

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

January 24, 2024

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Ms. Gustafson called the meeting to order at 10:41 a.m.

Members present: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

II. PLEDGE OF ALLEGIANCE

Mr. Hoenigman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan said there were no changes to the agenda.

Ms. Gustafson deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Hill moved approval of the December 13, 2023 minutes as posted.

Ms. Aldean and Mr. Bass abstained.

Motion carried.

V. TRPA CONSENT CALENDAR

1. December Financials
2. Release of Tahoe Keys Water Quality Mitigation Fund interest (\$200,000), to match grant funds pursued and to initiate planning for the Tahoe Keys Lagoons Long Term Water Quality Improvement Project (EIP# 01.02.01.0106)
3. Update of the Procurement Policy
4. Resolution in Recognition of National Radon Action Month
5. Governing Board Membership Appointment

Two items were reviewed by the Operations and Governance Committee and three were not reviewed by any committee.

Ms. Laine said the Operations and Governance Committee recommended approval of items one and two. The Update to the Procurement Policy was recommended by the committee last month. Planning fees were low last month but have returned to a

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normal status. The committee Tahoe Keys Water Quality Mitigation Fund Interest for matching grants for quality improvement in the Tahoe Keys lagoon condition number five, if funds are unused for this project they will be reallocated to another project. The committee is recommended adding "Within the Tahoe Keys" to the end of that condition.

Board Comments & Questions:

None.

Public Comments:

None.

Ms. Aldean moved approval of the consent calendar including the amendment to condition number five of item number two.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

VI. PUBLIC HEARINGS

- A. Discussion and possible direction on implementation or modifications of the VMT Trigger (Regional Plan Goals and Policies (DP-5; DP-5.4.B) that guide adaptive management towards Transportation and Sustainable Communities Threshold Standard 1 (TSC1)

Ms. Gustafson said the Governing Board received a number of written public comments.

Mr. Segan provided a detailed overview of the Vehicle Miles Traveled (VMT) threshold and the associated adaptive management system. He began by acknowledging the turnover in the board since the adoption of the standard in April 2021. He explained that VMT refers to the total distance traveled by vehicles in the region, with a focus on promoting mobility, reducing greenhouse gas emissions, and decreasing dependence on private automobiles.

The presentation highlighted the historical concern for driving in the Tahoe Basin, initially motivated by emissions issues. Over the years, the emphasis shifted to factors affecting lake clarity, such as fine sediment particles. The process of updating the threshold standard began in 2020, aiming to address VMT in the region.

Mr. Segan discussed the key goals related to VMT: promoting mobility, reducing greenhouse gas emissions, and decreasing dependence on private cars. The presentation outlined strategies for achieving these goals, including land use policies (e.g., affordable housing, infill development) and transportation policies (e.g., parking management, walkable areas).

The focus then shifted to the development of an adaptive management framework, incorporating independent guidance, milestones, and triggered responses. He discussed the ongoing efforts to measure progress toward the goals and the importance of reducing daily VMT per capita.

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The presentation delved into the funding strategy for implementing the Regional Transportation Plan (RTP). He explained the 7-7-7 approach, dividing the funding gap among locals, states, and federal partners. The board had requested the submission of a proposal for closing the funding gap by the end of 2021.

A significant portion of the presentation was dedicated to the funding milestone. He provided a humorous analogy, comparing the original expectation of a consistent funding source (a laying hen) with the current situation of having a one-time commitment for funds (a carton of eggs). He presented the funding secured in the first year of the 7-7-7 approach, exceeding the target by \$2 million.

The key question posed to the board was how to proceed with the adaptive management trigger given the differences in expectations. Three options were presented: taking action on the trigger, updating the adaptive management language, or reconsidering the decision due to the success in securing funding. The presentation concluded by seeking guidance from the board on the appropriate course of action.

Ms. Regan expressed gratitude to Mr. Segan for simplifying the complex topic and providing context to the board. She acknowledged that it was the first time the full board had delved deeply into this area, despite previous discussions in various meetings over the past year. She highlighted six months of earnest work with stakeholders and community members, aiming to navigate the complexities of the issue.

Ms. Regan emphasized the importance of hearing perspectives from each board member and discussing the three presented options. She explained that the team chose to present all three options individually, recognizing the merit in each.

Regarding Option 1 (taking action on the trigger), Regan acknowledged stakeholders who believed in honoring the commitment made during the intensive work in 2020 and 2021.

For Option 2 (updating the adaptive management language), Regan noted that some community members and stakeholders supported this option, emphasizing that the 7-7-7 model emerged after the adoption of the standard in April 2021. The decision to pivot in 2022 was based on the realization that there was no feasible mechanism for ongoing transportation revenue at the time. She acknowledged the challenges of hindsight and the difficulty in amending the Regional Plan.

Ms. Regan expressed gratitude to both states for their leadership in the 7-7-7 work, spanning multiple administrations. The effort involved navigating changes in leadership, making the accomplishment quite challenging.

Regarding Option 3 (reconsideration), she pointed out that the Regional Transportation Plan update had already kicked off. She emphasized the rationale for reconsideration, noting that recasting the projects in the Regional Transportation Plan, a \$2.5 billion investment, would be aligned with the deliberation on the trigger.

Ms. Regan concluded by suggesting a discussion among the board members and expressing the willingness to bring back the topic after gathering ideas and perspectives from the board.

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Presentation: [Agenda-Item-No-VIA-Direction-on-Implementation-or-Modification-to-VMT-Trigger Presentation Jan-24-2024.pdf](#)

Board Comments & Questions

Ms. Gustafson asked in the Regional Transportation Blueprint (RTB) do we then look back at where we're at with VMT. We know traffic counts are down. That is one part of the complexity of establishing VMT.

Mr. Segan said at the first meeting of the Technical Advisory Committee they reviewed transit data from the last four years and at the next one they are going to review VMT data

Ms. Gustafson asked where we see that new number. As a policy maker, we're probably below where we were four years ago.

Mr. Segan said that's a reasonable expectation. In the new VMT standard we said we'd use a three year running average of VMT. We've seen two years of those numbers. The first two years' numbers were impacted by COVID, resulting in a significant decline. Part of the challenge for the Technical Advisory Committee is distinguishing between COVID-related impacts and broader changes in transit systems or transportation patterns within the region. That report is due in the second quarter of this year.

Ms. Aldean raised a concern about the timing of the decision-making process. She pointed out that the board had not yet received the findings from the Technical Advisory Group, indicating that it might be premature to take action and select one of the three options during today's meeting.

Mr. Segan said there are two distinct tracks, emphasizing that the Technical Advisory Group is responsible for providing guidance related to transportation and land use policy. He noted that the funding trigger, which is separate from this process, is not going through the same technical advisory group review.

