

Public Comment TRPA Governing Board May 26, 2021 Agenda Item XIII

Submitted by Carole Black, Incline Village Resident

My comments relate to the Boulder Bay Project in Crystal Bay with questions about both that project and plans for other nearby properties and resulting concerns about traffic, particularly evacuation capacity/capability.

As best I could find, the Boulder Bay Project was approved by TRPA in 2011 with traffic studies and EIS projecting that VMT's/traffic impact would be decreased. And, the developer reportedly committed to a follow-up traffic study after 5 years. I gather that using TRPA's old endorsement, the developer is now seeking Washoe County approval to proceed including the County's Abandonment of certain street areas and a related variance.

It seems truly remarkable that traffic studies prior to the TRPA approval apparently projected a decrease in traffic with this project. How this conclusion was reached when the proposed project included 450 parking spaces (> 100% increase), 300 hotel rooms (also an increase of ~100%) plus numbers of condos, affordable housing units and commercial activities is a mystery to me!

In addition, this small area along Rte 28 includes CalNeva - closed for years but also planning redevelopment - and other vacant/boarded up properties some across state line in CA & all which will presumably plan some enhanced development.

In addition to likely daily traffic jams, I remind the GB that the possible evacuation routes from IVCB in the event of fire are three: Rte 28 through Crystal Bay, Rte 28 toward Rte 50/Carson City, and Rte 431 to Reno. And I hear that Rte 431 would be closed to allow for arriving Fire Department vehicles. So, with all of this potential/actual redevelopment clogging Rte 28 through Crystal Bay, IVCB residents and visitors would be left with only one egress route toward Carson City. And there is no room for a parallel CB through traffic diversion road as planned in SLT. Possibly boat options? But overall, I fear the situation could be dire.

I understand TRPA viewed Boulder Bay as a flagship "town center" project. But there has been no comprehensive area-wide traffic study which is urgently needed given the many in process projects being considered in this small already congested area adjoining a major thoroughfare. Full evaluation and mitigation of public safety implications is critical. I therefore urge TRPA to convene appropriate parties to facilitate. Perhaps require that Boulder Bay developer perform an additional traffic analysis before proceeding since, although most of the project is not yet built, more than 5 years have elapsed since initial approval and their promise of follow-up traffic analysis. Or maybe involved counties/agencies could be tapped – I asked WC yesterday!

Thank you for your consideration & anticipated intervention in support of resolving important safety concerns for residents and visitors. Accurate current analysis and planning will also better protect the environment.

Public Comment for TRPA GB 5.26.2021, item # VIII A. WC Tahoe Area Plan
Submitted by Carole Black, Incline Village, NV resident

I and others have previously submitted related written comments to WC and TRPA. The currently proposed WC Tahoe Area Plan represents an intense effort, envisioning broad change with impacts anticipated for many years to come. I expect approval today with some upcoming anticipated amendments. Unfortunately, I believe it is important to document some significant concerns in two major categories: process and content.

PROCESS: Plan is long, complex. For a document this size, complexity and import, public explanation/discussion opportunity to date has been infrequent and insufficient. There were a few public workshop/CAB sessions years ago but none to review recent major revisions since 2019.

CONTENT: Priority content concerns include: The single public workshop presentation two years ago was inaccurate obscuring major proposed changes. Though significant changes in zoning/uses are included, inaccurate or misleading statements were made at public meetings and persist.

In addition, the proposal includes content which is misleading and/or incomplete:

1. Major Plan changes result from de facto adoption of TRPA zoning even though WC classification was more restrictive and therefore “compatible with TRPA.” Curiously a statement that more restrictive approaches are allowed seems to have disappeared? And resident concerns about the impacts of imposed Town Center design and density in our small areas have been largely ignored

2. Incomplete assumptions regarding Area Occupancy: Residents are considered but not occupancy by transient tourists which has substantially increased area occupancy particularly during busy seasons with more vehicles and people in area

3. Qualitative EIC appears inadequate for full assessment failing to capture current and likely future adverse impacts re safety, evacuation, environment, loss of housing supply and neighborhood compatibility. Notable examples:

- **Recreation statement** indicates that **any increase in recreation demand is expected to be easily met** as well as checked box: **proposal > no increase recreation demand** when in fact the zoning changes encourage increased tourism creating major adverse impacts on traffic, trash, housing, communities and recreation venues

- **Possible interference with evacuation negated** based on assertion that more folks will ride buses but failing to consider added tourists/vehicles clogging evacuation routes in lieu of or after exiting transport.

