

TRPA draft EIS Regional Plan update showdown begins

By Kathryn Reed

STATELINE – Sixty days. That’s how long people have to review and comment on the environmental documents associated with the Tahoe Regional Planning Agency’s Regional Plan update as well as the transportation update.

About an hour of Thursday’s Governing Board meeting was devoted to discussing how long the comment period should be on the environment impact statements. While some wanted the maximum 90-day period, the board voted on a 60-day limit with the idea the vote on the EIS will happen before the end of the year and there will be more time for public meetings. Board members Mara Bresnick and Ryan High, the alternate for Ross Miller, voted against the 60 days.

Those in the conservation community asked for the 90 days, visually demonstrating the task ahead for all who want to participate in the process by bringing to the podium the volumes of binders that contain close to 3,000 pages of information. All of the docs are on the TRPA’s website.



TRPA Governing Board member Claire Fortier of South Lake Tahoe listens to deliberations April 26.

Before the April 26 vote, board member Claire Fortier said, "The folks who want the delay are the same people who were at the Regional Plan committee meetings."

Fortier, who is also the mayor of South Lake Tahoe, was one of the six members of the committee who came up with the proposed Regional Plan update.

Regional Plan draft EIS

Five alternatives are in the EIS, with alternative 3 the preferred alternative. TRPA staff describes alternative 2 as what the conservation community wants. Conservationists say that is not true.

"We provided a 256-page Conservation Alternative to the TRPA. That alternative was discussed with the staff over a number of months," Laurel Ames, with the Tahoe Area Sierra Club, told *Lake Tahoe News*. "We were shocked to find our alternative eviscerated and allegedly replicated as current alternative No. 2. The EIS analysis of alternative No. 2 does not reflect our alternative."

The "we" also includes the League to Save Lake Tahoe, Friends of the West Shore and other conservation groups.

Sydney Coatsworth with Ascent Environmental Inc., the firm that prepared the draft EIS, described the alternatives in basic terms as follows:

- Alternative 1 would keep things as they are – using the current Regional Plan that was adopted in 2007. This comes with 86 residential allocations, 874 residential bonus units, 383,579 square feet of commercial floor area, and 342 tourist accommodation units.
- Alternative 2 is described as low development with increased

regulation. It calls for 2,600 residential allocations, 200,000 square feet of CFA, maximum coverage of 50 percent on high capability land in community plan areas. Existing height rules stay in place except in some high-density locations.

- Alternative 3 is called highly incentivized redevelopment. Coverage and development transfer ratios are based on sensitivity between areas, allows coverage transfer across the nine hydrological related areas, and has changes to density and height standards. There are three tiers for height, the maximum being 197 feet in the Stateline casino corridor. (That is the current height of Harveys and Harrah's Lake Tahoe. For the Stateline casino properties to get a permit to redevelop, they must conform to rules in the Regional Plan. If this alternative is adopted, then they would. Those casinos were built before there was a Regional Plan.) This alternative also has 2,600 residential allocations and 200,000 square feet of CFA. It exempts non-motorized trails from being categorized as coverage.

- Alternative 4 is labeled as reduced development with incentivized redevelopment. It comes with 4,000 residential allocations, 400,000 square feet of CFA, 200 TAUs, and 70 percent coverage on parcels in community plans.

- Alternative 5 has a similar rate of development and regulatory structure as the 1987 plan. It comes with 5,200 residential allocations, 600,000 square feet of CFA and 400 TAUs.

Fourteen environmental topics are analyzed in the EIS. Chapter 2 details the alternatives. The 14 are land use, transportation, air quality, green house gas-climate change, noise, geology-soils-coverage, hydrology-water quality, scenic resources, biological resources, recreation, population-employment-housing, public services-utilities, hazards-public safety, and cultural resources.

Chapter 3 focuses on the analysis. Two designations not often, if ever, found in an EIS are labeled as B for beneficial and SU for sufficient-unavoidable.

What people are saying

Several times during the past two days of TRPA board meetings it was stressed how the Regional Plan update and the EIS are drafts. Comments on the Regional Plan will be taken until the day the board votes on it in December. The EIS has 59 days left for people to comment.

TRPA Executive Director Joanne Marchetta repeatedly said the plan update would get on a four- to five-year cycle – no more of this every 20-year process – or 25, as is the case now. The idea is to be able apply adaptive management techniques to the plan – so changes can essentially be made on the fly to things not working instead of waiting years after that realization.

Seventeen people during the public comment period spoke about the draft EIS.



Dan Siegel with the California Attorney General's Office goes over his notes at the April 26

TRPA meeting.

First out of the gate was Dan Siegel, California deputy attorney general.

"I believe the draft has serious legal defects," Siegel said. In particular he took issue with delegating authority to local jurisdictions, coverage rules, and the allowance of new development.

Ames, with the Sierra Club, spoke of the desire for better stormwater rules, in particular the need to use infiltration techniques instead of collection basins.

Jennifer Quashnick, who has worked for the Sierra Club, questioned why when so many people touted the economic benefits of the plan why there is no feasibility study associated with it to prove that point.

On the other side, advocating for the adoption of alternative 3, were attorney Lew Feldman, Carl Ribaud of SMG Marketing, consultant Gary Midkiff, Richard Shaw of Design Workshop, Clint Purvance of Barton Health, Blake Riva of East-West Partners, Chuck Sharer of Edgewood Companies, Hilary Roverud with the city of South Lake Tahoe, B Gorman of Lake Tahoe South Shore Chamber of Commerce, and Carol Chaplin of Lake Tahoe Visitors Authority.

Formation of the plan

To come up with the draft Regional plan the committee met 15 times, with unanimous agreement coming on 145 items.

Fourteen of the items that will need to be resolved between now and December are:

- Transfers of planning and permit review responsibility to local government
- Options for stormwater management implementation

- Annual release system for residential allocations, bonus units, and non-residential development allowances
- Transfer of coverage across hydrologically related area boundaries
- Tourist accommodation unit transfers
- Development and subdivision authorized in the recreation district
- Building height in the high density tourist district
- An eight-hour ozone threshold standard
- Level of service allowances when alternative transportation modes are available
- Distribution requirements of air quality impact fees
- Restrictions on biomass burning facilities within the basin
- Numeric restoration targets and trails for stream environmental zones
- Coverage or other permanent land disturbances in stream environmental zones
- Airport activities and nuisance abatement requirements
- Ridgeline and viewshed protection and scenic mitigation
- Maintaining and restoring the scenic qualities of the natural appearing landscape.

