny Bridge in Tahoe City and a fee \$250,000 towards the construction costs of Placer County EIP projects. (Development Agreement, § 2.5.4.)

Water Quality

- Treatment of the 50 year/1 hour Storm Event for proposed redevelopment areas (EIP 725).
Capture of water runoff planned through a series of vaults and infiltration galleries.

- Removal of culvert and fill from the SEZ at the South Base area and day lighting Ellis/Homewood Creek channel.
- Participation in local Homewood elements of environmental improvement project (EIP 996); a 9 mile segment of SR 89 in Placer County by helping to implement runoff treatment facilities, and erosion control features, including high level stormwater treatment vault and a series of additional vegetated basins to treat SR 89 runoff.
- Substantial land coverage reduction and restoration on the upper mountain areas (there is a commitment in the Master Plan for a total of 500,000 square feet of total land coverage restoration, – all of which must be verified by TRPA for potential relocation, banking or retirement).
- A majority of building footprints to be located on land capability classes 4 and higher.

Recreation

- By keeping the ski resort open, existing PAOTs assigned to Homewood would remain in operation and the 1987 TRPA Regional Plan assignment of 1,100 PAOTs to HOMEWOOD would remain available for potential use at the Resort (although the Master Plan does not propose to expand PAOT capacity).
- Provide five miles of hiking trails within PAS 157. Trails include directional markings, mapping, and interpretive signs. Trails will also be linked to pedestrian access pathways at the North and South Bases.
- Mid-mountain lodge located at the top of the proposed Gondola would be available for the public to use (pool, access to hiking, etc.) The lodge will include a space dedicated to members of the HMR HOA. Use of the pool will be open to residents of the west shore from Tahoma to Sunnyside (proximate to Homewood) to fulfill a void for area residents.
- New outdoor amphitheater at the North Base area for hosting outdoor concert events and use as the permanent home of the Lake Tahoe Music Festival.
- A cross country ski connection, which is an extension of the old Olympic course, is proposed for future consideration.

Air Quality/ Transportation

- Winter VMT reduction (based on reducing existing weekend day visitors with residents and guests of the proposed resort facilities).
- Provision of transit kiosk with signs, maps, etc.
- Integrate transportation linkages.
- A Tahoe City Public Utility District (TCPUD) bike path into the North Base area. An eight-passenger gondola will bring guests up to the Mid-Mountain Base area. The existing Tahoe Area Regional Transit (TART) stops will be furnished with shelters (two possibly three stops at resort), and proposed dial-a-ride, shuttle, and water taxi services will be provided to reduce vehicle miles traveled (VMTs).
- Alternative transportation initiatives include 2-20+ passenger water taxis for use during summer months, summer and winter dial-a-ride service (7 days a week, at a minimum from 8 AM to 6 PM), and shuttle service. Shuttle service between bases will reduce parking demand at the North Base. Additional alternative transportation measures planned include a free-use bicycle fleet for resort guests, 5-hybrid electric rental vehicles for resort guest use, implementation of the missing bike trail segment. TART passes provided for employees, and shuttle service provided to/from employee housing areas not on a TART route. Summer scheduled shuttle service to/from Tahoe City, 7 days a week from 9 AM to 8 PM (scheduled to augment existing TART service).
- Pedestrian facilities will be built in the Homewood area to serve commercial businesses, improve access, improve drainage collection and treatment and provide scenic improvements (EIP 775).

- Pedestrian oriented plans with pedestrian access to neighborhood oriented retail and TCPUD bike trail connection to North Base area reduces VMT. On-site daycare to reduce vehicle trips.
- Fair-share participant in SR 28/SR 89 intersection improvement project (EIP 855)
- Limitation of total maximum ticket sales during the winter season & limiting day skier parking to 400 on-site parking spaces; electronic signage at the Tahoe City "Y" alerting travelers when ski parking is full, alternative means of transportation. Plan calls for a limitation on ticket sales to those arriving via transit only once parking lot at site is full.
- Potential to stockpile excavated materials on-site for use by other area projects such as the Blackwood Creek Restoration Project. This would reduce truck trips and VMT caused by material hauling during construction.

In addition, an analysis performed by the County's air quality consultant concludes that, with the reduction in TAUAs as required by the TRPA Code of Ordinances, the Project will result in a net reduction in VMTs.

Scenic Resources

- Underground utility lines throughout the Project area.
- Existing landmark trees integrated into landscape design.
- Implement landscape frontage improvements, access controls, building upgrades, sign conformance & walkways throughout project site.
- Underground parking and replacement of surface parking lot at frontage with landscaping and pedestrian paths.
- Articulated design and incorporation of natural building materials.
- Public outdoor artwork at: hotel landscaped area, day skier drop-off landscape area and public ice pond. Public art also planned at indoor public spaces in hotel and day skier facility. Artwork by local/regionally based artists.

Forest Health

- Homewood Mountain Resort has treated over 400 acres of forested areas to reduce the threat of catastrophic fire. There is a plan to continue the forest thinning/fuels management for all forested areas within the 1,200 acre Homewood Mountain Resort and the adjacent 100-acre TCPUD open space parcel. The fuels management program uses a chipper that grinds up fuels waste and spreads the resulting chip material onto the forest floor which helps to reduce storm water runoff and maintain a healthier forest floor.

Housing

- Provision of 13 on-site affordable employee housing units under the proposed Master Plan.
- Employee transportation (buses & shuttles) to be provided for off-site employee housing locations (Tahoma/Sunnyside).

LEED Certification

- The north base proposal has been accepted into and will be designed under the LEED for Neighborhood Development Pilot Program. The south base, although not a part of the LEED for Neighborhood Pilot Program, will also be designed to stringent sustainable development standards using the LEED criteria as a template. The US Green Building Council initial formal feedback suggests plan is on course for Gold Level.

