

Public Comment RPIC 3.24.2021 Agenda Item Re TRPA RTP Goals and Policies

Submitted by Carole Black, Incline Village resident

The following comments are submitted as Public Comment based on review of RTP Goals and Policies. In general the themes focus on:

- Safety and neighborhood compatibility re transit in communities
- Balancing/optimizing Quality of Life in communities and neighborhoods with business objectives
- Maintaining flexibility in planned interventions, e.g., mobility hubs, to match the community situation
- Managing development to meet community/neighborhood needs within the context of preserving the environment
- Maximizing access to all potentially available recreational areas to distribute demand

1. RTP Projects diagram: Water Shuttle route did not match the diagram shown in APC Policies and Goals Presentation last week (copy attached at the end of this document). The service and stops shown in the latter diagram would provide a valuable service for the north shore and should be added to these sections and diagrams as well.

2. Goals: Suggest two edits:

- Safety > Goal: Increase safety and security for all users of Tahoe's transportation system **and maintain or enhance transit related safety elements in the communities served.**

- Economic vitality and Quality of Life > Goal: Support the **economic vitality success** of the Tahoe Region **to enabling economic vitality with** a diverse workforce; **a sustainable environment;** and **a quality experience for both residents and visitors.**

3. Policies: Suggest edits as follows:

- Policy 2.8 Ensure all transportation projects, programs, and policies meet the transportation needs and minimize negative impacts for **communities served and their residents including** disadvantaged communities and people with special needs

- Policy 2.22 Coordinate and include in area plans, intermodal transportation facilities ("Mobility Hubs") that serve major activity centers **in and outside of the basin connecting applicable transportation modalities including** transit, pedestrian/bicycle **trails/facilities, car/ride shares and, where appropriate and feasible, providing** park and ride facilities

- Policy 4.12 (also pg 297): Maintain monitoring programs for all modes that assess the effectiveness of the long-term implementation of local and regional mobility strategies on a publicly accessible reporting platform. **Require a congestion impact/management assessment and plan for all transit program proposals**

- Policy 5.1 Encourage community revitalization and transit-oriented development projects that comprehensively support regional and local transportation, housing, land use, environment, **neighborhood compatibility and other local priority community goals.** Note: significant concern re development proposals and how it will relate to Incline Village – maps seem to expose much of the Village to significant Town Center - like development which will be inconsistent with the area character

- Policy 5.2 (Policy Highlight Policy 5.2: Ensure access to public transit in

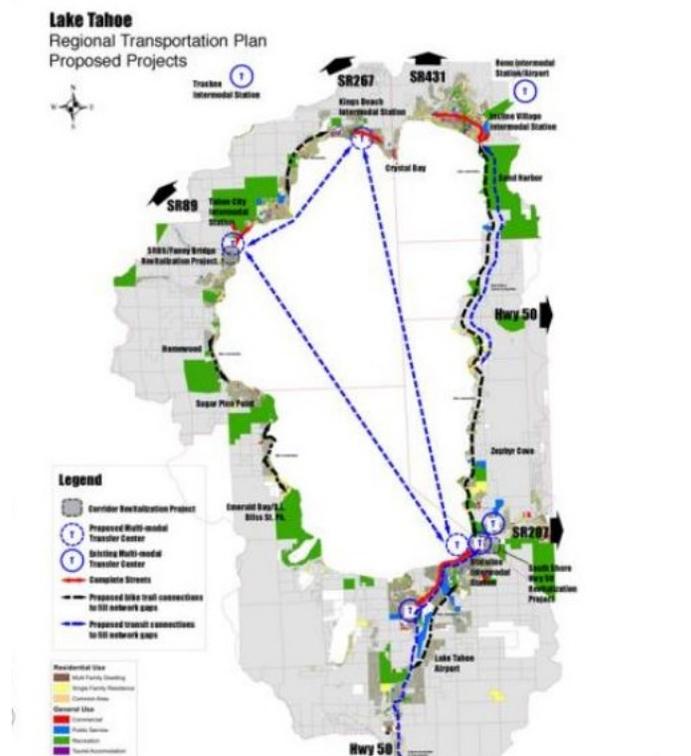
identified Community Priority Zones) and diagram showing transit service every 15 min 20 hr/day for the highlighted area in Incline Village. **Suggest adding wording to address residential neighborhood impact**, maybe something like “... matching type and size of vehicles used on local streets during off-hours (10 pm – 7am) to meet anticipated demand and to minimize adverse neighborhood intrusion”.

