TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, September 14, 2011 at the TRPA Offices, located at 128 Market Street, Stateline, NV. The agenda for the meeting is attached hereto and made a part of this notice.

September 7, 2011

Joanne S. Marchetta
Executive Director
All items on this agenda are action items unless otherwise noted.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Advisory Planning Commission on any item not listed on the agenda may do so at this time. Public comment on Public Hearing items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. DISPOSITION OF MINUTES

V. PUBLIC HEARING

A. Notice of Preparation and Scoping Period for the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Tahoe Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) Program

VI. REPORTS

A. Executive Director

B. General Counsel

C. APC Members

VII. ADJOURNMENT
REGULAR MEETING MINUTES

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Advisory Commission Chair Mr. Tolhurst called the meeting to order at 9:30 a.m.

Members Present: Mr. Buelna, Mr. Donohue, Ms. Feeley, Ms. Garcia, Mr. Gaskin, Mr. Greene, Mr. Mulvihill for Ms. Huggins, Mr. Jepsen, Ms. Krause, Mr. Maurer, Ms. McMahon, Mr. Smith, Mr. Tolhurst

Members Absent: Mr. Lefevre, Mr. Loftis, Mr. McIntyre, Ms. Merchant, Mr. Riley, Mr. Plemel, Mr. Upton

II. APPROVAL OF AGENDA

Mr. Maurer moved approval.
Motion carried unanimously.

III. PUBLIC INTEREST COMMENTS

No Public Comment

IV. DISPOSITION OF MINUTES

Mr. Jepsen moved approval.
Motion carried.
Mr. Maurer abstained.

V. PLANNING MATTERS

A. Review and Revision of the Regional Plan Update (RPU), Scope, Schedule and Process
Ms. Marchetta introduced the Review and Revision of the Regional Plan Update (RPU) Scope, Schedule and Process.

Mr. Zuckerman presented the organizing principles of the Regional Plan Update.

Commission Comments & Questions:

Mr. Gaskin, NDEP, said in terms of TMDL and its implementation, Nevada did submit the TMDL to EPA for review and approval last week. He has been taking with TRPA regarding the TMDL and the communication and process has been set up so that we can make the transition work and assure that the TMDL is effectively incorporated into TRPA’s process.

Mr. Greene said thank you for the history. It is very important to put things in context and to know where we came from and where we are going. It is important to know the problems of the past so we can solve them and figure out where the issues are that needs further resolution.

Mr. Smith said the Lahontan staff has been working very closely with TRPA staff. The presentation and renewed focus really do bring home the main points that TRPA is here to not just implement the TMDL, but support and work with the local jurisdictions to facilitate their portion of the TMDL.

Mr. Tolhurst asked if we will be reloading the allocations.

Mr. Zuckerman said the plan proposes different levels of allocations for residential and commercial. There are different levels in each category proposed in the alternatives. It is not clear whether we will be exhausting all of those allocations in this plan horizon.

Mr. Tolhurst asked if we have a method of determining how many will eventually be put in this next 20 year horizon.

Mr. Zuckerman said in the plan alternatives, looking just at residential, we are proposing 4,000 allocations for Alternative 2, 5,200 for Alternative for 3 and 2,600 for Alternative 4. So 4,000 over 20 years is about 200 per year. This is approximately the number of allocations that have been disbursed over the last 20 years.

Mr. Tolhurst said in the 1980s, we determined urban boundaries. We bought up vacant lots and when we did that, we bought in the middle of urban areas. Now that we are trying to make sustainable compact
communities, we have, in his neighborhood, 50 forest service owned lots. If we are trying to make sustainable compact communities and improve transportation, we need to look at the areas that were stripped of their development rights. At Stateline Lakeview, the urban boundary was drawn and the forest service bought up about 1/3 of the lots. We need affordable housing for Stateline employees, so this should be taken into consideration when we look at compact development. He asked how this will affect the environment document.

Mr. Zuckerman said the advantage of the refocus of the Regional Plan Update proposals is that none are coming out of thin air. They are all derived from the original scope. We have on the internet the actual draft project description which is a subset of the original scope of the amendments. This is a focused set of amendments that are within that original scope. So the EIS can continue down the road that it is already on.

Mr. Tolhurst said California is talking about eliminating all the redevelopment agencies in the State. We have two or three that are active now in our area. Will this affect the Regional Plan?

Mr. Zuckerman said he wouldn’t think so. TRPA’s version of redevelopment in Chapter 15 is not exactly the same. It is not really related to redevelopment at the state level, which is more of a funding mechanism.

Mr. Tolhurst said some of our Community Plans are based on a redevelopment plan which is coming out of the redevelopment agencies for the City of South Lake Tahoe. If all of a sudden they no longer have an agency, will we be able to implement our Community Plans.

Mr. Zuckerman asked to take this offline for a longer discussion. There is a set of strategies that revolve around the rezoning of the Tahoe Basin in concert with our jurisdictional partners. We are trying to do redevelopment through this zoning system, as we have authority over zoning.

Ms. McMahon said on one of the slides you said TRPA has the ability to incentivize TMDL implementation through management of allocations, height standards and commercial floor area. Is the idea behind this that if local jurisdictions are moving forward on implementing the TMDL, we would be eligible for more allocations? Is that the thought process?
Mr. Zuckerman said this is evolving with a consistent set of meetings with all the local jurisdictions.

Mr. Nielsen said our strategy is to give the jurisdictions tools. For example, we could give you commercial floor area up front in the plan, and you would decide how to use those allocations to incentivize private, public partnership. As opposed to performance where you have to meet standards in order to get allocations, we would front load these.

