

City of South Lake Tahoe
Comments for RPIC Agenda Item No. 3

Michael,

Thanks for the quick response and the explanation you provided regarding the permitting requirements for outdoor seating and dining.

As you may know, the City Council directed City staff to coordinate with TRPA and STPUD to reduce barriers and streamline the planning process to allow outdoor seating and dining on a more permanent basis. This type of activity is encouraged and is supported by Area Plan and General Plan policies as a way to activate the streetscape. As currently proposed, we're concerned that the proposal would act as a disincentive and discourage business from creating outdoor seating and dining opportunities.

The City would like the opportunity to meet with TRPA and STPUD staff to discuss the proposal and brainstorm options for moving forward prior to the RPIC taking any action.

We're also concerned with impacts on local businesses who either have existing outdoor seating and dining or are interested in adding dining and seating. Thus we encourage TRPA to conduct public outreach/workshops to solicit public input on this important issue before taking any action.

Thanks for letting us comment, and we look forward to working with TRPA on the proposed amendments.

Regards,

John Hitchcock
Planning Manager

November 16, 2020

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

Re: Comments on Proposed Code Amendments for Outdoor Dining and Outdoor Seating Uses

TRPA Regional Plan Implementation Committee and TRPA Staff,

As a member of the Main Street Management Plan (MSMP) Stakeholder working Group and a supporter of Regional Plan implementation, the League is keenly aware of the need to clarify and enforce outdoor dining and commercial floor area (CFA) ordinances. The proliferation of outdoor dining and seating due to COVID has resulted in a large number of noncompliant restaurants. Outdoor dining is largely regulated through commercial floor area (CFA) and coverage requirements based on the Bi-State Compact, the Regional Plan, and the Tahoe Regional Planning Agency (TRPA) Code or Ordinances (Code). Regulating CFA is a growth control measure to protect the environment and coverage restrictions and requirements also protect the environment by reducing sediment delivery to the Lake. Outdoor dining is also subject to scenic requirements. The only response we have seen to this rampant noncompliance is a memo distributed by TRPA in May 2020 to educate restaurants on some requirements and provide temporary guidance.

The comments we provided at the September MSMP Stakeholder meeting are still relevant.

The League is very supportive of codifying the outdoor dining that has proliferated during the COVID virus. Overall, the proposal is well thought out. However, we have two concerns that will determine whether we can ultimately support this proposal. First, considering that TRPA has challenges in enforcing codes and ordinances and the poor track record of compliance and enforcement around many TRPA regulations, who is going to certify and enforce these ordinances? Second, what happens to existing businesses that are likely out of compliance with these proposed ordinances – how will these be brought into compliance?

We understand the TRPA staff response, included in Attachment C to this Regional Plan Implementation Committee (RPIC) item, to say that TRPA cannot enforce all of its Code provisions and this one is not going to be a priority but that in theory it will enhance TRPA's enforcement capabilities.

While the environmental consequences of outdoor dining may not seem as detrimental as something else that TRPA is focusing their compliance efforts on, it is likely to be a chronic issue that will be even more difficult (logistically and politically) to enforce as time goes on.

Restaurants have invested thousands and thousands of dollars on outdoor dining making it unlikely to say the least that they will not fully use it, even when indoor dining restrictions are lifted. This will, as soon as next summer, result in a very large increase in CFA regionwide which undermines the Regional Plan and related efforts such as traffic and coverage reduction. Outdoor dining and seating that does not comply with scenic requirements has the potential to put roadway, recreation, and lake scenic units out of compliance, which could jeopardize future, otherwise compliant projects. We take this opportunity to recommend TRPA consider not using resources to create new plans, policies, and initiatives before implementing existing code, mitigation and permit requirements.

The theory that this code change will enhance TRPA's enforcement capabilities is unlikely to be realized based on history. The consequence of that is demonstrated in the "Environmental Features of the Proposed Ordinance " in Appendix C " Draft Initial Environmental Checklist" (IEC) which assumes no significant environmental impacts because of compliance with the Code. At least 10 of the potential environmental impacts considered in the IEC were determined to have no impact, with no mitigation required, based on Code compliance. The "Compliance Measures" attachment is a good summary, but it does not speak to how compliance will be achieved. We would like to see examples of how TRPA is going to verify that restaurants get a permit or QE and what the follow up will be to both permitted and unpermitted restaurants to check compliance.

The guidebook is a good faith effort and, along with the clear and concise CFA requirements, we encourage a focus on coverage and scenic requirements. Explaining the reasons for the rules and the consequences for breaking them at the beginning could also help with compliance.

