

looking for low impact nature activities. Experiences such as those proposed by Heavenly not only meet this demand but serve to connect visitors with the land in a way that inspires stewardship and a sense of place that is unique. Ultimately memorable nature experiences create a triple bottom line benefiting the environment, the economy and the quality of life for residents by generating tax dollars for infrastructure improvements.

Thank you for the opportunity to comment on this very worthwhile project and express support on behalf of the City of South Lake Tahoe and El Dorado County Project Core Team for the Parks, Trails, and Recreation Master Plan.

Sincerely,



Lauren Thomaselli, Recreation Manager

Comment 7-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

**Comment Letter 8 – Wright, Patrick, California Tahoe Conservancy, 10/27/14**



October 27, 2014

David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
128 Market Street  
Stateline Nevada, 89449

**BOARD MEMBERS**

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*Placer County*

JOHN HOOPER, Vice Chair  
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*El Dorado County*

NANCY J. GIBSON  
*U.S. Forest Service (ex-officio)*

PATRICK WRIGHT  
*Executive Director*

**Comments on Draft EIR/EIS/EIS for the Heavenly Mountain Resort Epic Discovery Project**

Dear Mr. Landry,

Thank you for the opportunity to provide comments on the Heavenly Mountain Resort (HMR) Epic Discovery Project. In general, the Conservancy applauds Heavenly's intent to establish interconnected trails within the Tahoe Basin. However, we share the concerns of the Nevada Division of State Lands (NDSL) and Nevada Division of State Parks (NVSP) that the project could adversely impact the visitor experience and exceed the capacity of the facilities at Van Sickle Bi-State Park (VSBSP). These concerns are outlined below.

**Visitor Experience:**

We are concerned that the project may not be consistent with the purposes and visitor experience for which Van Sickle Bi-State Park was established. As described in the Conservancy Staff Recommendation to provide funding to establish the Park,

"This bi-state park complements the nearby and Conservancy-funded Explore Tahoe Urban Trailhead, affording visitors to the area the opportunity to walk from their hotel rooms to short day outings, long hikes, and cultural elements which showcase both Nevada's and California's heritage. The historic structures located around the proposed day use area add to the park's amenities as the primary features of interest and will be the central draw for interpretive purposes."

The project will likely change the nature and quality of the existing VSBSP experience, particularly on the Connector Trail, from one enjoyed by low-intensity trail users (hikers, equestrians, and mountain bikers) to one which is lift assisted with a use focused on high-intensity downhill access. This impact has not been adequately addressed.

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phone: 530-542-5580 fax: 530-542-5567 e-mail: [info@tahoe.ca.gov](mailto:info@tahoe.ca.gov) web: [www.tahoe.ca.gov](http://www.tahoe.ca.gov)

**Capacity:**

- 3 | VSBSP, its facilities, and its trail systems were not constructed to accommodate the volume of users and impacts potentially generated from lift-assisted mountain bike use. The high volumes of downhill mountain bikers that exceed trail design and purpose, and the increase in trail maintenance, facilities maintenance, and/or the potential need for facility expansion as a result of the proposed project must be evaluated and potentially mitigated.

**User Conflicts:**

- 4 | We are concerned that the project may create significant conflicts among users of the VSBSP trail system. For example, the Nevada trailhead was constructed primarily to serve equestrian users. The potential impacts of user conflicts, user safety and off-trail impacts, such as jumps and user-created trails, should be addressed.

**Parking/Transportation:**

- 5 | Since the VSCT can be used to access the Panorama Trail and other amenities of HMR, it must be assumed that some users will drive to and park in VSBSP to access or end the day at HMR. VSBSP parking lots were intentionally undersized to promote non-vehicular entrance to the park from the largest bed base in the Tahoe Basin. VSBSP contains 14 parking spaces on the California side (including one ADA space) and 32 on the Nevada side (including two ADA and six equestrian trailer spaces). Therefore, the impact of the expected additional demand for parking on VSBSP and its access points, including those at Saddle and Adams Way, and at the Village Center shopping Center, must be assessed.

**State of Nevada Specific Comments**

We want to emphasize the following specific comments from NVSP:

- 6 | • *Page 3.13-25, first paragraph:* "The recreational experience of these trails would be similar to that on hiking and mountain biking trails throughout NFS lands."  
*NVSP/CTC comment:* This may be an inaccurate supposition, as NFS trails generally do not have lift assisted access.
- 7 | • *Page 3.13-26, fourth paragraph:* "With full build out of the proposed activities, the proposed action is anticipated to result in approximately 50,000 new summer visitors to HMR."  
*NVSP/CTC comment:* Will the Panorama Trail be subject to capacity limits similar to other proposed activities? Will adjacent impacted properties/facilities have a role in determining these capacity limits?

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phone: 530-542-5580 fax: 530-542-5567 e-mail: [info@tahoe.ca.gov](mailto:info@tahoe.ca.gov) web: [www.tahoe.ca.gov](http://www.tahoe.ca.gov)



- 8 • *Page 3.13-27, third paragraph:* "This trail (Panorama) would provide an additional access point to the Tahoe Rim Trail and the network of mountain trails surrounding Heavenly's SUP and would create lift access and numerous loop opportunities, thereby increasing use of existing recreational resources." **and** "As a central access point...the improvement of trail resources at HMR would likely have a positive impact on recreation in the area so long as monitoring, maintenance and operations adjust to the additional use."
- NVSP/CTC comment:* Once these trails are open to this type of access/use, it will be very difficult to change that access/use pattern, permissible or otherwise. As they pertain to impacts to VSBSP, mitigation options need to be identified, evaluated and incorporated into the final project design, with the approval of NDSP and the Conservancy.
- 9 • *Page 3.13-28, first paragraph:* "a large volume of local use is anticipated" **and** "The greatest increase is anticipated on the proposed Panorama Trail and existing Van Sickle Connector Trail. This is the most direct route from the top of the Gondola to the base of the Gondola and nearly entirely downhill."
- NVSP/CTC Comment:* The existing Tahoe Rim Connector Trail was never intended to accommodate the volume of users and impacts potentially generated by lift-assisted mountain bike use, which would result from the proposed project.
- 10 • *Page 3.13-28, third paragraph:* "Increased use of the Van Sickle Connector Trail is anticipated as many intermediate to advanced riders in the proposed mountain bike park would likely choose to ride down to Heavenly Village via this trail rather than downloading in the Gondola." **and** "Lift access to the top of the Van Sickle Connector could also attract downhill mountain bikers"
- NVSP/CTC Comment:* The existing Tahoe Rim Connector Trail was never intended to accommodate the volume of users and impacts potentially generated by lift-assisted mountain bike use, which would result from the proposed project.
- 11 *Page 3.13-32, CEQA section.*  
*NDSP/NVSP/CTC Comment:* Revise language to "will result in additional use of the Van Sickle Connector"; "could" does not represent the potential for impact on this section of trail.
- 12 • *Page 3.13-33, NEPA section:* "However, any additional use of the Tahoe Rim Trail and/or Van Sickle Connector Trail resulting from the proposed projects would be consistent with the intended use and management of these trails and is not anticipated to degrade the recreational experience."
- NVSP/CTC Comment:* The existing Tahoe Rim Connector Trail was not intended to accommodate the volume of users and impacts potentially generated by lift-assisted mountain bike use, which would result from the proposed project. Based on the above comments, there may be adverse effects.

- 13 • *Page 3.13-35, CEQA/TRPA Analysis:* "Additionally, the recreational experience on these trails would be monitored and if a reduction in the quality of the experience or degradation of the facility were observed, improvements would be required."
- NVSP/CTC Comment:* As they pertain to impacts to VSBSP, mitigation options need to be identified, evaluated and incorporated into the final project design, with the approval of NDSP and the Conservancy.
- 14 • *Page 3.13-35, CEQA/TRPA Analysis:* "The MP 96 Final EIR/EIS/EIS and MPA 07 Final EIR/EIS/EIS did not identify the needs for new parks or recreational facilities as a result of the MP buildout. Therefore new or expanded park facilities would not be required to serve new direct or indirect population growth for the proposed action of action alternatives."
- NVSP/CTC Comment:* Construction of the proposed Panorama Trail will have an effect on the facilities at Van Sickle Bi-State Park, including restrooms, day use facilities, and parking. Therefore, NDSP and the Conservancy anticipate that new or expanded facilities will be required to serve the expanded use within the park that will occur as a direct result of the proposed project. This need, however, may or may not be related to population growth.

**Other Specific Comments and Questions:**

- 15 • The Heavenly Special Use Permit (SUP) boundary is misrepresented in the document and should only include lands owned by the USDA Forest Service and should not include lands owned by the states of California and Nevada.
- 16 • Does the proposed project and/or mitigation plan include maintenance/other operational needs on affected properties that are not within Heavenly's SUP but will be impacted by these proposed operations?
- 17 • Were alternatives considered without the Panorama Trail or a contained loop trail system within the SUP boundary?
- 18 • Will special events be held as a result of the Epic Discovery Project and the connected trails by Heavenly or another party? If so, how will these events affect VSBSP and its current users? These questions need to be addressed in final project design and environmental effects analysis for this EIR/EIS/EIS.

Thank you for the opportunity to comment on this project. We look forward to participating in the next steps of the Heavenly Mountain Resort Epic Discovery Project.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Patrick Wright', with a long horizontal flourish extending to the right.

