

Ellie Waller

Governing Board – August 24, 2022

Please accept this comment for the TRPA 8-24-2022 Governing Board Meeting and the 8-23-2022 Placer County Board of Supervisors.

Are fees being collected from this operator as a commercial concession? And others I've listed as potential illegal operations. Where are they launching? Lake Forest the only close place on North Shore open.

84.10.2. Water Oriented Outdoor Recreation Concessions

D. Motorized Boat Rental Concession Fee

Concessionaires renting motorized watercraft shall be subject to an annual TRPA motorized boat rental concession fee, as set forth in Article 10 of the TRPA Rules of Procedure



<https://www.fullthrottletahoeboats.com/charters-rates>
fullthrottletahoeboats@gmail.com

Main Office Crown Motel Kings beach alternate location Garwoods Pier Carnelian Bay

84.10.2. Water Oriented Outdoor Recreation Concessions

A. Applicability

1. The provisions of this subsection apply only to those concessions located and/or operated within the shorezone and lakezone.
2. Unless otherwise specified under this subsection, the provisions of this subsection apply to non-motorized **and motorized boating concessions.**

B. Eligibility

1. **New concessions may be allowed only as an accessory to a permitted upland commercial or public facility or use, provided the applicant demonstrates that upland parking availability for the use is not constrained, and that the function of the concession requires a shorezone location. TRPA permits shall specify the number and type of watercraft(s) and structure(s) authorized in support of a permitted concession.**

This is confusing as it contradicts #2 only allowed within in a marina. Why should commercial uses be allowed at already over crowded public facilities like Lake Forest Boat Launch? Who at TRPA maintains records for commercial boat operators and their launch sites?

2. **New motorized boat concessions may be allowed only within an existing**

marina.

Who at TRPA maintains the list of boat concessionaires using marina facilities?

3. Concessions in operation prior to September 1, 2017 may be permitted as new concessions. Such concessions must meet all applicable standards, except motorized watercraft rentals may be allowed outside of a marina if

the concession provides documentation of meeting fueling BMPs.

What is allowed outside of a marina? Someone has a boat at their house and drives it to a private citizen at a rental location? I could not find any info on what a fueling BMP is and who monitors and enforces undisclosed fueling BMPs?

4. TRPA shall only issue permits for permanent concessions

What is the definition of permanent concession?

84.10.2. Water Oriented Outdoor Recreation Concession
C. Development and Use Standards

1. Concessions shall comply with all applicable TRPA BMPs, including fueling BMPs, as well as applicable local health and safety regulations and permit requirements.

A. Shoreline Program Fees

<https://www.trpa.gov/wp-content/uploads/documents/archive/Appendix-A-Shoreline-IP.pdf>

The Shoreline Plan programs in Chapter two through nine are funded by fees collected from boating related structures and activities. Environmental impacts from the program are either related to the construction or placement of shoreline structures or the boating use associated with these structures. When determining which uses would be subject to fees and how to collect the fees, the Shoreline Steering Committee recommended the following principles:

- The amount of fees collected should be proportional to the impacts
- The responsibility for fees should be shared across boaters that launch, moor and use shoreline facilities being permitted under the plan
- Fee programs must be feasible to implement and administer

Fees would be collected from users at different administration points: through annual mooring registration, through the boat sticker fee collected at the aquatic invasive species boat inspection stations, **and through a boat rental concession**

fee. Fees collected from the Shoreline Plan would pay for the following:

1. Essential program elements needed to implement the Shoreline Plan and subsequent permitting programs; and
2. Programs identified in the environmental analysis to mitigate environmental impacts associated with the plan.

A few Other potential Boat Rentals illegally operating/launching and possibly not paying commercial permit fees.

<https://www.rentaboattahoe.com/>

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Great Location

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Departure Date: 08/30/2022

Reservation Duration: 4 hours

Reservation Time: 10:00am-2:00pm

If you would like a captained trip you must call to book, No online booking.

Great news, this unit is available!