The League is in favor of the Code clarification and the intent to enhance compliance as explained in the Staff Report and appendices for the agenda item. We are skeptical that increased compliance will be achieved so we recommend the Committee have a discussion on implementation and compliance before recommending the proposed Code change to the Governing Board.

Thank you for taking this important step to help implement the Regional Plan. We look forward to working with TRPA to finalize the Code updates and please do not hesitate to contact me directly with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Feiger", with a long horizontal line extending to the right.

Gavin Feiger
Senior Policy Analyst



PARAGON

GAMING • DEVELOPMENT • MANAGEMENT

November 15, 2020

William Yeats, Chair
Tahoe Regional Planning Authority
Governing Board
trpa@trpa.org

RE: AGENDA ITEM NO.VII.B. US 50 South Shore Community Revitalization Project Permit
Main Street Management Plan

Dear Sir,

On behalf of the majority shareholder and manager of the Hard Rock Hotel & Casino Lake Tahoe I respectfully request the support and approval of the Governing Board for the resolution before you in this matter. Our property has joined with all other property owners and business owners in the project area and participated in the almost two years to date process to identify and define an objectively measurable development plan for a new "Main Street" for South Tahoe.

The separation of the incessant but necessary flow of commercial and through traffic from those who want to appreciate and experience the commercial core at a much different pace is what opens up the menu of opportunities which drive, or ride, or walk this plan. As noted in the November 10, 2020 Staff Report "when this plan is implemented it will be the first major community hub at Tahoe that is not on a highway". That will be a landmark accomplishment: the TRPA Staff are to be congratulated for implementing and managing a productive and thoughtful collaborative process that brought together South Tahoe stakeholders, a talented planning & design team, the elected representatives and senior staff of the governments of Nevada and California and, throughout the two-year process, the public's ongoing review and comment as the plan kept evolving.

The Governing Board's approval of the resolution before you will solidify the plan's intent to date, and will be the foundation to build the policies and agreements which will govern the plan. Meeting the performance metrics and standards will be one way the success of this plan will be measured. Meeting the decades-long expectations of the residents, businesses and visitors to South Tahoe will be another. The merit of this plan is that it is permissive of exceeding both.

Thank you for your consideration of this important matter.

Sincerely,

John Cahill
Vice President of Planning & Development
Paragon Gaming (Majority Shareholder and Manager of Hard Rock Hotel & Casino Lake Tahoe)



Office of the City Manager
City of South Lake Tahoe

Joseph D. Irvin, City Manager
jirvin@cityofslt.us
(530) 542-6043

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South Lake Tahoe, CA 96150
www.cityofslt.us

November 17, 2020

Tahoe Regional Planning Agency
128 Market St.
Stateline, NV 89449

Subject: Comments on the Main Street Management Plan

Dear TRPA Governing Board:

I'm writing to express the City's support for the Main Street Management Plan. Council Member, Brooke Laine and Mayor Pro Tem, Tamara Wallace have been involved in the development of the plan, participating on the Stakeholder Working Group since May 2019. TRPA staff provided an informational presentation on the draft Main Street Management Plan to the City Council at its October 6, 2020 meeting.

Our City Council was supportive of the Main Street Management Plan and the process by which it was developed. We further recognize there are remaining concerns from the community regarding other components of the US 50 South Shore Community Revitalization Project that need to be addressed. Additionally, we look forward to working with appropriate partners on developing a maintenance and operations plan to ensure there is a clear understanding of future costs and obligations of this project, therefore making sure it's sustainable for years to come.

We are proud and excited about the Mainstreet Management Plan and all the possibilities it brings to our City. We look forward to working with other agencies on this project.

Respectfully,

A handwritten signature in blue ink that reads "Joseph D. Irvin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Joseph D. Irvin, City Manager
City of South Lake Tahoe, CA

November 16, 2020

Tahoe Regional Planning Agency
128 Market Street, Stateline, NV 89410
Governing Board
Submitted via email

Re: Comments on Main Street Management Plan – Final Draft and Motion to Adopt

Dear TRPA Governing Board and Planning Staff,

The League to Save Lake Tahoe (League) advocated for a Main Street Management Plan (MSMP) as a permit requirement for the Highway 50/South Shore Revitalization Project (Loop Road) and has been on the MSMP Stakeholder Working Group since its inception in March 2019. Without the traffic-reducing MSMP, the Loop Road would not accomplish its main goals related to traffic reduction and community revitalization. We provided comments on the September Stakeholder Draft on September 17th and the October Public Draft on October 30th (attached). Our comments today respond to some changes made between the two drafts and are specific to the Final Draft and Motion to Adopt being considered today.