Patrick Wright  
Executive Director

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phone: 530-542-5580 fax: 530-542-5567 e-mail: [info@tahoe.ca.gov](mailto:info@tahoe.ca.gov) web: [www.tahoe.ca.gov](http://www.tahoe.ca.gov)

- Comment 8-1 Thank you for taking the time to review our project. Please refer to the following detailed responses and references to identical comments raised by NDSP to the specific comments included in your letter regarding impacts to existing trails and facilities at Van Sickle Bi-State Park.
- Comment 8-2 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-3 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-4 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-5 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-6 Refer to the response to Comment 3-27.
- Comment 8-7 Refer to the response to Comment 3-29 and Master Response 1.
- Comment 8-8 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-9 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-10 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-11 Refer to the response to Comment 3-35 and Master Response 1.
- Comment 8-12 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-13 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-14 Refer to Master Response 1 for a discussion of potential trail conflicts.
- Comment 8-15 Refer to the responses to comments 3-7 and 3-23.
- Comment 8-16 Access for the Epic Discovery Project, including the emergency evacuation route and Panorama trail construction and maintenance would be provided through existing roads located on National Forest Service lands.
- Comment 8-17 Refer to response to comment 3-2 regarding alternatives without the Panorama Trail or contained loop trail system within the SUP boundary.
- Comment 8-18 Special events are not proposed as part of the Project and therefore were not analyzed in the DEIR/EIS/EIS. If special events are proposed in the future, additional review, including an opportunity for public input, will occur at that time and a separate special use permit would be issued for such events.

**Comment Letter 9 – Goforth, Kathleen, United States Environmental Protection Agency, Region IX, 10/28/14**



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105-3901

October 28, 2014

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OCT 31 2014

TAHOE REGIONAL  
PLANNING AGENCY

Mr. Matt Dickinson  
NEPA Contract Coordinator  
Lake Tahoe Basin Management Unit, National Forest Service  
35 College Drive  
South Lake Tahoe, California 96150

Subject: Draft Environmental Impact Statement for the Heavenly Mountain Resort Epic Discovery Project, Lake Tahoe Basin Management Unit, Douglas Nevada & El Dorado and Alpine Counties, California. (CEQ# 20140243)

Dear Mr. Dickinson:

1 The U.S. Environmental Protection Agency has reviewed the Draft Environmental Impact Statement for the Heavenly Mountain Resort Epic Discovery Project, Lake Tahoe Basin Management Unit. Our review is provided pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act.

The project would diversify year-round, non-skiing recreational opportunities at Heavenly Mountain Resort, primarily for summertime users. The project proposes to use primarily preexisting infrastructure, such as a parking garage, ski lifts and guest service facilities, to expand summer activities. The project also calls for tree removal for trails and emergency snow cat evacuation routes for the gondola. We appreciate that the project includes mitigation measures and design features incorporated into the proposed action.

2 The EPA has rated the Preferred Alternative as Lack of Objections-LO (see enclosed "Summary of Rating Definitions"). We support the best management practices and resource protection measures included in the project design. We recommend that the FEIS incorporate additional continued bio-  
3 assessment monitoring of the three existing sites along Heavenly Valley Creek as well as the "control" site on Hidden Valley Creek until an improving trend can be definitively documented, as suggested by the Lahontan Regional Water Quality Control Board, and commit to any necessary mitigation measures needed should the project result in adverse impacts to the streams.

4 We also recommend that the FEIS include an updated annual average daily traffic or AADT volume that includes 2012-2013 data. The roadways analyses in Section 3.7.1.3 of the DEIS rely on 2003 to 2011 data. The effects of the Great Recession from 2008-2011, which adversely affected the local gaming and hospitality industries, may skew the data, thus depicting an AADT that fails to reflect current conditions. (For more information, go to: <http://www.cityofslt.us/DocumentCenter/Home/View/126>.) We note that the appendices include raw data through December 2013 that were not incorporated into the AADT used in the DEIS. By including data from 2012-2013, the Forest Service could more precisely determine roadway congestion and transportation impacts of the project. The findings of an updated AADT could



- 4 also be used to get a clearer picture of current public parking capacity to absorb the projected growth from this project. Given that the purpose stated in the DEIS for this project is to increase summertime activities, e.g. tourism, we recommend that the Forest Service also include in the FEIS an updated Traffic Count study that looks specifically at summertime roadway congestion and transportation impacts to confirm formula results.
- 5 Thank you for the opportunity to review this DEIS. We appreciate the Forest Service's coordination with us via phone calls during our review. When the FEIS is released, please send one hard copy and one CD to the address above (mail code: ENF-4-2). If you have any questions, please contact me at (415) 972-3521, or have your staff contact James Munson, the lead reviewer for this project. Mr. Munson can be reached at (415) 972-3852 or Munson.James@epa.gov.

Sincerely,

  
*For* Kathleen Martyn Goforth, Manager  
Environmental Review Section

Enclosure: Summary of the EPA Rating System

Cc: California Regional Water Quality Control Board, Lahontan Region  
Tahoe Regional Planning Agency

### SUMMARY OF EPA RATING DEFINITIONS\*

This rating system was developed as a means to summarize the U.S. Environmental Protection Agency's (EPA) level of concern with a proposed action. The ratings are a combination of alphabetical categories for evaluation of the environmental impacts of the proposal and numerical categories for evaluation of the adequacy of the Environmental Impact Statement (EIS).

#### ENVIRONMENTAL IMPACT OF THE ACTION

##### *"LO" (Lack of Objections)*

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

##### *"EC" (Environmental Concerns)*

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

##### *"EO" (Environmental Objections)*

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

##### *"EU" (Environmentally Unsatisfactory)*

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

#### ADEQUACY OF THE IMPACT STATEMENT

##### *Category "1" (Adequate)*

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

##### *Category "2" (Insufficient Information)*

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

##### *Category "3" (Inadequate)*

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640, Policy and Procedures for the Review of Federal Actions Impacting the Environment.

- Comment 9-1      The EPA summarizes components and benefits of the Project and states the United States EPA has had the opportunity to review the DEIR/EIS/EIS and comment. This is not a comment on the content or adequacy of the DEIR/EIS/EIS. This information is passed on to the Project proponent and decision makers for consideration.
- Comment 9-2      The comment states the EPA has rated the Preferred Alternative as Lack of Objections and the EPA supports the best management practices and resource protection measures included in the project design. This rating indicates the EPA has not identified impacts requiring substantive changes. This information is passed on to the Project proponent and decision makers for consideration.
- Comment 9-3      As required by the existing Waste Discharge Requirements issued by the Lahontan Board, bio-assessment monitoring will continue within Heavenly Valley and Hidden Valley Creeks to assess the effectiveness of sediment reduction measures required as part of the Heavenly Master Plan implementation.
- Comment 9-4      Refer to Master Response 2 for additional discussion of the transportation impact analysis.
- Comment 9-5      This comment provides contact information for the commenter. This is not a comment on the content or adequacy of the DEIR/EIS/EIS. This information is passed on to the Project proponent and decision makers for consideration.

## **7.4 RESPONSES TO STAKEHOLDER COMMENTS**

Three letters were received from stakeholders:

10. Bennington, Mary, Tahoe Rim Trail Association, 10/20/14
11. Fish, Ben, Tahoe Area Mountain Biking Association, 10/27/14
12. Ames, Laurel, Tahoe Area Sierra Club, 11/2/14

**Comment Letter 10 – Bennington, Mary, Tahoe Rim Trail Association, 10/20/14**



**TAHOE RIM TRAIL**  
HIKING, MOUNTAIN BIKING, HORSEBACK RIDING  
ASSOCIATION

*"a trail like no other"*

David Landry  
TRPA Senior Planner  
Tahoe Regional Planning Agency  
128 Market Street  
PO Box 5310  
Stateline, NV 89449-5310

Dear David Landry:

- 1 The Board of Directors (Board) of the Tahoe Rim Trail Association (TRTA) has reviewed the Draft Environmental Impact Statement for the Heavenly Epic Discovery Project and wish to take this opportunity to provide comments. The following comments are focused on recreational aspects in the EIS and more specifically how this proposed project will impact the Tahoe Rim Trail (TRT) and its connecting system trails.
- 2 The Board would first like to express their support for rerouting the Tahoe Rim Trail off Mott Canyon Road. Currently this section of trail is a low point for many trail users. The TRTA office frequently fields calls from trail users complaining about traveling on this dirt road, getting lost in the area, and the steep grades. Rerouting the Tahoe Rim Trail off of Mott Canyon Road will improve trail user experience for all trail users.
- 3 The Board would like to see the EIS reflect that if the Panorama Trail is routed onto the TRT and around Mott Canyon Road the language and maps are clear that that new section of trail is the Tahoe Rim Trail and not the Panorama Trail and would therefore be built to TRT standards. See attached map for clarification on our concerns. The current draft implies that 1,100ft of the TRT will be replaced with the Panorama Trail.
- 4 Secondly, the Tahoe Rim Trail Association has already seen a significant increase in use on the Tahoe Rim Trail and its connecting trails this year. While the draft EIS states that if impacts on user experience and existing trails are experienced, mitigation steps will be taken to restore and/or maintain a high quality recreational experience. The Board feels it is not a question of 'if'. These trails will be heavily impacted, user conflicts will significantly increase, and there will be an incredible burden placed on the

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OCT 20 2014

TAHOE REGIONAL  
PLANNING AGENCY





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- 4 USFS and local nonprofits to mitigate these impacts on trails outside of the Heavenly project borders e.g. Star Lake. While the Board generally supports the Epic Discovery project and the concept of increasing summer recreational opportunities in the Tahoe Basin, we would like to see a more clearly defined plan for shared responsibility for costs associated with maintaining and reconstructing sections of the TRT and its connecting trails most heavily impacted by this project.