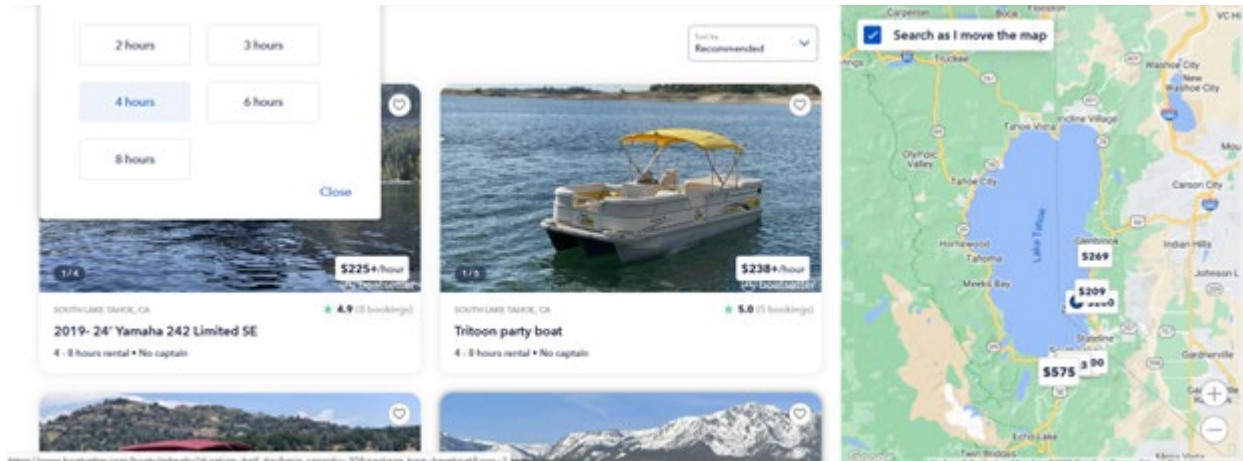
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<https://www.boatsetter.com/boat-rentals/lake-tahoe--united-states>

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<https://www.tahoewaves.com/about> Are they using a public boat launch for a commercial business? This is funded for the public not commercial use.

Tahoe Waves is the premier boat rental service on Tahoe's North Shore. We operate out of Tahoe City, California and offer delivery service anywhere on Lake Tahoe. Our fleet includes everything from top of the line Mastercraft wakesurf boats, to luxury high-performance pontoon boats, Cobalts, and more economical options for the family on a budget.

We also rent dinghies, wetsuits, and inflatable paddleboards, as a way to enjoy Tahoe's beautiful coves and secluded shorelines. We will handle all the logistics to make your vacation perfect. Need a Captain or tour guide? We can line that up too!

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Mastercraft NXT 24 Wakesurf

Search below for real-time availability and book online now or scroll down for more info!

Departure Date: 08/26/2022

Return Date: 08/26/2022 Same Day

Reservation Duration: 4 hours

Reservation Time: 8:00am-12:00pm

Scroll down to select any optional items then click the Book Now button.

Great news, this unit is available!

<https://tahoefamilyadventures.com/about-us/>

Tahoe Family Adventures is a family-owned and operated adventure company which offers a diverse rental fleet, including floating water parks, power boats, jet skis, water toys in the summer and snowmobiles in the winter.

Email: tahoefamilyadventures@gmail.com


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Hours: Mon-Fri 9:00AM – 5:00PM

This is your top of the line 150 horsepower tritoon with waterslide, ready to glide across the lake or pull your favorite tube. Water toys, a cooler, gas and a tube included! *Please note: half day rental equals half tank of gas*
Eight hour rental = full tank of gas

Tahoe Family Adventures [Back To Website](#) [Search](#) [Rentals](#)

Booking Details

 **Double-Decker Tritoon W/ Slide**
Fri Aug 26 @ 10:00 AM - 2:00 PM [Remove](#)

8/26 4 Hours Monday-Friday, Su \$1,375.00
Boat Delivery \$137.50

Subtotal	\$1,512.50
Taxes & Fees	\$45.38
Total Amount	\$1,557.88
Due Now	\$1,557.88

[Apply Giftcard/Coupon Code](#)

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This one I've submitted in the past
<http://www.boatsontahoe.com/contact-us-1.html> Tahoe City 530 386 1002

The boat

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Worry free rental: Our boats are commercially insured, and you are also insured as a renter. Its important that any boat you rent on Lake Tahoe has commercial insurance that also insures YOU as the renter.

Rentals include: life jackets, ski vests, ski rope, wake board , 1 set skis, 1 slalom ski, one 2 person tube, premium stereo w/ input jack or blue tooth , Bimini top, built in ice chest, and all required Coast Guard safety equipment.



