

1 INTRODUCTION

1.1 OVERVIEW

This is the Final Environmental Impact Statement (Final EIS) for the 2012 Regional Plan Update, prepared on behalf of the Tahoe Regional Planning Agency (TRPA). The Final EIS evaluates the environmental effects of adoption and implementation of proposed Regional Plan policies and was prepared pursuant to the Tahoe Regional Planning Compact, the TRPA Code of Ordinances, and the TRPA Rules of Procedure. In its entirety, the Final EIS consists of the Draft EIS (in two volumes, including appendices, published April 25, 2012), Final EIS Volume 1 – Responses to Comments, and Final EIS Volume 2 – Public Comments on the Draft EIS.

The 2012 update is the first major revision of the Tahoe Regional Plan since its initial adoption in 1987. Although it has been amended many times, it has not been comprehensively reviewed and updated until now. The 2012 Regional Plan Update is a suite of proposed new and revised policies addressing the most critical planning and environmental issues facing the Region today. It retains the regulatory framework from the existing 1987 Regional Plan, while making targeted amendments to accelerate threshold attainment and respond to current conditions. The proposed policy changes 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 achievement and maintenance. The policies also include additional allocations to allow for orderly development consistent with adopted Threshold Standards.

On April 25, 2012, TRPA distributed a Draft Regional Plan and Draft Environmental Impact Statement (Draft EIS) to public agencies and the general public. The Draft EIS evaluates five alternatives, each representing different approaches to and/or combinations of land use planning framework, development potential, and environmental regulations and incentives. The Draft Regional Plan was proposed and analyzed as Alternative 3. The objective of the environmental process is to consider each alternative in terms of its ability to accelerate achievement of threshold standards, address statutory requirements, and realize 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.
- ▲ Accelerate 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.

1.2 PUBLIC COMMENT AND REVISION OF THE DRAFT PLAN

The Draft EIS was circulated for a 63-day public comment period, from April 25 to June 28, 2012. During the review period, multiple opportunities were provided for agencies, organizations, and the public to comment on the Draft EIS, including the following public meetings:

- ▲ April 25, 2012 (9:00 a.m.): TRPA Governing Board meeting at The Chateau, 955 Fairway Boulevard, Incline Village
- ▲ April 26, 2012 (9:30 a.m.): TRPA Governing Board meeting at TRPA Board Rooms, 128 Market Street, Stateline
- ▲ May 23, 2012 (9:30 a.m.): TRPA Governing Board meeting at North Tahoe Events Center, 8318 North Lake Boulevard, Kings Beach
- ▲ May 24, 2012 (9:30 a.m.): TRPA Governing Board meeting at TRPA Board Rooms, 128 Market Street, Stateline
- ▲ June 27, 2012 (9:30 a.m.): TRPA Governing Board meeting at North Tahoe Events Center, 8318 North Lake Boulevard, Kings Beach
- ▲ June 28, 2012 (9:30 a.m.): TRPA Governing Board meeting at TRPA Board Rooms, 128 Market Street, Stateline

In addition, the following public workshops/open houses were held during the review period to provide the public with information about the Regional Plan Update and to collect additional public comment:

- ▲ May 21, 2012 (5:00-8:00 p.m.): Public workshop at The Chateau, 955 Fairway Boulevard, Incline Village
- ▲ May 22, 2012 (5:00-8:00 p.m.): Public workshop at TRPA Board Rooms, 128 Market Street, Stateline

In response to the call for review and comment, 357 comment letters and presentations of oral testimony were received, including 45 from public agencies, 54 from stakeholder organizations (including environmental and business organizations), 141 from individuals, 18 comment forms from open houses, and 99 form letters sponsored by two organizations (Friends of West Shore with 42 form letters and Lake Tahoe Community Realtors with 57 form letters). Many of the comment letters provided some form of policy recommendation.

In response to public and agency comments, recommendations offered by the administrations of the States of California and Nevada (the Bi-State Consultations) to address issues of controversy, and other considerations, the Draft Plan (as presented in Alternative 3 of the Draft EIS) was revised to implement additional environmental and procedural safeguards; reduce the scope of policies that were considered by some to be too broad or that may have adverse consequences; and to incorporate specific, widely supported features of other alternatives. Each revision to the Draft Regional Plan is described in detail in Chapter 2, Revisions to Alternative 3: Final Draft Plan.

This Final EIS has been prepared to serve several purposes: (1) present the features and characteristics of the Final Draft Plan, (2) describe the nature and degree to which it differs from Alternative 3 in the Draft EIS and assess any environmental implications, (3) respond to written and oral comments received on the Draft EIS, and (4) make appropriate revisions to the document consistent with TRPA Rules of Procedure.