Thank you for the opportunity to provide comments. If you require any further information from the Tahoe Rim Trail Association please do not hesitate to contact me at [maryb@tahoerimtrail.org](mailto:maryb@tahoerimtrail.org) or by phone at 775-298-4486.

Sincerely,

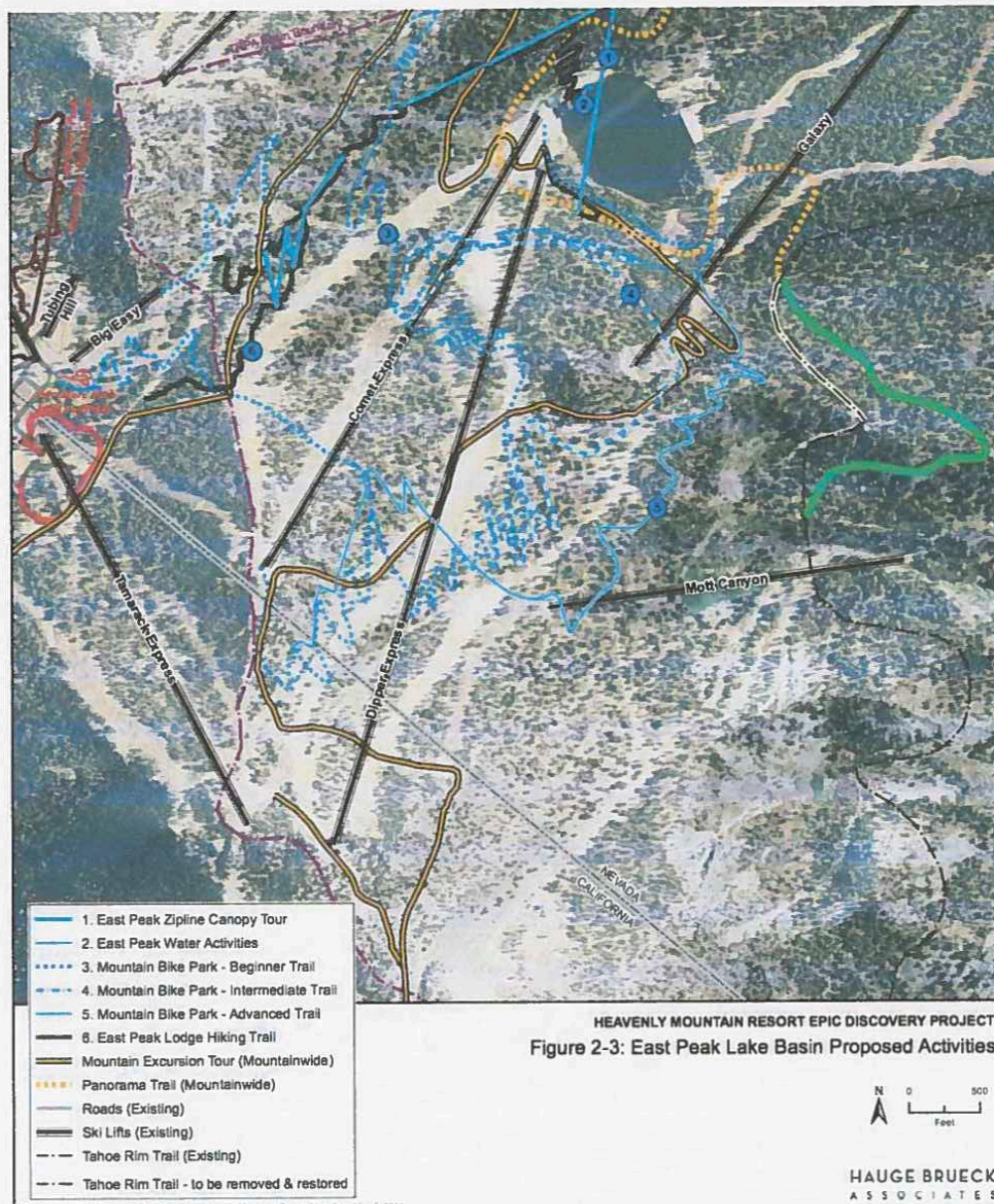
Mary Bennington  
Executive Director  
Tahoe Rim Trail Association

Enclosure

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The TRTA Board recommends the revision of Panorama Trail distances and maps within the draft EIS to reflect that any part of the Tahoe Rim Trail (TRT) that is rerouted to avoid the Mott Canyon Road will be the TRT and not Panorama Trail and therefore be managed in a manner consistent with the TRT Management Plan and TMOs. The TRT recommends including another item in the map key for 'rerouted section of the Tahoe Rim Trail'. The section in question is highlighted above in green.

- Comment 10-1      This comment provides an introduction to the comment letter. Please refer to the following responses to comments.
- Comment 10-2      The comment expresses support for rerouting the Tahoe Rim Trail off Mott Canyon Road. The USFS and Heavenly Mountain Resort acknowledge that the rerouted segment will be the Tahoe Rim Trail, and not the Panorama Trail, and will be managed by the Tahoe Rim Trail Association, with Heavenly's support.
- Comment 10-3      The description of the changes proposed to the TRT under the Epic Discovery Project has been revised to clarify that the trail realignment near the Galaxy and Mott Canyon lifts will be considered the TRT and built to TRT standards.
- Comment 10-4      Refer to Master Response 1 for a discussion of potential trail conflicts.



**Comment Letter 11 – Fish, Ben, Tahoe Area Mountain Biking Association,  
10/27/14**

October 27, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

Dear Mr. Landry:

HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT EIR/EIS/EIS COMMENTS

- 1 The Tahoe Area Mountain Biking Association (TAMBA) supports Heavenly Mountain Resort's proposed Epic Discovery project and specifically the mountain bike trail connectors and bike park. We agree with the stated Purpose & Need for the proposed project. We have reviewed the Draft EIR/EIS/EIS and agree with the conclusions reached in the document.

The project will make the best use of existing on mountain infrastructure within the existing footprint of the resort for the greater good of the public. As a volunteer organization that advocates for more and better recreation based around mountain biking we have heard the overwhelming support from our members for this project.

Many TAMBA members will travel to Tahoe specifically to help build and ride trails, this offers them a unique experience to engage with the Forest not offered in many other places. The Epic Discovery Project will allow easier access to a greater number of people in a mountain environment. What we've seen is that the more people who are engaged in the forest breeds new stewardship. This connects people to the land and in turn protects the natural resources.

We have seen a steady increase of recreation based visitors to Tahoe including more families looking for high caliber outdoor activities. TAMBA believes this project will help satisfy the demand. The project will be a benefit to both visitors and residents of our community. It is consistent with the goals of the Forest Service, TRPA's Regional Plan Update and the local area plans by providing high quality public outdoor recreation.

A few specific comments TAMBA has on the plan include:

- 2     ▪ Creation of the Panorama Trail should be a top priority. The trail will provide much needed connections to the Rim Trail at Mott Canyon (rerouting the steep dirt road that exists there now) to Monument Pass and Heavenly. The lake side connection of the Panorama Trail will provide another much needed connection to the City of South Lake Tahoe and the bed base at Stateline connecting into the existing Van Sickle Trail. Currently Heavenly is a black hole for public trails, void of multi-use trails and this public connection is greatly needed. It will connect the town to the mountains better.
- 3     ▪ The approval of events, such as races and festivals, should be included in the approval of the project. The USFS should include mountain bike events in the NEPA process for approval.

- 4 | ▪ The bike park should be considered for future expansion with popularity, eventually even to the base areas of Stagecoach and/or California Base Lodge.

- 5 | Not only will the project provide environmental benefits, but it will be a huge boost to the local economy and provide more year round jobs. Heavenly has a proven track record of providing high quality public recreation and environmental protection; this project could not be in better hands to be implemented.

Thank you for taking our comments into consideration and allowing TAMBA to share our thoughts on this very existing project. Please share our input with all other approval agencies.

Sincerely,

Ben Fish  
President, Tahoe Area Mountain Biking Association (TAMBA)

PO Box 13712  
South Lake Tahoe, CA 96151  
Email: [president@mountainbiketahoe.org](mailto:president@mountainbiketahoe.org)

- Comment 11-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.
- Comment 11-2      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.
- Comment 11-3      Special events are not proposed.. If special events are proposed in the future, additional review will occur at that time and a separate special use permit would be issued for such events.
- Comment 11-4      The commenter expresses an opinion on an action outside of what is proposed for the Project. This is not a comment on the content or adequacy of the DEIR/EIS. This information is passed on to the Project proponent and decision makers for consideration. No further response to this comment in relation to the DEIR/EIS is warranted.
- Comment 11-5      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



## Comment Letter 12 – Ames, Laurel, Tahoe Area Sierra Club, 11/2/14



Tahoe Regional Planning Agency  
128 Market Street  
Stateline, NV 89449

Dear Mr. David Landry,  
Re: Heavenly Mountain Resort Valley Epic Discovery Project

Please accept The Tahoe Area Sierra Club comments regarding the Epic Discovery Project.