4. Area Plan priorities don't reliably address root causes: For example, much emphasis on alternative transport modes yet no attention to added tourist occupancy bringing more people/vehicles.

5. Robust, timely measurement remains a challenge though efforts to address added to RTP & needed here. Threshold and compliance assessments are based on outdated 2015 results!

6. And some inaccuracies persist: Recent Mobility Hub edits didn't capture discussion, updates & concept flexibility now in RTP. Incorrect reference to two Incline hubs > not in RTP pics!

CONCLUSION: WC Tahoe Area Plan as currently drafted includes elements of concern – we hope appropriate amendments re above items are considered/incorporated.

From: [Doug Flaherty](#)
To: [TRPA](#); [Alexis Hill](#); [Marja Ambler](#)
Subject: Fwd: Public Comment April 28, 2021
Date: Tuesday, May 25, 2021 1:49:47 PM
Attachments: [771_Southwood_Burnt_Cedar_Creek_1.png](#)
[Incline Stormwater Route Pages 1-3.pdf](#)

To: TRPA Governing Board Regarding the May 26, 2021 TRPA Regional Governing Board Meeting

RE: Public Written Comment - Washoe County Tahoe Area Plan - Agenda Item VIII A

Be advised that the Washoe County Tahoe Area Plan Environmental Checklist conducted on the part of the TRPA Staff in anticipation of its TRPA Governing Board approval is woefully deficient and the Area Plan itself requires a full environmental impact statement which should take into account environmental direct and **cumulative effects** before being accepted and implemented by the TRPA as part of its Regional Plan for the following reasons:

Washoe County and the TRPA:

(a) Failed to take a hard look, recognize, list or even mention the important poorly maintained, construction impacted and degraded ephemeral town center Burnt Cedar Creek Stream Environmental Zones (SEZ). This SEZ is recognized within Washoe County's own mapping data base and is a recognized USGS ephemeral stream Blue Line (graphics attached), yet the Washoe County and TRPA staff failed to include this town center SEZ in the list of planning area SEZ's. I have personally walked this SEZ; it is both a tragedy and abysmal failure on the part of the TRPA to not require revitalization, rehabilitation and maintenance of this important historical ephemeral SEZ.

(b) Failed to take a hard look, recognize, list or mention the environmental **direct and cumulative affects** from increased building heights, transformation of the Old Incline School site into a transporation hub, increased human capacity and increased vehicle trips on the town center

poorly maintained storm water ditch and drainage system which flows directly into Lake Tahoe (**map attached** as provided by Washoe County).

(c) Failed to take a hard look at, address, analyze, consider, recognize, list, mention or provide data on the environmental **direct and cumulative air quality** effects due to increased vehicle trips, increased human capacity, increased building heights, along with decreased setbacks and increased volume of the built environment impacting Crystal Bay neighborhoods, Incline Village town center, low income neighborhoods, pedestrian safety, Incline Village as a whole and the Lake Tahoe Basin.

(d) Failed to require or provide any real or meaningful plans for state of the art 365-day publicly transparent plan area and 360-degree Basin Wide air, SEZ, vehicle trip, shoreline, and human capacity monitoring to collect data to help measure whether or not increased environmental direct and cumulative effects are occurring as a result of Area Plan implementation. This includes the TRPA's failure to provide even one adequate state of the art EBAM monitor Basin wide to gather and analyze data for each and every pollutant listed in TRPA's air monitoring standard language including the failure to provide adequate real time and transparent 360-degree lake basin air monitoring of PM2.5, PM10 and OZONE. This represents an abysmal failure on the part of TRPA that has a duty to monitor and protect Lake Tahoe Basin air quality. Yet TRPA continues to approve cumulative impact projects that adversely effect Lake Tahoe Basin air quality on a daily basis without adequate and accurate cumulative effect air monitoring.

