

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLANNING COMMITTEE

TRPA/Zoom

December 13, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hoenigman called the meeting to order at 11:21 a.m.

Members present: Ms. Bagwell (for Ms. Aldean), Ms. Diss, Ms. Gustafson, Mr. Hoenigman, Ms. Leumer, Mr. Settlemeyer

I. APPROVAL OF AGENDA

Mr. Hester said Item 4 will not have a presentation, but staff will take public comment. Any action will be postponed to the next meeting.

Mr. Hoenigman deemed the agenda approved as amended.

II. APPROVAL OF MINUTES

Ms. Bagwell said the meeting was called to order at 12:08 p.m. and not a.m.
Ms. Diss moved approval of the November 15, 2023 minutes as amended.

Motion carried.

III. ELECTION OF VICE CHAIR

Ms. Diss nominated Mr. Settlemeyer as the Vice Chair.

Public Comments:

None.

Board Comments & Questions:

None.

Ms. Gustafson made a motion to elect Mr. Settlemeyer as Vice Chair.

Ayes: Ms. Bagwell (for Ms. Aldean), Ms. Diss, Ms. Gustafson, Mr. Hoenigman, Ms. Leumer, Mr. Settlemeyer

Motion carried.

- IV. Discussion and possible recommendation on modification of the Regional Plan Goals and Policies Policies (DP 5) that guide adaptive management towards Transportation and Sustainable Communities Threshold Standard 1 (TSC1)

Public Comments:

Ellie Waller asked if presentations that go to the legislators first come before the Governing Board. She expressed a desire for local jurisdictions to have presentations on projects from the Tahoe Transportation District, specifically mentioning the State Route 28 Spooner Mobility Hub in Douglas County even though it intersects with Washoe County. There is secured funding as stated, the earmarks are here for \$4.6 million for that 250 space parking lot and joint Aquatic Invasive Species Inspection Station. She appreciated everyone trying to state their names and avoid excessive use of acronyms.

Jesse Patterson, League to Save Lake Tahoe said the updated Vehicle Miles Traveled (VMT) Threshold was a reduction of VMT per capita from the baseline that was negotiated and agreed upon. Implementation of the Regional Transportation Plan or projects within was one of the best ways to help identified to help achieve that threshold. He mentioned the environmental safeguard triggered at the end of the year and expresses concern about falling short on ongoing funding. That was a no net unmitigated VMT for all projects except for affordable and single-family housing. They appreciate the efforts of TRPA staff in securing funding for 2023 but highlight the need for assurances to implement the plan effectively over time. Despite that progress they've fallen short with the ongoing source of funding which doesn't get those assurances to implement the plan overtime and offset those VMT impacts. He looks forward to continuing conversations in 2024 under the new trigger of no net VMT for all projects, except for affordable housing and single-family residences.

Ann Nichols, North Tahoe Preservation Alliance said the public is unaware of the 7-7-7 plan. How is the public supposed to pay for this and how is it going to happen? She hopes for some transparency. You are going to the public for money which is really a tax without representation.

Committee Comments & Questions:

Ms. Gustafson has served in various capacities related to transportation issues for several decades. She appreciated that they were pulling this from the agenda for more dialogue. There was some disagreement on what was agreed upon during the bi-state consultation and highlighted the importance of discussing sustainable and ongoing funding sources to achieve those goals. In the breakdown on page 647, it shows that the local private share being underfunded. In Placer County they are general funding over \$6 million annually to projects related to free and frequent, micromass transit and other items in the project list. They requested clarification on how these contributions are counted and emphasized the need for accurate numbers when discussing the issue further. Their contributions are coming from Transient Occupancy Tax (TOT) and Tourism Business Improvement District (TBID) dollars, with some potential general fund in planning for some of those larger projects. In conclusion, she underscored the importance of considering the significant contributions made by local jurisdictions, such as micromass transit and other solutions that we all support.

Ms. Leumer expressed concern about ensuring that the agreements made during the bi-state consultation are upheld. She's spoken to both the League and the Attorney General's office and there

REGIONAL PLANNING COMMITTEE

December 13, 2023

seems to be misunderstanding about when and how the trigger happens. It feels like there's an automatic trigger because the funding hasn't been met and automatically happens. If there are projects in the queue, it might be better to institute the no net VMT trigger now to avoid retroactively revisiting decisions.