Ms. Aldean pointed out the connection between the work of the advisory group and the decisions related to projects that need to be undertaken in order to reduce VMT per capita. There's a nexus between the advisory group's work and ours.

Mr. Segan agreed there's a clear nexus between the advisory group's work and the decisions on projects to reduce VMT per capita. However, it clarified that the funding discussion, i.e., determining the available funds for those projects, is being separated from the decision-making process regarding which projects to implement and the specific types of projects to prioritize.

Ms. Aldean said that's the chicken-and-egg scenario. Which comes first, to determine which projects are essential and then look for the funding or do we look for funding hoping we can do more than what we have scheduled for implementation.

Mr. Segan said they put the funding discussion first in this context.

Mr. Marshall said it's an iterative process. There is the funding discussion at the same time discussion about which projects are being promoted. We are not aghenized today for any particular action. Today, staff are asking for direction.

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Ms. Aldean said that some of the possible options under discussion might be influenced by the findings of the technical advisory group.

Ms. Gustafson said having served on bi-state, they recognized the aspirational goal of raising \$40 million a year for the Regional Transportation Plan (RTP), with a decision to settle on \$20 million. She emphasized the need to consider more funding as projects come forward.

Mr. Segan clarified that the \$20 million was the amount written into the Regional Transportation Plan (RTP) and analyzed for the attainment of the VMT target. There were additional projects beyond the \$20 million necessary to meet the threshold standard, so the \$20 million should be considered the minimum needed.

Ms. Gustafson clarified that it's not about reducing the amount needed because a specific project was removed from the list. In fact, there might be a need for much more than initially anticipated.

Ms. Williamson asked for clarification on the statement in the staff report regarding the impact of the proposed change, specifically addressing the potential difficulty for large projects, even those contributing to TSC one (Transportation Sustainability Communities). She wanted more context on how significant this barrier might be and whether it aligns with previous considerations made for projects like the event center.

Mr. Segan said that they evaluate transportation projects based on size, applying standards of significance for larger projects. Once a project surpasses a certain size (above 1,300 VMT within a town center or 700 outside), they use standards of significance that require the project to be 15 percent more efficient than the average VMT within the jurisdiction. The proposed change would put pressure on larger projects to meet these standards by either reducing in size or implementing mitigation measures to achieve greater efficiency.

Ms. Williamson asked for clarification on the definition of "ongoing" in the context of commitments mentioned by Mr. Segan. She inquired about the nature and firmness of these commitments from stakeholders, expressing interest in understanding the concreteness of the ongoing commitments, particularly if states were only able to commit for a year.

Mr. Segan said that the nature of ongoing commitments varies among stakeholders. Some legislators committed to supporting the strategy, but whether it translates into actual funds each year is a decision for the board to evaluate. He mentioned ongoing revenue streams from local commitments, such as TOT (Transient Occupancy Tax), and noted the need for further scrutiny to distinguish ongoing and non-ongoing funding sources.

Ms. Regan said there's a detailed list on page 154 of the packet, breaking down the \$23 million. She mentioned congressionally designated spending and funding, including earmarks, which may not have a guaranteed ongoing source. She highlighted examples like transient occupancy tax monies in Placer County, demonstrating a mix of funding with some ongoing sources. She acknowledged that the lack of a clear definition for "ongoing" is at the heart of the conversation. Mr. Settelmeyer expressed appreciation for the opportunity to discuss the technical aspects, particularly focusing on the concept of Vehicle Miles Traveled (VMT). He mentioned the origins in 1982 when discussions revolved around the total number of vehicles in the basin and the idea of a basin entry fee to economically reduce vehicle numbers. He asked whether the current data collection has shifted towards VMT rather than the number of vehicles and questioned whether

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information on Noxious fumes and technological changes in vehicles since 1982 is available for discussion.

Mr. Segan said the approach has evolved but not in the way framed in the question. Since 1982, the focus has been on tracking how far each vehicle travels, motivated by concerns about emissions, particularly NOx emissions impacting the lake. Over the years, with advancements in technology and reduced tailpipe emissions, the link between VMT and environmental impacts has weakened.

The shift occurred from tracking the total VMT within the region (referred to as a hard cap) to tracking how much each individual drives. This change was prompted by the realization that the old VMT standard, tracking the total number, correlated more with visitation than with sustainable modes of transportation like transit, walking, and biking. The emphasis shifted to VMT per capita to better reflect travel behavior and decisions of individuals rather than population-based metrics.

Mr. Settlemeyer suggested reaching out to Caltrans and NDOT as both agencies have historical vehicle count data within the basin. He expressed interest in correlating this data to gain insights. He also emphasized the common sentiment of wanting to reduce the amount of traffic and people within the basin, acknowledging that this observation might be anecdotal.

Ms. Hill said there's an allocation for Washoe County missing from the spreadsheet, specifically \$400 million for micro-transit. She asked for this change to be reflected in the future. She provided context, mentioning her participation in discussions since being elected in late 2020. There was a previous concern about who would take the money if everyone had to contribute, and this discussion was never resolved. She highlighted the Tahoe Transportation District (TTD) as an organization capable of utilizing transportation funds effectively. There are ongoing efforts for sustainable funding through discussions in the TTD board retreat and emphasized the importance of a broader discussion on sustainable revenue, including options like sales tax or Transient Occupancy Tax (TOT) increases in different jurisdictions. The idea of ongoing contributions to a shared fund was mentioned, but the details were never decided, prompting the need for a discussion on this matter during the current meeting.

Mr. Segan said that the missing Washoe County funding for microtransit is related to a fiscal year issue and was secured in fiscal year 24.

Ms. Hill said it went to their board as part of American Rescue Plan Act (ARPA) before the end of July. She wasn't sure if it applies to transit. She'd need to find out what part of the \$400,000 applies to the transit in what fiscal year. She's unsure if it's a full \$400,000 but should be in that accounting.

Ms. Conrad-Saydah said it would be helpful to have a list of pending developments subject to the no zero VMT mitigation to better understand the projects impacted and facilitate the discussion. Second, she requested contextual information about the milestones and triggers for achieving the Regional Transportation Plan (RTP) in the long term, expressing interest in projections for the years ahead. Additionally, she questioned the rationale for potentially reconsidering in 2025 and sought insights into how the world might be different by then.

Ms. Diss inquired about the wording of the goal and definitions, specifically focusing on DP-5.6.A, which mentions "no net and mitigated VMT except for deed-restricted affordable and/or

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workforce housing." She asked for clarification on whether the workforce housing definition used by TRPA aligns with recent discussions about achievable workforce housing or if it only applies to the federal definition of affordable housing.

Mr. Marshall said that the term "workforce" in the context of the goal and definitions generally means providing housing for workers in the basin. The definition is relatively loose compared to "deed-restricted affordable," which adheres to specific criteria defined in the code. He emphasized the importance of translating the direction given into the framework of the TRPA code, considering factors such as moderate achievable projects and mixed-use developments that include housing. He suggested looking into how these different types of projects would be treated concerning the trigger. Additionally, he mentioned the possibility of discussing critical public facilities at a later stage in the conversation.