(e) Failed to discuss, provide data or provide monitoring to determine the direct and **cumulative effects** of Area pPlan implementation on Crystal Bay and Incline Village, and the Lake Tahoe Basin as it relates to failure to discuss cumulative effects from Short Term Rentals (STR's); increased neighborhood noise, human capacity from run away quiet neighborhood trail head construction, dust and sediment run off; human and animal deposits of urine, feces and trash; impacts on sewer capacity pipes and treatment facilities; significant increases in vehicle trips; significant increases in garbage removal trips and increased service demands on our public safety resources; population endangerment as a result of gridlocked fire escape routes as well as a

significant adverse **cumulative** effects on other local, county and state resources serving and assigned to the planning area as well as thought the Lake Tahoe Basin.

Significant and adverse cumulative effect impact occurs from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions. The definition according to the National Environmental Protection Act (NEPA) analysis **ensures agencies do not “impermissibly subject the decision making process under to the tyranny of small decisions.”**

In Summary

Since it's inception, the TRPA and it's government "partners" have enjoyed the luxury of tyranny by approving a multitude of small and seemingly unrelated decisions at Lake Tahoe Basin's expense. This by not including an environmental **cumulative effect** impact analysis requirement in the TRPA Code of Ordinance Rules of Procedures, thereby avoiding the preparation of the same. Over time, TRPA and Washoe County have made incremental changes in TRPA and/or County Code Sections to satisfy their government "partners" and special interest groups without any requirement whatsoever to identify and discuss adverse **cumulative** effect impacts.

This failure to include a required cumulative affects analysis in the TRPA Code of Ordinances has allowed **TRPA and it's Government Agency special interest "Partners"** to ensure that hundreds of millions of dollars in **individual grant funds flow unfettered** into our Lake Tahoe Basin to be spent on what TRPA commonly refers to as self-declared "Lake Saving Projects", which are however, implemented without a required environmental cumulative affects analysis for each of these grant projects, effectively making them **potential "Lake Degrading Projects" over time**. These unfettered massive grants also allow TRPA and it's government "partners" to grow in size and power.

While each individual grant or decision may be insignificant by themselves, **cumulative affect** impacts accumulate over time, from one or more

sources. Even with a smattering of positive outcomes, they can also at the same time, result in the **cumulative degradation** of important resources.

If ever there was a more coveted important environmental resource that deserved the protection of a mandatory "adverse **cumulative** environment effect analysis impact rule", the now threatened to be overrun Jewel of the Sierra, including the entire Lake Tahoe Basin certainly qualifies. This is purely common sense.

TRPA by design, falls short on providing any substantive data monitoring or measurement and continues to remain unaccountable for the failure to provide ongoing monitoring, even as close to a thousand or more projects over the last 15 years have been individually approved **by TRPA without a cumulative adverse environmental effect analysis.**

This as the Secchi disk measurements continue to decline over the years. Urbanization, without a cumulative effect analysis rule and the absence of real and effective data collection monitoring obviously contributes to the decline of Lake clarity over time.

Additionally the numerous proposed incremental cumulative affects in the Washoe County Area Plan continue to degrade the residential character and way of life in Incline Village, NV. in favor of commercial use.

I urge the Governing Board and Committees to vote no on accepting nor linking the Washoe County Tahoe Area plan without a full Environmental Impact Statement including a requirement to include findings to identify and address all associated **cumulative environmental effect impacts**, not only within Crystal Bay and Incline Village, but also within the entire Lake Tahoe Basin itself.

Thank you for allowing me to exercise my right to provide this written community comment document.

