From: Tobi Tyler <tylertahoe1@gmail.com>
Sent: 7/21/2026 6:58:05 PM
To: Public Comment <PublicComment@trpa.gov>; Hayley Williamson <hayley.a.williamson@gmail.com>; Vince Hoenigman <vhoenigman@yahoo.com>; Ashley Conrad-Saydah <ashleyc@alumni.princeton.edu>; Belinda Faustinos <belindafaustinos@gmail.com>; Cody Bass <cbass@cityofslt.us>; Cindy.Gustafson <cindygustafson@placer.ca.gov>; fvaguilar@sos.nv.gov <fvaguilar@sos.nv.gov>; Ben Kieckhefer <benontrpa@gmail.com>; Shelly Aldean <shellyaldean@gmail.com>; Alexandra Leumer <TRPALeumer@yahoo.com>; Meghan Hays <Meghan.hays9@gmail.com>; Alexis Hill <AHill@washoecounty.us>; Vinson Guthreau <vguthreau@dcnr.nv.gov>; Brooke Laine <BOSFive@edcgov.us>; Wesley Rice <wrice@douglasnv.us>
Cc: Graham St.Michel <gstmichel@trpa.gov>; Julie Regan <jregan@trpa.gov>;
Subject: Public Comment on Agenda Item 7.D
Attachments: SC GB comments on VMT standard 7.21.26.pdf

Although late, please make these comments from the Sierra Club on Agenda Item 7.D part of the public record.
Thank you.
Tobi Tyler

SIERRA CLUB
Tahoe Area Group

July 21, 2026

Via email to: publiccomment@trpa.gov

Tahoe Regional Planning Agency
Attention: Governing Board Members

Re: Agenda Item 7.D – Failure to Implement the 2021 Transportation and Sustainable Communities Threshold Standard

Dear Chair and Governing Board Members:

The Sierra Club Tahoe Area Group urges the Governing Board to reject the Staff recommendation that no action is required on Agenda Item 7.D. The issue before the Board is far more consequential than whether transportation funding has improved over the past several years. The question is whether TRPA is complying with the Regional Plan and Threshold Standards that it adopted in 2021. The record demonstrates that it is not.

In 2021, TRPA fundamentally changed how transportation impacts are measured in the Tahoe Basin. The Governing Board replaced the former absolute Vehicle Miles Traveled (VMT) threshold with a VMT-per-capita standard. This was not merely a technical adjustment. It represented a significant policy shift that relaxed one form of environmental accountability while promising a more sophisticated adaptive management system to ensure that transportation impacts would continue to be reduced as development occurred. That promise was the foundation upon which the 2021 Threshold Update was adopted.

The adaptive management framework included transportation performance monitoring, mandatory funding milestones under Policy DP 5.4, and automatic implementation of supplemental compliance measures under Policy DP 5.6 if those milestones were not achieved. These provisions were not optional. They were the environmental safeguards that justified replacing the former threshold with a less restrictive metric.

Those safeguards are being ignored. The administrative record does not demonstrate that Policy DP 5.4(B) has been satisfied. The Regional Plan requires an ongoing regional transportation funding source or sources dedicated to transportation and reasonably expected to meet the needs identified in the Regional Transportation Plan. Instead, the record documents a series of grants, appropriations, earmarks, and project-specific funding commitments assembled through the 7-7-7 initiative.

Substantial effort has been made by agencies, legislators, and local governments to secure these funds, but progress is not compliance. One-time grants are not ongoing revenue. A funding strategy is not a dedicated funding source. Political commitments are not enforceable implementation.

Nothing in the Regional Plan authorizes TRPA to redefine these requirements after they have failed to be achieved. Rather than acknowledging that the adopted milestone has not been met, Staff instead argues that no Governing Board action is necessary because the Transportation Performance Technical Advisory Committee did not expressly conclude that the milestone was unmet. This interpretation is inconsistent with both the Regional Plan and the Tahoe Regional Planning Compact.