Mr. Hester asked when the board provides direction, it would be good to translate that moderate, achievable, etc. The other part that would be good to direct staff on is not all housing projects are just housing projects. We have some mixed-use projects that include housing.

Ms. Diss asked about the determination process regarding the second goal in the original agreement and whether there was any on-the-record discussion or staff input on who would decide if the established milestone were not attained. She asked whether the determination lies solely with the board or if there is ambiguity in the decision-making process.

Mr. Marshall said that would be TRPA. The question is whether or not it should be the executive director or the Governing Board. The decision on whether the established milestone is attained has been considered important enough to involve the Governing Board. As stated by Ms. Diss, there is not an express delegation either to the Governing Board or the executive director.

Mr. Bass asked how the local match is determined, especially considering the deficit shown in the local match. He mentioned the inclusion of transit projects and the Kahle Complete Streets projects in Douglas County and the private sector. He is trying to understand the criteria for selecting projects that can contribute to the local match and how this process determines which projects are included.

Mr. Haven explains that when assessing contributions towards the local match, they use a straightforward methodology based on the projects listed in the Regional Transportation Plan (RTP). Financial assumptions are made during the RTP development regarding federal, state, and local funding sources. If a project's funding source aligns with those assumptions, it may not be considered new money for the local match. In some cases, projects assumed to be funded by local dollars from the city may not qualify as new money for the local match, even though local governments are generating funding for these projects.

Ms. Bowman asked for additional clarity on the decision to put the basin entry fee on hold. She indicates that Secretary Aguilar would like more information on this matter.

Ms. Regan said that the idea of a basin entry fee has been discussed since the 1980s and comes up regularly in conversations. However, during recent discussions on the transportation plan, funding, and the bi-state consultation, it became clear that the basin entry fee was not considered a feasible solution by the administrations of both California and Nevada. The decision was influenced by the feedback received from the two states' governors. Revisiting the topic is open for discussion, and she encourages others who were part of the earlier conversations to provide additional context. She highlights the One Tahoe study as a significant catalyst for the

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conversation, citing policy considerations related to equity and access for all. She suggests that Mr. Settelmeyer might have additional insights to contribute.

Ms. Conrad-Saydah adds to Ms. Regan's comments by noting that presentations from a consultant on different options lacked details regarding the cost of implementation and the potential job distribution for each policy. She emphasizes the need to delve deeper into understanding the costs and benefits of various approaches, such as a basin entry fee, parking fees, or congestion pricing. She suggested that evaluating the potential impact on local jobs is crucial, and there is a need to reexamine these aspects to make informed decisions.

Mr. Settelmeyer said that the discussion of a basin entry fee is similar to a toll road and is prohibited by the Nevada Constitution. He emphasized that he has taken an oath to uphold the constitution and, in his capacity as a director, would vote against such a proposal if it were pursued.

Mr. Bass asked whether the ongoing legal developments in the bi-state compact between New Jersey and New York, specifically related to a similar situation involving a basin entry fee, might impact the authority of TRPA to consider such a fee. He suggested that the outcome of this case could have implications for TRPA's decision-making on the matter.

Mr. Marshall said that the Supreme Court had already ruled on the New Jersey and New York case, and the ruling favored New Jersey, stating that they could unilaterally withdraw. However, he emphasized that this ruling didn't provide clear guidance on the issue of whether a toll road is consistent with state constitutional provisions. Interpreting those provisions is a separate matter, and you heard from the representative from the state of Nevada what he strongly believes.

Mr. Rice made observations about the movement of people after events at the new event center, noting that many head to the casino core and use available free transportation. He expressed uncertainty about whether there is a VMT problem in the casino core or around the event center.

Ms. Leumer expressed interest in having a list of projects for future reference. Additionally, she'd like information on the history of the switch to the 7-7-7 approval process, specifically whether a bi-state plan amendment was required and if there have been further discussions on this topic since April 2021.

Mr. Segan provided information on where to find historical discussions on the 7-7-7 process. He mentioned that discussions occurred in committee meetings, and notes from those meetings could be found in the board meetings that followed. He said that the July 29th meeting would have notes in the August board meeting, and so on. He also noted that the board discussions in September 2021 and June 2022 have specific notes within the overall board discussion notes. The June 2022 item received a head nod from the board to move forward with presenting the 7-7-7 to the Nevada Oversight Committee.

Ms. Leumer asked about the approval process for the 7-7-7 and whether there was an actual vote, a need for a bi-state plan amendment, or if it was a discussion.

Mr. Marshall said that there wasn't a formal vote or adoption by the Governing Board for the 7-7-7. It didn't require a bi-state plan amendment, or a basin plan regional plan amendment to move the funding strategy forward. He also noted that when Mr. Segan mentioned "notes," he meant "minutes."

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Ms. Leumer expressed an interest in hearing from stakeholders who advocated for the update option. She'd be interested to hear from them.

Ms. Aldean said the definition of "ongoing" is continuing or still in progress. We do have some flexibility in interpreting the term "ongoing."

Ms. Gustafson said the importance of regional solutions for transportation and questioned whether jurisdictions could receive credit for securing funding and implementing strategies for micro mass transit, crediting it toward a certain VMT reduction goal. She suggested that a regional approach might be more effective than a project-by-project basis to avoid duplication of services.

Ms. Hill said there is a need to consider securing funding and implementation efforts, such as the Crystal Bay to Incline Village trail, in the context of VMT reduction goals. She questioned how much credit jurisdictions could take for their ongoing efforts to secure funding and emphasized the importance of crediting organizations actively working on securing dependable funding for transportation.

Public Comment:

Steve Teshara, representing the Lake Tahoe South Shore Chamber of Commerce, supported Option 3. He highlighted the need for regional solutions, emphasizing that individual development projects should not bear the burden of non-VMT mitigation. He also pointed out the importance of considering various environmental thresholds, such as scenic and water quality, in harmony with VMT reduction goals. He recommended giving staff direction to proceed with Option 3, allowing time for funding to be secured and additional information to be provided.

Ms. Aldean said that she finds Option 2 to be more flexible and open-ended regarding potential funding strategies. She emphasized the importance of deadlines for motivation but appreciated the flexibility offered by Option 2, which does not have a specific two-year window for identifying funding sources.

Steve Teshara, Lake Tahoe South Shore Chamber of Commerce said they'd be fine with Option 2. But what they don't want is Option 1.