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\$1,300 / 6 hr (excl. fees)

Date
Aug 27, 2022

Duration
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Start time
9:30 AM

8 passengers

Boat price **\$1,300.00**

Booking total **\$1,300.00**
Additional fees will show at checkout

[Terms](#)

https://www.boatsetter.com/boats/bflddwz?start_period=2022-08-27&end_period=&capacity_min=8

Mike
Aug 2022
RAF is a great owner! He was very communicative throughout the entire process. RAF walked us thru his boat in the morning and we were in the water shortly after. The boat is fantastic!! The boat comes equipped with everything all we had to do was show up!! I am definitely going to rent again with RAF. Thank you again!!

GARY
Aug 2022
Every aspect of the boat rental was perfect. Rafid made it incredibly easy for us, communications were terrific, and the boat itself was perfect for our needs. Quite honestly, the overall rental experience exceeded our expectations. Thank you, Rafid!

James
Jul 2022
Rafid is great, very thorough overview and a great boat fully equipped!

rafid@boatsontahoe.com

TRPA's Phased Out Community Enhancement Program (CEP) Now Has Previously Approved Decade Old Project Resurfacing.

By Ellie Waller

This process started as TRPA Special Projects; then morphed into the TRPA Community Enhancement Program. Now what are these programs being called: *Winging it?* Are previous CEP requirements being met with these decade old projects now resurfacing with new plans, unclear phasing and undisclosed changes?

These proposals, in my opinion, are not in the best interests of the Tahoe communities. Obviously, there is a lot more vital information to be revealed before the public can understand the total impact of new undisclosed plans. I've provided a scorecard of progress or should I say non-progress? The projects are all failing to meet requirements made by the agencies — requirements that were put in place to enhance the public domain and provide environmental improvements through mitigation measures.

We are all losing.

Here's what I found:

Community Enhancement Program Scorecard

1. The Resort at Tahoe and Residences EKN Development (formerly Boulder Bay CEP): There are undisclosed plans/changes for this proposal to replace the current Biltmore Casino with a new site building site plan. A Washoe County Special Use Permit was approved but the Board of Adjustments to obtain a grading permit. Appeals filed but denied.

They also purchased Beasley Cottages as a possible private amenity for the Biltmore rehab. Beesleys now has a for sale sign. EKN also recently closed escrow on Tahoe Vista Cedar Glen Lodge. Demo of Biltmore in 2023. Grading and street realignment of Wassou Road 2022: it's almost September and grading unless through exception is done limited due to snow/winter? What's going on with EKN?

What TRPA permit has EKN Development signed and acknowledged? When will CEP compliance and site plan be disclosed? <https://ivcbcommunity1st.org/washoe-county/boulder-bay-now-called-the-resort-at-tahoe-and-residences-development-project/>

2. The Homewood Mountain Master Plan CEP: For this condominium addition and ski resort rehab on the West Shore, JMA Ventures chose to build six/seven condos first. The next phase could be a project like the Yellowstone Club, an exclusive private community in partnership with Discovery Land Co. Will the fire station and evacuation plan requirements be honored along with other CEP conditions? Will the Homewood Ski Area Master Plan be revised?

3. Laulima (formerly Ferrari CEP) The Laulima development company is proposing to demolish the Ferrari's Crown Hotel and the Goldcrest Hotel. The Falcon lodge located near lakefront to Lake Tahoe and within the Kings Beach Town Center had a new roof installed recently, not sure of the status. The developers plan to replace the 92 unit hotel with (6) Luxury lakefront single family residences, (2) two-unit town homes, 2 small retail locations, a restaurant and a private beach club for other developments. The proposed project will convert the last remaining commercial lake front property in Kings Beach to private luxury homes and a private beach club. Placer County approved a Mitigated Negative Declaration allowing the developer to build the luxury condos first. The public came out in force and the planning commission denied the request. the project is in stand-still mode.

<https://www.placer.ca.gov/DocumentCenter/View/43199/SR-F-PC-17-00247-Lakeside-Redevelopment-031920-ALL-PDF>

4. Kings Beach Town Center (formerly BBLLC CEP):

The \$10 million debacle that Placer County paid for with Redevelopment Agency funds then sold for \$3 million to the Clarke Group, a San Diego development team, is in stand-still mode as well. And a new partnership formed with Kings Barn Realty Capital has been disclosed. Recent extensions put this project in stand-still mode as well.

