

1 INTRODUCTION

1.1 BACKGROUND

Lake Tahoe is an extraordinary place. The Lake and the surrounding watershed exhibit irreplaceable environmental, ecological, and recreational values. The cobalt blue and strikingly clear waters of the Lake are iconic, attracting visitors from around the world. The forested, snow-capped mountains that surround the Lake abound with diverse wildlife, alpine streams, hiking trails, ski slopes, and vistas that are unparalleled in their scenic quality. This spectacular natural landscape has been recognized as a unique and sensitive region that requires special protection to preserve the values that make it attractive to so many people. Bisected by the California-Nevada state line, Lake Tahoe has been protected by those states and the federal government for more than 40 years through a unique governance model. Late in the 1960s rapid development and lax regulatory standards spurred the governors of California and Nevada to create the Joint California and Nevada Interstate Compact Commission in 1968 and to adopt the first Lake Tahoe Regional Planning Compact. This Compact created the Tahoe Regional Planning Agency (TRPA) in 1969 and gave it broad powers, authorities, and responsibilities in the planning and regulation of the Lake Tahoe environment.

The Lake Tahoe Region is home to almost 55,000 full-time residents and is a recreational destination for more than three million visitors each year, including many who live in nearby metropolitan centers within no more than a few hours travel time. Because of the special conditions and unique circumstances of the Tahoe Region's natural ecology, development patterns, population, and human needs, TRPA was formed to guide orderly growth and protection of the Region's resources. The Tahoe Regional Planning Compact charged TRPA with identifying Environmental Threshold Carrying Capacities (standards necessary to achieve certain environmental and other values) and required TRPA to prepare and implement a Regional Plan to attain and maintain those threshold standards. Guided by the 15-member TRPA Governing Board representing both states, the federal government, and local jurisdictions, TRPA is charged with adopting and amending threshold standards, the Regional Plan, and implementing ordinances that guide development in the Tahoe Region.

1.2 PROJECT PURPOSE, NEED, AND OBJECTIVES

Lake Tahoe became a recreation destination between 1900 and 1960. Following World War II and improvements in automobile transportation infrastructure, Nevada casinos and small recreation retreats were developed to better accommodate a more mobile and affluent society. The economic momentum of the 1960 Winter Olympics at Squaw Valley spawned a significant expansion of development at Tahoe, including the completion of the Tahoe Keys subdivision that was responsible for the fragmentation of a significant freshwater marsh system critical for filtering sediment and nutrients from the largest watershed entering Lake Tahoe.

Since the 1950s, researchers working on Lake Tahoe have advanced scientific knowledge about the Lake and its surrounding ecosystem and used this understanding to initiate the current-day awareness of the need for actions to protect Lake Tahoe's famed transparency. By the 1960s, the worldwide debate regarding the effects of untreated and treated municipal wastewater (point sources) on lakes intensified. Dr. Charles Goldman, founder of the Tahoe Research Group (now known as UC Davis/Tahoe Environmental Research Center), called out the need for policy makers to address point-source pollutants in the Region, such as sewage effluent, and non-point pollutant sources, such as unregulated development, to stem the impact of what is known as the *cultural eutrophication* of Lake Tahoe. Even though Dr. Goldman's findings generated substantial controversy between environmental groups and urban developers, efforts were initiated by policy makers to address these

sources of lake degradation. For example, the Porter-Cologne Water Quality Act in California and an executive order by the Governor of Nevada (dated January 27, 1971) each prohibit discharges of domestic, municipal, or industrial wastewaters to Lake Tahoe, its tributaries, groundwater, or the portion of the Truckee River within the Tahoe Region. Many believe these policy actions alone to be the most significant in turning around the decline in Lake Tahoe's water quality.

Most of the development and urbanization of the Tahoe Region occurred during and following the Squaw Valley Winter Olympics in 1960. Since that time, the population of the Region has increased over five times, with the most rapid expansion of population (by more than 70 percent) occurring in the 1970s as development proceeded virtually unchecked. Today, there are about 20 developed towns and small communities in the Basin; with the City of South Lake Tahoe as the only incorporated city wholly within the regional jurisdiction of TRPA.

Despite the two states' resolve to control development pressures in the late 1960s, the 1969 planning compact and subsequent planning approach were found insufficient to protect Lake Tahoe's ecosystem. In 1980, the bi-state Compact was revised to update the planning agency with the mission to lead the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region. The revised Compact directed the agency to adopt environmental quality standards known as *Environmental Threshold Carrying Capacities* (or threshold standards) to better focus environmental quality objectives and to mitigate the impacts resulting from urban development through regional land use planning. Threshold standards set environment quality targets to protect the unique natural values of the Tahoe Region while still providing for orderly development consistent with those standards. By protecting environmental quality, it was reasoned that socioeconomic conditions would be improved and sustained because the Region's economy and community were highly dependent on visitors' and residents' natural outdoor recreation experience and the quality of life provided by a functioning and pristine ecosystem.