We appreciate TRPA staff, and Ms. Bettinger in particular, for responding to our comments in a timely, professional, and meaningful manner.

With the updated Performance Measures, we agree that the draft Performance Standards now measure the success of the Main Street Management Plan to its original goals. We still recommend including a measure of the goal to activate the new main street – something along the lines of two of the measures that were removed between the Stakeholder Draft and the Final Draft: “number and frequency of outdoor events” and “percentage of activated frontage.”

The Next Steps chapter was a great addition between the Stakeholder Draft and the Public Draft, and we are encouraged to see our suggestions included as aspects of the plan that can be implemented in the years prior to construction of the full design.

Ms. Bettinger responded to our concerns about vehicle entry/exit and event closures via email. We appreciate the intent expressed to take steps over time to incrementally encourage both entrance and exit traffic to the rear access points of the businesses that front the new main street, to the extent possible based on parking configurations and operations.

Our repeated concerns about the Transit component have not been addressed

The Governing Board is being asked to approve incomplete permit requirements. This is acceptable only if the Tahoe Transportation District's (TTD) transit circulator requirement is acknowledged in the adoption language.

The transit circulator requirement is found in TRPA Permit EIPC2018-0008 as Condition 3.B, 1.3>Transit (TTD lead).¹ Here are the three most relevant sections:

- “TTD shall submit their most up to date transit plan to TRPA for approval as to consistency with this permit condition. The transit plan shall be developed with involvement from property owners adjacent to the Main Street project and partner agencies and shall identify how transit services along US 50 through South Lake Tahoe (“Y” to Stateline) will tie into the increased transit services within the Tourist Core Mobility Hub (Transit Center). Transit services on US 50 shall have a 30-minute or more frequent headway and seamlessly connect to the increased transit services within the Tourist Core and the Mobility Hub (Transit Center).”
- “TTD shall submit their most up to date transit plan that includes a transit circulator within the project area and vicinity. The transit plan shall be developed with involvement from property owners adjacent to the Main Street project and partner agencies and shall include an operations plan for the circulator including when it will be operational, routes(s), headway time, and secured long-term funding sources to operate the circulator while not jeopardizing existing transit services. TRPA will support a process to identify and seek additional funding sources to increase this and other transit services in the Region.”
- “The circulator shall be operational concurrent with or prior to the completion of the SSCRP.”

The permit condition has two key aspects: 1) TTD must amend its Short-Term Transit Plan (SRTP) to include the transit circulator service as described above; and 2) the service must be operational when the project is completed at the latest.

In 2017, TTD amended the SRTP but it only mentions the circulator in passing, with some repeated language on pages 83 and 84: “The US 50 Community Revitalization Project is expected to be the first effort in the phased corridor approach and will address transportation infrastructure improvements near the state line area in the US 50 South Shore Corridor. Some of these improvements include the potential of a transit circulator service within the project area and a TOD objective.”²

Along with the Parking Management Plan and the Ownership, Operations and Maintenance Plan, TTD will need to amend its SRTP to meet the permit conditions. This must at least include changing or removing the word “potential.” The permit condition is very specific and uses the

¹ Tahoe Regional Planning Agency (November 18, 2020) Governing Board meeting. Agenda Item VII.B. Page 85.

² Tahoe Transportation District (2017) Short Range Transit Plan. Pages 83-84.

https://www.tahoetransportation.org/wp-content/uploads/2020/05/SRTP-Final-Board-adopted-10-2017-amended12-2017_w_append.pdf

word “shall”: “The transit plan...shall include an operations plan for the circulator including when it will be operational, routes(s), headway time, and secured long-term funding sources to operate the circulator while not jeopardizing existing transit services.” The SRTTP must also reflect the requirement that “The circulator shall be operational concurrent with or prior to the completion of the SSCRCP.”

For clarity and consistency, the SRTP should also directly address and reference the Main Street Management Plan, not just the larger US Highway 50 Community Revitalization Project, and the specific permit requirements.

The Governing Board could adopt the resolution proposed in this agenda item by adding the circulator requirement to the pending Parking Management Plan requirement, which is in line with the permit language.³ The second “WHEREAS” would need to be amended to read something like this:

“the resulting plan partially satisfies the US 50 South Shore Community Revitalization Project permit condition requiring completion of a Main Street Management Plan with the requirement that plans for parking management, transit that includes a transit circulator, and ownership, operations and maintenance must still be prepared and approved to fully satisfy that condition;”.