The Technical Advisory Committee exists to review data and make recommendations. It is not the decision-making body responsible for determining compliance with adopted Regional Plan policies. That responsibility belongs exclusively to the Governing Board.

Equally troubling is Staff's apparent conclusion that the adaptive management provisions contained in Policy DP 5.6 can simply be avoided through procedural inaction. They cannot. Policy DP 5.6 exists precisely because the Governing Board recognized that transportation funding might not materialize on schedule. The policy establishes predetermined responses intended to prevent transportation impacts from increasing beyond the region's ability to mitigate them. Those responses are environmental safeguards – not discretionary policy choices.

If TRPA can ignore mandatory milestones whenever they become inconvenient, then adaptive management ceases to exist. More importantly, the environmental rationale supporting the 2021 Threshold Update begins to collapse.

TRPA justified replacing the former VMT threshold by assuring the public that equivalent or greater environmental protection would be achieved through adaptive management, enforceable milestones, and mandatory responses if implementation fell behind. If those safeguards are no longer enforced, then the assumptions underlying the 2021 Threshold Update are no longer valid.

The issue therefore extends well beyond transportation finance. It goes directly to whether TRPA is implementing the Threshold Standards in the manner approved by the Governing Board and relied upon by the public.

The Tahoe Regional Planning Compact requires TRPA to attain and maintain environmental threshold carrying capacities. The Regional Plan is the mechanism through which those statutory obligations are fulfilled. TRPA cannot selectively enforce those provisions while disregarding others that are inconvenient or politically difficult.

Environmental thresholds are only meaningful if the implementation measures adopted to achieve them are faithfully followed. Otherwise, they become aspirations rather than enforceable standards.

The Sierra Club is deeply concerned that failure to implement the adaptive management provisions of the 2021 Threshold Update establishes a dangerous precedent extending far beyond transportation policy. If mandatory implementation measures can be ignored in this instance, the credibility of every threshold standard, every adaptive management provision, and every environmental safeguard adopted by TRPA is placed at risk.

Accordingly, Sierra Club requests that the Governing Board:

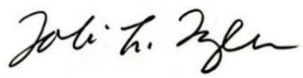
1. Make a formal determination regarding compliance with Policy DP 5.4(B).
2. Find that the record does not demonstrate the existence of an ongoing regional transportation funding source as required by the Regional Plan.
3. Acknowledge that the adaptive management provisions of Policy DP 5.6 are therefore triggered until the adopted funding milestone has been satisfied.
4. Direct staff to prepare a comprehensive compliance report evaluating implementation of every element of the 2021 Transportation and Sustainable Communities Threshold Update, including transportation performance monitoring, funding milestones, adaptive management responses, and all associated implementation measures.
5. Reaffirm that future amendments to the Threshold Standards will be implemented exactly as adopted and that mandatory environmental safeguards cannot be waived through administrative interpretation or inaction.

The public accepted significant changes to Tahoe's transportation threshold because TRPA assured them that stronger implementation, monitoring, and accountability would replace the former standard. Those assurances now carry legal and ethical obligations.

The Governing Board must demonstrate that the Regional Plan is more than a policy document – that it is a binding commitment governing how growth will occur while protecting Lake Tahoe's environmental threshold carrying capacities.

Sierra Club respectfully urges the Governing Board to uphold the integrity of the Regional Plan by enforcing the policies it adopted and ensuring that adaptive management functions as intended. The long-term credibility of TRPA's threshold system – and public confidence in the Agency's commitment to environmental protection – depends upon nothing less. This letter also incorporates by reference the comments provided by California Attorney General Rob Bonta on July 21, 2026.