In response to the revised 1980 Compact, the 1987 TRPA Regional Plan implemented a broad suite of policies, ordinances, and land use zoning requirements and controls designed to guide the Region toward achievement and maintenance of adopted threshold standards while at the same time sustaining community and economic values. Included in the 1987 Regional Plan was a mandate to evaluate progress in achieving adopted threshold standards and to put forward appropriate Regional Plan course corrections in response to best available science and monitoring. Between 1987 and 2010, TRPA adopted amendments to the Regional Plan to incorporate best available science and to accommodate environmentally beneficial projects and programs.

Starting in the 1990s, threshold evaluations and other studies made it clear that regulation alone would not achieve and maintain adopted threshold standards as the environmental impact of legacy land uses and urban development that was built in the 1960s and 1970s (prior to the 1987 Regional Plan) continued to adversely affect the Region. To address legacy impacts, the TRPA adopted the Environmental Improvement Program (EIP) in 1997 as part of the Regional Plan. The EIP secured public and private funding for on-the-ground implementation of stormwater treatment infrastructure, stream area restoration, and other environmentally beneficial programs and projects.

The 1987 Regional Plan has largely achieved its intended purpose. With nearly 18,000 vacant private parcels with development rights at the time, the focus of the 1987 Plan was on tightly controlling what could be built on vacant land. In response, growth has been managed and significantly slowed, new development has been designed to be more environmentally compatible, sensitive lands have been protected and over 8,500 development rights have been retired. The Tahoe Region is now virtually at full build-out, with less than 10% of the Region's development rights remaining. While the 1987 Regional Plan was successful at managing new development, most of the development within the Region was constructed prior to the 1987 Plan. Much of this earlier development was not designed in a manner that considered environmental impacts, and this has been

shown to be a major factor limiting the attainment of multiple threshold standards. For example, older development is known to be a major source of pollutants that degrade water quality. Many of the regulations under which new development was constructed also provided a strong disincentive for property owners to make significant upgrades or redevelop existing older developments in a more environmentally compatible way. As a result, the pace of redevelopment and environmental upgrades on private property has been slow and many environmental benefits of improving existing development have not been realized.

The challenges TRPA faces at Lake Tahoe today are centered not on stopping uncontrolled development, as in decades past, but on creating a sustainable balance of environmental protection, economic health, and vital communities. To address these issues, the regulatory focus in the Region has shifted to strengthen the focus on restoration of sensitive lands and environmental improvement projects that repair damage of the past, while also promoting redevelopment of Tahoe's localized town centers to accelerate attainment of threshold standards with more environmentally appropriate and attractive structures. Through strong partnerships with California, Nevada, and local jurisdictions, the Regional Plan Update is intended to guide the Region toward accelerated attainment and maintenance of the environmental threshold standards. TRPA is prioritizing water quality and other environmental improvements by incentivizing environmentally beneficial redevelopment, promoting investment in the Environmental Improvement Program, and integrating a simplified land use implementation framework into the procedures of local jurisdictions and other agencies to streamline the permit review process. With these changes, TRPA may more readily address significant issues of regional planning and improvement. The priorities addressed in the Regional Plan Update focus on threshold standards that are not currently in attainment by achieving on-the-ground environmental gain. The update of the Regional Plan is not intended to make sweeping changes to the existing growth control framework and other regulatory foundations; many components of the existing Regional Plan are achieving their intended purpose and are not proposed for substantive change. Instead, the update of the Regional Plan will implement targeted changes that encourage environmentally beneficial redevelopment, promote change in the existing development pattern of the Region, and apply adaptive management concepts to the most important and urgent emerging issues facing the Tahoe Region.

The current Regional Plan is now 25 years old. Although it has been amended many times since 1987, until now it has not had a comprehensive look at those elements and provisions in most need of change to address areas where environmental benefits may need to be accelerated. Many parts of the plan address issues that are less of a priority in the Region today. Article V(c) of the Compact directs TRPA to "continuously review and maintain the regional plan." The Regional Plan Update, the subject of this environmental impact statement (EIS) and the first major update since its adoption in 1987, is a suite of proposed new and revised policies intended to address the most critical planning and environmental issues facing the Region today. The policies consider contemporary planning principles, current science, and the latest federal, state, and local standards with which applicable areas of the Region must comply. Most importantly, the policies consider the current status of the Environmental Threshold Carrying Capacities and measures to accelerate their attainment and maintenance. The policies also include additional allocations in order to allow development where environmentally appropriate.

Since 2002, TRPA has been gathering the technical data and scientific information needed to update the Plan. In addition, and as required by the Compact, unprecedented public input has been integrated into the process, and coordination with partner agencies and communities around the Region has been ongoing. More than 2,500 people have already contributed to the Regional Plan Update through the Pathway Forum and Place-Based Planning workshops, two major public involvement efforts sponsored by TRPA since 2005 to seek input and build consensus on the direction of the Regional Plan Update.