Thank you for the opportunity to comment and do not hesitate to contact me directly with any questions.

Sincerely,



Gavin Feiger
Senior Policy Analyst

³ “The intent of the circulator is to operate in concert with the Parking Management Plan and connect people to existing parking, transit, recreation opportunities (e.g. ski resort, waterfront, hiking and biking trails), neighborhoods and workplaces, and tourist-oriented venues (e.g. resorts, hotels, casinos, major events venues).”

Governing Board Agenda Item No. VII.B

From: Michael McKeen <mckeensintahoe@aol.com>

Sent: Tuesday, November 17, 2020 8:18 AM

To: Alyssa Bettinger <abettinger@trpa.org>; Carl Hasty <chasty@tahoetransportation.org>

Subject: Re: Access for all businesses along Main Street

Thank you for your response and the addition of access on the submitted plans. The original Main Street plan is modifying as time goes on. Through traffic on Main Street was a high priority, but the future demands more as we have both stated: pedestrian use area. I visualize the tourist demand to grow to make the completed Main Street a main attraction/ destination for our community. The loop will handle the majority of the traffic and Main Street will dictate a slow movement of vehicles. Eventually, the CA and NV entrances will become gateways.

Important to this design is the investment and involvement of long term local businesses. All three of my tenants has invested their "lives" into tenant improvements and actively are involved in daily operations. These are not large corporate franchises that exist in the suburban climate. Emphasis needs to be made to maintain their success!

Thank you. Mike McKeen

Please make my comments part of the recorded project statements.

> On Nov 5, 2020, at 12:22 PM, Alyssa Bettinger <abettinger@trpa.org> wrote:

>

> Hi Mike,

>

> Thanks for your comment. Design Workshop has looked at providing access to both properties from Main Street (see attached PDF drawing). You will see the access points to both properties, particularly your southern property, gets extremely close to the intersection at Pioneer. This likely will not be viable with highway and local street design standards (with or without the westbound right turn lane at the Pioneer intersection), but would need to be looked at by road engineers to fully determine feasibility. This will come in the next phase as TTD works with their engineers to develop a detailed 60% design for the full corridor. I will note that even with maintaining these access points from Main Street, they would be limited to right turn in only, and traffic would need to exit from the back.

>

> Additionally, and as you are aware of through participating in the Stakeholder Group for this plan and as you've noted in your comment below, one of our primary goals has been promoting pedestrian and bicycle access and safety through this corridor. The addition of driveway access on Main Street decreases safety for all modes, particularly for cyclists. In general, the access points you are requesting go against the goals of the plan developed by our group and the public. We understand that maintaining access from Main Street for your tenants is important and the current plans have outlined strategies for your businesses to have access, but this area will need to be studied further as TTD and Wood Rodgers move towards 60% Design.

>

> The design attached in the jpg represents what will be shown in the final draft of the Main Street Management Plan. Please understand that this area will be looked at in more detail in the 60% design phase.

>

> Thanks,

> Alyssa

>

>

> Alyssa Bettinger

> Associate Planner

> Long Range & Transportation Planning

> 775-589-5301 | abettinger@trpa.org

>

> -----Original Message-----

> From: Michael McKeen <mckeensintahoe@aol.com>

> Sent: Sunday, October 25, 2020 4:49 PM

> To: MainStreet <mainstreet@trpa.org>

> Subject: Access for all businesses along Main Street

>

> Main Street concept is changing as the project moves forward. In the past a smaller/shorter version was desired with ample vehicle traffic going through. Now the project is growing with the Main Street extending from Park/Heavenly Way to the Pioneer intersection of the approved design.

> The Main Street will become a major attraction and the emphasis needs to be directed to pedestrian, bike and user interaction. Movement of traffic needs to be focused on the loop/bypass portion of the approved design. The speed of Main Street traffic needs to function with ample crosswalks and outside dining/functions.