Stephanie Holloway, Deputy CEO of Placer County, supported the 7-7-7 model and provided insights into Placer County's commitment to transportation funding. She highlighted the county's dedication to transit, ongoing revenue, and various commitments made by the board. Placer County committed to the 7-7-7 model and supported the Tahoe Transportation Districts (TTD) implementation efforts. Their board approved a Memorandum of Understanding (MOU) to aid TTD's work. Placer County pledged financial support, including \$2.4 million for TART Connect and additional transit funding. The actual commitment from Placer County was cited as around \$4.7 million, with a focus on new money through the program. The County formed a Tourism Business Improvement District (TBID) on the North Shore, committing \$5 million annually in Transient Occupancy Tax (TOT) revenue to housing and transportation projects. There was a case study of Placer County's commitment to ongoing funding for transportation through redevelopment projects. The TBID contributed \$5 million over three years for various transportation projects. The County has ongoing commitments to projects, including transit priority lanes, parking management in King's Beach, roundabout projects, and mobility enhancement projects. There's a direct connection between the VMT metric, land development processes, and projects that bring

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redevelopment and environmental improvements. Ongoing dollars for transportation are generated through various funding sources. She urged the board to consider continuing the 7-7-7 model and the current VMT metric of VMT per capita, stating that it has been effective for Placer County.

Gavin Feiger, League to Save Lake Tahoe, expressed frustration over the delayed discussion on the 7-7-7 model, noting that it should have started much earlier. He criticized the absence of an automatic trigger and response, emphasizing the urgency in achieving the goal of Vehicle Miles Traveled (VMT) reduction through the implementation of the Regional Transportation Plan. He acknowledged local contributions from organizations like the League, Transit Management Association (TMA), and the County and affirmed a commitment to continue funding efforts. While recognizing regional successes, he stressed the collective responsibility for ongoing contributions. He advocated for Option 1, citing it as the required action based on a year and a half of negotiations, and expressed concerns about the potential reversal of previous work by future boards.

Carl Hasty, District Manager of the Tahoe Transportation District appreciated the complex discussion on the transportation issue. Drawing on his 15 years of experience as an implementer with the transportation district, he emphasized the need for a larger systemic approach to address the regional transportation needs. He suggested that the project-by-project approach, which has been in use since 1987, may help maintain the purchasing power of the transportation dollar but does not effectively build a comprehensive regional network. Mr. Hasty highlighted the importance of considering the visitation-driven demand in the basin and encouraged discussions on various ideas, such as tolls and utilities, to fund the multimodal network. He expressed a commitment to work collaboratively and looks forward to further discussions on a systemic approach with the board.

Sophie Wenzlau, on behalf of the California Attorney General in his independent capacity, acknowledged stakeholders' efforts in securing additional one-time sources of funding (7-7-7) for the current year. However, she expressed concern that TRPA has not initiated the implementation of an ongoing, self-perpetuating funding source, as mandated by the Governing Board when adopting the amended VMT threshold in 2021. Emphasizing the need for a continuous visitor-based funding source to offset environmental and transportation impacts, They urged a renewed focus on establishing such a funding mechanism, specifying that it should not involve a basin entry fee. She advocated for careful design to ensure equity and constitutionality. They look forward to ongoing discussions on this topic, including the potential consequences of missing the December 31st, 2023, deadline.

Jesse Patterson, Chief Strategy Officer, League to Save Lake Tahoe echoed Mr. Feiger's sentiments and the Attorney General's concerns. He emphasized the commitment to securing funding for the Regional Transportation Plan. He stressed the importance of a dependable regional funding source to collectively achieve and maintain VMT reduction thresholds. He highlighted the League's belief in the automatic triggering of safeguards, expressing concerns about potential politicization or undoing by future boards. Advocating for Option 1, he was optimistic that it would inspire progress, but warned that failing to trigger safeguards could move projects further away from achieving VMT reduction goals. He underscored the progress made so far and urged the board to make decisions that support continued positive momentum.

Board Discussion:

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Ms. Conrad-Saydah said the take home message is that the policy implemented in 2021 is working. She acknowledged the collaborative efforts to secure funding for the Regional Transportation Plan (RTP). She has reservations about restarting the process, seeing it as counterproductive and a waste of resources. As a representative of the Newsom Administration, she expressed overwhelming support for solutions reducing VMT and improving basin livability and safety. She discussed conversations with state colleagues and Secretary Crowfoot, emphasizing the commitment to secure ongoing funding beyond the already obtained funds. She highlighted a preference for a self-perpetuating or ongoing funding source and suggested a combination of Options 1 and 2. She recognized the need for pressure to continue progress and proposed staff presentations on project impacts. She applauded the work of local and regional governments, emphasizing the state's commitment to contribute further.

Ms. Aldean suggested we combine Options 1 and 2, as part of Ms. Conrad-Saydah's proposal to suspend the deadline, acknowledging the trigger's effective date. We've heard a lot of conversations about the importance of projects to reach our VMT objectives. The work needs to continue and we don't want the people who have worked on this to be demoralized. She's concerned that these goals are unrealistic in view of inflation and the worldwide financial uncertainty. The funding discussion with the board was aspirational. There are a number of things that need to be clarified and warrant further discussion. She's not sure that there's a legal definition of "ongoing" but there is a common use definition and includes something that is in progress which does give us a little latitude. You cannot bind future boards. The argument that we can't make amendments to something that a previous board agreed to is not true in her opinion. We don't know what our legal exposure is if we elect not to recognize the trigger at this point in time and move to extend it for two years. But we could argue pretty persuasively that there are too many uncertainties and unanswered questions and would it be imprudent for us to move forward at this time with the trigger because it potentially brings good projects to a halt. If we can work out an integration of Options 1 and 2, that would be the best scenario.

Ms. Leumer said that her interest in the list of projects was not meant to influence the decision on the automatic trigger. She expressed the view that the trigger should be automatic if the goal hasn't been met and emphasized the importance of upholding commitments to the Attorney General and the League. While acknowledging concerns about binding future boards, she highlighted the need to stand by the negotiated deals to maintain trust and credibility. She favored Option 1, emphasizing that if more information emerged, the decision could be reconsidered in the future to avoid legal vulnerabilities. She questioned the potential timeline for findings and environmental review if Options 2 and 3 were pursued, seeking clarification on the process for analyzing those options.

Mr. Marshall said that the trigger is not automatic, but rather a discretionary action by the board, requiring a finding that the goal in DP 5.4.B is not met. The consequence of the finding is automatic. The board's interpretation of the goal and whether it has been met is subjective. Three options are presented, each with different levels of processing and time frames for return: Option 1 can be brought back relatively easily for a finding next month. Option 2 is more involved, not likely within a month, and may lead to uncertainty during the interim period. Option 3 would extend the assessment date in the current regional plan by two years, bringing it back relatively soon.

Mr. Marshall mentioned the need for direction from the board on the preferred option, and further details could be provided upon request.

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Ms. Leumer asked whether there is explicit language requiring the board to make the finding regarding the trigger.