Building on the results of these public involvement efforts, the TRPA Governing Board has directed that the Regional Plan Update retain the majority of the existing plan and focus revisions on those parts of the Regional Plan that are urgent, dated, or in need of change to create a comprehensive blueprint for the sustainable future of the Tahoe Region. It will guide how communities evolve, how ecosystems function, whether the transportation network is efficient and effective, and the pace at which the Region as a whole is restored and becomes more economically sustainable. It proposes to do so by pairing ecosystem restoration with locally guided environmental redevelopment to create mixed-use town centers where people can live, work, and play.

The Regional Plan Update considers five alternatives as different strategies to achieve this vision. The objective of the environmental process is to consider each alternative in terms of its ability to accelerate attainment of threshold standards, address statutory requirements, and achieve TRPA's policy objectives, which include the following:

- ▲ Retain the established regional growth control system with targeted recharged allocations.
- ▲ Encourage property owners to transfer existing development and development rights from sensitive or outlying areas to existing community centers with the goal of restoring these lands
- ▲ Eliminate the regulatory barriers that have slowed the pace of environmental redevelopment of outdated or poorly maintained structures
- ▲ Simplify burdensome regulations for homeowners while achieving environmental threshold gains
- ▲ Integrate with the Regional Transportation Plan to address congestion and support transit, pedestrian, and bike trail projects that reduce automobile dependency and increase walkability and safety
- ▲ Continue implementation of projects under the Environmental Improvement Program that improve water quality, restore forests and wetlands, enhance scenic quality and recreation experiences, and improve air quality through transit and trail connections

1.3 AGENCY ROLES AND RESPONSIBILITIES

TRPA is the primary permitting agency and the lead agency under the Tahoe Regional Planning Compact (Public Law 96-551). Its charge, as described above, is to oversee development on both the California and Nevada sides of Lake Tahoe. Under the Compact, TRPA is directed to “establish environmental threshold carrying capacities and to adopt and enforce a Regional Plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities” (Compact Article I(b)) and to “insure an equilibrium between the region’s natural endowment and its manmade environment” (Compact Article I (a)(10)).

These directives of the Compact are embodied in TRPA Governing Board Resolution 82-11, which sets forth the environmental threshold standards; Goals and Policies, which guide decision making as it affects the Region’s resources; and the Code of Ordinances, which implements the Goals and Policies and establishes the minimum standards applicable to the Region. Public agencies and other units of government may establish equal or more stringent standards for the portions of the Region over which they have jurisdiction. Rules, regulations, ordinances, and policies adopted by TRPA must focus on regional issues and allow states and local jurisdictions to adopt specific local ordinances whenever it is possible to do so without reducing the effectiveness of the Regional Plan.

Specific local ordinances are developed and enforced by local governments that include El Dorado, Placer, Washoe, Carson City, and Douglas counties and the City of South Lake Tahoe; Tahoe City, North Tahoe, and South Tahoe public utility districts; and other entities. Additional specific local standards are implemented through Community Plans, General Plans, Master Plans, and other plans for specific geographic areas. Federal

agencies, including the U.S. Forest Service (USFS) and U.S. Bureau of Reclamation, and state agencies, including the Lahontan Regional Water Quality Control Board and Nevada Division of Environmental Protection, also establish standards for resources addressed by the Regional Plan.

TRPA is required to identify activities that will not have a substantial effect on the natural resources of the Region, and to review and approve all actions that may have a substantial effect on those resources. The Code of Ordinances identifies general activities that are not subject to TRPA review and approval. To implement this provision, TRPA has entered into Memoranda of Understanding (MOUs) with public agencies that identify additional specific activities that can be undertaken by individual agencies without additional TRPA review or approval.

TRPA has embraced its role as one of cooperatively achieving the agency's vision. TRPA envisions a Lake environment that is sustainable, healthy, and safe for the community and future generations. The vision further articulates TRPA's role as follows:

As a regional planning organization for Lake Tahoe, TRPA's most strategic role is as a partnership builder for delivery of environmental gain. TRPA works across a multiplicity of jurisdictions with concurrent responsibility and overlapping authority whose interests differ across legal boundary lines. TRPA's strategic role is to weave together a successful environmental tapestry of interests consistent with competing political demands. Only by building the necessarily broad partnerships that can deliver action needed to achieve tangible environmental gain will the Region ever reach and maintain a sustainable foundation. (TRPA 2011)

1.4 PURPOSE OF THE EIS

The purpose of this EIS is to identify and assess the anticipated environmental effects of implementing each of the Regional Plan Update alternatives, with a focus on significant and potentially significant environmental impacts. Its role is to provide sufficient environmental information to allow meaningful comment and participation by public agencies, interest groups, and the public; to allow the TRPA Advisory Planning Commission to recommend a preferred alternative to the TRPA Governing Board; and, ultimately, for the Governing Board to render a fully informed decision with regard to its approval of an updated Regional Plan.