Respectfully submitted,



Tobi Tyler
Vice Chair, Sierra Club Tahoe Area Group

From: Kristi Dykstra <Kristi.Dykstra@doj.ca.gov>
Sent: 7/21/2026 4:20:04 PM
To: Public Comment <PublicComment@trpa.gov>
Cc: Nicole Rinke <Nicole.Rinke@doj.ca.gov>; Jessica TuckerMohl <Jessica.TuckerMohl@doj.ca.gov>;
Subject: Agenda Item 7.D Review of 2026 Transportation and Sustainable Communities Performance and Recommendations Report
Attachments: image001.png , Letter July 2026 TRPA GB.pdf

Good afternoon,

On behalf of Deputy Attorney General Nicole Rinke, I am attaching the following document regarding the above referenced matter.

- **July 2026 Letter TRPA Governing Board**

If you have any questions, please contact Deputy Attorney General Nicole Rinke via email at Nicole.Rinke@doj.ca.gov.

Kristi J. Dykstra
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CALIFORNIA
DEPARTMENT OF JUSTICE

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Attorney General

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July 21, 2026

VIA EMAIL
publiccomment@trpa.gov
Tahoe Regional Planning Agency
Attention: Governing Board Members

RE: **Agenda Item 7.D Review of 2026 Transportation and Sustainable Communities Performance and Recommendations Report**

Dear Governing Board members,

We write to comment on Agenda Item 7.D, which asks the Governing Board to review a report from the Transportation Performance Technical Advisory Committee ("Advisory Committee" and "Advisory Committee Report" or "report") prepared pursuant to Regional Plan Policy DP-5.2.[1] We appreciate that the report has been brought to the Board for its consideration. We respectfully urge the Board to (1) accept or not accept the technical recommendations in the Committee Report and (2) instruct staff to bring forward an action item requesting that the Board make a finding regarding compliance with the regional revenue requirement pursuant to Regional Plan Policy DP-5.6(B).[2]

Governing Board Review of Advisory Committee Report Under DP-5.2:

As you know, in 2021, the Governing Board replaced the longstanding absolute Basin-wide VMT limit with a graduated VMT per capita standard. The Board also adopted a suite of adaptive management requirements to fulfill TRPA's duty to achieve and maintain the VMT threshold by ensuring reductions in VMT in the Basin. One of these requirements was the establishment of an Advisory Committee with expertise in transportation, land use planning, and implementation to provide status updates and progress recommendations to the Board regarding implementation of the various program requirements adopted in 2021. The Committee's technical recommendations are subject to a deferential standard of Governing Board review set forth in DP-5.2, whereby the Board reviews the Committee's report and must provide a written justification for objecting to any of its recommendations.

[1] For your reference, the relevant Regional Plan policies are attached.
[2] We have discussed these requests with your staff.

Policies DP-5.2 and DP-5.3 require the Advisory Committee to produce reports every two years, starting in the second quarter of 2022, with an alternating focus between threshold performance and recommendations (DP-5.2) and analysis and recommendations related to the Regional Transportation Plan and Sustainable Communities Strategy (DP-5.3). The report being presented today is the first report of the Advisory Committee. It appears to be a threshold performance and recommendations report issued pursuant to DP-5.2 for the second quarter of 2026.

The staff's decision to present the report to the Board for consideration in a public meeting is appropriate under the standard of Governing Board review in DP-5.2. DP-5.2 requires that the Board "shall review the report's recommendations" and if it disagrees, "it shall provide a written justification for doing so." Accordingly, staff should also ask the Board to accept, or not accept, the report's recommendations (see pp 43-44 of the report).[3] We hope that staff will continue to bring these reports to the Governing Board, as required, in the future.[4]

Governing Board Finding on Regional Revenue Requirement Pursuant to DP-5.6:

We also direct the Board's attention to the critically important three-page Appendix to the Advisory Committee Report that discusses compliance with the Regional Plan's regional revenue requirement (DP-5.4). The Appendix asserts that the requirement has been met by the "7-7-7 approach" (the 10-year funding plan developed by the Bi-State Consultation on Transportation) and that 7-7-7's "continued implementation demonstrates that the framework is durable and ongoing" as required by the Regional Plan.