Mr. Marshall clarified that the trigger is based on a policy and goal adopted by the board as part of the new Transportation Threshold for VMT per capita based on funding. The policy states that ongoing regional-based funding needs to be in place by December 31, 2023. There's a separate policy for the way that the trigger is pulled. If there is a finding that the standard has not been met, then automatically the standards of significance for reviewing projects becomes more strict for certain classes of projects. While the standard is set on that you need funding by a particular date there is nothing in the standard that automatically therefore triggers the reduction in the standard of significance that is the project review function. There needs to be a finding first that the standard has not been met. If there is a positive finding that it hasn't been met, then the increased standard of significant automatically goes into effect. It doesn't happen automatically, it happens by a finding of the Governing Board that the conditions of the initial standard were not met, i.e., ongoing regional funding by December 31, 2023.

Between now and January 24, 2024, unless the Board decides to make a finding on this at an agenized meeting, there is not automatic reduction in the standard of significance. It only happens after that finding has been made. There is no deadline specified in the Regional Plan in the implementation for when that finding is supposed to be made. There's a certain understanding that if it's related to that December 31st deadline, there is some urgency that it should be made relatively soon thereafter. It's also articulated in that implementation section for this threshold is an adaptive management process. There's a committee that reviews information to whether or not we are in compliance with various transportation requirements. They would issue a report that goes to the Governing Board. Presented from that adaptive management measures that the Board can take to address the question of whether or not we are meeting our threshold obligations.

Also, in the section of the Goals and Policies that if they don't meet certain VMT per capita milestones then automatically there is an adaptive response to that of increasing fees and the higher standard of significance for projects that are outside of town centers. Once the check is made on what the VMT per capita is there is no finding in that circumstance that the Governing Board needs to make. It was just put in for the finding requirement for the reduction in the standard of significance for project review VMT generation.

Mr. Settlemeyer asked what constitutes ongoing. Since the legislature has the ability to invalidate previous funding agreements and we are seeing a potential shortfall in the state of California, they could be making a change of allocation. What is the definition of ongoing? Does it need to be a dedicated tax stream? Do projects count towards that and is part of the reason for the delay of this discussion. The confusion is not about the explanation, it's just the definitions that go into it.

Mr. Mashall said that makes up your findings and the Board has the discretion about how to apply that language to the various appropriations sources of funding that are being put forward currently. There's the Tourism Business Improvement District (TBID), legislative appropriations, and different kinds of funding mechanisms that get us to the 7-7-7 or funding of the constrained model for the Regional Transportation Plan.

REGIONAL PLANNING COMMITTEE

December 13, 2023

Ms. Gustafson said as a local representative you can see her testimonies before her Board of Supervisors, the Tahoe Transportation District, and many others saying the locals need to come up with their share to avoid this situation. Many of them were in support of a basin entry fee as probably the only thing that would meet that kind of ongoing and not be a discretion of project approvals. There is a lot of discussion about what the two states want to do. If they as locals can't do a basin entry fee, even their Tourism Business Improvement District (TBID) be renewed at certain points. She thinks their approach at this Board is to hear each other out and try to understand how to move forward cooperatively. Let's celebrate the huge success in transportation because we are closer in alignment to everybody's interest and performance than we've ever been in many decades. If the two states are going to tell them that they want to implement this or have another solution for what would be ongoing, she would like to hear it.

Ms. Regan said this discussion just illustrates the complexity that's involved in this and why we're moving that into next month. Staff will go back and make sure all those local sources are correct. Some of it has to do with reporting on the annual fiscal year. Number one, education in getting everybody on the same playing field. Many members of the board and staff have changed in the last couple of years and is imperative that we all get on the same page.

V. UPCOMING TOPICS

Mr. Hester said we have the Tahoe Basin Area Plan Amendments from Placer County and the item we've been discussing today is coming next month. Topics for the future are the mixed-use and inclusionary zoning amendments, area plan amendments from the City of South Lake Tahoe and Douglas County.

VI. COMMITTEE MEMBER REPORTS

None.

VII. PUBLIC INTEREST COMMENTS

Ellie Waller, Douglas County resident, has attended a lot of meetings and hopes we do not have a repeat of the 1,300 VMT count which seemed by perception a problem at Mr. Yeates' last meeting on the Governing Board. The public is anxious to have TRPA weigh in on short term rentals because there are impacts there that have not been analyzed at the jurisdiction level or at the TRPA. There are more cars and people. That needs to come forward with your planning of how VMT is counted.

Ann Nichols, North Tahoe Preservation Alliance said this is piecemeal planning when you're talking about your forthcoming topics. It's just like rolling out Phase 2 of the housing and now Phase 3 and no environmental on anything until you get to Phase 3. It's the wrong way to do planning.

VIII. ADJOURNMENT

Ms. Gustafson moved to adjourn.
Motion carried.

Mr. Hoenigman adjourned the meeting at 11:54 a.m.

REGIONAL PLANNING COMMITTEE
December 13, 2023

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

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