Doug Flaherty

Resident

Incline Village NV

TahoeBlue365@gmail.com

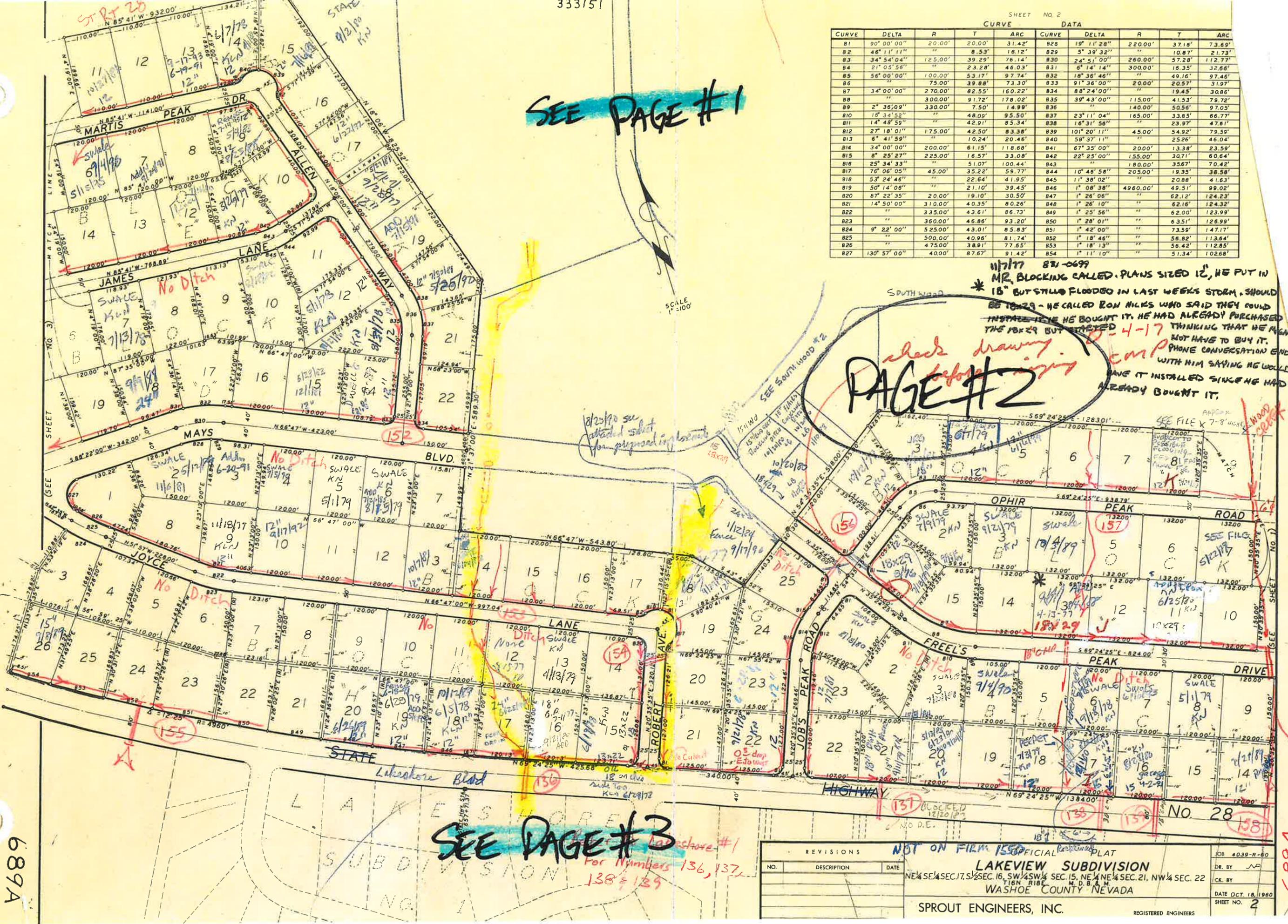
CURVE DATA									
CURVE	DELTA	R	T	ARC	CURVE	DELTA	R	T	ARC
B1	90° 00' 00"	20.00'	20.00'	31.42'	B28	19° 11' 28"	220.00'	37.18'	73.69'
B2	46° 11' 11"	"	8.53'	16.12'	B29	5° 39' 32"	"	10.87'	21.73'
B3	34° 54' 04"	125.00'	39.29'	76.14'	B30	24° 51' 00"	260.00'	57.28'	112.77'
B4	21° 05' 56"	"	23.28'	46.03'	B31	6° 14' 14"	300.00'	16.35'	32.66'
B5	56° 00' 00"	100.00'	53.17'	97.74'	B32	18° 36' 46"	"	49.16'	97.46'
B6	"	75.00'	39.88'	73.30'	B33	91° 36' 00"	20.00'	20.57'	31.97'
B7	34° 00' 00"	270.00'	82.55'	160.22'	B34	88° 24' 00"	"	19.45'	30.86'
B8	"	300.00'	91.72'	178.02'	B35	39° 43' 00"	"	41.53'	79.72'
B9	2° 36' 09"	330.00'	7.50'	14.99'	B36	"	140.00'	50.56'	97.05'
B10	16° 34' 52"	"	48.09'	95.50'	B37	23° 11' 04"	165.00'	33.85'	66.77'
B11	14° 48' 59"	"	42.91'	85.34'	B38	16° 31' 56"	"	23.97'	47.61'
B12	27° 18' 01"	175.00'	42.50'	83.38'	B39	101° 20' 11"	4.500'	54.92'	79.59'