The broad geography and long timeframe to which the Regional Plan applies, and the policy-oriented nature of its guidance, is such that the EIS environmental impact analysis is prepared at a policy level—that is, a more general analysis with a level of detail and degree of specificity commensurate with that of the plan itself. As such, the EIS focuses on the potential effects of policies, which—because they are to be implemented through as-yet-undefined projects over the duration of the Plan—are inherently less precise. The EIS is not intended to take the place of project-specific environmental documentation that will be needed to implement actions anticipated to occur following approval of the Regional Plan, nor does it contain sufficient analytical detail for TRPA to approve site-specific projects that may be proposed in the future consistent with the Plan. All of TRPA's existing procedures requiring environmental review of projects to determine their potential for significant impacts, feasible and effective mitigation to address those impacts, findings pertaining to project effects on threshold attainment, and other environmental safeguards are still in place and will continue to ensure that proposed projects are fully evaluated prior to approval and implementation. This EIS, consistent with its policy-level purpose, includes a thorough analysis of the environmental implications of the policy directions offered by the alternatives, and the information necessary to select the alternative that would best achieve TRPA's regional objectives.

1.5 RELATIONSHIP TO THE REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

The update of the Regional Plan and preparation of the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) are important and related planning efforts underway for the Tahoe Region. Both a land use plan and a transportation plan are required by Article V of the Tahoe Regional Planning Compact (Public Law 96-551) and both are aimed at achieving the common goals of environmental improvement, sustainable development, and attainment of threshold standards.

Article V(c)(2) of the Compact requires that the Regional Plan include a “transportation plan for the integrated development of a regional system of transportation,” including, but not limited to, parkways, highways, transit, waterways, public transportation, and bicycle facilities. Goals of the transportation plan shall be: (a) to reduce dependency on the automobile by making more effective use of existing transportation modes and public transit, and (b) to reduce, to the extent feasible, air pollution caused by motor vehicles. Where increased capacity is required, the Compact calls for a preference to be given to public transportation and public programs and projects related to transportation. The RTP serves as the required transportation plan element of the Regional Plan, and includes policies, project implementation plans, and funding strategies to improve and shape the transportation network in the Region in a way that reduces reliance on the automobile, reduces mobile sources of air pollution, and achieves other environmental goals.

For designated metropolitan areas to receive federal transportation project funding, federal law requires preparation of a long-range transportation plan that is coordinated with air quality statutory requirements that demonstrate conformity to air quality goals established by a State Implementation Plan. Federal requirements for the development of an RTP are implemented by the federally designated Metropolitan Planning Organization (MPO); in the Lake Tahoe Region, this is TRPA acting as the Tahoe Metropolitan Planning Organization (TMPO). California law also requires preparation of RTPs as part of the funding process for transportation projects. With the passage of Assembly Bill (AB) 69 (Chapter 1253, Statutes of 1972), RTPs are required to address transportation issues and assist local and state decision makers in shaping California’s transportation infrastructure.

In addition to its role as part of the Regional Plan, the RTP serves purposes relative to the federal and California transportation planning laws and regulations mentioned above. With the designation of TRPA in 1984 by the State of California as the Regional Transportation Planning Agency for the California side of the Region, and in 1999 by the U.S. Congress as the MPO for the entire Lake Tahoe Region, TRPA assumed federal and state transportation planning responsibilities and authorities. TMPO is responsible for approval of the RTP, which addresses transportation strategies for the entire Region consistent with federal law. Therefore, while the RTP remains an element of the comprehensive Regional Plan, it has been produced and is periodically updated as a stand-alone plan in keeping with its multiple purposes and authorities.

Passage of recent legislation in California, Senate Bills (SBs) 375 and 575, further solidifies the linkage between land use and transportation planning for the California side of the Basin, and thus the link between the Regional Plan Update and the RTP. SB 375 requires, among other things, that RTPs prepared by California’s MPOs include an SCS, designed to achieve certain targets set by the California Air Resources Board (ARB) for the reduction of greenhouse gas (GHG) emissions from cars and light trucks. The SCS is required to identify the general location of land uses, residential densities, and building intensities within a region and set forth a forecasted development pattern that, when integrated with the transportation network and other transportation measures and policies, will reduce GHG emissions from cars and light trucks to levels that achieve the targets set by ARB. SB 575, Statutes of 2009, clarified SB 375 for the Lake Tahoe Region, requiring that the Regional Plan serve as its

SCS to achieve the GHG reduction target. As a result, the SCS adopted by TMPO will be fully integrated with and ultimately be included in the Regional Plan approved by TRPA.

Under a conventional RTP and SCS preparation scenario in other regions of California, an MPO (which is typically not an agency with regulatory authority over land use) would prepare transportation policies, project implementation plans, and funding strategies as elements of its RTP, and would also prepare land use strategies and forecasted development patterns (the SCS) necessary to achieve GHG targets. The land use strategies would provide guidance to cities and counties in the region for future updates of their General Plans, which are required under California planning law. Land use agencies within that region would then receive certain streamlining benefits relative to the California Environmental Quality Act (CEQA) for implementing development projects consistent with the SCS.