Ms. McMahon asked for an explanation on the EIP program and the TMDL. Are they working side-by-side?

Mr. Nielsen said the TMDL and the EIP are completely compatible. The EIP update that was adopted several years ago included the cost estimates for TMDL implementation from the capital side and the operations and maintenance side. So the idea is that when you are developing your list of EIP projects, those projects will come out of your strategies for pollutant load reductions and go right into the EIP. The focus of your EIP performance is those projects that were derived from your pollutant load reduction strategies.

Ms. Marchetta said when you think about the EIP, and when we secured government funds, one of the restrictions on those funds was that they would be spent on public projects. So we have spent hundreds of millions of dollars on public land. The large majority of that has gone to forest health treatments in the form of fuels reduction. A substantial portion has gone to water quality improvement through important SEZ restoration projects. But it was all public investment, largely on public land. So the focus of the plan in the 1980’s was residential development and the focus of the EIP has been substantial public fund investment on public lands. Another way to think about this plan is that we are now finally getting around to that sliver of private property and proposing strategies and solutions to make the investment on that portion of the land area in the Basin that has never been the subject of substantial investment, toward highly enhanced environmental standards. We have a built environment infrastructure in place that was built in the 1950’s and 1960’s. This standard is not what we need today. We need not only water quality improvements, but improvements for all of the Thresholds.

Mr. Nielsen said the TMDL is highly dependent upon the operations and maintenance of these capital facilities. We have been building these capital facilities over the last 20 years and they have life spans and replacement costs. These life spans and replacements costs can be minimized with O&M. Their effectiveness can be sustained over a longer
period. So when we are talking to the local jurisdictions regarding incentives in the Regional Plan, we are looking at things like use of mitigation fees, which are now primarily channeled to capital projects. Can we channel some of those funds more to O&M activities, to help the local jurisdictions fund and maintain those facilities so the pollutant load reductions can be maintained at a higher level?

Mr. Zuckerman said the TMDL crediting system provides credits for spending for operations and maintenance.

Mr. Donohue said the State of Nevada has been very clear that our general obligation bonds will not be used for operations and maintenance. It is for capital investment only.

Ms. Feeley said she believes that California’s policy is the same.

Mr. Donohue said he does support the strategy for the potential for local jurisdictions to access the mitigation fees for maintenance.

Ms. McMahon said the document says there are 4,000 allocations for residential and moderate income housing that would be exempt. The idea would be to create pedestrian-oriented mixed use development, because we want to see more residential incorporated next to commercial areas. Is that the direction we are moving toward?

Mr. Zuckerman said yes. One of the hallmarks that are being proposed is to foment mixed use development in our town centers so that people can live close to where they work. We are having discussions with local jurisdiction and also looking at areas that are already built at a higher density than is being proposed in the Regional Plan Update that would benefit from having limited commercial uses in the neighborhoods. People would be able to walk for a newspaper or a cup of coffee or to a corner store, which is mixed use development infiltrating into some higher density neighborhoods. Then there are residential development infiltrating into our commercial cores.

Mr. Mulvihill said the focused redirecting of the plan is great. Staff spent considerable time with the fire agencies and stakeholder groups in the first round of meetings. He is assuming they will be able to have additional meetings with staff. The devil is always in the details. They want to keep an open line of communication and comfort level with the process and procedures and continue their mission forward in line with TRPA’s goals.
Mr. Zuckerman said going into the next year, we’ve talked about having two phases, one for policy development and one for implementation. What we discovered was that we had spent a lot of time during the policy phase dealing with implementation details. Now we have a consultant on board who is a nationally renowned developer of Code. They see the second phase implementation meetings with stakeholders being more of a dialog between the Code consultants and with stakeholders to make sure we can all agree on the details.

Mr. Donohue said as he looks at the schedule, they are in support of the re-scope, in terms of the Regional Plan Update and the current Nevada legislation. He asked when the conceptual plan in Attachment A needed to be shored up. He is looking at the fourth quarter 2012 and there is not a lot of opportunity for slippage in this schedule. When do you think that conceptual plan will be nailed down, so you can meet with Lahontan and NDEP so everything is clearly flushed out in regards to the TMDL?

Mr. Zuckerman said the TMDL plan is a conceptual model. What it does is it looks through all of the proposals that are still in the Regional Plan Update’s proposed amendments. This concept of using air quality mitigation dollars to a limited extent in other areas than where they were collected is a new concept, for example. Why is this part of our TMDL implementation plan? If we can get more bang for the buck with mitigation money to do air quality mitigation and this helps us to stop the atmosphere deposition into the Lake, then we think that is a way that we can help achieve accelerated water quality improvements. It may not be a TMDL strategy per se, but it is beneficial to find better ways of achieving water quality. All we are saying is these are potential provisions in our update document that could be used to help implement the TMDL. This will be part of the robust discussions with all our partner agencies.

Mr. Donohue asked if all this re-scoping has been run through legal counsel. Do you feel at the eleventh hour there won’t be questions about whether this meets CEQA?

Mr. Marshall said yes, we have been working with outside counsel and are all on the same page. As we are moving forward we are making sure those issues that could arise with environmental documentation, etc. are addressed and resolved up front.

Mr. Donohue asked in terms of the potential to delegate responsibility to local jurisdictions, will that take place concurrently with the Regional Plan Update or will MOU developments come after the update?
Ms. Marchetta said our intent is to open those discussions concurrently, because this will re-envision the appropriate role of the different agencies and jurisdictions.

Mr. Donohue said they have a couple of fairly dated MOU's that still work, but it seems like a large task to take on for staff and he would want to insure that he can carve out some of their staff time to assist, as well.