Unlike the technical aspects of the Advisory Committee Report and its recommendations, which are primarily the province of the Advisory Committee per DP-5.2 (subject to the Board's deferential review), the decision as to whether the regional revenue requirement has been met is within the province of the Governing Board, not the Advisory Committee. DP-5.6.A requires a finding that the 2024 regional revenue milestone has been met.[5] This finding establishes the operative Regional Plan standard for VMT associated with new projects in the basin. The finding must be made by the Governing Board pursuant to the express requirements of the Compact (see Article III [requiring that at least four members of each state must agree to adopt, amend or repeal the regional plan]; VI(a) [providing that "[t]he governing shall adopt all necessary ordinances, rules and regulations to effectuate the adopted regional plan."].)[6]

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[3] Given the technical nature of the report's recommendations, we would also encourage the Board to consider prior review of the report by its Transportation Committee, with a recommendation for the full Board on consent.

[4] We note that DP 5-2 requires the Governing Board review the report within 90 days of its issuance. The transmittal letter in the packet asserts that the 90 days commenced when the report was sent to the Board members on June 17, 2026, not when the Advisory Committee approved the report on May 8, 2026. We believe the commencement date is properly construed as May 8, 2026, the date the Committee approved the report.

[5] The regional revenue requirement is also set forth in DP-5.4.B.

[6] The Advisory Committee is advisory. It includes no Board members and at the time of its formation, it was not charged with setting Regional Plan standards; rather it was charged with delivering performance and recombination reports *to the Board*. (See TPTAC Charter (September 21, 2022); April 21, 2021 Staff

The DP-5.6 finding cannot be an ancillary or inadvertent result of the Board's acceptance of the other technical recommendations in the Advisory Committee Report under the DP-5.2 deferential review process. The inclusion of a proposed finding of regional revenue compliance in the three-page appendix (added only to a second draft of the Advisory Committee's report),[7] with no request for Board action or finding under DP-5.6, creates precisely that risk.

We encourage the Board to agendize an action item at a future Board meeting to make a finding as to whether the regional revenue requirement has been met. While the Regional Plan does not compel a specific timeline for making this finding, the Regional Plan requires TRPA to have attained an ongoing source of regional revenue by the end of 2023. It is now the middle of 2026 and the Board has not made, or been asked to make, a finding whether the regional revenue requirement has been met. This is overdue and should be remedied through the appropriate Board procedures for this determination per DP-5.6. (*See, e.g.*, 5 U.S.C.A. § 706(1) [Administrative Procedure Act providing for review of agency action unlawfully withheld or unreasonably delayed]; *see also e.g.*, *St. Johns Riverkeeper, Inc. v. United States Army Corps of Engineers* (M.D. Fla. 2018) 304 F.Supp.3d 1229, 1239 ("Indeed, 'an administrative agency cannot legitimately evade judicial review forever by continually postponing any consequence-laden action and then challenging federal jurisdiction on 'final agency action' grounds.'"). Given the series of findings and triggers set forth in DP-5.6's adaptive management framework, of which this is the first, the Board should insist that going forward, findings regarding compliance with the VMT per capita milestones be brought to the Board in a timely and direct manner.

Since December, 2023, staff has held frequent discussions with the Board and its Transportation Committee (a subcommittee of the Board, distinct from the Advisory Committee, which consists of no Board members),[8] in which various Board members have requested more information regarding regional revenue options and expressed the importance of exploring more sustainable

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Report, pdf p. 9, for adopting the amended VMT Threshold and Regional Plan policies establishing the Advisory Committee [describing the Committee as providing "guidance" to the TRPA governing board that the board "must act on."]; May 1, 2026 Staff Report for the Advisory Committee [recommending the Committee move to transmit the report to the Governing Board][and May 8, 2026 Advisory Committee minutes [indicating the Advisory Committee voted to transmit the report to the TRPA Governing Board"].) The Advisory Committee is asked to report on the status of the regional revenue milestone and to make any associated recommendations, but it is not charged with making the DP-5.6.A finding, nor could it be within the parameters of the Compact.