Rationale: No concern about the overarching concept. However, the concern is the thought for practical implementation – the flagged area and adjacent small streets are very densely populated, narrow and congested. Currently TART buses wander through/near these areas which is already a challenge – extending service frequency and hours with these vehicles will potentially create a huge disturbance for all residents during what should be “calm, dark, peaceful & quiet hours”. See also modified wording recommended in Policy #2.8 above.

Projects list:

- 03.02.01.0017 SR 28 Central Corridor Improvements – Sand Harbor to Spooner State Park; Est cost \$68M: **Recommend review of planned added parking to ensure maximal possible capacity is included**

Diagram referenced in item #1 from APC Policies and Goals Staff Report to TRPA APC 3.10.2021:



March 23, 2021

Tahoe Regional Planning Agency
Regional Plan Implementation Committee
128 Market St., Stateline, NV, 89410
Submitted via email

RE: Vehicle Miles Traveled Threshold Update and Project Level Analysis Assessment

RPIC Chair, Members and TRPA Staff,

The League to Save Lake Tahoe (League) appreciates the opportunity to provide comments on the Vehicle Miles Traveled Threshold Update and Project Level Analysis Assessment (VMT Threshold Update). The League is dedicated to protecting and restoring the environmental health, sustainability, and scenic beauty of the Lake Tahoe Basin. In connection with our mission, we support transportation solutions for Tahoe and advocate for the implementation of projects and policies contained within regional land use and planning documents that reduce dependence on the private automobile, including the Bi-State Compact (Compact), the 2012 Regional Plan Update (Regional Plan) and the Regional Transportation Plan (RTP).

The League is part of the vehicle miles traveled (VMT) working and technical groups. This threshold update and associated tasks are a top priority for the League, and we are happy to see the same level of focus from TRPA. We continue to share the vision expressed a year ago at the March 25, 2020 RPIC meeting where staff received direction to “update the current VMT threshold to address greenhouse gas (GHG) emissions, mobility, and other concerns related to vehicle travel (e.g., compact mixed-use development in town centers to reduce reliance on the automobile) so that the updated standard(s) can be applied at both the regional and project levels.” With that vision in mind, we want to make sure that the VMT threshold helps ensure Regional Plan and RTP/SCS implementation, and includes sufficient mitigation of any VMT increases resulting from those plans.

Since 1982 when the VMT threshold was adopted, we have come to a better understanding of the contributors to lake clarity decline. Fine sediment pollution from paved surfaces, along with algae growth encouraged by tailpipe emissions contribute to clarity loss. Both of those impacts are linked to vehicle travel, making VMT an imperfect but helpful proxy for some of the key drivers of clarity loss in Lake Tahoe.

Whether intentionally or not, VMT is now at the intersection of rules and regulations that guide transportation, development, and environmental protection in Tahoe. Its position is not unwarranted. California recently recognized VMT as the best available measure for the impacts of vehicle travel. The state now requires a VMT analysis for any project that falls under CEQA. By following the example set by California, a leading force for environmental protection on the national and international stage, Tahoe is well-positioned to protect its unique natural resources.

Overt the last year, the League’s policy, advocacy, and transportation experts have been deeply involved in discussions on updating the VMT threshold. Below are our current high-level comments. We will provide more detailed comments as the VMT Threshold Update progresses and, as always, we offer to continue to meet with TRPA’s board and staff to discuss details and nuances around the suite of actions, policies, and revisions.

VMT Threshold Target

Although the proposed 6.8% per capita reduction could be a more ambitious threshold, we acknowledge that it will require full implementation of both the RTP and Regional Plan. As Tahoe improves our transportation system over the coming years, we should strive for more aggressive reduction targets. We are encouraged to see the additional language proposed since the last RPIC meeting for DP 5.36.C. “2048 Results Milestone” explicitly committing to setting a new, more aggressive target, if we achieve the initial 6.8% per capita reduction.

Implementation

We are largely supportive of the implementation plan proposed by TRPA, and would like to fully support the plan if our remaining concerns are addressed.

Triggers and responses

No net unmitigated VMT response.

In our comments for the January 2021 RPIC meeting, we supported the proposed automatic triggers which will require all projects to be VMT neutral if as a region we are not collecting revenue to implement the RTP by 2024. However, we did propose changing the order - requiring no-net unmitigated VMT development for projects that are not screened out in the project-level assessment until a regional revenue source is being collected. This would make the trigger and response more effective by continuing the interim guidance with the incentive to move into the proposed framework contingent on meeting the revenue generation goal.

