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NEVADA OVERSIGHT COMMITTEE: (January 30, 2012)

STATUS OF THE REGIONAL PLAN UPDATE

Good morning Chairman Lee and members of the Committee. I am Joanne Marchetta, Executive Director of the Tahoe Regional Planning Agency. I'd like to welcome you back to the lake in this beautiful setting and also thank those TRPA Governing Board members who are in attendance today: Casey Beyer, Claire Fortier, and Steve Robinson who you'll hear from next as well as Nancy McDermid who has joined us today.

I've been asked to provide you with a report on the Basin's progress toward updating Tahoe's Regional Plan. After years of starts and stops, the Regional Plan Update process has shown strong momentum since September and has been moving at a rapid clip since our last meeting in November. In short, we are on track to deliver an updated plan by the end of this calendar year 2012.

But before I delve into the highlights of the update, I'd like to **start by briefly taking us back** to review the foundations of our plan and why it matters so much to Lake Tahoe and our communities.

When TRPA adopted a Regional Plan in the late 1980s, there was a legitimate concern that Lake Tahoe could be over-developed. It was our role to put the brakes on the rampant growth the Region saw in the 1950s and 60s, and we succeeded. In the 1980s, we established growth controls, put caps on all types of development, and drew an urban boundary line to contain development. We adopted environmentally protective rules and regulations and developed an international reputation for innovation in harmonizing the natural environment with a local economy.

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The focus in the 1980s was on controlling new development, and particularly controlling residential growth. Now, 25 years later – we find ourselves near build-out in the Tahoe Basin. Less than 15 percent of the land area is in private ownership and about 1 percent is in existing town or community center areas. There are very few vacant parcels in town centers or even in within the so-called “urban boundary” that are buildable, and most of the development you see today in the Basin occurred before we had a regional plan in place with required environmental protections. So the focus of this Plan update is not on growth control as it was a quarter century ago – no, all of those foundation provisions of the Plan will stay in place, and the majority of the Regional Plan, which has not expired and is still in effect, is not changing.

As we discussed at our last meeting, the challenges in Tahoe today are different -- not related to residential growth or really about growth at all. The population of the Tahoe Basin after all has been shrinking for a decade. No, today’s challenge is that the Lake continues to be affected by the existing outdated infrastructure and buildings from half a C or more ago before modern environmental controls were required, which are actually polluting the lake still. The emphasis then in this update, unlike the last Plan, is on fixing the existing built environment we already have – replacing and upgrading facilities to install both state-of-the-art water quality treatments as well as many other forms of up-to-date 21C conservation measures. These are treatments and measures needed to make progress toward the Compact’s mandate to achieve environmental benefits. And this pressing need of our time is a key impetus in one of the proposed implementation strategies in this Regional Plan Update – environmental redevelopment.

So, where the last plan was mostly about controlling residential growth on vacant land and only a little bit about fixing the existing built environment, this plan update flips the emphasis to redevelopment -- improving regulations that have frozen in place some of the existing development patterns and run-down buildings you see. Existing dated

development is having the effect of also freezing in place continuing environmental harms.

The essence of the plan update can be boiled down to three key enhancements:

1. Removing the barriers to restoration of the lake's **water quality** – and from that, achieving synergistic environmental gains in other areas.
2. Restoring a **truly regional role** to TRPA, and
3. Improving the Tahoe Basin's **permit review system**.

First as to restoring the Lake's water quality and achieving related environmental

gains: As you'll hear from the statewide panel on water quality and the Total Maximum Daily Load – or TMDL – stormwater runoff from roadways and the aging, deteriorating properties, particularly in town centers, are the primary environmental threats to Lake Tahoe today. TRPA's current land coverage system has had the unintended consequence of locking grandfathered development as well as land coverage patterns in place with little change or improvement to many buildings around the lake. As you likely know, at Tahoe, we count every square foot of land cover – building footprints, driveways, and other paved areas – and we limit how much impermeable coverage can exist and how much of the property should remain as open space. The Regional Plan Update is proposing additional incentives to property owners to redevelop older buildings to help restore Lake clarity as well as making other environmental improvements. **The following are examples of strategies under review:**

- **Encouraging land coverage to be concentrated in town centers,** where greater density, walkability, and links to transit are needed to reduce vehicle trips. This concentration of development in town centers will not increase impermeable coverage as some are worried. On the contrary, these areas are so over-covered today that even with concentrated

redevelopment, total impervious surface can be reduced and state of the art water quality treatments can be installed.