[7] The first draft of the compliance report was issued in March, 2026. At that time the report did not address compliance with the regional revenue requirement. The second draft was released in May, 2026 and added an Appendix discussing compliance with regional revenue.

[8] In December, 2023, staff came to the Board requesting feedback on how to reconcile its funding approach "because the 7-7-7 strategy is not fully aligned with DP-5.4.B." The current staff report now suggests that DP-5.4(B) is the implementation element of DP-5.4(A). It describes that "the milestones establish two sequential steps toward regional transportation funding. First, that a proposal be developed (DP 5.4(A)) and second that the proposal commence implementation (DP 5.4(B))." This interpretation is not consistent with the language of the policies, or how the two funding obligations were presented when they were adopted.

sources of funding.[9] But the item has not been queued up for a substantive discussion or a finding by the Board regarding regional revenue.[10]

In sum, as part of your discussion regarding the Advisory Committee Report, we ask that you (1) take action to approve, or not, the recommendations in the Advisory Committee's report; and (2) clarify that staff's transmittal of the report, or any action the Board chooses to take with regard to the report, does not constitute an official Board "finding" of regional revenue as required by DP-5.6. We also request that you ask staff to promptly bring forward an action item for a finding on regional revenue pursuant to DP-5.6.

Sincerely,

/s/ *Nicole Rinke*

NICOLE U. RINKE
Deputy Attorney General

For ROB BONTA
Attorney General

NUR:kd
Attachment

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[9] In particular, Board members expressed this interest at the January and March, 2024 Governing Board meetings when this topic was agendized for discussed and at the April, 2024, August, 2024, and November, 2025 Transportation Committee meetings.

[10] When the Advisory Committee approved the report, including the appendix for transmittal to the Board, its discussion regarding regional revenue was relatively brief and Advisory Committee members raised questions regarding funding adequacy, especially in light of increasing costs.

Attachment -
Regional Plan Policies

and subject to Agency concurrence as to effectiveness, or

B. Contributing to a water quality mitigation fund for implementing off-site erosion and runoff control projects. The amount of such contributions is established by Agency ordinance.

This policy continues the water quality mitigation funds established as part of TRPA's Lake Tahoe Basin Water Quality Management Plan. The fee schedules and distribution formula shall be reviewed and revised as part of the Agency's implementing ordinances and programs.

DP-4.2 ALL PROJECTS SHALL OFFSET THE TRANSPORTATION AND AIR QUALITY IMPACTS OF THEIR DEVELOPMENT.

The implementing ordinances for the Regional Plan will define stationary sources of air pollution which may locate in the Region, and define what constitutes a significant environmental impact on air quality from stationary sources. Commercial and residential development contribute indirect impacts to air quality by increasing the number of vehicle trips in the Region. The cumulative impact of such trips is significant.

The ordinances will establish a fee to offset the impacts from minor projects. The fee will be assessed on both commercial and residential development. The ordinances will also define what projects have significant environmental impacts; these projects will be required to complete an EIS and mitigate air quality and traffic impacts with specific projects or programs.

GOAL DP-5

TRPA SHALL USE A SERIES OF MILESTONES TO ADAPTIVELY MANAGE REGIONAL LAND USE AND THE TRANSPORTATION SYSTEM TO ACHIEVE AND MAINTAIN TRANSPORTATION AND SUSTAINABLE COMMUNITIES THRESHOLD STANDARD 1.

POLICIES:

DP-5.1 A TECHNICAL ADVISORY BODY WITH EXPERTISE IN TRANSPORTATION, LAND USE PLANNING, AND IMPLEMENTATION SHALL PROVIDE GUIDANCE ON PROGRAM MODIFICATIONS NECESSARY TO ATTAIN AND MAINTAIN TRANSPORTATION AND SUSTAINABLE COMMUNITIES THRESHOLD STANDARD 1 (TSC 1).