B13	6° 41' 59"	"	10.24'	20.46'	B40	58° 37' 11"	"	25.26'	46.04'
B14	34° 00' 00"	200.00'	61.15'	118.68'	B41	67° 35' 00"	20.00'	13.38'	23.59'
B15	8° 25' 27"	225.00'	16.57'	33.08'	B42	22° 25' 00"	155.00'	30.71'	60.64'
B16	25° 34' 33"	"	51.07'	100.44'	B43	"	180.00'	35.67'	70.42'
B17	76° 06' 05"	45.00'	35.22'	59.77'	B44	10° 46' 58"	205.00'	19.35'	38.58'
B18	53° 24' 46"	"	22.64'	41.95'	B45	1° 08' 38"	4960.00'	49.51'	99.02'
B19	50° 14' 06"	"	21.10'	39.45'	B46	1° 08' 38"	"	62.12'	124.23'
B20	87° 22' 35"	20.00'	19.10'	30.50'	B47	1° 26' 06"	"	62.16'	124.32'
B21	14° 50' 00"	310.00'	40.35'	80.26'	B48	1° 26' 10"	"	62.00'	123.99'
B22	"	335.00'	43.61'	86.73'	B49	1° 25' 56"	"	63.51'	126.99'
B23	"	360.00'	46.86'	93.20'	B50	1° 28' 01"	"	73.59'	147.17'
B24	9° 22' 00"	525.00'	43.01'	85.83'	B51	1° 42' 00"	"	56.82'	113.64'
B25	"	500.00'	40.96'	81.74'	B52	1° 18' 46"	"	56.42'	112.85'
B26	"	475.00'	38.91'	77.65'	B53	1° 18' 13"	"	51.34'	102.68'
B27	130° 57' 00"	40.00'	87.67'	91.42'	B54	1° 11' 10"	"	"	"