We have new concerns about the other change to DP 5.6 which adds a VMT reduction trigger to the no net unmitigated VMT response. We suggested to TRPA staff that this be applied on the local (jurisdictional) level – if Placer, for example, is meeting VMT or revenue source they could move from no-net into the proposed system. On the regional level, it could work with a change to the currently proposed language. The new language seems a bit contradictory with an “and” in the first part – achieving revenue and VMT goals, but “or” in the next paragraph – until revenue is achieved or meeting VMT targets. We could support this change if both statements were “and”s.¹ If the proposed VMT progress trigger is included, it is unlikely that a one-time end-of-2023 response is enough. This trigger and response would need to be on a regular schedule (i.e. every two or 4 years).

¹ 2024 Regional Revenue Milestone - If a regional revenue collection has not commenced by December 31, 2023 and VMT Per Capita is not at or below the level identified in the schedule. 1. The standard of significance for project review for all projects shall be no net unmitigated VMT, except for deed restricted affordable and/or workforce housing. This measure will remain in effect until such revenue collection has commenced, ~~or~~ and until an performance report as described in DP – 5.2 identifies that the pace of VMT reduction is consistent with expectations.

Regarding the regional revenue source trigger, the response needs to be more specific. Instead of just raising funds to generally implement the RTP, there should be a specific amount of money targeted that has a strong nexus with VMT reduction. The monetary amount should be \$20 million annually to total \$486 million by 2045, as identified in the draft 2020 Regional Transportation Plan. We would like to see a qualitative ranking of the potential VMT reduction actions analyzed throughout this VMT update process, including Fehr & Peers November 2020 Memo “Review of Vehicle Miles Traveled Mitigation Strategies for Use in the Tahoe Basin,” the development of the project-level analysis tool, and the Transportation Demand Model. Cross-walking that list with the constrained project list in the 2020 RTP could provide a monetary target. We are open to other specific trigger and response suggestions and would like to continue this conversation.

Mitigation fee increase response.

We support the proposed progress checks and resulting mitigation fee increases if the Tahoe region is not on track to meet the VMT reduction target. We have two remaining concerns for consideration:

- The mitigation fee needs to be adjusted for inflation at a regular interval. Inflation, especially when it comes to infrastructure costs, is normally about double the consumer price index, which would equate to 4-6 % annually.² This must be accounted for in order for the mitigation fee program to keep pace with the cost of implementation.
- The triggered response of a 10% increase in mitigation fee seems arbitrary. While VMT reduction does not have a direct correlation to funding, it is of course dependent on funding. We ask TRPA staff to investigate a nexus – is there a mitigation fee increase that could be directly tied to VMT reducing projects and programs?

Technical advisory body review.

It is important that the advisory body’s biennial assessments result in actions if Tahoe is not on track to meet RTP and VMT goals. We are encouraged to see the language added to DP 5.2 “Where possible the performance report will attempt to quantify project and program implementation, changes in VMT, VMT per capita, and effectiveness at both the regional and jurisdiction level.” This is a step in the right direction, but we would still like to see some of the proven-effective VMT mitigation strategies identified – such as implementing commute trip reduction programs and creating Basin-wide parking maximums – be automatically triggered if Tahoe is not on track to meet reduction targets by a set time. We would also like to see more detail on the composition of the advisory board and the process for how its recommendations will be implemented.

Addressing existing development.

Some of the VMT impacts from existing development should be reduced through RTP implementation, but in order to meet our regional target existing development needs to be specifically addressed. This could be accomplished through a VMT retrofit program and

² AECOM (2021) “Infrastructure prices rises to exceed inflation, peaking in 2022” <https://aecom.com/without-limits/article/infrastructure-prices-rises-to-exceed-inflation-peaking-in-2022>

implementing existing plans and regulations such as no parking on dirt, the employer-based trip reduction program, and commercial floor area verification. There could also be a role for the mitigation fee here, discussed below.

Project Impact Assessment Screening Criteria

The project level impact assessment has greatly improved since the version provided to RPIC in January 2021. We support screening out some small projects when evidence shows a minimal impact, as well as slightly larger projects in low-VMT areas (Town and Regional Centers). We are happy with the proposed screening criteria with one exception: Instead of the 1,300 VMT standard of significance outside of Town and Regional Centers, we believe 700 VMT would be more appropriate and consistent. The standard of 700 VMT would be about equivalent to 110 daily trips, which follows the California Governor's Office of Planning and Research (OPR) guidance and is higher than the 100 trips TRPA has relied on in the past. The standard of significance for changes in operation is proposed to be 650 VMT (100 daily trips), which we believe is appropriate. We propose a simple and consistent 700 VMT standard of significance for new development and changes in operation.