The advisory body will provide recommendations to the Governing Boards of the Tahoe Regional Planning Agency and the Tahoe Metropolitan Planning Organization on policy, issues, projects, and programs related to regional transportation, including but not limited to the development and implementation of the Regional Transportation Plan, Sustainable Community Strategy, regional street and highway system, pedestrian and bicycle facilities, project selection for funding, and multimodal transportation planning within the Tahoe Region. The advisory body will be composed of local and regional transportation project and program

implementors, one representative from the environmental community and one from the general public. The advisory body will hold public meetings no less than once every two years to review programs, policies, and progress towards attainment of TSC 1. The TRPA Transportation Planning Manager and/or his or her designee shall attend all advisory body meetings. TRPA shall provide staff support as well as external expertise and resources necessary for the advisory body to execute its approved work plan. The advisory body will be appointed by the Governing Board. The advisory body will prepare a charter, guiding principles, and workplan that must be approved by the Governing Board.

DP-5.2 THE TECHNICAL ADVISORY BODY WILL PREPARE AND TRANSMIT A PERFORMANCE AND RECOMMENDATIONS REPORT TO THE GOVERNING BOARD EVERY FOUR YEARS.

Starting in second quarter of 2022 and every four years thereafter, the advisory body will transmit a TSC 1 performance and recommendations report to the Governing Board. The report will summarize information related to TSC 1, including but not limited to: traffic volumes, volumes on bicycle and pedestrian trails, transit ridership, mode share, VMT, population, and implementation of transportation projects. The performance report will quantify project and program implementation, effectiveness, and where possible, changes in VMT and VMT per capita at both the regional and jurisdiction level. The report will include an assessment of status relative to the milestones identified in DP-5.4 and DP-5.5. In between milestones, VMT per capita is expected to be between the established milestones. Where appropriate, the report will provide recommendations for modifications of programs, priority funding areas, and selected projects to promote attainment of TSC 1 and the other goals of the RTP. Based on its review of program implementation and effectiveness, the advisory body may recommend changes to the Regional Plan, Regional Transportation Plan, and associated programs including but not limited to:

A. Modifications to the FTIP/STIP project selection process;

B. Modifications to the TRPA Regional Grant Program funding criteria; and

C. Modifications to fee structures or transfer incentives.

Within 90 days of issuance of the report by the advisory body, the Governing Board shall review the report's recommendations. If the Governing Board does not accept any of the report's recommendations, it shall provide a written justification explaining the basis for its adoption of alternative measures.

DP-5.3 THE TECHNICAL ADVISORY BODY WILL PREPARE AND TRANSMIT A REGIONAL TRANSPORTATION PLAN SUSTAINABLE COMMUNITY STRATEGY ANALYSIS AND RECOMMENDATIONS REPORT.

In the second quarter of 2024 and second quarter of every fourth year thereafter, the advisory body will transmit a Regional Transportation Plan and Sustainable

Community Strategy analysis and recommendations report to the Governing Board. In addition to the contents described in DP-5.2, the report will also include forecasts and analyses necessary for the preparation of the updated Regional Transportation Plan and Sustainable Community Strategy. Based on its review of the implementation and effectiveness, the advisory body may recommend changes to the Regional Plan, Regional Transportation Plan and associated programs including but not limited to:

A. Modifications to the FTIP/STIP project selection process;

B. Modifications to the TRPA Regional Grant Program funding criteria;

C. Modifications to the Regional Transportation Plan project selection process;

D. Modifications to the transportation project impact assessment framework; and

E. Modifications to fee structures or transfer incentives.

When the review of performance indicates the milestones are not being met, the report must include recommendations reasonably expected to meet the next milestone. Within 90 days of issuance of the report by the advisory body, the Governing Board shall review the report's recommendations, and with the next RTP adopt measures reasonably expected to meet the next milestone identified in DP-5.5. If the Governing Board does not accept any of the report's recommendations, it shall provide a written justification explaining the basis for its adoption of alternative measures.

DP-5.4 SCHEDULE OF MILESTONES TO OBTAIN A REGIONAL FUNDING SOURCE FOR TRANSPORTATION PROJECTS AND PROGRAMS.