Mr. Marshall said no. The language is passive, stating that the supplemental compliance measures automatically go into effect if it is found that the goal has not been met. However, the specific entity responsible for making this finding is not explicitly mentioned in the language. He suggested that some element of the TRPA could interpret and make that finding.

Ms. Hill commended the cities and counties for their efforts and leadership in Lake Tahoe. Initially considering the update, she is now leaning towards Option 3 (reconsider) because of the upcoming legislative session in Nevada. She sees this as an opportunity to pressure the legislature to meet ongoing funding needs. It's important to have more partners to support ongoing funding, especially with significant projects on the horizon. She acknowledges the concerns about living in uncertainty but emphasizes the commitment to finding solutions for ongoing funding.

Mr. Settelmeyer expressed concerns about hard and fast rules, suggesting they could lead to unintended consequences such as potential loss of funding for other projects. He highlighted examples like the aquatic invasive species building and a parking lot that serves as a mobility hub, emphasizing the importance of considering broader project goals. He is concerned about the potential detrimental impact of Option 2's uncertainty on negotiations for additional funds. He worried that business partners might be reluctant to engage in discussions due to apprehensions about a trigger being applied. Considering the progress made in meeting funding goals, he leaned towards Option 3, emphasizing the need to continue striving for the funding objective outlined in the letter signed by his predecessor Mr. Lawrence with Secretary Crowfoot.

Mr. Hoenigman had concerns about not meeting the spirit of the agreement for a long-term sustainable funding source. He highlighted the changing nature of local governments and administrations, emphasizing the need for a stable funding solution. He there is a risk of allowing projects with unmitigated VMT to proceed if funding dries up, leading to increased VMT. He stressed the importance of working towards a replacement for base and entry funding, capturing money from various sources of VMT. He expressed reluctance to trigger the measure but considered a delay if commitments from legislatures could be secured. He suggested updates to language, specifically clarifying affordable and workforce housing definitions. He proposed exempting public safety projects and recommended making these updates regardless of the decision. He acknowledged the commitment made with partners and emphasized the need to honor it.

Ms. Aldean said that the Nevada Legislature only meets every two years, and the next session is in 2025. Two months is not sufficient time to achieve anything significant. She suggested considering a longer timeframe, perhaps not two years, but more than two months, to allow for a reasonable and realistic approach.

Ms. Regan suggested a friendly amendment to Option 3, proposing a reconsideration period through the fall of 2024, specifically from September to December. She mentioned ongoing work with the oversight committee, which will continue throughout the year, providing an opportunity to pursue recommendations for legislation. This timeframe, within a year, was presented as a compromise between the two-year extension and the shorter two-month period.

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Ms. Diss asked about the agency's authority to implement an ongoing source of funding independently. She expressed uncertainty about whether the agency could initiate such funding on its own, given historical considerations and the understanding that TRPA might not be the entity implementing an ongoing regional revenue source. She mentioned that the policy was drafted with the expectation that the implementation would involve sources within the basin or legislative bodies. She asked for clarification on TRPA's legal ability to implement such fees and the allocation of responsibilities among entities.

Mr. Marshall said that the feasibility analysis, conducted as part of the One Tahoe initiative and supplementary analysis, explored the legal ability to implement fees. He noted that TRPA has the authority to adopt mitigation fees but highlighted the compact's allocation, indicating that TTD is usually looked to for fees related to the operation of a transit service. The distinction between mitigation fees and revenue generation fees was also mentioned, the revenue generation fees might not fall within TRPA's set of authorities.

Ms. Diss expressed the difficulty of the decision-making process, acknowledging the excellent points made by everyone. Her concern revolves around the challenges of reaching consensus and the uncertainty associated with extending timelines. She doubts that additional time will lead to a more successful outcome than the previous efforts. She is worried about the impact of administrative and board makeup changes on decision-making, potentially reverting progress. Ms. Diss was interested in Ms. Conrad-Saydah's suggestion to recognize the failure to meet the letter and spirit of the trigger but still reevaluate the direction moving forward. She emphasized the need to assess feasibility and suggested that initial decisions might not be viable now. She acknowledged the complexity of the situation and reserved the right to modify her stance.

Ms. Williamson suggested considering all three options. She emphasized the importance of recognizing that some partners negotiated the agreement, and there is a shared sentiment that the negotiated terms may not have been met. She proposed changing the term "goal" to "requirement" and updating the definition of development projects. According to her suggestion, development projects going forward should have no net unmitigated VMT, with exemptions for public work projects, achievable and affordable housing, and other projects meeting TRPA's thresholds. The emphasis would be on not meeting the trigger, continuing to seek funding, and avoiding delays for priority projects.

Ms. Gustafson said she served about five years on the bi-state commissions. As the North Shore representative, she felt that they were very clear when they couldn't do a basin entry fee the 7-7-7 was agreed to by all of the partners. She understands that the League and the Attorney General's office weren't at the table but were being told what was going on but doesn't feel that was an agreement. Secretary Crowfoot said he couldn't obligate to the future and doesn't know future budgets but would do everything in his power as did Director Crowell. As a local, she went out and sold this to her community. She has a number of partners that feel betrayed and maybe with her for saying pass the Tourism Business Improvement District (TBID), we have to do our share to keep redeveloping our town centers. The TBID is not painless to get passed. She wants to find a balance that honors that commitment and encourages that commitment to be spread throughout the basin. Because we don't have the authority as an agency to pass this self-perpetuating fund. We've been told by the state that the one we all thought we could, the state of California and Nevada won't support. Don't kill the good progress that we've made and consider that as well as the partners on the trigger. Can we send staff back or reconvene the bi-state if that's what we need. It's going to take time and we're going to need a measurable

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milepost that shows that maybe both parties can agree as long as we're continuing and building, while we're getting there. Maybe that is an approach that finds truth in both perspectives.

Mr. Rice concurred with Mr. Settelmeyer and Ms. Hill, expressing concern about the challenges and changes expected in the next two years, including a new legislature and potential shifts in board seats. He preferred Option 3, believing it would provide the necessary time to secure funding from the legislature and county.

Ms. Laine agreed with the sentiments shared by previous speakers and leaned toward Options 2 or 3. She highlighted the reliance on the initially proposed basin user entry fee and the subsequent shift to the 7-7-7 agreement. She emphasized the challenge of obtaining ongoing funding quickly and mentioned the importance of allowing some time for the South Shore Transit Management Authority's efforts. She acknowledged the League's concerns about ongoing funding and the trigger but stressed the need for a reasonable approach to achieve the intended goals.

Mr. Bass expressed a perspective focused on the core mission of TRPA, which is to protect Lake Tahoe. He emphasized the need to fulfill the commitment made in 2021 to raise \$20 million for ongoing dedicated funding to mitigate VMTs, particularly through transit projects. He highlighted the decrease in fixed-route services and ridership in the South Shore over the past three years, suggesting the importance of achieving the intended goals. He viewed the trigger as a tool to pressure developers to contribute to funding and to maintain credibility. He emphasized the need to balance development with TRPA's mission of environmental protection.

