

EXHIBIT B

Bi-State Recommendation

Commodities

The group supports the commodities reflected in DEIS Alternative #3, with clarifying language below in italics:

Residential Allocations:	2600	
Residential Bonus Units:	600	<i>(to be used in centers)</i>
Commercial Floor Area:	200,000	<i>(provided existing 383,000 available CFA square footage is first exhausted)</i>
Tourist Accommodation Units:	-0-	

There is no automatic recharge of commodities; however, the group recognizes that in the event commodities are exhausted the TRPA Governing Board may consider additional allocations.

TAU Transfer Policy

The group recommends the following related to TAUs:

Transferred TAUs may be used to entitle, on a one-to-one basis, unit sizes described in subparagraph (b) below, provided the proposed project (receiving site) will be a professionally managed tourist accommodation facility containing three or more of the following on-site guest amenities or services:

- a. On-site guest amenities or services:
 - (i) front desk/check-in/lobby
 - (ii) business center
 - (iii) spa services
 - (iv) fitness facility
 - (v) restaurant
 - (vi) bar
 - (vii) conference space
 - (viii) concierge’s services
 - (ix) pool or other resort recreation facilities
 - (x) valet/below structure parking
 - (xi) housekeeping
 - (xii) bell desk

- b. Providing three or more of the on-site guest amenities or services in subparagraph (a) are provided, 80% of the tourist accommodation units may be up to 1,200 square feet, with kitchens, and no more than 20% of the project's floor area may contain units not to exceed 1,800 square feet, with kitchens.
- c. When transferred TAUs are utilized for smaller tourist accommodation facilities that are not operated as destination resorts, the facility must be professionally managed, units shall not be rented for a period longer than 29 days, and TAUs may be up to 850 square feet in size.
- d. This transfer policy applies to hotels or timeshares and fractional units within a professionally managed tourist accommodation facility.
- e. The group supports the creation of a pilot program allowing the conversion of a limited number of TAUs to ERUs for multi-unit projects. Each TAU can be used for a maximum of 1,250 sq. ft. of residential floor area on the same parcel.

Site Specific Transfer Ratios

For site specific transfer ratios, the group recommends the following:

- a. Add to the TRPA "to do" list a review of the efficacy of the ratios;
- b. Remove references to increased ratios in the area plans in proposed Code Section 13.5.3.B.4 except for Stream Restoration Plan Areas;
- c. Leave the designation of Meeks and Motel 6 and add the Tahoe City golf course in Stream Restoration Plan Areas.

EXHIBIT C

Draft Regional Plan and Draft Code of Ordinances Language

Full length documents can be found at the TRPA website:

http://www.trpa.org/documents/rp_update/DEIS/2_Regional_Plan_Goals_&_Policies_Tracked.pdf

http://www.trpa.org/documents/rp_update/Code_Update/Phase2/2_Draft_Code_Tracked.pdf

1. Development Allocations and Release System

Draft Plan

None referenced

Draft Code

See Page 2:

Notice:

Chapter 50 (Allocation of Development) and Chapter 52 (Bonus Unit Incentive Program) will be updated to reflect future releases of development allocations in accordance with one alternative or a variation of one of the alternatives noted on the following table. Annual releases will be in accordance with the principles listed below the table. A preferred alternative has not been endorsed for the Allocation and Development Rights Accounting table.

ALLOCATION AND DEVELOPMENT RIGHTS ACCOUNTING

ALLOCATIONS/ DEVELOPMENT RIGHTS	USED FROM 1987- 2011	REMAIN- ING FROM 1987 PLAN*	ADDITIONAL PROPOSED IN THE REGIONAL PLAN				
			ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5
Residential Allocations	6,001	86	0	2600	2600	4000	5200
Residential Bonus Units	526	874	0	0	600	0	0
Tourist Bonus Units	58	342	0	0	0	200	400
Commercial Floor Area (Total)	416,421	383,579	0	200,000	200,000	400,000	600,000
Placer County	128,623	72,609					
Washoe County	87,906	2,000					
Douglas County	45,300	36,250					
El Dorado County	15,250	36,150					
City of South Lake Tahoe	77,042	52,986					
TRPA Special Project and CEP Pool	62,300	183,584					

*Note: 158,816 sq. ft. of Commercial Floor Area, 245 Residential Bonus Units and 90 Tourist Bonus Units have been reserved or allocated to projects (e.g., Community Enhancement Projects) that have not been permitted or permitted but not built are accounted for in the "Remaining from 1987 Plan" column.