1.3 EIS CERTIFICATION AND PLAN APPROVAL

As described in detail in Chapter 1, Introduction, of the Draft EIS, the update of the Regional Plan and preparation of the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) are related planning efforts being completed and considered for approval concurrently. 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, as such, the Regional Plan Update addresses both land use and transportation policies. Federal law requires (for designated metropolitan areas) preparation of a long-range transportation plan that includes specific transportation projects and that is coordinated with air quality statutory requirements. California law requires a regional transportation plan to address transportation issues, assist local and state decision-makers in shaping transportation infrastructure, and include an SCS (combined transportation and land use plan) designed to

achieve targets set by the California Air Resources Board (ARB) for the reduction of greenhouse gas (GHG) emissions from cars and light trucks. With the designation of TRPA by the U.S. Congress as the Tahoe Metropolitan Planning Organization (TMPO) and by the State of California as the Regional Transportation Planning Agency for the California side of the Basin, TRPA assumed federal and state transportation planning responsibilities and authorities.

Therefore, while the RTP remains integral to 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. As such, the RTP is subject to separate environmental review that assesses the specific transportation projects and programs—in addition to broader policies—needed to meet federal and California requirements. The Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the RTP and SCS was prepared pursuant to both the California Environmental Quality Act (CEQA) and TRPA environmental regulations, and is also now under consideration for certification and approval.

After reviewing the Final EIS for the Regional Plan Update and the Final EIR/EIS for the RTP and SCS, TRPA and TMPO (for only the RTP Final EIR/EIS), will consider the adequacy of the environmental documents and approval actions. The TRPA Governing Board will consider the compliance of the Regional Plan Update Final EIS with the TRPA environmental review requirements and if confirmed, will use the EIS to consider approval of the Final Draft Regional Plan. As part of the approval process, the Final Draft Plan will be subject to findings requirements set forth in Chapter 4 of the Code, including the finding that the project will not cause the environmental threshold carrying capacities to be exceeded (Code Section 4.4.1.A); that the Regional Plan, as amended, achieves and maintains the thresholds (Code Section 4.5); and that, in accordance with Sections 4.2 and 4.3, the Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds (Code Section 4.6).

Upon adoption, the actions by TRPA, acting as both the land use planning agency and the TMPO, will fully coordinate land use and transportation strategies. TRPA will consider and select a land use alternative to adopt as part of the Regional Plan Update. TRPA will use the RTP/SCS EIR/EIS to consider incorporation of the SCS as part of the Regional Plan and, among other actions, (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 portion of the Region. The RTP, with its transportation strategies and SCS, will be considered for action by TMPO, which will select a transportation alternative for approval with a linkage to one of the Regional Plan Update land use 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. 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.

Consideration of the adequacy of the environmental document and approval of the Regional Plan Update is scheduled to occur at the December 12, 2012 meetings of TRPA and TMPO.

1.4 ORGANIZATION AND FORMAT OF THE FINAL EIS

This Final EIS (Volume 1) is organized as follows:

- ▲ Chapter 1, Introduction, provides an overview of the Final EIS, Regional Plan Update context, and environmental review process and presents a discussion of EIS certification and Regional Plan approval processes.

- ▲ Chapter 2, Revisions to Alternative 3: Final Draft Plan, describes changes that have been made to the Draft Regional Plan by the TRPA Governing Board based on public and agency comments, input from the Bi-State Consultations, and other considerations, including strengthening of certain environmental protections.
- ▲ Chapter 3, List of Commenters and Responses to Comments Raising Environmental Issues, includes a list of all agencies, organizations, and individuals that submitted written or oral comments on the Draft EIS during the public review period. A response is provided to each comment, including those pertaining to the RTP/SCS EIR/EIS. This chapter also includes a set of master responses addressing comments raised multiple times. Copies of all the comment letters submitted during the public review period (and public hearing comment transcripts) are provided in Volume 2 of the Final EIS.
- ▲ Chapter 4, Revisions and Corrections to the Draft EIS, presents corrections, clarifications, and other revisions to the Draft EIS text, including those based on issues raised by the comments on the Draft EIS or changes initiated by TRPA staff. Revisions are shown as excerpts from the Draft EIS text, with strikethrough (~~strikethrough~~) text for deletions and underlined (underlined) text for additions. The changes appear in the order of their location in the Draft EIS.
- ▲ Chapter 5, References, lists references cited in this Final EIS.

Please refer to Regional Plan Update Final EIS (Volume 2) for copies of all written comments received during the public review period and transcripts of comments received during scheduled public meetings and hearings.