Ms. Marchetta said she will introduce TRPA’s new Planning Manager, John Hester who will be taking the lead on this MOU update.

Mr. Zuckerman said that John will be integral, working with jurisdictions and agencies on MOUs. He’ll do this at the agency to agency level. In terms of drafting of the MOUs, this will be something that we can accomplish along with the Code update with our consultant. We can achieve the same level of structure that we are getting on our Code update.

Ms. McMahon said they met with staff and the consultant a couple months ago, but since then she has heard that people have a different understanding of how it will work. She said one idea was that transects would replace the Community Plans and then she heard it would be a supplement to the Community Plans. Where are we in the process and how will transects relate to Community Plans?

Mr. Zuckerman said we are about to work with the local jurisdictions, dependent upon their schedules, to develop a methodology for what the new zoning districts would look like. After this, we would bring in select representatives from the community to further refine the system.

Ms. McMahon said for Douglas County, the emphasis needs to be on the casino core and the Kingsbury area, which is in line with their economic development objectives.

Mr. Zuckerman said the casino core and Kingsbury areas are representative of what the focus of this Regional Plan Update is about.

Mr. Smith clarified what the map represents on slide 16.

Mr. Nielsen said the EIP has three major program areas dealing with roads, which are state highways, local city roads and forest roads. The EIP is prepared to address those needs. The TMDL is a local jurisdiction responsibility, but it is also a State DOT responsibility. You often hear
that local jurisdictions are on the hook and they have to meet these timelines, but it is the State DOT’s and TRPA’s policies that require that State DOT’s work with the TMDL program as well. Developing pollutant load reduction, baseline estimates and developing capital improvement plans to either retrofit, construct or maintain differently, will achieve those pollutant load reductions.

Mr. Buelna said that Placer County is supportive of the refocused Regional Plan Update and look forward to working on the key areas that have been identified as concerns. Regarding front loading commodities, he asked would this mirror more the CFA for residential allocations and would we then get away from the current audit process.

Mr. Nielsen said this relates to commercial floor area. We would front load the commercial floor area and give upfront, upon adoption of the Regional Plan Update, lump sum allocations to the local jurisdictions. The local jurisdiction would have the ability to give those allocations out on a first-come, first-serve basis or use them to incentivize private developers who bring pollutant load reductions above and beyond what is required. Or you could attach a stormwater implementation fee to each square foot of CFA. These are the types of tools that we are not going to prescribe, but will be working with the local jurisdictions to decide how best to use them. As far as the audits for residential allocations, we are planning to keep this in place. There are a lot of environmental benefits that have resulted from this program, but there will be a little tweak to that program. There are currently four program categories now, the audits, transportation, BMPs and water/air quality projects. We are looking at combining the BMPs and the water/air quality categories into one TMDL category.

Mr. Buelna said then the residential allocations would not be front loaded like the commercial floor area allocations.

Mr. Nielsen said that is correct.

Mr. Buelna asked when looking at restructuring MOUs, would you be working to provide consistency among jurisdictions or would each jurisdiction be treated individually, as they are currently.

Mr. Zuckerman said the idea is to create a standard template MOU and then tailor beyond this to each local jurisdiction’s needs.

Mr. Greene said when we had the last meeting and were discussing the current residential allocation system, the term antiquated was used. He
said it looks like we are not going much beyond that. One concern he has is BMPs. In some counties they have been more successful than others. How successful is the current process in getting BMPs on the ground? Will we be doing anything that will result in getting better BMPs implemented?

Mr. Zuckerman said as far as the “antiquated system” is concerned, the performance review system is proposed to stay in place for residential allocations with a TMDL tweak. This is the current proposal in Alternative 2. This is a policy discussion and debate. As far as getting BMPs installed, TRPA is still focused on getting BMP compliance basin-wide, but there are much greater benefits in some areas, if we go to a neighborhood-wide solution.

Mr. Greene asked if you front load these commercial floor allocations and the counties decide how these will be used, why do we think this will be more effective.

Mr. Donohue said there are huge opportunities in the urban areas in conjunction with water quality projects that the counties are already currently doing that gives the local jurisdictions more control over where they want that redevelopment to occur. There is a higher level of success for a developer who is interacting with the local jurisdictions in terms of working this out and connecting and building those private redevelopment projects with the appropriate BMPs. This will help the local jurisdictions implement water quality projects. He thinks this is a great strategy. If this is one of the options, he would encourage talking with all the local jurisdictions at the same time, as they could collectively come up with some good ideas on how to prioritize and manage this process.

Mr. Greene said the question he was asking was the idea that BMP implementation is supposed to be more effective. Historically there were changes in the way counties deal today, versus back when some of the problems were because of the counties. He asked if there is any adaptive management controls in place if this does not work as well as anticipated.

Mr. Nielsen said yes, we have the five year threshold evaluations that will continue. We have the milestones that the states will be monitoring. The TMDL will have milestone schedules. Pollutant load reduction target schedules that the states will be taking a lead in enforcement and monitoring. We will have information on an annual basis on how these pollutant load reductions are working. We will be working with the local
jurisdictions to see how the commercial allocations distribution programs are being administered and the benefits that are being realized from them. It is not only the new allocations that will be given out with the Regional Plan, but we want the local jurisdictions to remember that there are hundreds of thousands of square feet of commercial floor area that have not been given out by the local jurisdictions. So they need to look at all these together, as this could represent a significant carrot.

Mr. Greene said the idea is incentives. When we are talking commercial projects in the Basin with this economy, he wonders if this will be effective.