- The system for release of allocations, bonus units and CFA should be modified in coordination with Local Governments and in accordance with the following principles:
 - A maximum yearly release of residential allocations and CFA should be made to each Local Government through the performance system and staff should coordinate with Local Governments to establish an equitable system for distribution of CFA.
 - The amount of bonus units and CFA held by TRPA and Local Governments should be evaluated annually and modified if necessary by the Governing Board to maintain adequate commodities for anticipated redevelopment activities in the region.
 - All allocations and CFA that have been distributed to Local Governments should be retained by Local Governments. In the future, Local Governments should be able to retain all allocations and CFA and that are distributed to them for use that year or at a later date.
 - All past awards of bonus units should be honored until development approvals expire. In the future, all awards of bonus units should also be honored until development approvals expire.
 - All past awards of bonus units to Plan Areas should be honored regardless of whether or not development approvals within those Plan Areas have expired.
 - No additional Residential Development Rights may be created. Approximately 4,091 Residential Development Rights remain.
 - Residential Bonus Units and Tourist Bonus Units that have not been awarded should be held by TRPA and used for development transfer matches and existing Bonus Unit programs.
 - The performance system shall be evaluated at least every four years as part of each Regional Plan review and should be modified if necessary to implement the Regional Plan.

2. Development Transfer Program

Draft Plan

None referenced

Draft Code

Portion of Sec. 51.3.3 -Transfer of Development Rights:

C. Transfer of Development Rights to Centers

1. Receiving parcels in town centers, regional centers, and the High-Density Tourist District are eligible to receive development rights based on the land capability district of the sending parcel and the distance of the sending parcel from town centers, regional centers, or the High-Density Tourist District, and from primary transit routes.
2. Transfers of development that result in transfer ratios greater than 1:1 pursuant to this section shall be allowed only if the applicant provides TRPA with binding assurance that the development rights of the sending parcels are permanently restricted as if they were sensitive lands pursuant to subsection 51.6.8.
3. Notwithstanding limitations in chapters 50 and 52, bonus units received pursuant to this section shall not require an allocation to construct a residential unit.
- ~~4.~~ Transfer ratios shall be determined by considering two factors and multiplying the two resulting ratios, pursuant to the table below.

TABLE 51.3.6-1: TRANSFER OF DEVELOPMENT RIGHTS TO CENTERS

Step 1: Determine applicable transfer ratio based on sending parcel.

<u>Sending Parcel</u>	<u>Transfer Ratio</u>
<u>SEZ</u>	<u>1:1.5</u>
<u>Other Sensitive Lands</u>	<u>1:1.25</u>
<u>Non-Sensitive Lands</u>	<u>1:1</u>

Step 2: For transfers of residential development rights, determine additional transfer ratio based on distance from centers and/or primary transit routes.

<u>Distance</u>	<u>Additional Transfer Ratio</u>
<u>Less than ¼ mile, or on the lake-ward side of primary transit routes</u>	<u>1:1</u>
<u>¼ mile to ½ mile</u>	<u>1:1.25</u>
<u>½ mile to 1 mile</u>	<u>1:1.5</u>
<u>1 mile to 1½ mile</u>	<u>1:1.75</u>

TABLE 51.5.3-1: TRANSFER OF DEVELOPMENT RIGHTS TO CENTERS	
Step 1: Determine applicable transfer ratio based on sending parcel.	
Sending Parcel	Transfer Ratio
Greater than 1½ mile	1:2
Step 3: Multiply the applicable ratios from Steps 1 and 2 to determine the applicable transfer ratio.	