> Being the owner of commercial property at 3930/3940 Lake Tahoe Blvd, I need to represent my tenants that drive access is required off the new Main Street directly onto the business location. The current three lane configuration is desired with the elimination of the right turn lane exiting to the West. The right turn can be accomplished at the intersection. The result will be greater continuity of Main Street design. Thank you. Michael McKeen

From: [Cheryl Mathews](#)
To: [Bill Yeates](#); [Mark Bruce](#); [Jim Lawrence](#); [Shelly Aldean](#); [Marsha Berkgigler](#); [Casey Beyer](#); [Bud Hicks](#); [Belinda Faustinos](#); tc@thecashmancompanies.com; [Brooke Laine](#); [Wesley Rice](#); [Barbara Cegavske](#); bosfive@edcgov.us; [Cindy.Gustafson](#)
Cc: [Joanne Marchetta](#); [John Marshall](#); [Marja Ambler](#)
Subject: Tahoe For Responsible Technology - Input for 11/18/20 TRPA Board Meeting
Date: Tuesday, November 17, 2020 4:43:57 PM

November 17, 2020

Dear TRPA Board Members,

My name is Cheryl Mathews. I am a Building Biologist and Executive Director of Tahoe for Responsible Technology. We are committed to promoting new technologies that protect the health, safety, security, privacy, and property values of Tahoe residents.

Like many, I moved to Lake Tahoe because of its awe-inspiring beauty and natural environment. As a Building Biologist, I am acutely aware of the known hazards to the environment and human health due to microwave radiation from wireless telecommunication facilities (cell towers) and small cell technology (5G).

As a membership association, Tahoe for Responsible Technology was created to represent the collective voice of Tahoe residents outraged with TRPA's lack of regulations and the proliferation of wireless telecommunication facilities and small cell technology in Tahoe. This unconstrained growth is affecting Tahoe's precious environment. The impact on vegetation and wildlife are well-documented, as are the impacts on human health and safety.

Tahoe for Responsible Technology was founded on the following principles:

- We believe in science. Independent, peer-reviewed, and published science unencumbered by industry influence is critical to decision-making that is in the best interests of the people.
- We believe in policies that evolve with science. Scientific thought changes as new discoveries are made, and old hypotheses are disproved. Government agencies must ensure that policies are updated as science evolves.
- We believe we have a moral obligation to protect the environment in Tahoe and the next generation. Our children depend on us, and government leaders, to protect their health, safety, security, and well-being and place this obligation above all others.
- We reject the rush to roll out 5G small cell technology in Tahoe. This effort is based on outdated science, and there has never been a single biological safety test conducted on small cell technology. It is unwarranted and dangerous and places the interests of a single industry ahead of Tahoe residents.

From: [Tahoe Stewards LLC](#)
To: [Bill Yeates](#); [Mark Bruce](#); [Jim Lawrence](#); [Shelly Aldean](#); [Marsha Berkgigler](#); [Casey Beyer](#); [Bud Hicks](#); [Belinda Faustinos](#); tc@thecashmancompanies.com; [Brooke Laine](#); [Wesley Rice](#); [Barbara Cegavske](#); bosfive@edcgov.us; [Cindy.Gustafson](#)
Cc: [Marja Ambler](#)
Subject: Public Interest Comments, Item XII.
Date: Tuesday, November 17, 2020 5:00:00 PM

Please ensure this is included on the record.

Tahoe Stewards, LLC is a membership organization here at Tahoe dedicated to protecting our fragile environment and the public from the hazards of the rapid proliferation of wireless infrastructure. To date, TRPA has ignored its own regulations and the community's concerns regarding installing cell towers and other wireless facilities. The controversy as to the Ski Run/Needle Peak tower is just one of many examples.

On behalf of our many members, nearly 4000 thousand individuals demanding action to protect residents and the environment from this very frightening agenda. Our members are comprised of business owners from South Lake Tahoe to Truckee and the surrounding areas. Educators, nurses and big tech workers remotely working for the very thing that you believe you need. It's easy to assume that several new residents have moved from the bay area to Tahoe within the recent months and a handful of new tahoe residents are represented in this petition as residing in the Bay Area, Sacramento or elsewhere but have significant ties and care for this place. Two new neighbors of mine are examples of just that and they are adamant and upset over the lack of information regarding the threat of these installs near them. It's easy to want more coverage but it's not the best way of approach and we have evidence upon evidence that suggests it is actually very harmful and we need to utilize the interest to get better more considered infrastructure that services all our needs and prioritize the people who reside here over the financial needs of big wireless.

We are not your enemy but attempting to call out to you in a last ditch effort to tell you that we need you on our side, and you need to start paying attention. You're supposed to represent the side of the people and the land and resources within where you manage. We implore you to review the evidence before you with attention and care because it is blatantly clear to us that negligence and improper procedures have taken place with zero accountability from the city nor the applicant to ensure that even the most minimal due diligence to ensure that what was approved was being installed in the right place or with the right care. Multiple residents woke up this summer to a nightmare, installations of loud 24/7 noisy equipment that was placed without new notices of its change in location and some have to hear and look at this equipment placed within 30 feet from their homes, A threat of many levels.