- 1        This document appears to be premature, due to the lack of studies and reports to support  
2        mitigation measures. The failure to provide for summertime traffic and transit solutions and the  
3        failure to adequately protect the white bark pine habitat and yellow legged frog habitat precludes  
4        the decision to publish the final EIR.
- 4        We are particularly concerned with the discussion of traffic issues in the wintertime and  
      the failure to discuss in any detail the summer vehicle trips, parking issues and air quality  
      impacts at the Heavenly Village Gondola. The executive summary states that all access will be  
      from the Heavenly village Gondola and no access from the main lodge. HMR is projecting  
      110,000 visitors for the summer, all arriving and departing from this one point. That includes 550  
      visitors a day and 1000 on a peak day. Table 3.7-7. The Traffic and transportation section is  
      focused disproportionately on the Ski Run Blvd and Main Lodge areas. A reference to transit to  
      and from the Heavenly Village are voiced in the conditional and offers no mitigation or  
      commitment to alleviate new summer traffic generated by the Epic Discovery project. We  
      recommend that Heavenly commits to operating a summer shuttle to offset the increased  
      visitation. We also recommend prior to release of the final that the transportation section focuses  
      only on the summer months. It is inappropriate to include the numerous paragraphs on winter  
      transportation.
- 5        We strongly support increased recreational opportunities at Heavenly, especially those  
      that are related to the natural environment of the Tahoe Basin. Hiking, mountain biking and rope  
      courses are all physical activities that are appropriate for the site. The Forest Flyer Coaster and  
      the Sky Basin coaster are more appropriate for an amusement park and intrude on the eco-  
      system. The large metal rails, the 20 foot height and the 20-25 foot wide swath under the tracks  
      do not provide the natural recreational mountain experience. This is like a roller coaster, which  
      is not permitted on forest service land. In addition, the coasters are a direct example of a  
      recreational facility that is out of place and “do not reflect their place within the natural and  
      cultural landscape.” [ Forest Service Built Environment Image Guide ] We recommend  
      eliminating the coasters as they are inappropriate for a mountain recreation facility. We also  
      recommend the removal of the mock forest look-out and the four wheel drive tours. A real look-  
      out is already accessible by car on Angora Ridge Road.
- 6        We are concerned about the Scenic impacts of any construction on the ridge which will  
      be seen from Lake Tahoe and other natural and hiking areas including Freel Peak.  
      We request that the scenic element section be revised to include a more robust discussion.

- 7 We are also concerned about any impacts on the White Bark Pine. Due to its fragile nature and the findings from the Fish and Wildlife Service even a 1% impact at this point could trigger a rapid decline. We recommend no White Bark Pine Trees should be removed.
- Thank you for the opportunity to comment on the important document. If you have any questions, please feel free to contact me. We look forward to participating in any further discussions.

Laurel Ames  
Tahoe Area Sierra Club  
Conservation Committee  
530-541-5752

- Comment 12-1 This comment expresses an opinion on the DEIR/EIS/EIS and a general statement regarding studies and reports to support the analysis and mitigation measures. The comment does not indicate which studies or reports are missing and no further response can be made. No further response to this comment in relation to the DEIR/EIS/EIS is warranted. Please refer to the following responses to this comment letter.
- Comment 12-2 Refer to Master Response 2 for additional discussion of the transportation analysis.
- Comment 12-3 Potential impacts to Sierra Nevada yellow-legged frog are discussed in DEIR/EIS/EIS Impact BIO-1. A total of three surveys have been performed resulting in no detections for the species. No direct impacts to the meadow or stream habitat will occur as a result of the proposed project. An additional survey will be required prior to project implementation to successfully meet protocol. Additional language was added to DEIR/EIS/EIS Mitigation Measure BIO-1 to require the removal of an activity should it result in significant and unavoidable impacts: “If it is determined that protection measures cannot be implemented to reduce impacts to the species, each activity proposed in the delineated habitat area that will result in new disturbance and human interaction will be eliminated from the Project (e.g., Sky Basin Coaster, Sky Meadows Challenge Course, East Peak Lake Dock).”

DEIR/EIS/EIS Impact VEG-3 outlines impacts to whitebark pine. As noted in the analysis, direct and indirect effects to whitebark pine will occur as a result of Epic Discovery Project implementation. These effects are considered less than significant because: a) The scale of direct effects is relatively small (14.84 acres in Proposed Action and Alternative 2; 16.64 acres in Alternative 1) compared to the extent of whitebark pine within the analysis area (3,737 acres) and the Lake Tahoe Basin (less than 1% acreage removal of both mixed and whitebark pine dominant stands); b) the indirect effects are relatively low (e.g. increased chances of wildfire and expansion of diseases); and c) the proposed activities will not result in the increase of the threat factors to whitebark pine. Adverse effects will result to the population of whitebark pine through the direct removal of 14.84 acres (Proposed Action and Alternative 2)

and 16.64 acres (Alternative 1). Cumulatively, these effects are not expected to result in a loss of species viability or accelerate federal listing.

- Comment 12-4 Refer to Master Response 2 for additional discussion of the transportation impact analysis. Air quality impacts resulting from Project operations are addressed in Chapter 3.5. Table 3.5-16 in Section 3.5-5.7 presents operation assumptions based on the operation season and the traffic analysis provided in Chapter 3.7, Section 3.7.4.1, including daily employee and visitor trips, VMT, vehicle speeds, the number of days and hours of operation, travel distance, anticipated number of vehicle, among other factors. Please note that the analysis is based on 1000 visitors per day on a peak day, as shown in Table 3.5-16. Using these assumptions, the analysis in Section 3.5-5.8 and Tables 3.5-17 and 3.5-18 identify project daily operation emissions as less than significant. Long-term annual operation impacts on air quality are less than significant as discussed in Section 3.5-5.9 and in Tables 3.5-19 and 3.5-20.
- Comment 12-5 In November 2011, the Ski Area Recreational Opportunity Enhancement Act (SAROE) was signed into law. The SAROE provides authority for the Forest Service to approve facilities and activities within ski area SUP boundaries to support summer and year-round natural resource-based recreation, in addition to snow sports, which were authorized by previous laws. On April 17, 2014, the Forest Service released its Final Directives for Additional Seasonal and Year-Round Recreation Activities at Ski Areas. Forest Service Manual (FSM) 2343.14 includes final direction and criteria to help authorized officers determine whether proposals for these activities are consistent with SAROE and the Final Directives. FSM 2343.14(1) includes criteria for evaluating additional seasonal and year-round recreation activities and associated facilities that may be authorized at ski areas. All proposed projects and activities have been screened against criteria at FSM 2343.14, and the screen is included in the DEIS and FEIS Appendix 3.13-A. The coasters, OHV tours and observation tower were determined to be appropriate for NFS lands within Heavenly's SUP area, given (among other things) their specific locations and designs. The presence of a lookout tower on Angora Ridge Road near Fallen Leaf Lake, or elsewhere in the Lake Tahoe Basin, does not preclude the inclusion of an observation tower in the Project under FSM 2343.14. The proposed observation tower will support project objectives for interpretive education.
- Comment 12-6 Visual impacts, including offsite impacts, are addressed in Chapter 3.10 of the DEIR/EIS/EIS. A viewshed analysis was conducted to determine potential offsite visibility. Figures 3.10-2 through 3.10-4 (pages 3.10-3 through 3.10-5) illustrate potential visibility of proposed facilities. As shown in the figures some of the proposed facilities may be visible from the lake, the South Tahoe area, and from different locations on the mountain. The impact analysis on pages 3.10-13 through 3.10-34 find that no significant impact would occur. Although some visibility would occur, distance and intervening topography and trees reduce the visibility to a less than significant level. As shown in the viewshed analysis and impact analysis, the discussion includes impacts on views from the lake, the Tahoe Rim Trail, and urban and natural areas within the greater project area. Since the comment expresses concern over visual impacts, but does not indicate where the analysis is inadequate or incorrect, no further response can be made.
- Comment 12-7 Refer to response to comment 12-3.

## 7.5 RESPONSES TO PUBLIC COMMENTS

Forty-five letters were received from the public:

13. Thomas, Ralph, 8/28/14
14. von Hurwitz, Lon, 9/5/14
15. Ribaud, Carl, SMG, 9/17/14
16. Humphries, Phil, 9/23/14
17. Waller, Ellie, 9/24/14
18. O Bray, Perry, 9/26/14
19. Tevlin, Sean, 9/26/14
20. Garrison, Dan, Resorts West, 10/7/14
21. Lake Tahoe Visitors Authority, Tahoe South, 10/9/14
22. Koster, John, Harrah's/Harveys Lake Tahoe, 10/10/14
23. Murillo, Kindred, Lake Tahoe Community College District, 10/13/14
24. Ronan, Patrick, Tahoe Lakeshore Lodge and Spa, 10/13/14
25. Tahoe Douglas Visitors Authority, 10/14/14
26. Hollingsworth, Tamara, Tahoe Chamber of Commerce, 10/14/14
27. Steinbach, John, Lake Tahoe Resort Hotel, 10/14/14
28. Anderson, Robert, Fromarc Insurance Agency Inc., 10/15/14
29. Slack, Sam, Resorts West, 10/16/14
30. Ditchkus, Stephen, Montbleu Resort Casino and Spa, 10/17/14
31. Purvance, Clinton, Barton Health, 10/17/14
32. Atherton, Patrick, Tahoe Chamber of Commerce, 10/18/14
33. Noll, Steve, Design Workshop, 10/21/14
34. Cardoza, Dustin, 10/22/14
35. Chirdon, Lindsay, 10/22/14
36. Colburn, Justin, 10/22/14
37. Greenman, Chris, 10/22/14
38. Hood, Chris, 10/22/14
39. Juha, Hani, 10/22/14
40. Lamb, Jonathan, 10/22/14
41. Poth, Todd, Getaway Reno/Tahoe, 10/22/14
42. Press, David, 10/22/14
43. Scharer, Chuck, Edgewood Companies, 10/22/14
44. Calderwood, Marius, 10/23/14
45. Choi, Cindi, 10/23/14
46. Welch, Martha, 10/23/14
47. Carroll, Sean, 10/24/14
48. Fong, Curtis, TGFT Productions/Bike the West, 10/25/14
49. Galles, Ryan, Sierra House Elementary, 10/26/14
50. Hassett, Bob, Camp Richardson, 10/26/14
51. Cefalu, John, 10/27/14
52. Lowe, Brian, 10/27/14
53. Sidney, Ray, 10/27/14
54. Tanaka, Randy, 10/27/14
55. Warlow, Jim and Kim, The Cork and More, 10/27/14
56. Woodward, Todd, 10/27/14
57. Wetter, Matt, 10/28/14