SEE PAGE # 1

check drawing before installing
PAGE # 2

11/7/77 821-0699
MR. BLOCKING CALLED. PLANS SIZED 12", HE PUT IN
18" BUT STILL FLOODED IN LAST WEEKS STORM, SHOULD
BE 18" - HE CALLED RON MILLS WHO SAID THEY COULD
INSTALL 18" HE BOUGHT IT. HE HAD ALREADY PURCHASED
THE BOXES BUT STOPPED THINKING THAT HE HAD
NOT HAD TO BUY IT. PHONE CONVERSATION ENDED
WITH HIM SAYING HE WOULD
HAVE IT INSTALLED SINCE HE HAD
ALREADY BOUGHT IT.

1/20/78 see attached sheet for proposed improvements



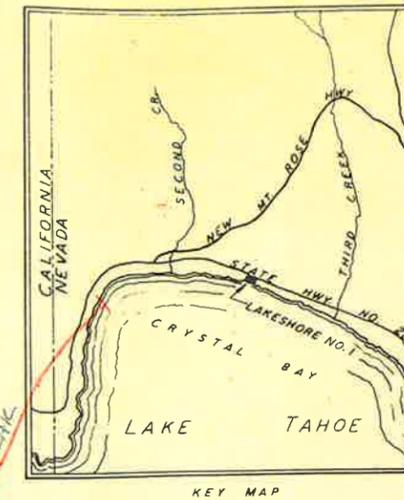
SEE PAGE # 3
For Numbers 136, 137, 138 & 139

REVISIONS			NOT ON FIRM 1500 OFFICIAL		JOB 4039-R-60	
NO.	DESCRIPTION	DATE	LAKEVIEW SUBDIVISION		DR. BY	
			NE 1/4 SEC. 17, S 1/2 SEC. 16, SW 1/4 SEC. 15, NE 1/4 SEC. 21, NW 1/4 SEC. 22		CK. BY	
			TIGN RIBE M.D.B. & M.		DATE OCT. 18, 1960	
			WASHOE COUNTY NEVADA		SHEET NO. 2	
			SPROUT ENGINEERS, INC.		REGISTERED ENGINEERS	