These installs lack any kind of assurance that the city is managing this project with attention and has not shown they care once. These installs have caused incredible damages to those who are directly impacted, even the lack of consideration for metal banisters that will block the snow removal and threaten their ability to get out of their driveway. These are residents who've lived here for many years and are being completely taken advantage of and no one from the city has dared to pay attention. This impacts their well being, mental health, security and harmony. Their homes are no longer their homes but a reminder of the failed efforts by the local governments to ignore their pleas. They now have aesthetic damages that greatly reduce their property value, and have to listen to a constant humming that sounds worse than a jackhammer. In multiple situations the approved placements have been moved over 300 feet. This is not how you take care of your community and we need to address these issues immediately. Especially as the additional approved placements will prove to continue to infringe on the rights and well being of our neighbors or ourselves.

Let's keep the conflict of interest and illegal lobbying efforts between the Tahoe Prosperity Center and their affiliates short. Their goal is to appease a client (the applicant) they have been influential in getting support from decision makers before ever reviewing the facts. A clear cut premeditated choice by who we know rather than what impact and evidence is presented. This is proved with apparent clarity through a recent subpoena that brought to light private text conversations between members from the TRPA, City Council, Tahoe Prosperity Center, and Planning Commission. This is alarming but also is the very thing that condemns those who chose a side before truly looking into the facts and worse ignoring the cries of the people whose lives have been completely upended. For months of uncertainty, financial stress and drain. It is painful to even write to you considering all that has happened and all the tears shed and heads held from people who have lost hope and don't feel safe in their own home many months before COVID-19. These many have been living in hell since 2019. A true distressed havoc. Please put an end to their misery, it's bad enough in this world right now yeah? They can't turn it off, they cant go away, 24/7 7 days a week all year long. A reminder of the fear in a belief that it is hazardous to them. If thats not enough then you must be a monster. If one person feels unsafe do you not take into account their well being? Or screw them they are in the wrong place not your problem. This year should have taught us one thing. To have more compassion and more commitment to community because that's all that we have when the world shuts down. Each other. These individuals i am speaking of have constant fear, they've lost value in their homes because of the very intrusive infrastructure that they can hear inside their home. The lack of consideration to install with accountability and oversight has allowed them to basically put something in their front yard. Please for the sake of doing something right this year choose to side with

ensuring that people, animals and our water remain protected.

We have tried to be a voice for a reason and offer an intelligent response with scientifically documented hazards and call attention to the improper and false information within every application submitted and approved without a bat of an eye. The residents cried out for support. Unfortunately the actions of the city and those sworn to serve the people had been influenced to look away. We can't fathom why.

These errors were never corrected and let the record show that even after months of presenting the simplest of falsified information the committees pressed forward without a shrug moving on an issue that will affect our home for years to come. The worst and most immediate piece of evidence that the TRPA should dismiss this entirety is based in the report of previously published report of "sensitive land and water ways" attached to the property where the 112ft macro tower on ski run was approved. The errors beyond this first issue from distances to homes and moved water passages, over extended land coverage are just a few examples of the consistent overlooked and blatant false or misappropriated applications that were approved without question. Even after we addressed these issues. How can we ensure we will be protected from the allowance of new and ever more approved installs that no one is willing to address the most simple basic truths.

To date we have been completely frustrated at TRPA's seeming indifference to these hazards. Even worse, TRPA seems to be championing the construction of new facilities on the rare occasions when a project actually ends up in front of you as members of the TRPA Board. Most approvals seem to be taking place at the staff level, and our members report that new facilities have popped up around them without even getting notice from your staff or reported notices received by the residents affected. The oversight and assurance that placement is carried out according to the application has turned into residents waking up to new infrastructure installed within 30 feet from their bedroom windows and blocking their driveway with an obnoxiously loud utility.

The optics of TRPA's relationship with the Tahoe Prosperity Center (TPC) also raises questions. Hopefully you are at least aware that TPC seems to accept unquestioningly the false "science" presented by the various telecoms with regards to the safety of their wireless products. Reports from institutions from Harvard to Oxford and many other reputable sources have questioned or debunked this very false "science" Our members believe strongly that a skeptical approach is always warranted when any of the corporate giants push an agenda that results in massive profits and usually results in harm to the community. Would you trust Big Oil if it wanted to begin fracking in Tahoe and said it was safe? Do you trust chemical companies when they say a particular product will clean up aquatic invasive species, or do you study it too and ensure it is true and supportive of our special home and the ecosystem that the TRPA claims to protect? When years ago many people began to object to new piers on the basis that they might interfere with fish spawning, did you study it? And didn't you then impose a moratorium on any new piers that lasted decades just to be sure?