Because the land use planning agency responsible for approval of the Regional Plan (i.e., TRPA) and the regional transportation planning agency responsible for preparation of the RTP and SCS in the Tahoe Region (i.e., TRPA, operating as TMPO with the additional board member from the USFS) are nearly the same entity, and because the RTP and Regional Plan Update processes are occurring simultaneously, a unique situation is created in which the land use scenarios of the Regional Plan Update alternatives are closely linked to, and form the basis of, the alternative RTP transportation strategies. In other words, the Regional Plan Update alternatives reflect different land use themes and levels of allowable development; because in the SCS these land use patterns and development criteria form the foundation of the transportation strategies, the RTP/SCS alternatives consist of assemblages of transportation and land use features that are consistent with the Regional Plan Update alternatives.

When the Regional Plan Update and RTP have been completed and are ready for approval, the actions by TRPA, acting as both the land use planning agency and the TMPO, will fully coordinate land use and transportation strategies. The RTP, with its transportation strategies and SCS, will be approved by TMPO. TMPO will select a transportation alternative for approval with an assumed linkage to one of the Regional Plan Update alternatives (which creates the land use foundation for the SCS and the travel modeling supporting the selected transportation strategies); however, TMPO will not approve the land use plan, which is an action that is the responsibility of TRPA. TRPA will consider and select a land use alternative to adopt as part of the Regional Plan Update and, among other actions, will (1) adopt the RTP as the Compact-required transportation plan and (2) approve the Regional Plan Update with the selected land use alternative to serve as the SCS for the California side of the Region. These coordinated approval actions will ensure that the Regional Plan Update, RTP, and SCS are mutually consistent and achieve the goals of the Compact and relevant state and federal laws and regulations.

1.6 ENVIRONMENTAL ANALYSIS APPROACH – REGIONAL PLAN UPDATE EIS AND RTP/SCS EIR/EIS

The environmental impact analysis, significance determinations, and mitigation measures in the Regional Plan Update EIS and RTP/SCS EIR/EIS have many similarities as well as important differences. Consistency between the two documents is important because TRPA and TMPO have formulated the two plans using a coordinated approach, as described in Section 1.5. The descriptions of the affected environment (i.e., the existing settings) are consistent because the impact analyses in both documents use the same baseline environmental conditions as the point of comparison for discerning impacts. The names, themes, and proposed land use and transportation policies of the five analyzed alternatives are consistent between the two documents, because it is important to apply the environmental impact conclusions from the two documents to the same set of policy

decision choices. The Regional Plan Update EIS and RTP/SCS EIR/EIS are being circulated for public review at the same time so the public can consider environmental impacts of both plans together.

The Regional Plan and RTP/SCS are different types of plans, however, and variations between the two environmental documents are appropriate and important to serve the differing purposes of the respective environmental reviews. For instance, the regulatory settings of the two documents differ because the RTP/SCS EIR/EIS must comply with the California Environmental Quality Act and other California laws requiring the SCS component of the RTP, in addition to TRPA requirements. The Regional Plan Update EIS is exclusively a TRPA document; it evaluates environmental impacts of proposed changes in land use and resource-related goals and policies of the Regional Plan, as well as potential Code revisions that would implement the goals and policies. Therefore, certain topics related to the potential environmental impacts of land use, scenic resources, and other non-transportation policies appear only in the Regional Plan Update EIS.

A key difference between the Regional Plan Update EIS and the RTP/SCS EIR/EIS is the level of environmental review being provided; this difference is linked to the types of planning documents being evaluated. In brief, the Regional Plan Update (along with the Compact) serves as the **policy-level** foundation for environmental regulation in the Tahoe Region. The RTP/SCS provides **program-level** transportation policies, programs, and projects that implement the broader, overarching direction of the Regional Plan Update. Each level of planning document requires the appropriate level of environmental review, as described below.

The Regional Plan provides the foundational, policy-level direction for the Tahoe Region upon which all other TRPA programs and regulations are based. As such, the impact analysis in the Regional Plan Update EIS is conducted geographically at a broad, Regional scale with a focus on overall policy-level issues. If existing TRPA goals, policies, and Code, or other applicable laws and regulations, adequately address environmental protection, an impact would be less than significant. A significant impact would be identified if a policy “gap,” or policy inadequacy, exists in existing and proposed policies that would allow a significant or potentially significant effect on the environment to occur. The Regional Plan Update EIS does not address impacts at the level of proposed land use development or public works projects, nor does it address impacts of specific programs or projects required to implement the Regional Plan (e.g., the RTP/SCS). Such environmental analyses would occur, as appropriate, after the Regional Plan Update process concludes and in response to proposals for implementing programs or specific development or public works projects. Mitigation measures in the Regional Plan Update EIS to address significant environmental impacts resulting from policy gaps take the form of amendments to goals and policies, development of Code revisions, and commitments to prepare regional-scale, resource-specific mitigation programs.