Ms. Marchetta said if we don’t have a plan in place, there is nothing to take advantage of. Right now the Country is having trouble with its economy. We have to put something in place, so if you have capital and you have a choice of where to invest it, we want you to come here, as opposed to wanting to go elsewhere.

Mr. Maurer asked about front loading the CFA. You had said that local jurisdictions would pass this out on a first-come, first-serve basis or it could be used as a carrot. Is there a specific tie to front loading the CFA to provide these carrots or could we just give them away.

Mr. Nielsen said right now all options are on the table for the local jurisdictions. If they want to distribute these without specific linkages or nexus to stormwater fees, that is entirely up to them. We believe the counties know best how to incentivize environmental redevelopment.

Mr. Maurer asked is there is a specific connection that is tied to improvements with the TMDL.

Ms. Marchetta said the connection is the TMDL permit. Every one of the local jurisdictions is obligated to reduce load, so if you are not applying your commodities and your allocations to load reduction, you are not acting in your own self-interest.

Mr. Zuckerman said the point is that any new commercial development project that comes forward under the design standards that will be included in this update will have to make environmental improvements. The baseline that doesn’t have any above and beyond or additional fees tacked on for stormwater projects, will not present an environment improvement over the current built environment.
Public Comment:

Steve Teshara, Sustainable Community Advocates, said based on some comments that Mr. Smith made, the roads are a key part of the urban areas. On the South Shore, Highway 50 runs right through several of the urban areas and the Community Plans. There seems to be an implication that DOT will do the roads and it is nice if TRPA has some incentive packages for the urban areas. You cannot separate these two. Kingsbury Grade is a perfect example. A couple years ago the County and TRPA and the commercial property owners were interested in looking at how we could improve the lower Kingsbury Grade area, with all the ingress and egress off the highway. Property owners that didn’t have adequate room on their property to do their BMP/stormwater infiltration went to NDOT and said how we can work with you. You need to do the road improvements in conjunction with the commercial areas or you are missing a great opportunity. He hopes that the local jurisdictions will not only look at sediment loading, but what types of development are they going to give these allocations to. Hopefully it will be environmental redevelopment around the opportunities that we see in health and wellness, visitor services, tourism and environmental innovation. This is about the sustainability of the communities.

Commission Comments & Questions:

Mr. Smith said he agrees with Mr. Teshara and he did not mean to imply that the roads are separate. The primary source of the problems does run through all the town centers. The town centers represent potentially some great opportunities in reducing loads.

VI. REPORTS

A. Executive Director

Ms. Marchetta gave the Executive Director’s report and introduced Ed Gurowitz as TRPA’s Chief Operating Officer, John Hester as TRPA’s Planning Manager and Kristi Boosman as TRPA’s Public Information Officer.

B. General Counsel

Mr. Marshall gave the General Counsel’s report.

C. APC Members
Ms. Feeley said the City has filed a motion to dismiss the lawsuit and have requested that the Court dismiss all claims related to TRPA. The Compact is not the appropriate vehicle to challenge an action taken by any entity other than TRPA, and that TRPA is not required to adopt a local jurisdiction’s general plan. A general plan is not a project. They have a hearing September 12 and should have a decision on the TRPA related elements of this lawsuit.

Mr. Gaskin said the RFP for their 319 grant closes September 9. EPA Region 9 Chief of Staff is holding a final meeting to discuss approval of the TMDL.

Ms. McMahon said the new Douglas County Planning Manager, Candace Stowell is sitting in the audience, so please say hello. She will stay on the APC and Candace will be the alternate.

Mr. Smith said the State of California and the State of Nevada are waiting anxiously for US EPA to hopefully sign the TMDL at the Federal Summit. This is the first of its kind in the Nation and it was based on some of the most robust science ever completed for a TMDL. The Lahontan Waterboard just released today the draft Municipal Stormwater Permit for the three entities in the State of California side of the Basin, for El Dorado, Placer and City of South Lake Tahoe. This is a first of its kind permit which incorporates the Lake Clarity Crediting Program. All of the elements that are in the draft permit, the State of Nevada is going to use. They are working with their local jurisdictions on these. The comments on the draft permit are due September 15. We will be addressing these comments and they hope to bring the permit before the Lahontan Board in November for adoption.

Mr. Greene said he hopes everyone will attend the Summit. They are having a fund raiser the night before to support the Tahoe Fund. A lot of people really want to see the Tahoe Fund successful in raising money to help fund the EIP. We received a notice from the North Lake Tahoe Bonanza newspaper that they will no longer be doing home delivery. The Bonanza is the only vehicle to provide information in Incline Village.

Mr. Mulvihill said in the audience is Chief Tim Alameda, who is the new Fire Marshall for the North Tahoe, California side of the Fire Protection District. He comes from the Reno Fire Department and we are glad to have him here in the Basin.
Mr. Buelna said Jack Edstrom has retired from their office.

Mr. Donohue welcomed John Marshall back to TRPA.

Mr. Tolhurst said he is on the El Dorado Planning Commission and at the last meeting they unveiled the parks master plan for El Dorado County. Everything is on the West Slope and nothing on the Tahoe side. The reason is that TRPA has jurisdiction and they didn’t want to mess with TRPA. The point is not that TRPA does planning for parks, but how they are implemented and who funds them. He thinks there is a misunderstanding within the local jurisdictions on what TRPA does.