Ms. Leumer expressed agreement with Mr. Bass' points, emphasizing that aiming for no net VMT can be a beneficial goal without necessarily halting development. She suggested starting with triggering the requirement and then revisiting it later if necessary. Additionally, she asked for clarification on why the 7-7-7 proposal, intended to substitute for regional revenue, did not come to the board for approval at the time.

Ms. Regan said that the focus was primarily on moving forward to generate revenue, leveraging various sources, and that there was a sense of excitement and positive momentum. She also mentioned the transitional period within the agency, including changes on the board and in leadership.

Ms. Faustinos said she didn't realize the proposal wasn't explicitly discussed, assuming it was the premise they were working under. She supported Mr. Hoenigman's recommendation for a path forward, emphasizing the need to acknowledge the unmet goal, recognize the support received, and find a way to progress in the future.

Ms. Gustafson asked if it was accurate to say that, due to difficulties in reaching a reasonable resolution with partners, the issue was brought to the board two months after the fact.

Ms. Regan said Ms. Gustafson's understanding was correct. She also added that the board had endorsed the proposal in June 2022, as they were heading to the Nevada legislature for a resolution, though it wasn't a formal vote.

Ms. Aldean acknowledged the progress made and emphasized the importance of flexibility. As Ms. Laine said, there was a certain degree of reliance on the feasibility of a basin entry fee and still feels the basin entry fee is the ultimate solution. She'd like more information on the

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background on whether or not this was a voter initiative that amended the constitution, or an action taken by the legislature. The basin entry fee could be reframed as a VMT mitigation fee. She was opposed to completely removing the basin entry fee as an option, considering it a heavy lift but essential. There's the undeniable impact of VMT and questioned the exclusion of certain housing types. She raised concerns about the trigger acting as a moratorium and advocated for compromise, strategic decision-making, and involving staff in further discussions to address uncertainties and questions raised during the meeting today. She acknowledged the potential need for additional exemptions, particularly for public safety reasons, and stressed the importance of honoring commitments. We need to find a realistic and sensible path forward, suggesting that a hard and fast decision may not be suitable at the moment.

Ms. Gustafson said that the board should not approve any further projects until they have had meetings with partners, both business and environmental. She suggested forming a language agreement through a mini bi-state approach, looking at measurable milestones to ensure progress and avoid regression. She expressed concern about the Attorney General's office's mention of a self-perpetuating fund, emphasizing the need for legislative authority and urging partners to lobby state legislatures for support. She suggested taking possibly 30 or 60 days to lay out milestones for legislative actions and budgets while signaling to the community that projects won't be approved until there's agreement with partners on the funding source. It's important to identify a replacement for the original funding source and calls for collaboration to determine a viable solution.

Ms. Conrad-Saydah said that waiting until the end of June to gain clarity on California's state commitment is manageable. She questions the de facto implementation of the net-zero VMT during the proposed waiting period.

Ms. Gustafson said she doesn't think that anyone here believes that we're going to have an answer in 30 or 60 days or even in two years to get sustainable self-perpetuated funding. Then we can go to measurable milestones to hold all partners accountable for additional commitments toward solving the issue. She expressed concern about pulling the trigger, it stops everything.

Ms. Conrad-Saydah asked if Option 2 would be the approach. We'd update these policies to not necessarily reflect a change in funding strategy but reflect the challenges in funding strategy and commitment to a partnership approach for closing funding gaps.

Ms. Aldean said that the funding objective has not been met and suggested updating goals and policies in DP-5.4.B to address the need for additional information as requested in the meeting. And to further refine the funding strategy by July 1, 2025, to meet the 7-7-7 funding objectives by establishing specific and measurable goalposts to assess progress over time. This provides flexibility to adapt to a changing environment.

Ms. Williamson asked Ms. Aldean if she wanted to include the suggestion of not approving any projects until a certain date in the definition they are discussing as Ms. Gustafson suggested.

Ms. Gustafson expressed her intention to provide support to Mr. Bass' concerns and addresses the perception that there might be an attempt to push projects through before negotiations take place. She emphasizes the need to continue negotiating in good faith.

Ms. Aldean said we can add that no project will be processed by the Agency that doesn't meet the net zero goals.

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Ms. Gustafson said she doesn't see that list of projects and doesn't know if she can wait until July.

Ms. Aldean said it should exclude public safety projects, affordable housing, and single-family.

Ms. Conrad-Saydah said take out the 7-7-7 because we did acknowledge that it is not sufficient. It should say "To achieve Regional Transportation Plan funding goals. It will probably go behind 7-7-7 given inflation and cost of construction.

Ms. Aldean said the 7-7-7 funding objectives could include a VMT mitigation fee as part of a basin entry fee.

Ms. Conrad-Saydah said it's more that the \$21 million may be insufficient. We want to say Regional Transportation Plan funding objectives, one third times three.

Ms. Aldean asked how much is the Regional Transportation Plan funding objective? Because those may change over time.

Mr. Bass said at one point they were talking about a zonal entry fee and that would be perpetual sustainable local funding source. The 7-7-7 is great and it's done great things, but it isn't getting to the dedicated transit funding source that truly reduces VMTs and we need to redefine what that is. The 7-7-7 did accomplish some good things but it hasn't got us sustainable dedicated long term transit funding. It's what we need to do to reduce VMTs. The Regional Transportation Plan and the overall does it, but this \$21 million didn't reduce too many VMTs. The microtransit absolutely but that's a small portion of the funding.

Ms. Gustafson said the answer on the zonal also takes legislation. The states have to agree to the zonal.

Mr. Bass said that's something where we should keep the pressure on.

Ms. Aldean suggested eliminating the reference to the 7-7-7 plan and say that our objective is to achieve our VMT reduction funding objectives. And that could be a myriad of things by establishing specific and measurable goal posts to access our progress over time. She's still concerned about the legislative aspect of this. Goal DP-5.6.A says that no net unmitigated VMT except for deed restricted affordable and or workforce housing. That doesn't include single-family homes.

Mr. Marshall said single-family homes would screen out. So, they wouldn't get to the place of whether or not the standard of significance would apply.

Ms. Aldean said then it would be just restricted to affordable and workforce housing, but we need to clarify that definition as suggested on the record. We need to take into consideration public safety projects.

Ms. Laine said instead of trying to wordsmith the entire thing right here, could it be direction to staff to come back within 60 days with this worked out?

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Ms. Regan suggested taking this general direction. Two months would be reasonable for us to come back with a more fleshed out description of what that would be. It is a little bit of all the above with some measurable milestones. She considers this a 2.a option that blends all three of them or maybe it's a fourth option.

Ms. Gustafson asked if we have any scheduled new development projects coming to the Governing Board for approval.