The RTP/SCS EIR/EIS evaluates potential environmental impacts resulting from the identified set of transportation policies (also contained in the Regional Plan Update), along with a program of transportation projects and other actions. The projects and other actions together, are called “transportation strategies” in the EIR/EIS. Therefore, some transportation policy–related impacts are similar between the two documents; however, because the RTP/SCS contains a list of transportation projects, the environmental analysis in the RTP/SCS EIR/EIS is inherently different than the analysis in the Regional Plan Update EIS. The environmental analysis is conducted at a program level (i.e., addressing the program of transportation strategies that comprise the RTP) and geographically addresses impacts at both regional and sub-regional scales. A sub-regional impact analysis is more location specific, such as the conceptual locations of planned bicycle trails, but not yet at the level of project-site specificity.

Because the environmental analysis of the RTP/SCS addresses a set of projects, compliance with the Code, laws, and regulations may or may not result in less-than-significant effects; and because many project details are yet to be developed, the specific manner in which compliance would be achieved cannot yet be known. If Code, laws, and

regulations prescriptively control project design and/or operation with little or no discretion, and they can be reasonably expected to adequately protect the environment, the impact would be less than significant. If compliance requires considerable discretion in how design or operation of a project would achieve environmental protection and/or the development of compensatory measures that are beyond the design and operation of the projects themselves (such as ecosystem restoration to replace habitat loss), the impact is determined to be significant or potentially significant, because the specific mitigating actions needed to avoid or minimize the impacts cannot yet be feasibly defined. Where the approach to compliance with Code, laws, and regulations required for a significant impact includes considerable discretion, mitigation typically consists of a clear commitment to mitigate the impact, an explanation of the compliance requirements, and a summary of the specific types or examples of actions resulting from compliance that would effectively avoid or mitigate the impact.

Certain impacts that are relevant to a proposed Regional Plan goal or policy and to an RTP transportation program are presented in both environmental documents. Environmental impacts presented in the Regional Plan Update EIS that are related to non-transportation goals and policies are not appropriate to repeat in the RTP/SCS EIR/EIS. Environmental impacts in the RTP/SCS EIR/EIS regarding specific sets of transportation projects are too detailed to be appropriate in the policy-level Regional Plan Update EIS. Where helpful and relevant, cross references are provided from one analysis to impacts in the other environmental document.

1.7 INCORPORATION BY REFERENCE

The RTP/SCS Draft Environmental Impact Report (EIR)/EIS (TMPO 2012) is incorporated herein by reference. As described above, the RTP/SCS includes policies, project implementation plans, and funding strategies to improve the transportation network in the Region in a way that reduces reliance on the automobile, reduces mobile-source emissions, and achieves other environmental benefits. The RTP/SCS provides for mitigation of adverse transportation conditions in the Lake Tahoe Region and helps achieve applicable environmental threshold standards. The RTP/SCS, in conjunction with the Regional Plan, sets the vision, policies, and objectives for the transportation program and Capital Improvement Program (CIP) projects that implement the RTP/SCS. Environmental review of adoption of these plans and their implementation through the CIP is being coordinated to support a comprehensive and efficient planning and implementation approach for these critical transportation projects.

The RTP/SCS EIR/EIS identifies and assesses the following elements:

- ▲ anticipated changes in transportation demand over the next 25 years;
- ▲ the Region's goals and policies for transportation;
- ▲ the Region's SCS, which lays out a plan for integrating transportation investments with land use plans in a way that allows the California portion of the Region to meet ARB-adopted targets for reducing GHG emissions;
- ▲ planned investments in the transportation system (i.e., roadway, transit, bicycle, and pedestrian networks; the goods movement system; aviation and airport access; and disaster preparedness plans), including a programmatic assessment of the first phase of high-priority transportation system projects that would be included in the RTP/SCS ;
- ▲ Transportation Demand Management and Transportation System Management strategies proposed to maximize efficiency;
- ▲ safety of the transportation system;
- ▲ ability of the transportation system to safeguard the personal security of residents and visitors, particularly in the case of an emergency evacuation; and

- ▲ response of the RTP/SCS to the needs of more vulnerable populations (i.e., low-income and minority populations, people with limited English proficiency, and people with disabilities).

The RTP/SCS Draft EIR/EIS is available for review online at: www.tahoempo.org and in hard copy at the offices of TRPA/TMPO:

Tahoe Regional Planning Agency
128 Market Street
Stateline, Nevada 89449

Normal operating hours for the Tahoe Regional Planning Agency are Monday through Friday, 9:00 a.m. to 5:00 p.m. The front counter is closed every Tuesday and from 12:00 p.m. to 1:00 p.m. on other business days. TRPA will observe one holiday closure during the comment period:

- ▲ Monday, May 28, 2012 – Memorial Day

1.8 ORGANIZATION OF THE EIS

The EIS is organized into the following chapters to assist the reader in obtaining information about the Regional Plan Update and its specific environmental issues.