Open Space

- All open space in master plan proposal is publically accessible. Primary open space areas at north base centered around the seasonal public ice pond area/ miniature golf & landscaped frontage adjacent to SR 89.
- Deed restriction from further non-recreational development to be placed on whole of mountain beyond the North and South Base areas & Mid-Mountain Base area.
- Linkage from the public/pedestrian oriented spaces at base areas to a hiking trail system on mountain aided through a new way finding/graphic system.

(Final EIR/EIS. pp. 6-21 through 6-23; Table 6-2.)

Jobs

- The Project is estimated to generate approximately 500 construction jobs.
- Following construction, the Project is estimated generate approximately 181 FTE employees.

(Final EIR/EIS, chapter 7; testimony of Art Chapman to Board of Supervisors (November 15, 2011).)

Having considered these benefits, the Board of Supervisorş finds that the benefits of the Project outweigh the unavoidable adverse environmental effects, and that the adverse environmental effects are therefore acceptable. The Board of Supervisors further finds that each of the above considerations is sufficient to approve the project. For each of the reasons stated above, and all of them, the project should be implemented notwithstanding the significant unavoidable adverse impacts identified in the EIR/EIS.

District Tahoe City Public Utility District
 Division Nevada Division of Fish and Wildlife
 DSOD California Department of Water Resources, Division of Safety of Dams
 EA Environmental Assessment
 EIR Environmental Impact Report
 EIS Environmental Impact Statement
 ERU Equivalent Residential Unit
 ETCCs Environmental Threshold Carrying Capacities
 FEMA Flood Emergency Management Agency
 FESA Federal Endangered Species Act
 FTE Full Time Equivalent
 Forest Service United States Department of Agriculture Forest Service
 Fossils Paleontological Resources
 GBUAPCD Great Basin Unified Air Pollution Control District
 GHG Greenhouse Gases
 H₂S Hydrogen Sulfide
 HABS Historic American Buildings Survey
 HAER Historic American Engineering Record
 HAP Hazardous Air Pollutants
 HAZWOPER Hazardous Waste Operations and Emergency Response
 in/yr Inches per Year
 Lahontan Regional Water Quality Control Board-Lahontan Region
 Ldn Day-night Average Sound Level
 Leq Energy Equivalent Sound Level
 LOS Level of Service
 MBTA Migratory Bird Treaty Act
 MCWC Madden Creek Water Company
 Mgal/yr. Million Gallons per Year
 mgd Million Gallons per Day
 mg/L Milligrams per Liter
 mg/L³ Microgram per Cubic Liter
 Mmax Maximum Moment Magnitude
 MMI Modified Mercalli Intensity
 µg/m³ Microgram per Cubic Meter
 MMP Mitigation and Monitoring Program
 MOA Memorandum of Agreement
 MPN Most Probable Number
 MRF Eastern Regional Materials Recovery Facility
 NAAQS National Ambient Air Quality Standards
 NAC Noise Abatement Criteria
 NAHC Native American Heritage Commission
 NEPA National Environmental Policy Act
 NNPS Nevada Native Plant Society
 NO₂ Nitrogen Dioxide
 NOAA National Oceanic and Atmospheric Administration
 NOP Notice of Preparation
 NPDES National Pollutant Discharge Elimination Program
 NRHP National Register of Historic Places
 NTFPD North Tahoe Fire Protection District
 NWP Nationwide Permit
 O₃ Ozone
 OES Office of Emergency Services

OPR California Governor's Office of Planning and Research
 OS Open Space
 OSHA Occupational Safety and Health Administration
 PA Programmatic Agreement
 Pb Lead
 PD Planned Development
 PGA Peak Ground Acceleration
 PM10 Particulate Matter Less than 10 Microns in Diameter
 PM2.5 Particulate Matter Less than 2.5 Microns in Diameter
 PPM Parts per Million
 PRC Public Resource Code
 Project Homewood Mountain Resort Ski Area Master Plan
 PSD Prevention of Significant Deterioration Program
 psi Pounds per square inch
 RCRA Resource Conservation and Recovery Act
 RIB Rapid Infiltration Basin
 RL Rural Low
 ROW Right-of-Way
 RR Rural Residential
 RWQCB Regional Water Quality Control Boards
 SHPO State Historic Preservation Office
 SIP State Implementation Plan
 SMARA Surface Mining Reclamation Act of 1975
 SO2 Sulfur Dioxide
 State Board California State Water Resources Control Board
 Superfund Superfund Amendment and Reauthorization Act of 1986
 SWPPP Storm Water Pollution Prevention Plan
 TAU Tourist Accommodation Unit
 TCPUD Tahoe City Public Utility District
 TKN Total Kjeldahl Nitrogen
 TMDL Total Maximum Daily Load
 TOC Threshold of Concern
 TP Total Phosphorus
 TROA Truckee River Operating Agreement
 TRPA Tahoe Regional Planning Agency
 TSS Total Suspended Solids
 TTSA Tahoe-Truckee Sanitation Agency
 TTSD Tahoe-Truckee Sierra Disposal Company
 TTUSD Tahoe-Truckee Unified School District
 UAPCDs Unified Air Pollution Control Districts
 UBC Uniform Building Code 1997
 USACE United States Army Corps of Engineers
 USDA United States Department of Agriculture
 USEPA United States Environmental Protection Agency
 USFWS United States Fish and Wildlife Service
 USGS United States Geological Survey
 VMT Vehicle Miles Traveled
 WDR Waste Discharge Requirements
 WMA Wildlife Management Areas
 WWTP Wastewater Treatment Plant
 yds3 Cubic Yards

ATTACHMENTS

- A Table of impacts, mitigation measures and CEQA findings

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