A. 2022 Regional Revenue Milestone - By December 31, 2021, a proposal for dedicated sources of transportation funding for Tahoe, endorsed and supported by the Bi-State Transportation Consultation, shall be submitted to the Nevada and California legislatures.

B. 2024 Regional Revenue Milestone - An ongoing regional funding source or sources dedicated to transportation for the Tahoe Region that is reasonably expected to meet the needs set forth for it in the Regional Transportation Plan, shall commence implementation no later than December 31, 2023.

DP-5.5 SCHEDULE OF MILESTONES FOR ASSESSMENT OF PROGRESS TOWARDS ATTAINMENT OF TSC 1.

Progress towards standard attainment will be tracked relative to the 2018 baseline of 12.48 VMT/Capita. The following milestones (Interim Targets and Major Evaluation Intervals) are established to assess progress toward attaining TSC 1.

A. 2024 Milestone – Per Capita VMT between 2020-2022 shall be equal to or below 12.35, a 1.01% reduction from the 2018 baseline.

B. 2028 Milestone – Per Capita VMT between 2024-2026 shall be equal to or below 12.26, a 1.76% reduction from the 2018 baseline.

C. 2032 Milestone – Per Capita VMT between 2028-2030 shall be equal to or below 12.13, a 2.77% reduction from the 2018 baseline.

D. 2036 Milestone – Per Capita VMT between 2032-2034 shall be equal to or below 12.01, a 3.77% reduction from the 2018 baseline.

E. 2040 Milestone – Per Capita VMT between 2036-2038 shall be equal to or below 11.88, a 4.78% reduction from the 2018 baseline.

F. 2044 Milestone – Per Capita VMT between 2040-2042 shall be equal to or below 11.76, a 5.79% reduction from the 2018 baseline.

G. 2048 Milestone – Per Capita VMT between 2044-2046 shall be equal to or below 11.64, a 6.71% reduction from the 2018 baseline.

H. 2050 Milestone – Per Capita VMT between 2046-2048 shall be equal to or below 11.63, a 6.79% reduction from the 2018 baseline.

DP-5.6 ADAPTIVE MANAGEMENT RESPONSES TO BE IMPLEMENTED AFTER A RESULTS ASSESSMENT.

The following supplemental compliance measures (management responses) shall automatically go into effect if it is found that the milestones in DP-5.4 – DP-5.5 have not been attained:

A. 2024 Regional Revenue Milestone - If the milestone established DP-5.4.B is not attained, the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT, except for deed restricted affordable and/or workforce housing. This measure will remain in effect until the funding sources described in DP-5.4.B commences.

B. 2028 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.B, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

C. 2036 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.D, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

D. 2044 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.F, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

E. 2048 VMT Per Capita Milestone – If Regional VMT Per Capita is not at or below the level identified in DP-5.5.G, (1) the per unit rate of the mobility mitigation fee will increase by 10% over the previous rate on January 1st of the following year, and (2) the standard of significance for all land uses in Code of Ordinances Table 65.2.3-1 shall be no-net unmitigated VMT for projects outside of Centers and a half-mile buffer around them. Deed restricted affordable and/or workforce housing shall be exempt from the rate increase. The rate modification and change in standards of significance shall automatically go into effect and remain in effect until such time that VMT per capita is on schedule to meet the next milestone.

F. 2050 Results Milestone – After completion of the 2050 results assessment, or upon the earliest performance report as described in DP–5.2 that identifies that the per capita target VMT threshold standard has been attained:

    1. The technical body described in DP-5.1 will review the threshold standard and recommend a new target.

FINANCING

The purpose of this Subelement is to set forth the financing policies and programs to implement the Regional Plan. The Subelement provides for the creation of new revenue sources, the phasing of expenditures to meet performance targets, and coordination of financing programs with other agencies.

Adequate long-term financing is essential to meet the environmental thresholds and protect the values of the Tahoe Region. The Regional Plan creates a linkage between the rate of funding for