Mr. Maurer said that the point he was trying to make on the front loading of the CFA is for El Dorado County, the Basin is the forgotten step child. Everything is happening on the West Slope and nothing is happening up here. The City of South Lake Tahoe has most of the development within the County, so who cares. He thinks there is a lot of communication that is needed to inform policy makers in El Dorado County, as well as the line staff. He has no idea what the DOT does as far as implementing EIP and TMDL. If we are supposed to work to assist with these programs between these two entities, there needs to be better jurisdictional communication as it applies to the Basin.

Mr. Donohue said he encourages Mr. Maurer or Ms. Marchetta to bring this up at the next TIE Steering Committee meeting, because at one point, Bob Slater, was a member of this group and was very tied into CALTRANS projects.

VII. ADJOURNMENT

Chair Mr. Tolhurst adjourned the meeting at 11:35 a.m.

Respectfully submitted,

Judy Nikkel
Clerk to the Advisory Planning Commission
The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review at the TRPA Office, 128 Market Street, Stateline, Nevada.
MEMORANDUM

Date: September 7, 2011
To: TRPA Advisory Planning Commission (APC)
From: TRPA staff
Subject: Public Scoping Hearing for the Proposed Environmental Impact Report/Environmental Impact Statement for the Tahoe Regional Transportation Plan and Sustainable Communities Strategy Program

Requested Action: Staff requests the Advisory Planning Commission hold a public hearing for the purpose of “scoping” the proposed Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Tahoe Regional Transportation Plan and Sustainable Communities Strategy Program (described in Attachment A).

Staff Recommendation: Staff recommends the Advisory Planning Commission hold a public hearing to accept APC and public comments on the scope of the proposed EIR/EIS. Written comments may also be sent to TRPA staff during the Notice of Preparation (NOP) scoping period.

Written comments should be addressed to:

Karen Fink
Senior Transportation Planner
Tahoe Regional Planning Agency/Tahoe Metropolitan Planning Organization
P.O. Box 5310
Stateline, Nevada 89449

The last day for submittal of scoping comments to TRPA is Tuesday, September 23, 2011.

Required Motions: No motions are required for this item.

Project Description/Background: The Tahoe Metropolitan Planning Organization (TMPO) and the Tahoe Regional Planning Agency (TRPA) are in the process of updating the Lake Tahoe Regional Transportation Plan (RTP) and preparing the region’s Sustainable Communities Strategy (SCS).

The purpose of the RTP is to establish regional goals, identify present and future transportation needs, deficiencies and constraints, analyze solutions, estimate available funding, and propose investments. The Lake Tahoe RTP identifies the goals, policies, and transportation projects planned for implementation in the Tahoe Basin through 2035. Transportation improvements are proposed to meet the needs of the wide variety of Basin users: pedestrians, bicyclists, commuting motorists, and resort visitors, to name a few. The Sustainable Communities Plan...
Strategy, which is a new requirement tied to California’s Senate Bill (SB) 375, Statutes of 2008, will lay out a plan for integrating transportation investments with land use plans in a way that allows the region to meet California targets for reducing greenhouse gas emissions.

The TMPO is required by federal and state law to update its RTP every four years. The Lake Tahoe RTP was last updated in 2008, and must be updated again by the fall of 2012. Because the update of the federal- and state-required RTP coincides with the update of TRPA’s Regional Plan and Regional Transportation Plan, the two processes have used the same public process and will use identical text.

The RTP/SCS, which includes a list of over 100 capital projects, provides for mitigation of adverse transportation conditions in the Lake Tahoe Basin and helps achieve applicable carrying capacity thresholds analogous to the function of the Environmental Improvement Program as it relates to other environmental conditions and thresholds. The RTP/SCS, in conjunction with the Lake Tahoe Regional Plan, sets the vision, policies, and objectives for the transportation program and CIP projects that implement the RTP/SCS. Environmental review of these plans and CIP is being coordinated to support comprehensive planning and implementation of these critical transportation projects.

As part of the coordinated environmental review approach, the TMPO and the TRPA must prepare a program-level environmental impact report (EIR) of the RTP/SCS in accordance with the California Environmental Quality Act (CEQA), and a program-level Environmental Impact Statement (EIS) in accordance with the TRPA Compact, Chapter 5 of the TRPA Code of Ordinances, and Article VI of the TRPA Rules of Procedure. The TMPO selected Ascent, Inc. to prepare the environmental analysis.

The joint EIR/EIS will analyze general environmental impacts associated with updating the goals and policies and implementing the projects of the Lake Tahoe Regional Transportation Plan as a comprehensive package. Large near-term projects are identified in the project description, however, the EIR/EIS will analyze the full RTP project list. The document will also address alternatives to the proposed RTP/SCS. It will address the cumulative benefits and impacts of the overall transportation program and lay the groundwork for accelerated environmental compliance for included CIP projects. Individual projects will undergo a separate, more detailed environmental analysis before project approval and construction.

In accordance with CEQA and TRPA regulations, a Notice of Preparation was prepared and circulated to the Nevada and California State Clearinghouses, reviewing agencies, and to more than 100 public and quasi-public agencies, business groups and interested individuals on August 24, 2011.

The environmental scoping period on the RTP/SCS EIR/EIS is open from August 24 to September 23, 2011. During this period, transportation staff is holding two public scoping hearings, one at the Tahoe Transportation Commission meeting scheduled for September 9, 2011, and another at the TRPA’s Advisory Planning Commission meeting on Wednesday, September 14. During the scoping period, the public has the opportunity to submit comments on the scope of the environmental analysis (e.g., issues to consider, project alternatives, and mitigation measures).
The draft environmental document is anticipated to be available for public review in the first quarter of 2012. The public will also have an opportunity to provide direct input on the content of the RTP at separate public workshops scheduled for November 2011.