Air Quality Mitigation Fee

We support the expanded description of the framework for the mitigation fee update included since the January 2021 RPIC meeting. The mitigation fee update proposed is streamlined and well aligned with the RTP. We believe there is some room for improvement to help prioritize projects in high-VMT per capita areas. We understand that actual fees will be set after the VMT Threshold Update is adopted, but the adopted language should set fee expectations. The fee needs to be high enough for projects in high-VMT areas to incentivize developing in low-VMT areas and include effective mitigation measures. Paying the fee needs to be more expensive than mitigation to be effective. We would also like TRPA to consider dedicating a portion of the mitigation fee to the same jurisdiction/region/corridor where the fee is generated (like TMDL and coverage transfers) with the remainder going to regional projects.

Monitoring

As with the project-level assessment, there has not been much information on the monitoring aspect yet. Moving to a per capita VMT efficiency standard is a big change from the absolute VMT standard that the Basin has been operating under since the 1982 adoption of threshold standards. Therefore, it is vital that a monitoring system is created to measure progress toward threshold attainment on the regional and project levels. The monitoring needs correspond to trigger points that immediately initiate adaptive management measures as discussed above. In order to support the monitoring plan, we will need to see robust monitoring and adaptive management of progress toward the VMT reduction target, effectiveness of implementation actions, and ground truthing of project-level assumptions.

Ground Truthing

"Additional Recommendations" in Appendix 2: *Review of Screening Criteria for VMT* includes running several types of projects through the screens and making adjustments as necessary. This is a fantastic idea that the League has encouraged starting with the travel demand model

update in 2018. We are looking forward to seeing the results of this exercise before finalizing the screening criteria. A comparison of how they would play out in the different alternatives would be particularly useful. Further we strongly recommend running the projects not only through the screening criteria but through the full suite of tools and policies proposed to see how it all works together and how these projects would be treated differently under the current and proposed schemes. Finally, some projects that are screened out - such as large affordable housing projects or commercial projects that are near the screening threshold - should be monitored for at least the first five years to validate the assumptions.

Thank you again for your work tackling one of Tahoe's most impactful and persistent environmental problems. We look forward to working with TRPA and stakeholders to achieve what we believe are our common goals. Please do not hesitate to contact me directly with any questions.

Sincerely,

Gavin Feiger
Senior Land Use Policy Analyst

Ann Nichols

Homewood Mountain Resort and Boulder Bay have failed the Community.

It's been over a decade now and TRPA's CEP Program has failed to complete BMP's or improve water quality. Homewood has left a boarded up mess at the Tahoe Inn. The Tahoe Inn property is tagged and toxic with mold. (Photos are attached) Boulder Bay is starting up again with massive condo towers and at the same time again trying to take our 4th exit out of the Crystal Bay neighborhood through abandonment. The residents better have wings if there is a fire. The Boulder Bay site is strewn with rusted junk and falling down buildings.

Both the Tahoe Inn and parts of the Boulder Bay property are health and safety issues. Placer County won't help. Washoe County won't help. JMA won't clean up their mess, but they are beginning the process of building luxury condos in Homewood. The excuse for their failure to demolish the Tahoe Inn is that it wasn't a condition of approval and "they needed to divert funds elsewhere". In fact razing the Tahoe Inn is a condition of transferring their TAUS. The residents are furious.

There are reasons for the massive CEP program failures:

1. It wasn't just the resultant lawsuits. The proposed projects were too massive and expensive. TRPA approved these bad ideas and now they are morphing into giant condo complexes because that's the hot commodity in Real Estate. Condos are a different animal use wise and traffic has become brutal in the decade since approval. TRPA must require a new complete, not "refreshed" traffic studies on both projects.
2. Both Homewood and Boulder Bay have found a developer's loophole; namely phasing. Unbelievably, Homewood is beginning with a phase within a phase. 7 freestanding condos begins the piecemeal planning thereby avoiding their mitigation requirements concerning fire evacuation and Tahoe Inn demo. Boulder Bay began with 18 condos avoiding the triggers of their mitigations.

TRPA you can resurrect and improve the CEP program with enforcement. Hold Homewood and Boulder Bay's feet to the fire to complete mitigations before a shovel hits the ground. Make the counties require Homewood demolish the Tahoe Inn and Boulder Bay demolish their derelict buildings (Cabins-Crystal Bay Motel). Smaller projects like Tonopalo 2 and the Hendrickson building were removed in advance of development.

TRPA, Cindy Gustafson and Alexis Hill help your communities; require Homewood and Boulder Bay clean up their mess before they develop. The Community is fed up.