As to pulsed microwaves, there are seemingly endless studies that document adverse impacts. We presented a petition expressing concern about this signed by just under **4,000 people!** Given the extremely rapid roll out of the next generation of technology, at higher frequencies and utilizing more dangerous modulation systems, **we demand a moratorium NOW** so that TRPA can fulfill its role as the defender of our environment and our residents. These 4000 signatures are represented mostly by residents within south lake and the surrounding zip codes. Or recently relocated to the area within the last few months. Those that aren't located here provided comments about their association to the area - be it consistent tourism, seasonal work and or a concern for the ecosystem which is protected by a presidential executive order and should not be dismissed for a measly payout when there are safer more responsible options that could be encouraged by such a conglomerate deceptive money focused applicant and industry.

Tahoe Stewards LLC would love to be a part of a collaborative process to look at safer alternatives. As the President of Tahoe Stewards I am extremely concerned that no one at TRPA seems to even express the slightest need for any comprehensive planning or study.

Regards,

President -
Tahoe Stewards LLC
Ben Lebovitz

"We can no longer assume that any current or future wireless technology, including 5G, is safe without adequate testing. -Dr. Ronald Melnick, Ph.D., U.S. National Toxicology Program

"We're kind of flying blind [with 5G] here, so far as health and safety is concerned -U. S. Senator Richard Blumenthal (CT)

We call on TRPA to heed the call of independent scientists, medical professionals, and public health experts around the world who are warning of the dangers of microwave radiation. The FCC's human exposure guidelines for microwave radiation used for wireless technology are decades old. The FCC has dismissed the results of decade-long research on microwave radiation and human health completed by the National Toxicology Program that showed "clear evidence of carcinogenicity." On October 20, 2020, Environmental Health Trust and Children's Health Defense filed a joint legal response brief against the FCC in a Landmark Case on 5G, Wireless and Cell Phone/Tower Health Impacts. I implore you to familiarize yourself with the facts of this case at:

<https://ehtrust.org/eht-takes-the-fcc-to-court/#:~:text=EHT%20contends%20that%20the%20FCC,to%20immediately%20reduce%20public%20exposure>

To date, TRPA has ignored its own regulations and the community's concerns regarding installing cell towers and other wireless telecommunication facilities. The controversy surrounding the Ski Run Blvd/Needle Peak tower is just one of many examples. On that basis, we demand that TRPA immediately enact a blanket moratorium on processing all-new wireless telecommunication facilities (cell towers) and small cell technology (5G) installations or modifications to existing facilities. It is incumbent on TRPA to conduct an unbiased and comprehensive environmental impact study and telecommunication plan for its residents' and visitors' legitimate needs. And in a way that respects human health, wildlife, and the environment.

Thank you in advance for taking immediate action to rectify this situation. I welcome the opportunity to discuss this matter further. Let's work together to find telecommunication solutions and funding that provide safer, faster, and more secure connections to Tahoe residents and visitors.

Sincere Regards,
Cheryl Mathews, Executive Director
Tahoe For Responsible Technology
www.Tahoeforresponsibletech.org
Tahoe4safetech@gmail.com
Cell: 650-776-5490

Captured Agency How the Federal Communications Commission Is Dominated by the Industries It Presumably Regulates By Norm Alster

https://ethics.harvard.edu/files/center-for-ethics/files/capturedagency_alster.pdf

From: [Gregg Lien](#)
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Subject: TRPA Public Comment - - Agenda Item XII
Date: Tuesday, November 17, 2020 4:30:39 PM

To the Members of the Tahoe Regional Planning Agency Board,

On behalf of my rapidly growing number of clients who are extremely concerned about the rapid rollout of new wireless technology, I want to express our collective concerns about this crucial topic. Having worked with a number of you for many decades, I have never been involved in an issue at Tahoe where decision makers seemed so unwilling to consider that information they are being fed by parties with a huge profit motive might be questionable, if not outright misleading, incomplete or just flat wrong.

Is the dazzle of somewhat faster download times so hypnotic that you can be blinded to the fact that new technology may have adverse impacts? If you are open at all, would you please just spend a couple of minutes to consider just one example among many?

I think we can all agree that water quality is up at the top of the list in terms of TRPA's objectives, especially in terms of your thresholds. It is settled science here at Tahoe that stream environment zones ("SEZ's) play a crucial role in stripping out nutrients from ground and surface water before it reaches the Lake. If TRPA allows damage to riparian vegetation in SEZ's, the ability to attain and maintain your water quality thresholds is impaired.