TMPO staff and Ascent, Inc. will present the proposed project description and a brief description of alternatives to be evaluated in the EIR/EIS at the TTC scoping hearing. The purpose of the scoping hearing is to accept comments on the scope of the EIR/EIS and not to deliberate or debate the proposed RTP.

Please see the attached Notice of Preparation and Project Description for more details on the RTP/SCS and environmental scoping process.

Issues/Concerns: There are no issues or concerns.

Regional Plan Compliance: This NOP is being circulated for public comment in accordance with applicable provisions of the TRPA Regional Plan and TRPA Compact (Public Law 96-551).

Contact Information: If you have any questions, please contact Karen Fink, Senior Transportation Planner, at (775) 589-5204, kfink@trpa.org.

Attachment:
A. Notice of Preparation and Project Description
NOTICE OF PREPARATION

To: California State Clearinghouse
    Nevada State Clearinghouse
    Responsible Agencies
    Trustee Agencies
    Interested Parties

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS)

Lead Agency: Tahoe Metropolitan Planning Organization
              PO Box 5310, Stateline, NV 89449
              Contact: Karen Fink, Senior Transportation Planner
              Phone: 775.588.4547; Fax: 775.588.0917
              Email: kfink@trpa.org

Project Title: Tahoe Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) Program EIR/EIS

Project Applicant: Tahoe Metropolitan Planning Organization and Tahoe Regional Planning Agency

The Tahoe Metropolitan Planning Organization (TMPO) and Tahoe Regional Planning Agency (TRPA) will be the lead agencies for preparation of a joint document serving as a Program Environmental Impact Report/Environmental Impact Statement (Program EIR/EIS) prepared in accordance with the California Environmental Quality Act (CEQA) and the Tahoe Regional Planning Agency (TRPA) Code of Ordinances and Rules of Procedure. We need to know your views as to the scope and content of the environmental information which is germane to your interests or statutory responsibilities in connection with the proposed project. If you represent an agency, and your agency will have an approval action related to implementation of the RTP, such as an approval action involving a transportation project included in the RTP, you may need to use the EIR/EIS prepared by TMPO and TRPA when considering your approvals. The project description, location, project location map, alternatives, and a list of the probable environmental effects of the proposed project are contained in the attached materials. Due to the limits mandated by law, your comments on the scope of the environmental document are requested at the earliest possible date, but no later than September 23, 2011. Please send your comments to Karen Fink, Tahoe Metropolitan Planning Organization by mail, fax, or email to the address shown above. If you are sending via email, please include “RTP/SCS NOP Comment” in the email subject line. If you represent an agency, we request the name of a contact person for your agency.

The TMPO and TRPA will hold two Scoping Meetings in connection with the Program EIR/EIS for the proposed project. The Scoping Meetings will be held to receive comments from the public and other interested parties and agencies regarding the issues that should be addressed in the EIR/EIS. The scoping meetings will be held as follows:

**Scoping Meeting #1**

**Location:** Tahoe Transportation Commission
              Tahoe Regional Planning Agency
              128 Market Street
              Stateline, NV 89449

**Date/Time:** Friday September 9, 2011 at 9:30 a.m.

**Scoping Meeting #2**

**Location:** TRPA Advisory Planning Commission
              Tahoe Regional Planning Agency
              128 Market Street
              Stateline, NV 89449

**Date/Time:** Wednesday September 14, 2011 at 9:30 a.m.

Additional workshops will be scheduled and noticed as part of the public involvement program for development of the RTP/SCS. Also, other public meetings will be conducted to receive comments on the Draft EIR/EIS. Notice of the Draft EIR/EIS comment meetings will be provided at the initiation of the public review period.

If you have further questions or require additional information, please contact Karen Fink using the contact information above. This Notice of Preparation was circulated beginning: August 24, 2011.
PROJECT DESCRIPTION AND SCOPE OF ENVIRONMENTAL ANALYSIS

OVERVIEW OF THE PROPOSED RTP/SCS AND EIR/EIS

The Tahoe Metropolitan Planning Organization (TMPO) and Tahoe Regional Planning Agency (TRPA) will be the lead agencies for preparation of a joint document serving as a Program Environmental Impact Report (Program EIR) prepared in accordance with the California Environmental Quality Act (CEQA), and an Environmental Impact Statement (EIS) prepared in accordance with Tahoe Regional Planning Agency’s Code of Ordinances and Rules of Procedure. The Program EIR/EIS will analyze environmental impacts associated with updating the Lake Tahoe Regional Transportation Plan (RTP) and preparation of a Sustainable Communities Strategy (SCS) (RTP/SCS or Proposed Project).

The RTP/SCS, along with the Tahoe Transportation District’s Capital Improvement Program (CIP), provide for mitigation of adverse transportation conditions in the Lake Tahoe Basin and help achieve applicable carrying capacity thresholds, analogous to the function of the Environmental Improvement Program as it relates to other environmental conditions and thresholds. The RTP/SCS, in conjunction with the Lake Tahoe Regional Plan, sets the vision, policies, and objectives for the transportation program and CIP projects that implement the RTP/SCS. Environmental review of these plans and CIP is being coordinated to support comprehensive planning and implementation of these critical transportation projects. The RTP/SCS EIR/EIS will address the cumulative benefits and impacts of the overall program and lay the groundwork for streamlined, environmental compliance for CIP projects.