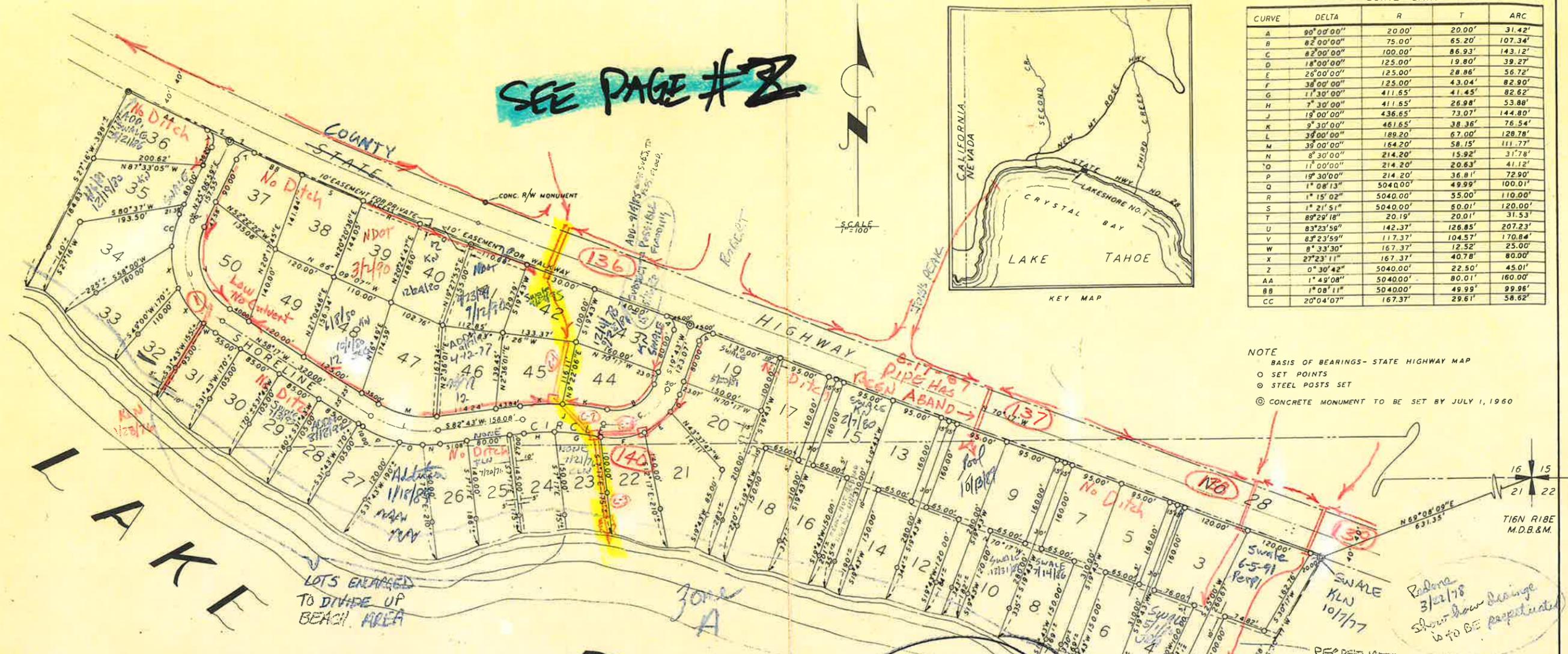
689A

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CURVE	DELTA	R	T	ARC
A	90°00'00"	20.00'	20.00'	31.42'
B	82°00'00"	75.00'	65.20'	107.34'
C	82°00'00"	100.00'	86.93'	143.12'
D	18°00'00"	125.00'	19.80'	39.27'
E	26°00'00"	125.00'	28.86'	56.72'
F	38°00'00"	125.00'	43.04'	82.90'
G	11°30'00"	411.65'	41.45'	82.62'
H	7°30'00"	411.65'	73.07'	144.80'
J	19°00'00"	436.65'	73.07'	144.80'
K	9°30'00"	461.65'	38.36'	76.54'
L	39°00'00"	189.20'	67.00'	128.78'
M	39°00'00"	164.20'	58.15'	111.77'
N	8°30'00"	214.20'	15.92'	31.78'
O	11°00'00"	214.20'	20.63'	41.12'
P	19°30'00"	214.20'	36.81'	72.90'
Q	1°08'13"	5040.00'	49.99'	100.01'
R	1°15'02"	5040.00'	55.00'	110.00'
S	1°21'51"	5040.00'	60.01'	120.00'
T	89°29'18"	20.19'	20.01'	31.53'
U	83°23'59"	142.37'	126.85'	207.23'
V	83°23'59"	117.37'	104.57'	170.84'
W	8°33'30"	167.37'	12.52'	25.00'
X	27°23'11"	167.37'	40.78'	80.00'
Z	0°30'42"	5040.00'	22.50'	45.01'
AA	1°49'08"	5040.00'	80.01'	160.00'
BB	1°08'11"	5040.00'	49.99'	99.96'
CC	20°04'07"	167.37'	29.61'	58.62'



SEE PAGE #2



NOTE
 BASIS OF BEARINGS- STATE HIGHWAY MAP
 O SET POINTS
 @ STEEL POSTS SET
 © CONCRETE MONUMENT TO BE SET BY JULY 1, 1960

STATE OF NEVADA ss
 COUNTY OF WASHOE

THIS IS TO CERTIFY THAT THE UNDERSIGNED Crystal Bay Development Co. IS THE OWNER OF THE TRACT OF LAND REPRESENTED ON THIS MAP OR PLAN AND THAT THE SAME IS EXECUTED IN COMPLIANCE WITH AND SUBJECT TO THE PROVISIONS OF N.R.S. CHAPTER 278 AND N.R.S. CHAPTER 116, AND THAT THE STREETS, AVENUES AND HIGHWAYS AS SHOWN ON THIS MAP OR PLAN ARE HEREBY DEDICATED AND SET APART TO BE USED AS PUBLIC THOROUGHFARES FOREVER.

IN WITNESS WHEREOF, THE SAID Crystal Bay Development Co. HAS CAUSED ITS NAME TO BE SIGNED AND ITS CORPORATE SEAL HERETO AFFIXED BY ITS OFFICERS THEREUNTO DULY AUTHORIZED.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF June, 1960
 MY COMMISSION EXPIRES 9/21/62
Notary Public
 IN AND FOR SAID COUNTY AND STATE

A TENTATIVE MAP OF THIS SUBDIVISION WAS APPROVED BY THE REGIONAL PLANNING COMMISSION OF RENO, SPARKS, AND WASHOE COUNTY ON THE 17 DAY OF May, 1960.
D.E. Mattoon CHAIRMAN