- Next, we are proposing to do what may be **novel nationwide -- Shrinking the development footprint** by moving development and development rights from environmentally sensitive and remote areas where today it creates longer auto trips and more air and water pollution. In most instances, to concentrate development in town centers will require that existing development be transferred from these outlying sensitive lands, which in turn will be restored to open space. So, we are looking at **providing these additional transfer incentives for WQ and other environmental gains.**
- As another incentive, we are looking at **creating exemptions for bike trails for land coverage accounting and mitigation fees.** Current rules can create insurmountable impediments to completing the Lake's planned bike trail system. Without it, we cannot create the important connections that give people an alternative to use of a car or meet the Compact requirement to reduce auto trips.

Limiting the amount of land coverage at Lake Tahoe will continue to be a cornerstone of TRPA's plan to protect Lake Tahoe's water quality. But, by working together with private property owners, we believe adjustments to our land coverage system will make it feasible to achieve water quality as well as soil conservation, air quality, scenic, and other environmental threshold goals. At the same time, making redevelopment more feasible will draw more private investment, create new employment opportunities, and allow our tourism industry to refocus on outdoor recreation-oriented tourism and visitor services.

The second essential change to the RP relates to restoring a truly regional role to

TRPA: Over the decades, we may have become too focused on localized site-specific issues to the detriment of delivery of regional environmental benefits as intended by the Compact. To better address issues of regional environmental significance, TRPA's vision is for an improved planning and permitting system where many parcel-by-parcel development decisions transition to local county or city governments in accordance with TRPA approved plans and regulations – a system of so-called CONFORMITY review and approval.

Under the current framework, TRPA has itself adopted more than 170 land use plans for specific geographic areas within the Basin and is responsible for one-size-fits-all regulations on every parcel in the Region. Also, TRPA review and permitting of site-specific proposals is in addition to the site-specific permit requirements of the local jurisdictions. If the Board decides to pursue this new conformance review system, we believe it will beneficially refocus TRPA on achieving key regional environmental goals while removing the need in most cases for two layers of often duplicative permit reviews.

Under this new approach, local governments would create localized land use plans that **must meet the Compact's environmental standards and be reviewed and approved by TRPA.** In turn, local governments could tailor their plans to their locality and have more autonomy in administering planning and permitting responsibilities to better serve the unique circumstances and desired character of each community. // In designing these modifications to Tahoe's planning system, TRPA is **looking to already effective regional planning models**, like the Truckee Meadows Regional Planning Agency or the California Coastal Commission. Using the best from these tried and true existing models, this transition will allow TRPA to spend its resources assuring we are achieving regional gains on regional issues like water and air quality, invasive species, and transportation planning. // The Governing Board is discussing how this new approach should evolve,

including how appeals of local decisions should factor in and what types of projects should be deemed regionally significant still requiring a TRPA project level permit.

And then there is the third essential adjustment to the RP – improving the efficiency of the Basin’s permit review system: If the Board decides to go with this conformance review planning approach, we believe it could remove redundant processes for property owners, provide for and maintain environmental protections and growth management with greater efficiency, and offer more flexibility but with standards to address unique local conditions.

So, where are we today in the process of the RP Update? I’ll say again what I said at the start – We are less than a year away from completing the Regional Plan Update and I am absolutely committed to meeting the deadlines we’ve established. // A 6-member committee of the Governing Board that includes representation from both states and from both statewide and local entities has been reviewing the draft Plan Update line-by-line and will report out to the Governing Board and Advisory Planning Commission at a joint meeting at the end of March. // That report will launch a sixty-day period of public comment on a Draft Plan Update and accompanying Draft Environmental Impact Statement, including workshops and Governing Board hearings throughout the Basin. // Over the course of the spring and summer, TRPA will work with stakeholders, including both states of Nevada and California, to craft compromises on key issues of disagreement and will bring forward a final Regional Plan in the fall. // **Bottom line:** as of today, the Governing Board and staff are **fully on track and on schedule** to take action on the final plan by December 2012.

In closing, the Regional Plan Update contains something for everyone. For the shop owner that needs greater assurance in the permitting process; for the hiker that wants pristine areas to remain protected; and for all who want to see increased efficiencies and effectiveness in the Agency’s operation, updates to the Regional Plan must meet a

wide range of expectations. And with open collaboration, active public participation, continuing stakeholder engagement, reasonable compromise, and the support of our many partners in Lake Tahoe's protection, we can move the Tahoe Basin into the 21st century with an updated Regional Plan that achieves these many and varied goals.

Thank you for your time and attention. I'd be happy to entertain **questions**.