The RTP identifies the transportation projects planned for implementation in the Tahoe Basin through 2035. Transportation improvements are proposed to meet the needs of the wide variety of Basin users: pedestrians, bicyclists, commuting motorists, and resort visitors, to name a few. Projects identified in the RTP range from water quality and traffic flow improvements on major highways to the installation of new bicycle paths and development of a ferry system on the lake. The RTP seeks to improve public mobility and safety while at the same time delivering meaningful environmental improvements throughout the transportation network. Table 1 lists the high priority projects from the RTP that are anticipated to occur in the near future as a part of the CIP. The EIR/EIS will include the full list of projects proposed under the RTP.

The proposed RTP/SCS EIR/EIS will assess: (1) anticipated changes in transportation demand over the next 25 years; (2) the region’s goals and policies for transportation; (3) the region’s Sustainable Communities Strategy (SCS), which will lay out a plan for integrating transportation investments with land use plans in a way that allows the region to meet California targets for reducing greenhouse gas emissions; (4) planned investments in the transportation system (i.e. roadway, transit, bicycle, and pedestrian networks, the goods movement system, aviation and airport access, and disaster preparedness plans), including a programmatic assessment of the first phase of high priority transportation system projects that would be included in the RTP/SCS (Table 1); (5) Transportation Demand Management (TDM) and Transportation System Management (TSM) strategies proposed to maximize efficiency; (6) increasing the safety of the transportation system; (7) increasing the ability of the transportation system to safeguard the personal security of residents and visitors, particularly in the case of an emergency evacuation; and (8) how the RTP/SCS responds to the needs of more vulnerable populations (i.e. low income and minority populations, people with limited English proficiency, and people with disabilities).
## Table 1
### Summary of First Phase of High Priority Capital Improvement Program Projects

<table>
<thead>
<tr>
<th>Project</th>
<th>Types of Improvement</th>
<th>Jurisdiction Locations</th>
<th>Lead Agencies and Other Decision Makers</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nevada Stateline-to-Stateline Bikeway Project North Demonstration Project, Phase 2</td>
<td>Separated bike path, trail connections, trail access between Incline Village and Sand Harbor</td>
<td>NV, Washoe County</td>
<td>TRPA: TRPA NEPA: FHWA, USFS CEQA: n/a Others: TTD, NV State Parks, NDOT, Washoe Co.</td>
<td>Conceptual planning complete. Technical studies and Draft EA/EA (TRPA/FHWA) and CE (USFS) underway.</td>
</tr>
<tr>
<td>Nevada Stateline-to-Stateline Bikeway Project Central Corridor, Phase 3 and Phase 4</td>
<td>Separated bike path, trail connections, trail access between Sand Harbor and Round Hill Pines Beach, and include Incline Village to Crystal Bay</td>
<td>NV, USFS, Douglas Co., Carson City, Washoe Co., NV State Parks, NDOT</td>
<td>TRPA: TRPA NEPA: USFS or FHWA CEQA: n/a Others: TTD, NV State Parks, NDOT, USACE, Douglas Co., Washoe Co., Carson City</td>
<td>Feasibility study complete. Conceptual design and environmental review to start in 2011.</td>
</tr>
<tr>
<td>NV SR 28 Corridor Improvement Project*</td>
<td>Safety, parking, seasonal transit, bicycle trail</td>
<td>NV, Washoe Co., Incline Village General Improvement District (IVGID), Carson City, Douglas Co.</td>
<td>TRPA: TRPA NEPA: FHWA (likely) CEQA: n/a Others: NDOT, Washoe Co., Carson City, IVGID, Douglas Co., NV State Parks</td>
<td>Project concepts being formulated. Environmental review start date to be determined.</td>
</tr>
</tbody>
</table>

Note: * Included in first phase of CIP projects; however, improvements are still in formulation. Environmental review will start at a later date.
PROJECT LOCATION

The geographical extent of the proposed RTP/SCS encompasses all jurisdictions within the Lake Tahoe region (Exhibit 1). The Lake Tahoe region spans portions of five counties in two states (Nevada and California) and one incorporated city (City of South Lake Tahoe). The five counties include Washoe, Carson, and Douglas counties in Nevada and El Dorado and Placer Counties in California.

BACKGROUND AND POLICY CONTEXT OF THE PROPOSED RTP/SCS

The Lake Tahoe Basin is a unique and sensitive natural environment, home to approximately 54,000 full-time residents, and a destination for millions of visitors each year. The region seeks to invest in a transportation system that improves mobility, safety, and quality of life for residents and visitors, promotes economic vitality, preserves and restores the ecology of the region, and minimizes the Lake Tahoe Basin’s impact on the global climate. To help meet these goals, the TMPO and the TRPA are jointly updating the basin’s Regional Transportation Plan.

The federal government, State of California, and the Tahoe Regional Planning Agency all have legislative requirements related to long-range transportation planning. Because TRPA operates at a regional level under the authority of the Bi-State Compact between the states of California and Nevada, it has also been designated with several roles related to transportation under federal, state, and local law. Because of these multiple roles, the proposed RTP/SCS will serve several important functions, as described below.

- In the State of California, TRPA is the designated Regional Transportation Planning Agency (RTPA). In this role, TRPA is responsible for creating and updating an RTP under California state requirements for transportation planning. The RTP includes policies, project implementation plans, and funding strategies to meet community goals. While the proposed RTP/SCS functions as a stand-alone document, it is being developed in full coordination with the Lake Tahoe Regional Plan update process, currently underway. For instance, the transportation policies in the Regional Plan and RTP will be identical and the land use pattern represented in the Regional Plan provides the foundation for decisions regarding transportation measures that will meet the adopted transportation policies.

