

From: Tobi Tyler <tylertahoe1@gmail.com>
Sent: 8/23/2023 8:34:14 AM
To: Cindy Gustafson <cindygustafson@placer.ca.gov>; Alexis Hill <AHill@washoecounty.us>; Jessica Diss <jdiss.trpa@gmail.com>; Shelly Aldean <shellyaldean@gmail.com>; Vince Hoenigman <vhoenigman@yahoo.com>; elmeyer@dcnr.nv.gov <elmeyer@dcnr.nv.gov>; James Settelmeyer <JSettelmeyer@dcnr.nv.gov>; Marja Ambler <mambler@trpa.gov>
Subject: TRPA RPIC Agenda Item 3 - Sierra Club comment

On behalf of the Tahoe Area Group of the Sierra Club, I have the following comments regarding the proposed changes to the Code of Ordinances for the RPIC meeting on August 23, 2023.

No justification or environmental analysis has been provided for the changes to Chapter 2, Section 2.2.2.E, Recreation Project, 1.a, whereby "Environmental Improvement Projects involving no more than **3,000 square feet of floor area or 15,000 square feet of land coverage**" are exempted from review and approval by the Governing Board. This modification of your Code without more thorough analysis and justification for this change is arbitrary and capricious.

In addition, Chapter 50, Section 50.5.2, A, Reserved Allocations, 2 and 3 provides additional language regarding allocations and additional complications to the trading schemes for residential allocations (or shell games, as the public see it). There needs to be a complete audit of the allocation system beginning with the date of the 2012 Regional Plan Update. These modifications and the entire allocation system are obscure, complicated, lack transparency and require complete trust in TRPA staff. This trust among the public is at an all time low. Please perform an audit and allow the public to see how TRPA is abiding by the RPU and the Tahoe Bi-state Compact.

Under E of that section 50.5.2, a change in E.3, permit monitoring and compliance is made that **reduces the representative sample sample audit ten percent to 5 percent of the single-family residential permits**. Again, no justification or environmental analysis has been provided for this reduction. Therefore, this change is arbitrary and capricious.

We request that these changes not be made until further analysis and justification is provided and a complete audit be performed which details the trading schemes that have been allowed to occur over at least the last 12 years.

Tobi Tyler, Vice Chair
Sierra Club Tahoe Area Group

Marja Ambler

From: Doug Flaherty <tahoesierracleanair@gmail.com>
Sent: Tuesday, August 22, 2023 5:32 PM
To: Cindy.Gustafson; Alexis Hill; Jessica Diss; Shelly Aldean; Vince Hoenigman; elmeyer@dcnr.nv.gov; James Settelmeyer; Marja Ambler
Subject: Public Comment TRPA RPIC Mtg 8-23-23 Agenda Item 3

Dear Members of the TRPA RPIC,

Please make this public comment part of the minutes and the record in connection with Agenda Item 3 during your meeting tomorrow, Wednesday, 8-23-23.

TahoeCleanAir.org opposes the Agenda Item 3. proposed Code of Ordinances and Rules of Procedure modifications for the following reasons:

The proposed TRPA code modifications continue to serve as but one more incremental step to help ensure a continued glide path in favor of developers and accelerated urbanization. This incremental step will further diminish TRPA's already "low bar" of public agency review and scrutiny of future projects.

The Tahoe Basin should be the last place permit review "streamlining" occurs, especially given the amount of cumulative new information and significant adverse effects on the Lake Tahoe Basin since the TRPA adoption of the 2012 Regional Plan, which includes its now dated Environmental Impact Report / Statement (EIR / EIS).

The modifications **go beyond what would normally be considered a permit streamlining process and scope creep into land use planning and building modifications** under a diminished Environmental Review Checklist process. Such land use and building modifications should be part of their own public hearing process and environmental analyses. This process supports what many believe to be the continued accelerated urbanization of the Tahoe Basin on the part of the TRPA in favor of special interests, including global investors. TRPA and these special interests continue to support avoidance of a basin-wide EIR / EIS, discussing the CUMULATIVE impacts of all projects since the adoption of the 2012 Regional Plan including these proeed code modifications..

TRPA fears such a cumulative EIR / EIS, either in the form of a supplemental or new EIR / EIS, because it would reveal various deficiencies connected with the TRPA's single project sham individual project desktop environmental checklist (which serves to prevent basin wide cumulative impact analyses), as well as TRPA's' failure to adequately monitor their current supposed thresholds. Such cumulative impact analyses would then force TRPA to create meaningful and basin-wide human density thresholds, and demand accurate effective monitoring of all thresholds.

Cumulative impacts result from the tyranny of incremental impacts of small decisions when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts result from individually minor but collectively significant actions taking place over a period of time.

Due to new and significant information adversely impacting Lake clarity and resident and visitor safety since 2012, a new or supplemental cumulative impact EIR / EIS is required.

I urge the TRPA to set these proposed code modifications aside, until a supplemental or new cumulative impact EIR / EIS to the 2012 Regional Plan EIR / EIS is completed.

Sincerely,
Doug Flaherty, President
Tahoe Sierra Clean Air Coalition (DBA TahoeCleanAir.org)
A Nevada 501(c)(3) Non-Profit Corporation
774 Mays Blvd 10-124
Incline Village, NV 89451

TahoeCleanAir.org Organizational Purpose

Tahoe Sierra Clean Air Coalition (DBA TahoeCleanAir.Org) is a Nevada 501 (c) (3) non-profit corporation registered to do business in the State of California. Our organizational purpose extends beyond protecting clean air, and includes, among other purposes, protecting and preserving natural resources, including but not limited to clean air, clean water, including lake and stream clarity, soils, plants and vegetation, wildlife and wildlife habitat including wildlife corridors, fish and fish habitat, birds and bird migration, insects, forest and wilderness from adverse environmental impacts and the threat and potential of adverse environmental impacts, including cumulative adverse impacts, within the Nevada and California Sierra Range, and its foothill communities, with corporation/organization geographical purpose priority being that of the Lake Tahoe Basin. Our purpose further extends to all things incidental to supporting environmental impact assessments and studies, including the gathering of data necessary to analyze the cumulative adverse environmental, health and safety impacts from public and private projects inside and outside the Lake Tahoe Basin, and addressing and supporting safe and effective evacuation during wildfire. Our purpose further extends to supporting transparency in government to ensure that our purpose and all things incidental to our specific and primary purposes are achieved.