Sec. 51.5.3 -Transfer of Existing Development:

51.5.3 Transfer of Existing Development to Centers

Transfers of existing development to town centers, regional centers, and the High-Density Tourist District shall receive the approval of affected local governments and shall comply with the following:

- B.** Receiving parcels in town centers, regional centers, and the High-Density Tourist District are eligible to receive transfers of existing development based on the land capability district of the sending parcel and the distance of the sending parcel from town centers, regional centers, or the High-Density Tourist District, and from primary transit routes.
- C.** Transfers of existing development that result in transfer ratios greater than 1:1 pursuant to this section shall be allowed only if the applicant provides TRPA with binding assurance that the sending parcel will be restored and permanently restricted to open space by deed restriction or other covenant running with the land, recorded by the owner. In cases where a portion of development has been transferred, only that portion of the parcel shall be restricted as open space.
- D.** Notwithstanding limitations in chapters 50 and 52, bonus units received pursuant to this section shall not require an allocation to construct a residential unit.
- E.** Transfer ratios shall be determined by considering two factors and multiplying the two resulting ratios, pursuant to the table below.

TABLE 51.5.3-1: TRANSFER OF EXISTING DEVELOPMENT TO CENTERS	
Step 1: Determine applicable transfer ratio based on sending parcel.	
Sending Parcel	Transfer Ratio
SEZ	1:3
Other Sensitive Lands	1:2
Non-Sensitive Lands	1:1
Step 2: For transfers of existing residential development, determine additional transfer ratio based on distance from centers and/or primary transit routes.	

TABLE 51.5.3-1: TRANSFER OF EXISTING DEVELOPMENT TO CENTERS

Step 1: Determine applicable transfer ratio based on sending parcel.

<u>Sending Parcel</u>	<u>Transfer Ratio</u>
<u>Distance</u>	<u>Additional Transfer Ratio</u>
<u>Less than ¼ mile, or on the lake-ward side of primary transit routes</u>	<u>1:1</u>
<u>¼ mile to ½ mile</u>	<u>1:1.25</u>
<u>½ mile to 1 mile</u>	<u>1:1.5</u>
<u>1 mile to 1½ mile</u>	<u>1:1.75</u>
<u>Greater than 1½ mile</u>	<u>1:2</u>

Step 3: Multiply the applicable ratios from Steps 1 and 2 to determine the applicable transfer ratio.

3. Size Limits for Transferred Tourist Accommodation Units (TAUs)

Draft Plan

None referenced

Draft Code

Portion of Sec. 51.5.2 -Transfer of Development Rights:

- K. For tourist accommodation unit (TAU) transfers, the receiving unit may not exceed 1,200 square feet for each sending unit, except that the receiving units may be 1,800 square feet for each sending unit if the units make up less than 20 percent of the floor area of the project.

EXHIBIT D

DRAFT Environmental Impact Statement (DEIS) Mitigation Measures

Full length DEIS can be found at the TRPA website:

<http://www.trpa.org/default.aspx?tabindex=0&tabid=422>

Mitigation Measure 3.3-1:

Phased Release of Allocations / LOS Monitoring / Travel Demand Management. The level of service standard under evaluation for Impact 3.3-1 is oriented toward alleviating congestion during the peak hour of peak travel times in the Region. The Compact directs TRPA to focus transportation improvements on transit investments and enhancements to non-auto modes, rather than new roadway capacity. Therefore, the mitigation measures below seek first to provide additional travel capacity in the form of bicycle, pedestrian, and transit improvements, with an ongoing monitoring program. New roadway improvements beyond those already listed in the RTP, are proposed if other measures are not able to meet community needs during peak travel times. TRPA will develop and implement a program for the phased release of land use allocations in four-year cycles in conjunction with future updates of the Regional Plan and RTP. Two years after each release, monitoring of existing and near-term LOS will occur at intersections and roadways to evaluate compliance with applicable LOS policies. Should LOS projections indicate that applicable LOS goals and policies will not be met, actions will be undertaken through TRPA approved plans, project-permitting, or projects/programs developed in coordination with local or other governments to maintain compliance. Actions may include, but are not limited to the following:

1. TRPA will prioritize, and cause to be implemented, if feasible, enhanced non-motorized and public transportation projects and services to accommodate the additional travel demand.
2. TRPA will modify the land use allocation releases to reduce travel demand.
3. To the extent that roadway capacity expansions do not result in significant, unavoidable environmental impacts, TRPA will investigate and cause to be implemented, if feasible, additional multi-modal corridor improvements (beyond those listed in the RTP project list). The following is an example list of potential candidate improvements based on the identified significant impacts of the RTP/SCS alternatives:
 - US 50 between the South Y and South Stateline – modify US 50 to consist of enhanced access control (e.g., raised median with channelized turn lanes at selected locations, driveway consolidation to limit turning locations on the highway, etc.), to the extent that planned traffic signal coordination does not provide sufficient capacity increases.
 - US 50 between SR 89 and Pioneer Trail – modify US 50 to consist of enhanced access control (e.g., raised median with channelized turn lanes, driveway consolidation, etc.) to increase the capacity of the highway.

Mitigation Measure 3.3-3:

3.3-3: Implement Additional VMT Reduction. Additional mitigation will be required for all alternatives to further reduce VMT to achieve the VMT Threshold Standard. The following percent reductions would be necessary for each alternative:

- Alternative 1: 3.4 percent reduction
- Alternative 2: 1.3 percent reduction
- Alternative 3: 3.0 percent reduction
- Alternative 4: 7.9 percent reduction
- Alternative 5: 10.9 percent reduction

To ensure that the VMT Threshold Standard is achieved, TRPA will develop and implement a program for the phased release of land use allocations followed by monitoring and forecasting of actual roadway traffic counts and VMT. New CFA, TAUs, and residential allocations will be authorized for release by the TRPA Governing Board every four years, beginning with the approval of the Regional Plan. Approval of the release of allocations will be contingent upon demonstrating, through modeling and the use of actual traffic counts, that the VMT Threshold Standard will be maintained over the subsequent four-year period.

EXHIBIT E

Comments from Agencies, Organizations, Businesses and Individuals

Full comment letters can be read at the TRPA website, located at:

<http://www.trpa.org/RPUEISComments/>

Agencies:

CA_ Department of Justice

CA_ State Agencies

CA_ Tahoe Conservancy

City of South Lake Tahoe

Placer County

Organizations:

League to Save Lake Tahoe, Friends of the West Shore, Tahoe Area Sierra Club – Joint Comments

North Lake Tahoe – Chamber_CVB_Resort Association

North Tahoe Business Association

North Tahoe Preservation Alliance/ Mountain Area Preservation Foundation

North Tahoe Citizen Action Alliance

Sustainable Tahoe

Tahoe Chamber

Tahoe City Downtown Association

Businesses:

Edgewood Companies

Edgewood Companies & Heavenly Mountain Resort – Joint Comments

Gary Davis Group

Heavenly Mountain Resort

Kaufman Planning & Consulting

Meyers Station

Sustainable Community Advocates

Individuals:

Anonymous 1

Anonymous 4

Anonymous 12

Anonymous 13

Anonymous 15
Anonymous 16
Anson, C
Backhus, J
Basso, R
Bell, G
Birkholm, S
Bourland, P
Brochard, B
Brown, J
Burnham, W
Carswell, B
Carta, C
CC
Coglizer, D
Cosby, L
Crumpton, C
Daniels, S
Evans, D
Feldman, L
Festa, J
Fraser, T
Friedrich, J
Gearhart, S
Giannini, D
Giese, B
Gimbert, J
Grady, K
Grassi, R
Hollingsworth, T
La Mar, R
Leff, A
Meakin, J
Meakin, L
Montgomery, J
Mullarkey, R
Parrish, V

Perryman, R
Qualls, P
Rago, T
Scheichler, L
Silver, F
Silver, M
Stakenburg, J
Strachan, L
Threlfall, W
Tompkins, N
Tornese, J
Toschi, S
Traxler, G
Truscott, A
Walker, R
Waller, E
Warmack, J
Winters, J