- TRPA is the federally-designated Metropolitan Planning Organization (MPO) for the Lake Tahoe Basin. Acting in this role, TRPA is known as the Tahoe Metropolitan Planning Organization (TMPO). As the federally designated MPO, TRPA/TMPO has the authority to direct federal transportation funding. In order to do so, it must maintain a Long Range Transportation Plan. The proposed RTP/SCS would serve as both the California Regional Transportation Plan and the Federal Long Range Transportation Plan required under federal law.

- The proposed RTP will meet SCS requirements, consistent with California’s Senate Bill (SB) 375, Statutes of 2008. Through passage of SB 375, California established a process by which greenhouse gas (GHG) emissions reductions must be achieved in the transportation sector (i.e., for travel by automobiles and light trucks). The California Air Resources Board has set a target for GHG emissions reduction from transportation for each MPO region in California, including the Lake Tahoe Basin. Each MPO is required to create an SCS as part of its next RTP update. If an SCS is not sufficient to achieve the GHG reduction target, the MPO would prepare an Alternative Planning Strategy that presents the land use and transportation measures necessary to reach the target. For Lake Tahoe, special legislation was passed (SB 575, Statutes of 2009) allowing TMPO to use the Lake Tahoe Regional Plan as the region’s SCS. The approvals of the RTP, SCS, and Regional Plan will be coordinated, so that the SCS will be included in the Regional Plan, consistent with SB 575. The SCS will describe the land use scenario and transportation investments that will allow the region to meet its GHG emissions reduction targets.
AGENDA ITEM: V.A.

Source: Ascent 2011

Exhibit 1

RTP/SCS Project Area
The proposed RTP/SCS will help to achieve and maintain the adopted environmental threshold carrying capacities as mandated by the Tahoe Regional Planning Compact. Initiated in 1969 and revised in 1980, the Compact establishes ‘thresholds’ that measure the region’s performance on key environmental quality goals. TRPA is responsible for guiding the region’s progress towards these thresholds, which include performance metrics in the areas of air quality, water quality, soil conservation, vegetation, noise, recreation, scenic resources, fish, and wildlife. The Compact also includes eight air quality indicators. Of these, two are direct measures of transportation behavior: total vehicle miles travelled (VMT) in the region and traffic volumes on US 50. Other thresholds are measures of pollutants emitted by vehicles and as such, are closely tied to transportation. These indirect transportation measures are carbon monoxide, ozone, particulate matter, atmospheric nutrient loading, and visibility.

The RTP also includes numerous water quality improvement measures, such as best management practice (BMP) projects, related to transportation facilities. By including water quality protection measures in the RTP, the RTP also helps support attainment of the Total Maximum Daily Load (TMDL) requirements for limiting the discharge of sediment and nutrients to Lake Tahoe and water quality threshold carrying capacities.

Finally, the proposed RTP/SCS is integral to the Tahoe Basin’s Regional Plan. TRPA is the land use and transportation regulating entity for the Lake Tahoe Basin. This authority to regulate land use at the regional level was established through the Bi-State Compact in 1969 as part of the effort to protect Lake Tahoe and the natural environment in the Basin. In this role, TRPA is responsible for developing, updating, and implementing the Regional Plan, which establishes regulations for land use, transportation, conservation, recreation, and provision of public services and facilities for the Tahoe Basin. The plan includes Goals and Policies and a Code of Ordinances regulating land use, density, vehicle trip generation, lot coverage, setback, and related requirements. The Regional Plan was last updated in 1987. A Regional Plan update is underway and TRPA expects to complete it in 2012.

ISSUES to be Addressed in the EIR/EIS

The RTP/SCS EIR/EIS will be a comprehensive program-level environmental document addressing a broad range of potential environmental issues. The following resource areas will be analyzed in the EIR/EIS:

- Land Use
- Traffic and Transportation
- Air Quality
- Greenhouse Gas Emissions and Climate Change
- Noise
- Biological Resources
- Agriculture and Forest Resources
- Hydrology and Water Quality
- Geology, Soils, Land Capability and Coverage
- Recreation
- Public Services and Utilities
- Human Health and Risk of Upset
- Scenic Resources
- Cultural Resources
- Population, Housing, and Socioeconomics

In addition, the EIR/EIS will address cumulative impacts, growth inducing impacts, and other issues required by CEQA and TRPA Compact, Code, and Rules.
**ALTERNATIVES TO BE ANALYZED IN THE EIR/EIS**

Four alternatives are currently being considered for analysis in the EIR/EIS. They are briefly summarized below.

Under Alternative 1, the “No Project” Alternative, the goals, policies, and Implementation Measures for the 1987 Regional Plan would remain in place, except for what is necessary to be in compliance with the regulations of other federal and state agencies. The existing Code requirements would be applied for the permitting of projects, including those findings that must be made to determine a project is consistent with TRPA’s Thresholds.

Alternative 2 would amend the existing Regional Plan by advancing pedestrian and transit oriented development (PTOD) that links people with their destinations and reduces the need to drive for all trips. This alternative represents the approach in the proposed RTP/SCS.

Alternative 3 is similar to Alternative 1, but there would be some additional goals, policies and implementation measures designed to recognize state and national trends, for example: accommodate pedestrians and bicyclists in all new commercial, multi-family, tourist, recreation, and public service projects; utilize intelligent transportation systems (ITS) technology; expand transit use and service; upgrade regional roadways, etc.

Alternative 4 is similar to Alternative 2, but includes a more regulatory focus to reduce automobile use and environmental impacts (for example, reduce parking minimums and establish parking maximums; establish standards to reduce transit emissions per person per mile (EPPM); and require public and private vehicle fleets use the best available fuel technologies when replacing vehicles.