- ▲ The **Summary** presents an overview of the project alternatives, key environmental issues, areas of controversy, and a summary of the environmental impacts and mitigation measures associated with each alternative.
- ▲ **Chapter 1, Introduction**, explains the project overview and background and provides other introductory material.
- ▲ **Chapter 2, Regional Plan Update Alternatives**, describes the features and characteristics of each of the five alternatives. This chapter details the structure of the updated Regional Plan, the essential concepts necessary to understand the alternatives, features common to all alternatives, key differences among the alternatives, and the themes and specific aspects of each alternative.
- ▲ **Chapter 3, Affected Environment and Environmental Consequences**, contains the analysis of the technical resource areas, consisting of the environmental setting, regulatory framework, environmental effects, mitigation measures, and significance level of each environmental impact before and after mitigation.
- ▲ **Chapter 4, Cumulative Impacts**, identifies the cumulative effects of implementing each alternative against a backdrop of past, present, and reasonably foreseeable future projects.
- ▲ **Chapter 5, TRPA-Mandated Sections**, lists the significant environmental effects that cannot be avoided, the irreversible and irretrievable commitment of resources, effects found not to be significant, the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity, and the growth-inducing impacts that may occur from adopting the Regional Plan Update.
- ▲ **Chapter 6, Report Preparers**, lists the TRPA staff and consultants that prepared the EIS.
- ▲ **Chapter 7, References**, identifies sources of information used in the EIS analysis.

1.9 STANDARD TERMINOLOGY USED IN THE EIS

The EIS includes the following terminology to denote the significance of environmental impacts of the proposed Regional Plan Update alternatives:

- ▲ *Beneficial Impact*: An impact that would result in improved environmental conditions.
- ▲ *Less-than-Significant Impact*: An impact that would not result in a substantial and adverse change in the physical environment. This impact level does not require mitigation.
- ▲ *Significant Impact*: An impact that would result in a substantial adverse change in any of the physical conditions within the Region. Potentially feasible mitigation measures or alternatives to the component(s) of the Plan resulting in the impact must be considered in an attempt to substantially reduce significant impacts.
- ▲ *Potentially Significant Impact*: An impact that would be considered a significant impact as described above if it were to occur; however, the occurrence of the impact cannot be immediately determined or there is some uncertainty about its occurrence.
- ▲ *Significant and Unavoidable Impact*: A substantial adverse effect on the environment that cannot be feasibly mitigated to a less-than-significant level or reduced to a less-than-significant level by modifying the component(s) of the Plan that result in the impact.
- ▲ *Significance Criteria*: Criteria established to define at what level an impact would be considered significant (i.e., if an impact exceeds a specified level, it would be considered significant). Criteria are defined for this EIS based on TRPA environmental threshold standards and regulatory requirements.
- ▲ *Mitigation Measure*: A measure that could feasibly minimize a significant effect. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments.

1.10 ENVIRONMENTAL REVIEW PROCESS

This EIS has been prepared in accordance with Article VII of the Tahoe Regional Planning Compact, Chapter 3 of the TRPA Code of Ordinances, and Article VI of the TRPA Rules of Procedure. The environmental review process for the Regional Plan Update EIS began with efforts to gather information to establish the breadth, or scope, of environmental review. A notice of preparation (NOP) was issued to inform agencies and the public that an EIS would be prepared for the Regional Plan Update, and to solicit views of agencies and the public regarding the scope and content of the EIS. The NOP was distributed on September 5, 2007, and comments were received through October 5, 2007. Two scoping meetings were held to obtain oral comments, one at a meeting of the TRPA Advisory Planning Commission and one at a meeting of the TRPA Governing Board. Written comments received on the NOP during the comment period and the oral comments provided at the scoping meetings have been summarized by TRPA and are included as part of the administrative record.

TRPA also facilitated a variety of public outreach efforts to develop the Regional Plan Update alternatives and the EIS scope. A process known as the Pathway Forum was conducted to engage stakeholder representatives from inside and outside the Region in substantive discussion on a wide variety of technical topics and issues related to the Regional Plan. TRPA also conducted an extensive Place-based Planning effort to gain specific input from citizens in communities around the Lake, about their respective geographic areas. Between 2005 and 2008, some 2,500 individuals and organizations participated in these two comprehensive public participation efforts, providing valuable input to the TRPA Governing Board and staff.

TRPA also engaged stakeholders and the public through additional meetings of the Governing Board in 2009 and 2010. At these meetings TRPA staff presented fact sheets and other information on potential Regional Plan Update alternatives, and received substantial public input and Governing Board direction. In addition, throughout 2010, TRPA received hundreds of written comments and conducted over 180 meetings with interested parties to identify additional issues and specific amendments that could be considered in the Regional Plan Update alternatives.