Ms. Regan said no.

Mr. Marshall said any new development is too broad.

Mr. Hester said staff will check in again July 1, 2025. One third, one third, one third of VMT reduction funding objectives gets built in, no project that exceeds the standard of significance or isn't screened out must have no net VMT, and redefine so we are affordable, moderate, achievable, and public safety projects.

Mr. Hester said to clarify staff will bring this back in 60 days.

Mr. Segan said the table that's referenced in the Code of Ordinances, that specific use type is public service. Did you want to reconsider the entire definition of public service or the application of the no net to the public service category, or just the specific sub-category that is public safety.

Mr. Marshall said we would take that under advisement and bring it back. What we're trying to do is refine the exceptions that the trigger would apply to, not the categories within our system of standards of significance. It would be adding to the list of affordable and workforce including something that got to public safety rather than getting into the layers of it.

Ms. Hill said the one thing that will be coming to the TRPA board is a change of zoning to allow for elementary schools in a specific zone in Incline Village. From that, they'll be asking for their SUPs if that is approved by TRPA. The first reading went into effect at the Washoe County board meeting on Tuesday. Does that mean those daycare facilities cannot come before. She doesn't want to see any childcare facilities stopped.

Mr. Hester said we're not stopping them; they would just have to meet the no net VMT standard.

Ms. Aldean asked if we could exempt projects that are in the queue.

Ms. Gustafson said she proposed that because she was trying to find a middle ground to make all the partners feel honored in their testimony today. And address this concern that TRPA is somehow just trying to push through a lot of development projects. We all know that is not the case, but nonetheless that's the public dialogue. It says for development projects. She doesn't know how to define that and doesn't know where childcare comes into the development. Many of those will screen out if they're less than a certain number of trips per day. That's why before we make this decision, we need to see that list of projects that are on the horizon and how it would affect the VMT. We're giving staff direction today to go back and draft this and take that into consideration.

Mr. Hester said to be clear on what projects are in the queue. Staff have projects that still need area plan amendments. There are projects that have credits for the development that was there

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before that get to reduce their VMT. And those credits depending on how long they take may expire. It will be us prognosticating what we think is coming but will try to give you a range of what we think is coming.

Ms. Diss said they way Ms. Gustafson initially laid it out, at first my understanding was that we wouldn't take action on whatever our definition of development projects until we have heard back from staff and taken action on that, not until from now until July 1, 2025, correct?

Ms. Gustafson said that's correct. She doesn't want someone to think that if we waited 60 days because we're going to have to have numerous meetings with our partners and state officials to say what's reasonable, what was agreed to, etc.

Ms. Diss said my understanding is that it would be 30 to 60 days, they wouldn't approve whatever we decide to be the definition of a certain kinds of projects in good faith.

Mr. Marshall said what we're trying to get at is that we won't bring forward either staff or board for approval of a project that would be affected by the trigger. If it would otherwise shift down to no net, we would wait on that one for 30 or 60 days. There are not any that we are aware of that are ready for decision within that time period anyway but can't say that definitively.

Mr. Hester said also with some proposals on how to change that definition.

Mr. Settelmeyer asked for more clarification on that motion of the discussion of the one third, one third, one third versus the concept of 7-7-7. He's concerned because if you're asking for an exact dollar amount, that's insanity. If you're asking for everyone to give exactly one-third from each of those contingents, he's very concerned because that's less achievable than 7-7-7. Versus the concept we have met the objective this year of \$21 million. It's the discussion of buckets. He is concerned about the concept of putting a moratorium in effect. Because by saying that we're not going to deal with ones that would come up that might affect the trigger, which we don't theoretically have at this point in time, you're stymieing the potential of projects that are out there that are thinking of coming forward that could have incredible environmental gain to this community, and that is of concern.

Mr. Bass said it's not about stymieing the projects; you're saying that three years ago we said we're going to get to this VMT reduction and we're going to do it through this Regional Transportation Plan. We need the funding to do it and we haven't fulfilled that funding. We haven't created those mitigations from the transportation plan. Therefore, since we've got to this three-year mark, the projects must do that. It doesn't mean a forever thing, it's a great point of motivation for us all to go and get it done and is the reason why it was in the policy. Recently, in Beverly Hills they stopped every building permit because they will not comply with the state housing laws. It's a great motivating factor and has begun to work at least here on the California side to start getting more funding. He wants to ensure that in this 60 to 90 day window whatever it is that we are stopping and doing what we said we're going to do until we have a new policy.

Mr. Hoenigman said if we are pushing this off that there needs to be a little penance paid as well. He's heard it suggested that maybe projects don't screen out, and we should think about that from the League. Single-family homes do but any smaller projects perhaps have to go through something more rigorous. He personally liked the idea that Ms. Williamson brought up of judging the overall environmental impact of a project. And if it is something that's really great for the lake that maybe it can go through in this interim period. The intent of all of this is to help the lake

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overall. If we're kicking the can down the field, then there's has to be some makeup for that. We've got to acknowledge that we missed it and dig a little deeper as payback for that. The League has suggested not screening out smaller projects. He doesn't know enough to say how feasible that is. That's one thing that's been put out there as a way that we can make delay not impact the lake.

Ms. Aldean said we need to look at the people we are penalizing who had nothing to do with our inability to meet our funding goals.

Ms. Gustafson said we're not going to achieve something as self-perpetuated ongoing funding source without all our partners at the table, working hard together with the strategy. We need enough time for staff to meet with all those partners and representatives from both states to see what we can come back with before we determine any action on triggers. Maybe we just needed to elevate it to the board sooner because we know staff have been trying to do that. You've heard how divisive this could be between both states, the private sector, locals, and the states.

Ms. Regan said what we can commit ourselves to doing is we can bring you an update as part of my executive director's report next month if we're not quite fully ready for another full presentation. A full presentation within two months, summarizing the direction that we've heard with some suggested language changes. In the meantime, we need to consult with all the partners. The level of project that we'd be talking about is something that would be on the docket for the board. There are no big projects to come before the Governing Board in the next couple of months that we're aware of.

VII. REPORTS

A. Executive Director Status Report

Ms. Regan said a tour at Sugar Pine Village took place with partners at St. Joseph Community Land Trust, Related California, and the City of South Lake Tahoe. It's the largest affordable housing project in the basin's history with 248 units on the south shore of Lake Tahoe. Emphasis on the significance of achieving such a project in Tahoe and the potential for leadership in the state.

Dr. Hayhoe, Chief Scientist at the Nature Conservancy, spoke at the Operations Sierra Storm event organized by TRPA, the University of Nevada, Reno, Tahoe Campus, the University of California, Davis, and the Tahoe Environmental Research Center. She addressed climate change challenges in mountain communities. Her inspirational talk focused on community collaboration and understanding diverse perspectives.