## Comment Letter 13 – Thomas, Ralph, 8/28/14

**From:** [Terri or Ralph Thomas](#)  
**To:** [David Landry](#)  
**Subject:** Heavenly plan  
**Date:** Thursday, August 28, 2014 1:19:43 PM

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- 1 | Heavenly is a major asset to the Lake Tahoe Basin/South shore. They are excellent partners and VRI always has the environment in their best interest. Approve what they purpose.  
Ralph Thomas ; Vail Resorts skier since 1980

Comment 13-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



## Comment Letter 14 – von Hurwitz, Lon, 9/5/14

From: **David Landry** dlandry@trpa.org  
Subject: RE: Photo of Heavenly Construction Vehicles - Upper Keller Road/Sherman Way  
Date: September 22, 2014 at 10:35 AM  
To: Lon Vonhurwitz lvonhurwitz@gmail.com, Myrna Murdoch mynamurdoch@gmail.com  
Cc: Carol George mindfulnesstoday@yahoo.com, Frank Bonoff Frank.Bonoff@gmail.com, Terrea von Hurwitz bbbterri@gmail.com, Nina@citylightssf.com nina@citylightssf.com, djovovich@sbcglobal.net, ljovovich@comcast.net, Bob citybob767@aol.com, Steve Sweet ssweet@trpa.org, Frank Papandrea (FPapandrea@vailresorts.com) FPapandrea@vailresorts.com, Judy Finn (jfinn@cityofsl.us) jfinn@cityofsl.us

DL

Good Morning Lon,

Thank you for your recent letter concerning your complaint about Upper Keller Road. Just to keep you informed, I am a Senior Planner here at TRPA currently working on the Heavenly Epic Discovery EIR/EIS/EIS. This is a joint project by the Tahoe Regional Planning Agency (TRPA), the Lake Tahoe Basin Management Unit (LTBMU) and the California Regional Water Quality Control Board, Lahontan Region (LWQCB) for summer day use activities on the mountain. We are currently study the potential environmental effects of the project and are within our 60 day comment period. I will take these comments and although not seemingly directly related to the Heavenly Epic Discovery project will add them to our public comments for the document to possibly be addressed in the final draft EIR/EIS/EIS. I will also forward these comments to Steve Sweet or Code Compliance Program Manager and Judy Finn City of South Lake Tahoe Planning Department, Frank G. Papandrea Heavenly Mountain Environmental Manager to see if there might be a remedy. I am asking them through this email to contact you directly along with Rob Brueck our consultant who is writing the Epic Discovery Environmental Document to determine if this should be addressed in EIR/EIS/EIS. If you have not heard from them within a week or so please contact again and I will follow up. Let me know if I can do anything further in the meantime.

Best Regards,

David L. Landry AICP, CPTED-CPD, LEED Green Associate  
Senior Planner  
Planning Department

T: 775.589.5214  
F: 775.588.4547  
E: dlandry@trpa.org

PLEASE NOTE: The TRPA front counter is open M, W, Th, F 9am - 12pm/1pm - 4pm, Closed Tuesday. New Applications are accepted until 3pm.

-----Original Message-----

From: Lon Vonhurwitz [mailto:lvonhurwitz@gmail.com] fr  
Sent: Saturday, September 20, 2014 9:40 AM  
To: Myrna Murdoch  
Cc: David Landry; Carol George; Frank Bonoff; Terrea von Hurwitz; Nina@citylightssf.com; djovovich@sbcglobal.net; ljovovich@comcast.net; Bob  
Subject: Re: Photo of Heavenly Construction Vehicles - Upper Keller Road/Sherman Way

Yes. We have TRPA to be allied Thanks for your appreciation. At this point I am confused and frustrated that we have not heard back from a single one if the unknown neighbors. Perhaps I misaddressed those. Won't know till u get Back to US A

Lon G. von Hurwitz  
President and Chief Executive  
World Health Networks, Inc.  
+1646 330 1289 mobile

On Sep 20, 2014, at 5:58 PM, Myrna Murdoch <mynamurdoch@gmail.com> wrote:

Dear Lon,  
I am very grateful to you for your wonderful letters written on our behalf as I don't have the knowledge of weights of vehicles or other facts to compose anything comparable.  
I do know however that it takes a great deal of time and effort and I thank you.  
Your mention of the 10,000 pound vehicle reminded me of a comment a tractor driver for SW Gas told me yesterday. I flagged him down as I was so upset that my lawn and sprinklers were broken due to the digging up of the gas line. The cat wheels were about my height, 5 feet, and I said why can't he drive his tractor on the Heavenly road commonly referred to as the "cat track", as he had passed my house about 36 times getting a load of sand or gravel to put on the road below my house. Derrick said "because it would destroy the road in no time".  
And I said just like you are doing to ours! I took a picture of his tractor and license plate. His supervisor came at Derrick's request and spent the next 4 hours fixing my lawn and sprinklers with another worker.

the next I heard using my term and printers that another person

While the only relevant part of my story is the awareness of the tractor driver's impact of his vehicle on our road, it makes me concerned about retaliation from Heavenly towards us.

We are interfering with their plans to make big bucks with the least amount of cost. There is no reason Heavenly cannot confine all their vehicles to their own road. It would just take their money to maintain it.

Is there any way we can hook in the TRPA and the fact that Heavenly is Forest Land, Federal, to file a complaint in Federal Court?

I'm not an attorney but it seems that would create leverage on Heavenly.

Any ideas?

The movement of sacred Washoe flora and fauna?

Something?

Aloha,  
Myrna

Sent from my iPhone

On Sep 20, 2014, at 2:28 AM, Lon vonHurwitz <lvonhurwitz@gmail.com> wrote:

Dear Sir:

Per my earlier email, please find attached a representative photo of construction commercial traffic using our streets for access to their mountain tracks just yesterday. We have dozens of other photos just like this one.

We contend that these vehicles exceed the IGWV for use by our streets and this is a major cause of the deterioration that we have. The City nor Heavenly are maintaining this street and we have an environmental disaster from every point of view. We must ask the TRPA to now intervene and help us especially considering the new Eclipse project being considered.

Thank you.

--

Lon von Hurwitz  
646.330.1289 mobile  
<photo traffic 9-19-14.jpg>

### Meeting Minutes and Action Steps

#### **Petition to the City of South Lake Tahoe by the Property Owners of Upper Keller Road and Sherman Way on Right of Way and Road Maintenance Issues**

Date and Location: September 5, 2014 at the City Offices

Attendees:

Mr. Lon G. and Mrs. Terrea R. von Hurwitz – representing the Property Owners

Mr. Tom Davis – City Council Member

Ms. Nancy Kerry – City Manager

Mr. Ray Jarvis - Public Works Director

Mr. Jim Marino - Assistant Director of Public Works

Representative of Heavenly substituting for Mr. Andrew Strain (who it was stated was unable to attend without further explanation)

1

(It should be noted that prior to the meeting, Mr. Jarvis, who organized the conference, was informed that many of the property owners would be remote and teleconferencing to the meeting at the 2pm scheduled commencement time. However, the meeting began at 2:20pm due to the City Manager's previous meeting "running overtime" without any further explanation. This resulted in the other Keller Road and Sherman Road property owners who had scheduled their time to be on the call, to have dropped off the conference bridge assuming a meeting cancellation.)

- I. At the beginning of the meeting, Mr von Hurwitz presented documentation that the City had neglected its written commitments from Mr. Marino from November 3, 2011 on the issue of the maintenance and use of Upper Keller Road questions, quoting his email as follows:
  - Mr. Marino said he researched the subdivision maps and concluded that Heavenly does have access via a City right of way to a 50' wide road and utility easement (start of access road off of Sherman Way.)
  - Mr. Marino said he contacted Mr Andrew Strain/Heavenly to set up a meeting. Mr Strain was going out of town. Said he would re-schedule.
  - Further explaining several issues he states:
    - ⇒ Keller Rd from Saddle to Sherman is residentially zoned
    - ⇒ Keller Rd from Pioneer to Saddle is urban collector
    - ⇒ "Unsure if upper Keller is sufficient for heavy vehicle use"
    - ⇒ Amount and type of traffic has to be quantified in order to assess the impact
  - Mr. Marino's specific action plan:

1



1. Meet with Andrew Strain at Heavenly to discuss concerns
2. In the Summer of 2012 install vehicle count devices on Keller and on access road to quantify use
3. Determine possible impact and discuss impact internally w/ senior staff
4. Develop a plan with Heavenly to Mitigate impact

In the thirty-four months since Mr. Marino's communication and leading up to this September 5, 2014 meeting, not a single one of these steps have been acted upon or documented by Mr Marino or the City.

