

ENVIRONMENTAL POLICIES

This chapter incorporates into the Master Plan the mitigation measures of the Mitigated Negative Declaration adopted for the Master Plan and other policies to address environmental issues. The policies establish guidelines for the development of the Hilltop Master Plan area, and development, buildings, structures, and other improvements in the Hilltop Master Plan shall be consistent with these policies.

A. Biological Resources

1. If construction activities are expected to occur during the nesting season (April-September) within 100 feet of Jeffrey pine trees, a pre-construction raptor and owl survey shall be conducted by a qualified biologist to determine the activity status of any nests found on the project site. The Town Planner shall approve the selection of the qualified biologist. The survey shall be conducted no more than 30 days from the onset of construction. If active raptor nests are found, construction activities shall not occur within 100-feet of the nest(s) until the young have fledged. The biologist may evaluate the active raptor nests and proposed project activities and identify alternative mitigation measures that will reduce impacts on birds to a less than significant impact. If construction activities are proposed to occur during the non-breeding season (October – March), a survey is not required and no further studies shall be conducted.

B. Cultural Resources

1. If artifacts, paleontological or cultural, or unusual amounts of stone, bone, or shells are uncovered during construction activity, all construction activities shall cease within a 200-foot radius of the find. The Town planner shall be notified of the find, and an archaeologist shall investigate the find and determine the extent and location of the discovered materials. The archaeologist shall amend the cultural resources evaluation conducted on the site to determine the significance of the discovered materials and to identify mitigation measures to eliminate or reduce any significant effects to a less than significant level in accordance with the CEQA Guidelines. The Town Planner shall require the mitigation measures to be incorporated into the project and to be implemented prior to commencement of construction activity. Construction shall not recommence until authorized by the Town Planner.
2. Concurrent with the land use development application for the first development project within the Hilltop Master Plan area, a comprehensive historic interpretation program shall be prepared by the applicant with guidance provided by the Truckee Donner Historical Society and submitted to the Town for final approval. The historic interpretation program shall identify and describe how historic characters, events, and themes that were significant to the Hilltop area will be exhibited upon development of the Hilltop Master Plan parcels. A central location or focal point, in the form of a covered or enclosed kiosk building, shall be created and maintained by the applicant so that ongoing interpretation of this history can be provided by the Historical Society and/or other community historical organizations. The program shall include an implementation schedule, construction standards, information guidelines, and design guidelines for the exhibits, and an owners agreement on who will be responsible for installing the exhibits and the associated costs.

C. Grading and Drainage

1. All future improvement plans and building permits shall adhere to the geotechnical and engineering recommendations contained in the Holdrege and Kull geotechnical engineering report dated January 15, 2004, and as updated in their August 30, 2006, supplemental report. The Town Engineer may require that supplemental more detailed geotechnical reports be prepared for improvement plans and building permits.
2. A comprehensive grading and drainage study shall be prepared by a licensed engineer for the common infrastructure improvement plans in accordance with the requirements of the Town Engineer. The study shall include the following features:
 - Analyze the existing and projected storm water runoff from the project site to Town facilities along Brockway Road and Palisades Drive to determine if the existing drainage facilities have sufficient capacity to accommodate the increased storm water runoff from the project site. If the drainage facilities do not have sufficient capacity, the drainage study shall identify drainage improvements (both on and off site) to decrease the amount of storm water runoff from the site and/or increase the capacity of the Town drainage facilities to accommodate the project's storm water runoff. The study shall conclude that the project's storm water runoff will not result in flooding impacts within Brockway Road and Palisades Drive.
 - Temporary and permanent erosion control methods consistent with the requirements of the Lahontan Regional Water Quality Control Board *Truckee River Hydrologic Unit Guidelines for Erosion Control and Best Management Practices* and *State of California Best Management Practices Handbook* prepared by the American Public Works Association Storm Water Task Force.
 - A dewatering plan. The plan shall specify how all dewatered ground water will be discharged. If the plan indicates that the dewatering will drain into the wetland and jurisdictional waters, then the developer shall secure the appropriate permits and/or approvals from Lahontan RWQCB, the Army Corps of Engineers, and the Department of Fish and Game.
3. Hours of operation of construction activities related to development of the infrastructure and buildings shall be limited from 7 a.m. to 7 p.m. or dusk, whichever occurs first, Monday through Saturday. No construction shall be permitted on Sundays and Federal holidays. Interior construction activities may occur after these hours if such activities will not result in exterior noise audible at property lines. Improvements, grading, and building plans shall note these limited hours of construction.

D. Greenhouse Gas Emissions

1. Pedestrian paths shall be provided from each residential building, commercial building, and common recreational and public facilities to a public pedestrian path within the project site. Single family residential units in JAR-Hilltop North and South parcels and multi-

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family residential units in Silverwood in LLC parcel may access the public pedestrian path from across the street. Pedestrian paths shall also be provided between each commercial building to ensure pedestrian access between businesses.

2. Future development shall comply with the Town Climate Action Plan or similar policies and standards to reduce greenhouse gas emissions in effect at the time of approval of the project land use application. A project climate action plan or greenhouse gas emissions study meeting the requirements of the Town Climate Action Plan or similar policies and standards shall be submitted with each project land use application to analyze greenhouse gas impacts and identify greenhouse gas reduction measures to be incorporated into the project.
3. If the Town Council has not adopted a Town Climate Action Plan or similar policies and standards to reduce greenhouse gas emissions at the time of approval of a project land use application, the project shall incorporate measures and modifications into all buildings, including single family residences and multi-family residences, to increase the energy efficiency of buildings by a minimum of 20% above and beyond Title 24 building standards in effect at the time of building construction.
4. If the Town Council has not adopted a Town Climate Action Plan or similar policies and standards to reduce greenhouse gas emissions at the time of approval of a project land use application, the project shall incorporate all appropriate and feasible measures, as determined by the Planning Commission, listed in the Office of the California Attorney General Fact Sheet on Addressing Global Warming Impacts at the Local Agency Level dated March 8, 2008.