The Agency acquired lots on Salmon Ave. to hold for parking as part of the BB, LLC This project is supported by Agency funds. It is a CEP Project that will be built on a four acre site fronting Hwy. 28 in Kings Beach between Fox Street and Coon Street. This mixed use project will combine commercial, professional office, residential and public uses and will also include public plazas, workforce housing and a parking structure. It will serve as the Kings Beach Town Center. It will integrate the neighborhood by linking housing to neighborhood shopping, employment, transit, parks, schools, trails, bikeways and other public facilities. So far the Agency has supported this project with a \$500,000 predevelopment loan for engineering and planning expenses and the Agency acquired mortgage bank loans for the project site in 2010 for approximately \$4.3 million.

<https://www.placer.ca.gov/491/Kings-Beach-Center-property-purchase-app> ,
<https://www.placer.ca.gov/DocumentCenter/View/9436/Tahoe-Implementation-Plan-PDF?bidId=https://www.placer.ca.gov/491/Kings-Beach-Center-property-purchase-app>

5. The Pastore Ryan Foothill Motel proposed for the lakeside main strip of Kings Beach: It fell out of the CEP process, and Placer elected to rehabilitate the property on its own.

6. The Kings Beach Lakeside CEP: This is non-existent. The Sun and Sand luxury/million-dollar condos replacing a decayed motel did not utilize the defunct CEP program.

7. Lastly, Domus Affordable Housing CEP was built but did not meet all CEP criteria with no commercial component, etc. but obtained 100% coverage and CEP entitlements. Brook Avenue, Lots 17 & 18, in Kings Beach were purchased by the Agency in 2006. They were conveyed to Domus Development in 2010 to provide 2 units of affordable housing as part of the 77-unit Kings Beach Scattered Sites Housing

Project. In 2008 the Agency acquired three more Kings Beach sites on Deer Street, Fox Street and Chipmunk Street. These sites, along with the vacant site on Brook Avenue, and a site on Trout Avenue acquired by the Agency in 2009, form the Domus Scattered Sites Affordable Housing Development. Domus and the Agency successfully applied for a \$3.3 Million Infill Infrastructure grant, a \$2.1 Million HOME grant and a \$21 Million Low Income Housing Tax Credit allocation to make this project work. Entitlement permits were approved by Placer County and TRPA in 2010. The Agency approved a Disposition Development and Loan Agreement (DDA) with Domus, now known as KBHA on March 24, 2010. Through this DDA the Agency provided gap financing and a land loan worth a combined \$7,918,300 to assist the project

<https://www.placer.ca.gov/DocumentCenter/View/9436/Tahoe-Implementation-Plan-PDF?bidId=>

Regardless of the resolution of these proposed developments at some time in the future, I am afraid that the residents of North Lake Tahoe, Homewood, and the West Shore are in a no-win situation.

Just a year ago, a [column by Ann Nichols](#) in the April 2, 2021 edition of *Sierra Sun* stands to reason: "It wasn't just the resultant lawsuits. The proposed projects were too massive and expensive. TRPA approved these bad ideas and now the projects are morphing into giant condo complexes because that's the hot commodity in real estate. Condos are a different animal, use-wise, and traffic has become brutal in the decade since approval. TRPA must require new complete — not just "refreshed" — traffic studies on both projects."

Additional quotes from April article that are applicable the CEP scorecard "Both Homewood and Boulder Bay have found a developer's loophole; namely phasing. Unbelievably, Homewood is beginning with a phase within a phase. Seven freestanding condos begin the piecemeal planning, thereby avoiding their mitigation requirements concerning fire evacuation and Tahoe Inn demo. Boulder Bay began with 18 condos avoiding the triggers of their mitigations"

Fast-forward and the Tahoe Basin Area Plan (TBAP) entitlements and incentives have failed as well in producing a much needed and public supported "new" hotel in Placer County. A 40-unit hotel + approximately 80 shared for sale condotel units proposed. What will be first: the over-publicized new hotel or the shared for-sale condotel units? Thankfully, The Tahoe City Lodge did demo the blighted Henriksen Building. When will Phase 1 commence with 99 elements named in the Conditional Use Permit? Also, will the Tahoe City Golf Course (that partnered with the TC Lodge) get their negotiated new clubhouse by having an MOU+ a shared parking agreement?

PUBLIC you decide: when will we have a successfully, well thought out incentivized process actually produce a build product. The Boatworks Mall project: stay tuned.