Certain plants are indicator species of the high ground water tables which define an SEZ. Many of those are deciduous trees that lose their leaves in the winter, like aspen trees. Can we agree that if there were some kind of blight that was causing damage to aspen trees in Tahoe's SEZ's that it would be cause for concern?

Assuming we are in agreement so far, then please consider the study linked here:
<https://www.hindawi.com/journals/ijfr/2010/836278/>

This study, published in the International Journal of Forestry Research, studied the increasing rate of mortality in aspen trees in North America. In investigating the cause, the authors found that radio frequency (RF) energies likely play an important role in the widespread death of aspens. From the Abstract presented:

“This study suggests that the RF background may have strong adverse effects on growth rate and fall anthocyanin production in aspen, and may be an underlying factor in aspen decline.”

And since a picture is worth a thousand words:

Figure 2

October 6, 2007. Mock-shielded seedlings on the left and shielded seedlings on the right, the latter showing more total leaf area, stronger fall leaf coloration, and minimal leaf necrosis symptoms.

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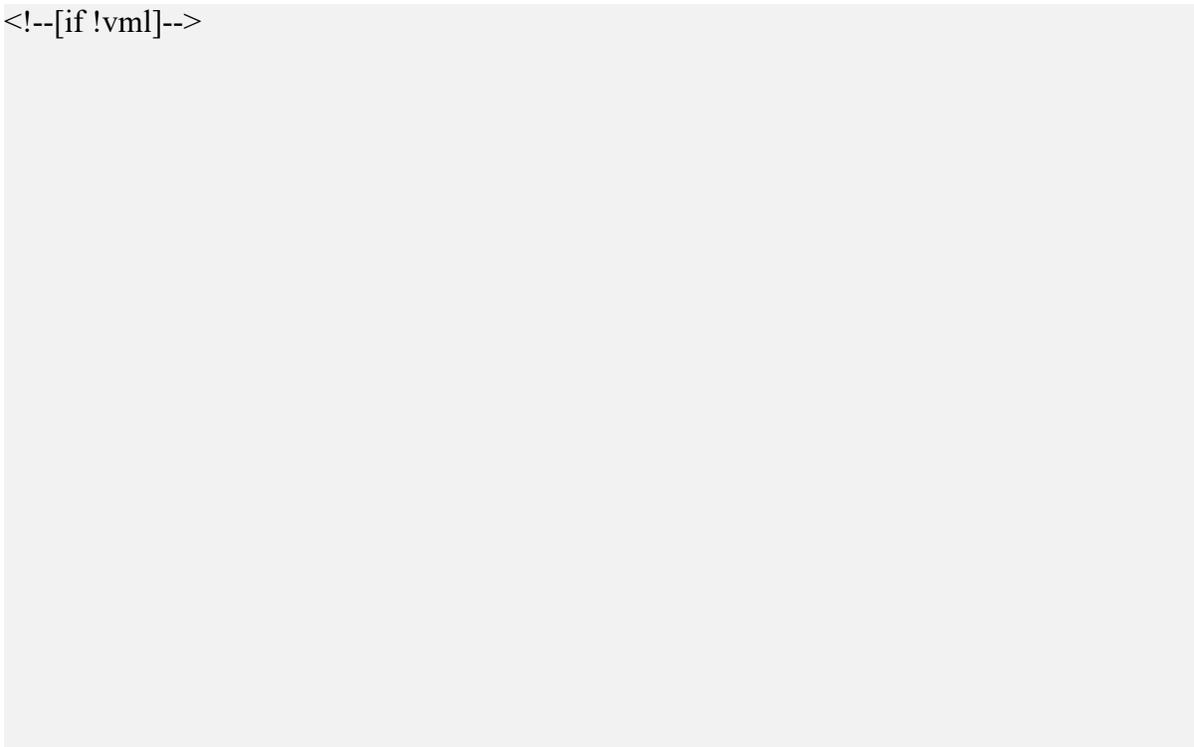


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Figure 3

Unshielded seedling, showing green to yellow leaf coloration and gray to brown necrotic leaf tissue, Oct. 6, 2007.

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Again, this is just one example. There are adverse impacts of RF radiation that affect in one way or another everything from plants, wildlife, and endangered species to human health.

We demand that you impose a broadly-based moratorium on all new or modified RF generating facilities immediately before it is too late. Your job as an agency is to do the comprehensive planning necessary to protect Tahoe. Please open your eyes and be willing to see factual information you are not getting from the telecoms. Respectfully, Gregg

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