The Transportation Committee will have a workshop and talk about the launch of the Regional Transportation Plan and what's coming forward for that committee over the next several months. There's been a lot of press around the Vision Zero Strategy. Our obligation as the Metropolitan Planning Organization is to address the number of fatalities and injuries on Tahoe Basin roadways through this plan.

TRPA has launched the new permitting services improvements process approved in prior months. There are new hours at the front counter along with a new team.

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Ms. Regan introduced a new employee Helen Fillmore, Planning Technician in the Permitting and Compliance Department.

She thanked board members who attended the Nevada Legislative Oversight Committee yesterday. Senator Rosen introduced a new land bill that has language for Lake Tahoe with the federal share of the Environmental Improvement Program that could support ongoing funding for other projects.

B. General Counsel Status Report

Mr. Marshall said the Mountain Area Preservation has initiated litigation against Phase 2 housing work. He anticipates a lawsuit being filed within the next 30 days.

Offers have been made to three individuals for additional legal services. Marsha Burch, currently a contract attorney, agreed to come on salary at 80 percent time. Jack Mensik, a clerk at the Nevada Supreme Court, accepted the offer after completing his clerkship. Graham St. Michel an experienced attorney working for the Department of Conservation. The three new hires contribute to a transition plan to address potential legal challenges.

Board Comments & Questions

Ms. Aldean asked who the logical successor would be when Mr. Marshall steps down.

Mr. Marshall said Mr. St. Michel or Ms. Burch could transition into his position and will be a decision for the Governing Board. Mr. Marshall will likely transition to half time next fiscal year for approximately one year.

VIII. GOVERNING BOARD MEMBER REPORTS

Ms. Diss announced that she'll be going out on maternity leave in early March.

Mr. Bass suggested that the public records request process be discussed at the board.

Mr. Marshall said staff will review with Mr. Bass the rules that the Governing Board adopted on how to address public records request.

Mr. Bass asked if they are subject to the Fair Political Practices Commission open meeting law.

Mr. Marshall said TRPA is not regulated by the FPPC. Their primary obligation is to address and give advice on ethical issues and not so much on your open meeting law which is a separate subject and public records request.

Mr. Bass suggested that we have an inventory of all the older Styrofoam docks in the lake and figure out an amortization or process to have those removed from the lake. It's important for us to take the position that we don't allow Styrofoam construction of docks on the lake and send a letter to property owners that has a dock to find out what building materials were used on their docks.

IX. COMMITTEE REPORTS

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A. Environmental Improvement Program Committee

Ms. Faustinos said the committee received a great presentation from Ms. Caringer. The committee provided feedback on the priority workplan presented. A new idea suggested was a forest plan update. In addition, looking at the Threshold updates, community engagement, and policy and governance issues.

Ms. Caringer said they'll look at how they are bringing science and forest policy together and how it's driving work in the basin.

B. Legal Committee

No report.

C. Local Government Committee

No report.

D. Operations & Governance Committee

No report.

E. Regional Planning Committee

No report.

F. Transportation Committee

No report.

X. PUBLIC INTEREST COMMENTS

Ann Nichols, North Tahoe Preservation Alliance raised concerns about the 7-7-7 plan leaning peoples' properties because the legislature will not allow a Tourism Business Improvement District (TBID) in Nevada and a tax referendum would likely fail. This is an issue in Placer County because of significant projects in progress. The Kings Beach Redevelopment 39 North that they wanted to give \$2 million in loans that don't need to be paid back and \$28 to \$38 million in rebates and isn't an approved project or provided information to the public. What will the impact be on the 2-lane roads. Who are all the partners you speak about? Are there any members in the community or just developers and nonprofits. She highlighted the perceived discrepancy between the need for an Environmental Impact Statement (EIS) for the snow museum in Squaw Valley and the lack of one for Tahoe Basin Area Plan and housing amendments don't. This is not all about funding, it's about the lake. Prioritize transparency and regain the public's trust in TRPA's decision-making.

Alan Miller, Civil and Environmental Engineer expressed appreciation for Mr. Bass's recent comment on the issue of Styrofoam docks and the need to gather information from property owners about their shorezone structures and take steps to ban and remove them. He's

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expressed ongoing concern to TRPA management, including inclusion in the Miller v. TRPA lawsuit. He included in his settlement offer to TRPA his recommendation for policy moving forward to address this problem including docks of all kinds of plastics.

Melissa Soderston, Tahoe Forest Matter voiced collective objection to logging, sawmills, and biomass initiatives. Scientific evidence from numerous peer-reviewed studies, including those funded by the USFS and Cal Fire, indicates that thinning forests causes long-term harm to forest resilience, climate, and fire, adding sediment to watersheds without protecting life, property, and infrastructure during extreme fire. She criticized the overuse of the term "forest health," claiming little difference between these projects and destructive thinning, often awarded to the same commercial logging companies. There's already one sawmill on the Nevada side, one proposed for El Dorado County, and two for Placer County. TRPA and the California Tahoe Conservancy have discussed biomass facilities, which the Center for Biological Diversity considers a significant threat and pollutant even at small scales. Each of these proposals puts Tahoe at risk for a very long time. More studies have pointed to logging as the single greatest threat to the forest, worse than fire, climate, and bark beetles. Billions are still being directed to these landscape scale projects that top scientists of the Forest Service say do not work. Almost no funding is available for community-wide infrastructure hardening, proven to protect life and property during extreme fires. She requested that the board adopt a firm stance on logging focused on home out hardening rather than forest in. TRPA needs to focus on protecting the environment.

Doug Flaherty, TahoeCleanAir.org extended a shout out to Cody Bass and other board members for having the courage to ask real questions, pointing out that this has been lacking since the 2012 Regional Plan. It's the board's responsibility to provide leadership and not merely rubber-stamp staff's recommendations. He questioned why TRPA which have made the forest projects part of their Environmental Improvement Program allowing 750,000 burn piles to sit hidden in the trees as fire risks. You have been complicit and failed to take action to protect the public by allowing burn piles to remain and not enforcing clean air regulations during burns. He criticized the 7-7-7, suggesting that it was based on questionable board decisions and questioned whether TRPA exceeded its authority in selling this to various government agencies. Accusation of utilizing adaptive management as a way to escaping responsibility for previous decisions since 2012, using terms like tiering and nuances to justify actions. You've pushed the public too far. A shout out to the Mountain Area Preservation for supporting the North Tahoe Preservation Alliance, TahoeCleanAir.org, and Friends to the West Shore which have taken legal action against Placer County for their Tahoe Basin Area Plan amendments. MAP is on board with legal action on the new housing amendments. He encouraged other nonprofits to step up and file similar suits.

XI. ADJOURNMENT

Mr. Hoenigman moved to adjourn.

Ms. Gustafson adjourned the meeting at 2:03 p.m.

Respectfully Submitted,

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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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