PAGE #3

THE SIERRA PACIFIC POWER COMPANY AND THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY RESERVE THE RIGHT TO TRIM AND REMOVE TREES, TREE LIMBS, AND BRUSH FROM THE FRONT TEN FEET OF ALL LOTS IN THIS SUBDIVISION, THAT TWO FEET ON BOTH SIDES OF ALL SIDE LOT LINES EXTENDING TWENTY FEET FROM THE FRONT LOT LINE OF ALL LOTS BE GRANTED AS A PUBLIC UTILITY EASEMENT FOR OVERHEAD GUYS AND UNDERGROUND ANCHORS. THE EASEMENTS SHOWN ON THIS PLAT HAVE BEEN CHECKED AND APPROVED BY THE SIERRA PACIFIC POWER CO. AND THE PACIFIC TELEPHONE AND TELEGRAPH CO.
Sierra Pacific Power Company
Pacific Telephone and Tele. Co.

STATE OF NEVADA ss
 COUNTY OF WASHOE

ON THIS 20 DAY OF June, 1960, PERSONALLY APPEARED BEFORE ME A NOTARY PUBLIC IN AND FOR THE COUNTY OF WASHOE, STATE OF NEVADA, Arthur Wood KNOWN TO ME TO BE THE PRESIDENT OF THE CORPORATION THAT EXECUTED THE INCLUDED INSTRUMENT, AND UPON OATH DID DEPOSE THAT HE IS THE OFFICER OF SAID CORPORATION AS ABOVE DESIGNATED, THAT HE IS ACQUAINTED WITH THE SEAL OF SAID CORPORATION, THAT THE SEAL AFFIXED TO SAID INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION, THAT THE SIGNATURES OF SAID INSTRUMENT WERE MADE BY THE OFFICERS OF SAID CORPORATION AS INDICATED AFTER SAID SIGNATURES AND THAT THE SAID CORPORATION EXECUTED THE SAID INSTRUMENT FREELY AND VOLUNTARILY, AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND AFFIXED MY SEAL AT MY OFFICE IN THE COUNTY OF WASHOE, STATE OF NEVADA, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.
Notary Public
 IN AND FOR SAID COUNTY AND STATE

STATE OF NEVADA ss
 COUNTY OF WASHOE

I, EUGENE C SPROUT, BEING DULY SWORN, DO HEREBY CERTIFY THAT THIS PLAT IS A TRUE AND ACCURATE MAP OF THE LANDS REPRESENTED THEREON, SURVEYED BY ME AND LAID OUT INTO LOTS, BLOCKS, STREETS, AND PUBLIC PLACES AT THE INSTANCE OF Crystal Bay Development Co. THAT THE LOCATION OF SAID LOTS, BLOCKS, STREETS, AND PUBLIC PLACES HAVE BEEN DEFINITELY ESTABLISHED AND PERPETUATED IN ACCORDANCE WITH THE LAW AS SHOWN HEREON THAT THE LOTS, BLOCKS, STREETS AND PUBLIC PLACES SHOWN HEREON ARE SITUATED WHOLLY WITHIN THE S 1/2 SECTION 16 AND N 1/2 SECTION 21 T16N R18E M.D.B.&M. AND THAT THE SURVEY WAS COMPLETED ON THE 17 DAY OF May, 1960.

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20 DAY OF June, 1960
 MY COMMISSION EXPIRES 9/21/62
Eugene C Sprout
 REGISTERED ENGINEER NO 933
Notary Public
 IN AND FOR SAID COUNTY AND STATE

APPROVED AND ACCEPTED THIS 28 DAY OF JUNE, 1960
 BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY NEVADA.
H.K. Brown CHAIRMAN
County Clerk
CH-DEPUTY

FILE NO. 321772
 FILED FOR RECORD AT THE REQUEST OF E.C. Sprout June 28
 1960 AT 20 MINUTES PAST 10 O'CLOCK A.M. RECORDS OF WASHOE COUNTY, NEVADA.
Walter S. Boyd COUNTY RECORDER
Betty E. Shaw DEPUTY
 FEE \$ 17.00

ON FIRM 1550.B
 OFFICIAL PLAT
 LAKESHORE SUBDIVISION NO.1
 S 1/2 SEC 16 N 1/2 SEC. 21 T16N R18E M.D.B.&M.
 WASHOE COUNTY NEVADA