**Action Required: The City is requested to immediately produce any and all agreements and/or permits with Heavenly, whether recorded or unrecorded, regarding the use of Keller Road and Sherman Way specifically, including any fees that are or were in the past conveyed by Heavenly to the City of South Lake Tahoe for easement or right-of-way to utilize these roads.**

The Heavenly representative stated that the Keller Road/Sherman Way road is indeed the only California access that Heavenly has to gain entrance to the USFS land at the end of Sherman Way for their resort maintenance and building projects. He further acknowledged that a minimum of approximately 20 vehicles per day of various sizes and weights utilize the access round trip (i.e. minimum 40 round trip uses). He said traffic starts as early as 7:30 am, operating seven days per week during the May-October maintenance and building 'season.' Mr. and Mrs. Von Hurwitz disputed the Heavenly traffic morning start time, the 'season' months and the number of vehicle trips as being well understated, as well as that many of the vehicles observed, exceeded GVW for a residential street. They also related that while the Heavenly vehicle traffic is consistently high, that the road traffic each year varied and sometimes was even more heavily used depending on what project Heavenly had in development.

**Action Required: Heavenly is requested to immediately present a log of their vehicles, types and weights utilizing Upper Keller Road/Sherman Way for the last five years, including those vehicles contracted by them (e.g. vendors, suppliers and subcontractors) to determine whether the residentially zoned road infrastructure is overburdened by the unintended use of commercial business and construction traffic produced by a Heavenly right-of-way.**

It was conceded by Mr. Marino that The City of South Lake Tahoe has failed to maintain the Upper Keller Road or Sherman Way roads to any adequate engineering, environmental or safety standards. Specifically, he stated that on an industry-accepted convention for a usefulness rating system, with 35 being the lowest score for an adequate residential roadway condition, Upper Keller and Sherman Way are rated at 33. Attribution for this rating was not stated. Further that in his professional opinion, the only long-term solution is for these roads to be completely demolished with new sub-base, base,

drainage and roadway brought to current standards and then maintained on a regular basis including a new re-surface paving program on a five year cycle. He believes that such a project initially would cost approximately \$780k based on the estimates he has received.

**Action Required: The City is requested to immediately provide a copy of the referenced roadway condition report and any preliminary estimates or bids for the reconstruction of the roads.**

- II. The City was presented with a document "Petition to the City of South Lake Tahoe, California By the Property Owners – Upper Keller-Sherman Roads September 5, 2014, (an electronic copy of which is also being sent.) The document was given a cursory review during the meeting and comments from Mr. Davis and others indicated that at first reading there might be some worthwhile suggestions made.

By way of explanation to the Property Owners for the current status, Ms. Kerry stated that the City was unable to properly maintain the Upper Keller Road and Sherman Way due to budgetary constraints, therefore allowing the streets to deteriorate to such as state as to be a public safety and environmental hazard was unfortunate, but without an immediate remedy.

Seeking to find a solution for the City budgetary crisis, Mr. von Hurwitz inquired about a special Assessment District that could be constituted encompassing Upper Keller Road/Sherman Way for the purposes of constructing a new road. Ms. Kerry stated that in fact the City had instituted such a District for other parts of the municipality, albeit they are all or mostly commercial and not residential in nature. She suggested that the participants contributing to this new entity would be the City, Heavenly, Utility Companies, USFS (as a one-time grant) and the residents. The constitution of such an entity would require on-going maintenance not just a one-time road reconstruction.

III. Agreed Next Steps and Timing

1. The City and Heavenly shall study the Petition submitted by the Property Owners and identify those actions that can be put into effect immediately and those that will be under advisement. They will present a plan in writing to the Property Owners no later than September 26, 2014.
2. Exploration of a special assessment district for Upper Keller Road and Sherman Way. The City will provide the Property Owners with access to the offices of the City Attorney for purposes of understanding the legal issues and property owner's rights involved with establishing such a District.
3. The City asked that the Property Owners involved in this petition be identified. Mr. von Hurwitz will provide the Coalition statement.





**Petition to the City of South Lake Tahoe, California  
By the Property Owners – Upper Keller-Sherman Roads  
September 5, 2014**

**Title and Short Description: The Keller-Sherman Access Road**

**Location and Zoning:** Upper Keller Road extending above Saddle Road, at the California Base Lodge Heavenly parking lot entrance, through and including all of Sherman Way, are currently residentially zoned roads. The city has stated “the subdivision maps conclude that Heavenly does have access via the city right-of-way to a 50’ wide road and utility easement (start of access road off of Sherman Way)”. This city easement permits a business, Heavenly Ski Resort (and by inference its owner, Vail Resorts, Inc.,) access rights to use the Keller-Sherman Access Road for commercial rated and service vehicles. The City of South Lake Tahoe and the Vail Resorts, Inc., have not maintained the roadway nor the easement in repair as required by **California AB -197 Easements: Maintenance: Arbitration 2012**, thereby leaving the road in an extremely unsafe and neglected condition.

**Roadway Design:** A single lane each way, residential street with no adjacent sidewalks or bicycle paths. Typically in residential areas the pavement is not as thick as in commercial areas. For example, many/most California cities have road asphalt 4” thick in residential streets and 6” thick in business streets. This is on top of the base and sub-base. A visual observation of Keller Road is that it is probably about 3” of asphalt on the graded natural soil. Without knowing the road construction specifications for the City of South Lake Tahoe, this appears to be less than minimal and might have been originally paved by the developer.

**Purpose:** The Keller-Sherman Access Road Residents and taxpayers claim easement abutter’s rights and propose the immediate elimination of the current Easement and Right-of-Way granted by the City of South Lake Tahoe to the Vail Ski Company unless the environmental and residential impact issues are abated.

**The residents and taxpayers of the Keller-Sherman access roads request the preparation of an Environmental Impact Report pursuant to the California Environmental Quality Act (Division 13 of the Public Resources Code of the State of California).**

**Preliminary Impact Statement:**

**Geology, Soils and Water Resources**

1. Settlement of the Keller-Sherman access road has caused uneven surfaces or cracking exposing any underlying base and sub-base layers and resulting in increased water infiltration and damage to drainage.
2. Slope failure of the soil has resulted in injury or damage to adjacent “terraced” Keller-Sherman access road residences, driveways, retaining walls, road and equipment.

3. Seismically induced ground shaking from commercial vehicles on Keller-Sherman access road, both zoned as residential roads, has resulted in damage to the containment structures, under drains and surface drainage facilities.
4. Erosion and sedimentation impacts are present.
5. Discharge of groundwater from the Keller-Sherman access road and storm water could impact surface flow patterns, flood control facilities, and water quality.

## Air Quality

1. Dust (PM10) impacts due to use of commercial vehicles for exclusive business use by Vail Resorts, Inc. on residential zoned access roads expose soil areas on the road surface, and create lower air quality.
2. Vehicle Emission impact due to business and commercial vehicle operations.

## Traffic and Safety

1. It should be noted that Keller Road and Sherman Way are used daily throughout the year for both motor vehicle traffic and also recreational use by tourists and locals for hiking and biking and should be viewed in this dual use context. As previously stated, there are neither adjacent pedestrian sidewalks nor bicycle paths.
2. Increased safety risks due to increased truck and commercial vehicle traffic on the Keller-Sherman access roadway.
3. Deterioration impact of truck and commercial traffic on Keller-Sherman roadway pavement.
4. Large potholes and cracks in the Keller-Sherman road cause highly increased safety risks to pedestrians, recreational bike riders and residential traffic. This is particularly dangerous to those bicycle riders descending the Keller-Sherman road typically at high rates of speed.
5. Increase safety risks due to Heavenly Resort personnel driving Heavenly vehicles not observing local speed limit laws particularly on the descent.
6. Heavenly snow making equipment on their "World Cup" run is directly adjacent to Keller Road at the sharp curve above Saddle Road. Overspray causes constant snow build-up conditions on Keller road outside of City snow removal efforts, which are only initiated upon natural snowfall conditions. This constantly creates hazardous snow and "black ice" to drivers. Of particular note, a non-authorized, yet highly used sledding and tobogganing run off Keller road causes many people – and particularly children – to slide on to Keller road just below the sharp curve on Keller road. The added danger of motorists skidding based on the snow and ice build up caused by the noted Heavenly snow-making, must be of particular concern.
7. Heavenly parking lot exit onto Keller Road requires a highly visible stop sign. Motorists consistently leave the parking lot without stopping or caution for cross traffic.

## Biology

1. The City of South Lake Tahoe Master Development Plan could adversely impact special status species and important habitat.



### Aesthetics

1. Visual changes of the Keller-Sherman access roads from on and off-site areas due to commercial traffic operation.
2. Litter and debris often accumulate within the City right-of-way on Keller Road. Large accumulations can constitute health or safety hazards. These areas are not routinely cleaned by Road Maintenance Crews. Increased litter due to Heavenly Ski Resort guests dumping garbage and litter onto Keller-Sherman access roads during the busy season.

### Health Hazards, Public Services and Utilities

1. Fire Hazard – Damage to underlying gas utility lines from poor road condition could result in surface or subsurface fires and health and safety impacts.
2. Site Security – Increase in Keller-Sherman access road traffic due to Heavenly guests parking, driving, utilizing private driveway turnouts could result in unauthorized dumping of waste, vandalism, property damage and exposure of people to high risk areas.
3. Water Hazard- Infiltration of water in to the exposed underlying base and sub-base dirt layers from deteriorated road could impact underlying water lines and water quality.

