

SP05-0001 – As recommended by the Planning Commission July 12, 2007

Conditions

El Dorado County Planning Services

1. This Specific Plan is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked A through K, dated July 12, 2007, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Specific Plan amendment of the 1996 HMR Master Plan, to include the No Action Alternative and Alternatives 2, 3, 4, 4A, and 5 as proposed with the 05 MPA. The 05 MPA includes a long-term range of resort improvements to be phased (Phases 1, 2, and 3) over the life of the Master Plan. The improvements will occur throughout the California and Nevada land use jurisdictions of the Master Plan project area (Exhibits F and G). Land uses within County jurisdictional parcels (California Base Lodge and parking lot) include the following:

Phase I Projects

- *Install BMPs for California Base Lodge and parking lot.

Phase II Projects

- Relocate Lower California Maintenance Shop to off-site location.

Phase III Projects

- *Replace California Base Lodge
- *Relocate California Snowmaking Building
- Replace and relocate Ski Lift A (Aerial Tram) with High Speed Detachable Quad Ski Lift
- *Kids Camp (California Base)
- *Replacement of Ski Lift K (Perfect Ride), **Ski Lift L (Cal Ski School), and Ski Lift M (Enchanted Forest)
- *Ski Runs K1, L1, and M1

* Projects already approved with the 1996 Master Plan.

**Minor lift alignment modification is proposed from previous 1996 Master Plan.

ATTACHMENT 1

The construction, project design, uses, and protection of environmental resources shall conform to the project description above, and the hearing exhibits and conditions of approval below. The exterior finishes of the proposed buildings and structures shall conform with the approved colors and materials for the project. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans (such as landscape and drainage plans) must be submitted for review and approval, and shall be implemented as approved by the County.

2. The 05 MPA, as approved, consists of the Phase I, **II, and III projects** for the No Project and Action Alternatives proposed with the MPA. Implementation of the new Phase II and Phase III projects within County jurisdictional lands that were not previously analyzed and approved with the 1996 Master Plan, are subject to additional project level environmental review prior to approval by El Dorado County.
3. **The 05 MPA shall comply with the Mitigation and Monitoring Plan of Chapter 5, including Appendices 3.1-D and 3.1-G of Volume II of the Final EIR/EIS/EIS.**
4. The 05 MPA is subject to all applicable Agency conditions submitted for the project, as further contained in Chapter 7 of the Final EIR/EIS/EIS.
5. All land uses within County jurisdictional parcels shall conform with the **permissible uses and development standards of the Tahoe Agricultural Zone District. All proposed uses within County jurisdictional parcels are subject to prior approval of a special use permit and all associated conditions of approval.**
6. All land uses within County jurisdictional parcels shall conform with all applicable provisions of County Zoning Ordinance Title 17.
7. Pursuant to the County General Plan, all land uses within County jurisdictional parcels shall conform with all applicable provisions of the TRPA Regional Plan, **as the Adopted Plan for the project area.**
8. Heavenly Mountain Resort (HMR) shall continue to implement the mitigation measures (Mitigation Measure 7.5-19) of the 1996 Master Plan EIR/EIS/EIS, to research the traffic impacts of HMR on Highway 50, and to avoid non-degradation of peak hour traffic on U.S. Highway 50 for Echo Summit and the west slope of El Dorado County.
9. For all proposed uses with the 05 MPA that are subject to a County building permit, all Development Services fees shall be paid prior to issuance of a building permit.
10. All processing fees shall be paid prior to approval of the specific plan.

El Dorado County Counsel's Office

11. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, HMR agrees to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in Section 66474.9(b) of the California Government Code.

HMR shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning the decision to not recirculate the Draft EIR/EIS/EIS due to the addition of Alternative 4A with the Final EIR/EIS/EIS, which action is brought within the time period provided for in Section 66499.37.

County shall notify HMR of any claim, action, or proceeding and County will cooperate fully in the defense.

Lahontan Regional Water Quality Control Board

12. HMR shall continue to implement the permitting requirements of the Lahontan Updated Discharge Permit within the HMR Master Plan project area.

El Dorado County Building Services

13. All proposed structures within County jurisdictional parcels shall comply with Uniform Building Code and require a building permit.