In January 2011, the Governing Board directed TRPA staff to focus the Regional Plan Update on the Region's most pressing issues: protection against emerging threats, such as wildfire and invasive species; response to statutory requirements with which the Region or portions of the Region must comply; and accelerated attainment of threshold standards. By focusing on these high-priority issues, a reasonable range of feasible alternatives could be developed and evaluated in the EIS, and the Governing Board could render a decision and implement the updated Regional Plan within a reasonable timeframe. To that end, TRPA staff evaluated all of the potential policies against a set of objective criteria and developed a set of alternatives that provide a broad range of feasible approaches to addressing the urgent issues that are central to this Regional Plan Update.

In July 2011, the Governing Board formed a Regional Plan Update Committee, which includes a subset of Governing Board members from each state and from local governments. The Regional Plan Update Committee met regularly to solicit additional input from the public, local jurisdictions, representatives from California and Nevada agencies, and other interested groups. The Regional Plan Update Committee worked to further refine the alternatives considered in the EIS, with an emphasis on refinements to the staff-proposed alternative.

Taken together, this input has resulted in the five alternatives described in this EIS. The priorities established by the Governing Board for issues to be addressed in the Regional Plan Update EIS, and those that will be carried forward from the existing Regional Plan, were determined based on this input. The alternative descriptions that evolved from these priorities are described in detail in Chapter 2, Regional Plan Update Alternatives.

As required by the Compact, this EIS has been prepared using a "systematic, interdisciplinary approach which will ensure the integrated use of the natural and social sciences and the environmental design arts in planning and decision-making which may have an impact on man's environment" (Compact Article VII(a)(1)). Throughout the process, TRPA has consulted with federal, state, and local agencies, as well as the scientific community and universities engaged in research and study of the Lake Tahoe Region, to ensure that the most current scientific data have been considered.

During the public and agency consultation period, this Draft EIS will be made available for further consultation with these agencies and organizations, particularly those with "jurisdiction by law or special expertise with respect to any environmental impact involved" (Compact Article VII (b)). The public will also be consulted and their "views shall be solicited during a public comment period lasting not less than 60 days" (Compact Article VII (b)).

Following the public and agency consultation period, substantive comments relating to the environmental analysis will be reviewed and responses will be prepared. A proposed final EIS will be presented to the TRPA Advisory Planning Commission, which will make a recommendation to the Governing Board with respect to certification of the proposed final EIS. The Governing Board shall provide an opportunity for comment on the proposed final EIS at a Governing Board hearing. The Board will then consider taking action to certify the final EIS prior to considering approval of the updated Regional Plan (Rules of Procedure 6.16).

1.11 OPPORTUNITY FOR PUBLIC COMMENT

The Regional Plan Update Draft EIS is available for public and agency review online at: www.trpa.org and in hard copy at the offices of TRPA:

Tahoe Regional Planning Agency
128 Market Street
Stateline, Nevada 89449

The public review period extends from April 25, 2012 to June 28, 2012.

Normal operating hours for the Tahoe Regional Planning Agency are Monday through Friday, 9:00 a.m. to 5:00 p.m. The front counter is closed every Tuesday and from 12:00 p.m. to 1:00 p.m. on other business days. TRPA will observe one holiday closure during the comment period:

▲ Monday, May 28, 2012 – Memorial Day

Written comments on the Draft EIS may be sent during that period to Adam Lewandowski at: PO Box 5310, Stateline, Nevada 89449. Comments may be submitted by email to: regionalplancomments@trpa.org.

Oral comments may be provided at a series of public meetings and workshops with the TRPA Governing Board as listed in Table 1-1.

Date	Meeting Type	Meeting Time and Location
April 25	Governing Board meeting	9:30 a.m. The Chateau, 955 Fairway Boulevard, Incline Village (775) 832-1228
April 26	Governing Board meeting	9:30 a.m. TRPA Board Rooms, South Shore, Lower Kingsbury Grade, 128 Market Street, Stateline (775) 588-4547
May 21	Public workshop	5:00–8:00 p.m. The Chateau, 955 Fairway Boulevard, Incline Village (775) 832-1228
May 22	Public workshop	5:00–8:00 p.m. TRPA Board Rooms, 128 Market Street, Stateline (775) 588-4547
May 23	Governing Board meeting	9:30 a.m. North Tahoe Event Center, 8318 North Lake Boulevard, Kings Beach (530) 546-7249
May 24	Governing Board meeting	9:30 a.m. TRPA Board Rooms, 128 Market Street, Stateline (775) 588-4547
June 27	Governing Board meeting or combined GB/workshop	9:30 a.m. North Tahoe Event Center, 8318 North Lake Boulevard, Kings Beach (530) 546-7249
June 28	Governing Board meeting or combined GB/workshop	9:30 a.m. TRPA Board Rooms, South Shore, Lower Kingsbury Grade, 128 Market Street, Stateline (775) 588-4547

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