### Cultural Resources

1. Soil disturbing operations could encounter items of cultural resource significance.

### Nuisance

1. Noise – Noise impact due to commercial vehicle operation
2. Odor – Odor impact due to commercial vehicle operation

**The Keller-Sherman Access Road Residents and taxpayers claim easement abutter's rights and propose the immediate elimination of the current Easement and Right-of-Way granted by the City of South Lake Tahoe to the Vail Resort Management Company and Heavenly Ski Resort unless the environmental and residential impact issues are abated.**

### Mitigation Measure 1 (Aesthetics)

The City of South Lake Tahoe and/or Vail Resort Management Company shall implement the following litter and drainage maintenance measures:

- The Vail Resort Management Company shall check for and pick up litter, on a weekly basis, or more frequently if needed, on the following roads: Upper Keller Road above the California Base Lodge Heavenly Parking Lot entrance at Saddle Road to and including Sherman Way.
- Drainage maintenance needs to be performed by the City of South Lake Tahoe including such work as necessary to maintain proper drainage from and adjacent to the roadway and through culverts. This work includes the

cleaning and shaping of roadside ditches in conjunction with blading roadside shoulders, cleaning gutters, mechanical sweeping of areas with curb and gutter, and cleaning, repairing and replacing culverts. At this time, Keller Road residents are removing debris in an effort to reduce flood damage to their properties.

#### **Mitigation Measure 2 (Air Quality – PM10)**

The City of South Lake Tahoe or Vail Resort Management Company shall implement the following dust control mitigation measures during implementation of any Heavenly project utilizing the Keller-Sherman access roads and during ongoing site operations:

- ▶ The Heavenly Resort facility operator shall use water trucks to reduce dust emissions, which is considered Best Available Control Technologies (BACT) for dust control at the project site, consistent with current operations.
- ▶ Traffic vehicle emissions – To be monitored.
- ▶ The City of South Lake Tahoe or Vail Resort Management Company shall provide street cleaning services during which time Vail Resort Management Company is utilizing the Keller-Sherman Access Road.

#### **Mitigation Measure 3 (Traffic and Safety Hazard)**

- ▶ **Signs:** The City of South Lake Tahoe and/or Vail Resort Management Company shall post the following signs:
  - Highly visible stop signs and road markings for the control of vehicular and pedestrian traffic at both corners of Saddle Road crossing onto Keller Road. The present signs are commonly unnoticed and unheeded representing extreme danger to cross traffic and pedestrians.
  - A crosswalk is needed crossing Keller Road from the Tahoe Seasons Resort and a Pedestrian Crossing sign must be posted just prior to the Heavenly parking lot where pedestrians are parked on Keller Road or crossing from Tahoe Seasons Resort where sledding is rampant during the winter months. This is a dangerous pedestrian crossing, particularly when the road is icy.
  - Vail Ski Resort Company needs to provide a very visible sign and visible road marking at the Heavenly parking exit onto Keller Road for the prevention of vehicular and pedestrian accidents. Heavenly guests rarely stop or look uphill on to Keller Road as they turn out of the Heavenly parking lot.
  - The City of South Lake Tahoe needs to provide an "Icy Corner" sign at the corner of Upper Keller Road above the Heavenly parking lot.
  - Gross Vehicle Weight (GVW) limit sign posted on Keller with strict enforcement
- ▶ Heavenly service vehicles and their sub contractors shall observe all speed and Gross Vehicle Weight (GVW) limit laws on Sherman-Keller access roads or strict fines shall be enforced. Sign should be posted.



► Heavenly snow blowing creates constant black ice during the winter at the sharp Keller Road left turn above Saddle Road. This is hazardous to drivers causing cars to constantly slide off the road at this corner every winter. This area needs a caution sign to oncoming drivers to warn of possible black ice during the winter snow-blowing season. On a regular, as-needed basis, the City of South Lake Tahoe shall plow the area adjacent to the "World Cup" snow blowing and spread ice-melting or other suitable traction materials.

► The City of South Lake Tahoe Public Works Division shall enforce parking laws during Heavenly Ski Resort peak seasons when Keller Road is used as an extension of overflow parking lot. This is especially of concern for those vehicles parked in violation of fire hydrant access. It is further suggested that parking be by permit only as another way to control overflow and perhaps even provide the City with some incremental revenue from residents, visitors, etc.

► The City of South Lake Tahoe Public Works Division shall place in their Master Plan within one year a complete renovation of the streets of Upper Keller Road above Saddle road through Sherman Way to the Heavenly Access Road. This requiring complete replacement of roads, not temporary patching or chip and fill.

► After the entire Keller-Sherman Access road renovation, the City of South Lake Tahoe Public Works Division shall maintain the streets of Upper Keller Road above Saddle Road through Sherman Way to the Heavenly Access Road to a safe and satisfactory condition as follows:

- Perform pot hole patching
- Perform Chip Seal
- Asphalt overlays
- Crack Seal Roadway
- Mill Streets in Preparation for Overlay
- Winter Pot hole Maintenance
- Sweeping of Streets
- Snow Removal

► The City of South Lake Tahoe or Vail Resort Management Company shall replace a new road damage agreement with the City Public Works Division. The road damage agreement shall be based on the anticipated annual increase in vehicles using City roads to access the Heavenly access road. (The City should also realize that a predictable total pavement failure is going to cost substantially more in the future to repair than addressing the problem now.)

► The City of South Lake Tahoe or Vail Resort Management Company shall study the use of speed bumps on Keller-Sherman access roads within one year of the issuance of the revised Conditional Use Permit, if approved by the California Department of Transportation.

Comment 14-1      The issues regarding use of and the condition of Keller Road and Sherman Way have been noted, as have the proposed action items (e.g., mitigation measures) for the City of South Lake Tahoe and Heavenly Ski Resort regarding this existing issue. The City of South Lake Tahoe Public Works Department staff has met with the residents and has prepared a specific list of road improvements that have or will be implemented, including pavement repair to Keller Road that was completed in 2014. Heavenly Mountain Resort has agreed to monitor summer vehicle use by Heavenly maintenance crews on Keller Road and will specifically notify the residents when large or unusual deliveries are scheduled. Such deliveries will be scheduled to avoid early morning hours.

Based on the distance to the actual project sites and the on-mountain road gradients, the majority of Epic Discovery Project construction vehicles will access the top of the gondola area and the East Peak area through the Nevada Stagecoach gate and not through Keller Road. Many of the activities to be implemented are small-scaled custom built features that do not consist of large pieces of equipment or materials. Most of the vehicles will be pick-up truck size vehicles transporting small work crews and light tools. There will be very few large-capacity vehicles required to transport large pieces of materials, equipment or concrete. The Nevada Stagecoach gate will be the primary access route due to the relative shorter distance to the construction area and the shallower on-mountain road gradients.

**Comment Letter 15 – Ribaud, Carl, SMG, 9/17/14**



17 September 2014

David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310,  
Stateline, NV 89449

Dear David.

1 I am writing to you in regard to the HEAVENLY MOUNTAIN RESORT DISCOVERY PROJECT. As an environmentalist, community member and tourism professional I support the project and urge its approval. From my perspective there are several key elements of this projects that are beneficial and need to be considered:

- The overall design includes a variety of resource protection and conservation elements that will reduce or avoid effects to the environmental thresholds.
- One key element of the project is the environmental education and interpretation program that is being developed with the Nature Conservancy. This will provide a great opportunity to reinforce the basin-wide messaging on what an individual can do to make a difference on the future of the lake. It fully complements TRPA's recent basin entry sign program to alert visitors they are entering a special place.
- The project also aligns well with the goals of the recently adopted Tourism Core Area Plan and South Shore Area Plan, both of which emphasize the region's much needed transition to a recreation based economy. This project will complement the area's transition from a primarily gaming-based economy to a recreation-based economy.

In closing, I believe that the Draft EIS adequately discloses the potential environmental effects and agree with the range of alternatives based on my understanding of the issues raised during public scoping.

Sincerely,

A handwritten signature in black ink, appearing to read "Carl Ribaud".

Carl Ribaud  
President  
SMG  
South Lake Tahoe

P.O. Box 10109    South Lake Tahoe, California 96158    (530) 541-2462    FAX (530) 541-8720    [www.smgonline.net](http://www.smgonline.net)

Comment 15-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

## Comment Letter 16 – Humphries, Phil, 9/23/14

### Fwd: Public Comment on Heavenly Mountain Resort Epic Project

From Phil

To David Landry

Recipients [dlandry@trpa.org](mailto:dlandry@trpa.org)

1 | Hi, Dave, would you be so kind as to provide or make available to the TRPA Board meeting tomorrow, Sept 24, 2014 a copy of my public comment letter? I plan to attend the meeting and make a couple of comments in support of the Epic Discovery project that would amplify what is in my letter but it would save time not covering the same info I've already submitted.

Many thanks, David... I'm looking forward to seeing you again tomorrow. Best Regards, Phil Humphries Sent from my iPad Begin forwarded message:

From: Humphries Phil and Tania <humphries2010@gmail.com> Date: August 27, 2014 at 6:52:11 PM PDT  
To: dlandry@trpa.org Cc: htv@vailresorts.com Subject: Public Comment on Heavenly Mountain Resort Epic Project

2 | My name is Phil Humphries and I've lived in Stateline, NV since 1982. I've been an avid skier in the Tahoe basin for about 30 years and spent 5 years as a PSIA Certified Instructor at Heavenly until about 3 years ago. Prior to living in Lake Tahoe, I was a Canadian resident and worked as a Professional Ski Patrolter at Whistler Mountain from 1967 through 1975. I have many friends who still reside in the Whistler/Blackcomb neighborhood who I visit regularly and who have been involved with the summer and winter development of the resort area. Additionally, I patrolled at Sunshine Village in Banff, Alberta as well as Lake Louise, Alberta in the late 70's. I'm very familiar with the development of summer activities at major ski resorts around the world, particularly in Canada, and wholeheartedly support Heavenly Mountain Resorts application for an environmentally sensitive expansion of their resort to encompass more summer activities. It is certainly aligned with the Long Term Master Plan of the TRPA who recognize the necessity of a balance between environmental preservation and economic development.

