**From:** Brandy McMahon <bmcmahon@trpa.gov>
**Sent:** 3/19/2026 8:20:20 AM
**To:** Public Comment <PublicComment@trpa.gov>
**Subject:** FW: Incline Beach Facility permit Application

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**From:** Frank Wright <alpinesportss@gmail.com>
**Sent:** Wednesday, March 18, 2026 10:11 PM
**To:** Brandy McMahon <bmcmahon@trpa.gov>
**Subject:** Incline Beach Facility permit Application

Ms McMahon,

Please add this letter to the permitting process and for board review. This information is critical for consideration prior to granting a permit.

Subject: Concern Regarding "Public Use" Classification and Potential Legal Implications – Incline Village General Improvement District Beach Facility Project

To the Planning Division of the Tahoe Regional Planning Agency,

I am writing to formally raise concerns regarding the permit application submitted by the Incline Village General Improvement District (IVGID) for the proposed beach facility project.

The application characterizes the project as a "public use." However, this classification appears to be inconsistent with the actual conditions of access associated with the property.

The project is proposed on publicly owned shoreline land. Despite this, access to the beach and its facilities is restricted to a subset of residents based on legacy deed restrictions. Many residents within the IVGID boundaries are excluded from access, even though they are required to pay recreation fees that contribute to the funding and maintenance of such facilities.

This creates a fundamental inconsistency: a project represented as "public use" appears, in practice, to function as a restricted-access facility.

I respectfully request that TRPA require the applicant to clearly disclose and reconcile the following prior to any permit approval:

- The specific population that will be permitted access to the proposed facility
- Whether all fee-paying residents within IVGID are granted access
- The legal basis for classifying this project as "public use" given the existing access restrictions
- How this classification aligns with TRPA policies regarding public land and shoreline access

In addition, I ask TRPA to carefully consider the legal implications of approving a project under a "public use" designation where access is restricted.

Approval under these circumstances could expose TRPA to legal challenges on several grounds, including but not limited to:

- Approval based on material misrepresentation or incomplete disclosure in the application
- Inconsistent application of land use classifications and permitting standards
- Facilitation of the use of publicly owned land for the benefit of a limited and exclusive group
- Potential conflicts with public trust principles and policies favoring public access to shoreline resources

If TRPA determines that the project qualifies as “public use” and approves the permit on that basis, then it is reasonable to interpret that determination to mean the facility must, in fact, be open to the public in a meaningful and non-exclusive way. If access remains restricted, the “public use” designation would appear to be inaccurate or misleading.

This issue goes directly to the integrity of the permitting process and the appropriate use of public land. It is critical that any approval be based on a clear, accurate, and fully disclosed description of how the facility will operate and who will be allowed access.

I urge TRPA to fully evaluate these concerns before taking action on this application.

I believe TRPA has a fiduciary duty to protect the lake and all the associated stakeholders.

Thank you for your time and consideration.

Sincerely,

Frank Wright

P.O. Box 186

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