E. Particulate Matter Emissions

1. A particulate matter emissions study meeting the requirements of the Particulate Matter Air Quality Management Plan shall be submitted with each discretionary project land use application in order to estimate the amount of emissions generated from vehicle tail pipes and re-entrained road dust. The study shall be prepared by traffic and air quality consultants, and the consultants shall be approved by the Town Planner prior to preparation of the study. The study shall estimate PM10 emissions that will be generated by vehicle tailpipe emissions and re-entrained road dust upon full build-out of development. The study shall be consistent with the emission calculation formulas utilized in the Particulate Matter Air Quality Management Plan and shall comply with all requirements of the Town Planner.
Prior to issuance of any temporary or final certificates of occupancy for the permit or prior to recordation of the final map, the applicant shall pay an air quality mitigation fee to the Air Quality Mitigation Fund to offset PM10 emissions from vehicle tailpipes and re-entrained road dust. The amount of the mitigation fee shall be \$7,366 per ton of emissions generated by development authorized by the permit or allowed upon recordation of the final map or the fee established by Town Council resolution and in effect at the time of building permit issuance or final map recordation.

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2. Prior to issuance of any temporary or final certificates of occupancy or prior to recordation of the final map, the applicant shall prohibit the use of woodstoves within the project site by placing a deed restriction on the title of the property or shall pay an air quality mitigation fee to the Air Quality Mitigation Fund to offset PM10 emissions from solid fuel burning appliances. The amount of the mitigation fee shall be \$300 for each solid fuel burning appliance that will or may be installed or the fee established by Town Council resolution and in effect at the time of building permit issuance or final map recordation.

F. Tree Protection

1. All future development projects on the site shall submit a tree survey that identifies all trees that are six inches in diameter or greater within or adjacent to development areas. Tentative subdivision maps and individual site development plans submitted as part of the design review process shall maintain mature tree clusters (unless a licensed silviculturalist recommends thinning to improve tree stand vigor and health), preserve trees with diameters at breast height of 24 inches or greater, and preserve trees with diameters at breast height of 12 inches or greater along the ridge above Brockway Road and South River Street. Notwithstanding the above, trees of 24 inches or greater, or 12 inches or greater along the ridge, may be removed when necessary or appropriate due to the design of the project and when there are no practical or reasonable methods to preserve such trees. To ensure adequate screening of buildings and improvements along the ridgeline, the review authority may require additional landscaping.

The Planning Commission, as part of the land use development permit application process for individual projects, must approve the removal of any trees exceeding 24 inches or greater, or 12 inches or greater along the ridge. The public may work with and provide input to the owners/developers and their foresters to identify trees that may be removed. The public will be permitted to provide input to the Planning Commission regarding tree removal.

2. Mass pad grading of building pads and wholesale removal of vegetation shall be prohibited. Where possible, foundations shall be stepped to follow natural terrain.

G. Wetlands

1. Prior to grading in areas upland of or adjacent to the delineated wetland, a geotechnical report and wetland impact report prepared by qualified individuals shall be submitted to the Town identifying groundwater levels in areas to be graded and analyzing the effects of grading on groundwater flows into the wetlands and any impacts on the delineated wetland. The review authority shall find that grading will not adversely affect the health, function, and values of the wetland.
2. Prior to any on-site disturbance of this parcel, the boundaries of the wetlands delineation shall be staked in the field.
3. Interpretive signage explaining the function of the wetlands areas and their benefit (water quality) shall also be required as part of the final design package for development of this site.

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4. As part of the development of the approximate 3.2-acre Intrawest (Village Employee Parking Corporation) parcel the fill materials previously placed in the wetland meadow shall be removed. The wetland shall be restored pursuant to the Corps of Engineers and/or Lahontan Regional Water Quality Control Board requirements or guidelines.
5. The Master Plan shall include a minimum 10-foot buffer zone along the north and west sides of the delineated wetland and a minimum 25-foot-buffer zone along the south side of the delineated wetland. The delineated wetland shall be separated from adjacent development by a physical barrier, such as a split rail fence or plantings of compatible trees (e.g., Aspens, Willows), with informative signage in accordance with the Overall Design Guidelines in Chapter 4.
6. All runoff from impervious surfaces shall be contained on site and treated in detention basins and/or infiltration trenches prior to discharge into the wetlands and groundwater in accordance with Section 18.30.050(B) of the Development Code. There will be numerous small detention basins and/or infiltration trenches to collect all surface runoff.
7. Snow storage areas shall be located outside identified jurisdictional wetland area.
8. Surface runoff into the delineated wetland shall not be increased above or decreased below pre-project levels unless the Planning Commission finds that the increase or decrease of runoff will not adversely affect the health, function, and values of the wetland.
9. The applicant and Town staff shall confer with the Regional Water Quality Control Board staff prior to and during, as necessary, the preparation of the required studies and submittal of improvement plans and development applications.

H. Fire Protection

1. The Master Plan area and future development shall comply with the regulations of the Truckee Fire Protection District including fuel clearance standards. The District may require future development, particularly development adjacent to open space areas, to incorporate fuel reduction zones into the development in accordance with their regulations.