The areas where the proposed Mountain development would occur are among the least impactable on the whole Forest Service and 'outside the basin' allotment. I know the mountain areas under consideration for development of summer activities intimately having hiked and skied extensively throughout the year for several decades. While there may be some disruption of a negligible amount of flora during the construction phase, the plan minimizes such environmental impact and the offset of securing economically viable attractions definitely offset the temporary deminimus environmental concerns in my opinion.

There are a few vocal folks in the basin who wish to return to a time where no man has set foot in the area and yearn for the age where only the bear and deer roam Lake Tahoe but that is not the goal of the vast majority of residents or visitors. Nor is it realistic. The balance between the environmet and economic interests as set forth in the TRPA Master Plan is one which all of us can support and the Heavenly Mountain proposal is in sync with that balance. None of us who are permanent residents here would stand for a development plan that would permanently alter the area we have grown to love and are committed to protect.

2 | I would urge you approve the Heavenly Plan for expansion confident that the environmentally sensitive stewardship Vail Resorts has demonstrated over the years will be replicated in this project. Thanks for your consideration of my comments.

Sincerely, Phil Humphries  
Phil Humphries humphries2010@gmail.com

- Comment 16-1      This comment requests the content of the letter be made available during the September 24, 2014 TRPA Governing Board meeting. This is not a comment on the content or adequacy of the DEIR/EIS/EIS. No further response to this comment in relation to the DEIR/EIS/EIS is warranted.
- Comment 16-2      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



## Comment Letter 17 – Waller, Ellie, 9/24/14

TRPA Governing Board September 24, 2014 Ellie Waller, Tahoe Vista Resident  
Comments for the Record: Martis Valley West Parcel / Heavenly Epic Discovery

### Heavenly EPIC Discovery comment

- 1 When viewed in connection with the effects of past projects approved at the staff level most notably this year in June- “Does the project have impacts that are individually limited, but cumulatively considerable

I'd like to thank the applicant for mentioning the newly install/opened amenities. It mimics an article released June 16, 2014

<http://www.tahodailytribune.com/newsletter/11811621-113/heavenly-summer-course-activities> dated June 16, 2014

Heavenly unveiled a variety of new summer activities available at the top of the gondola. They include three new ropes challenge courses and a 3,300-foot-long zip line, summer tubing and outdoor climbing wall along with Heavenly offering hiking and sightseeing in addition to the new activities.

**How many more amusements are necessary to entertain summer/winter visitors?**

<http://www.skiheavenly.com/the-mountain/adventurepeaksummer.aspx>

- 2 Focusing on The Forest Flyer and Sky Meadows Coaster. This use is a “new” Summer as well as Winter activity at the resort and traffic, noise, etc. will be increased with this “new” year round amenity. If this amenity is not expected to generate more visitors, thus additional revenue, then it would not be built. Is the project consistent with the Master Plan as well as the Forestry zone district definitions- not sure, at best inconclusive as this type of amenity has never been analyzed in the Tahoe Basin. The potential noise
- 3 impacts to wildlife are a given. How will this be mitigated?

- 4 **The Northstar Forest Flyer is being litigated in Placer County**

“Does the project have the potential to degrade the quality of the environment....?”  
YES, as the forest floor will be denuded for rail installation, vegetation removed from approximately 10-15 wide to accommodate the rail system, and potential erosion issues created by removal of vegetation and trees.

- 5 Will Lahontan be viewing this cumulatively with the Northstar proposed Epic program?

- 6 I'm providing links to several sources that you should read in their entirety.

**Reported July 19, 2012 6:32 pm • By CATHERINE TSAI / The Associated Press**

TRPA Governing Board September 24, 2014 Ellie Waller, Tahoe Vista Resident  
Comments for the Record: Martis Valley West Parcel / Heavenly Epic Discovery

- 6 | [http://journalstar.com/ap/business/vail-plans-more-diverse-summer-patronage-under-federal-law/article\\_bb68e07a-ec93-5031-8bf4-5b5050a747a5.html](http://journalstar.com/ap/business/vail-plans-more-diverse-summer-patronage-under-federal-law/article_bb68e07a-ec93-5031-8bf4-5b5050a747a5.html)

Vail Resorts said it has submitted a proposal to the U.S. Forest Service -- called Epic Discovery -- for summer activities at Vail Mountain and plans to do the same for its Breckenridge, Keystone and Beaver Creek resorts in coming months. If approved, construction at Vail could begin in summer or fall 2013.

The Vail proposal is among the first in the country submitted under legislation signed into law last fall allowing for year-round recreation on developed U.S. Forest Service land already used by ski areas. The bill was pushed by Sen. Mark Udall, D-Colo.

Vail Resorts CEO Rob Katz said the summer activities should bring new people to the resort beyond the mostly white, more affluent group that typically goes skiing.

From the checklist : Plan a Breckenridge vacation October 2013

<http://blog.breckenridge.com/2013/10/08/checklist-plan-breckenridge-vacation/>

"Family vacation, college reunion trip, girls shred weekend: Who's coming with? Where you stay, the slopes you hit and what your après scene looks like varies by company. Breck serves up terrain for every level, loads of quality family time (think [on-mountain roller coaster](#) and kid's zone runs) and real mountain town nightlife"

**Vail calls it a roller coaster ! which is an amusement ride.**

- 7 | As previously stated in the Vail Corp public release "capitalize on the existing summer visitation at each resort and leverage existing infrastructure, creating the opportunity for high-impact and high-return projects." The summer visits will be new as the amusements do not exist at the identified locations today so they are an increase in people and impacts.

- 8 | Define high-impact and high- return projects.

- 9 | Clarification- a coaster, either the Forest Flyer or Sky Meadows will have one. Stating that the removal of the Forest Flyer in Alternate 1 does not remove a coaster on-site.

- 10 | The Consultant did not state there would be night time operations of a coaster. If there are plans for night time operation- permit conditions should be required- dusk should be the limit as to avoids lights on the coaster cars. If night time operations are an option- scenic analysis as well as dark skies must be explored.



TRPA Governing Board September 24, 2014 Ellie Waller, Tahoe Vista Resident  
Comments for the Record: Martis Valley West Parcel / Heavenly Epic Discovery

- 11 | Has the Forest Service weighed in and signed a buy-in agreement for the operation of the Forest Flyer and Sky Basin Coaster? In Section 2.3 Proposed Actions there is no mention of the Sky Basin Coaster only the Forest Flyer. The Ski Area Recreation Opportunity Act did not list or define a coaster type amusement as inclusive.
- 12 | Has a glare analysis been performed which could require mitigation measures as related to visual character or quality of site surroundings as the rails are silver tubes that will change the existing character of the forest floor.
- 13 | Vegetation removal to place the tracks changes the forest environment to a non-forest use and any re-vegetation could cause operational difficulties for the Forest Flyer and Sky Meadows Coaster. How many trees will be removed ? It is significant to remove trees 24 inches dbh.
- 14 | Have monitoring activities for the potential of altering drainage patterns been identified in mitigation measures?
- 15 | Is the proposed Heavenly Forest Flyer more like the Adventure Flyer elevated up to 15 feet above ground with speed of up to 25mph, requiring a 10-15 foot wide corridor of vegetation removal with night operation capability or more like the Pride Express Flyer, a longer more adventurous experience?
- 16 | The proposed tracks will vary in above ground height offering potential for movement of species beneath the tracks at intermittent locations. How often will snow removal be necessary to keep the Forest Flyer and Sky Basin Meadows Coaster operational? Snow removal activity could interrupt and impact migratory wildlife.
- 17 | Have noise impacts to outlying conservation areas been analyzed?
- 17 | The vibration and noise could affect wildlife in the conservation zone.
- 18 | The Forest Service manual FSM 2343.14 (1) Encourage outdoor recreation and enjoyment of nature and provide natural resource based recreation opportunities.
  1. Definition of Natural: nat·u·ral  
adjective: **natural**
    1. 1. existing in or caused by nature; not made or caused by humankind. ( Merriam Webster & Oxford)

Excerpts from a PRNewswire dated March 6, 2013: Vail Resorts Inc. Vail Resorts Announce Record Capital for Calendar 2013. Highlights of the calendar year 2013

Page 4 of 5

TRPA Governing Board September 24, 2014 Ellie Waller, Tahoe Vista Resident  
Comments for the Record: Martis Valley West Parcel / Heavenly Epic Discovery

- 18 capital expenditure plan include: Epic Discovery- The first phase of Epic Discovery, the Company's summer mountain activity plan, includes approx. \$25 million to transform the summer experience at six of its mountain resorts (Vail, Beaver Creek, Breckenridge, Keystone, Heavenly and Northstar). Plans for each mountain include a selection of zip lines, rope courses, signature climbing walls, Forest Flyers, summer tubing, expanded hiking and mountain biking trails and education centers. Each of these new activities will capitalize on the existing summer visitation at each resort and leverage existing infrastructure, creating the opportunity for high-impact and high-return projects

I'll close with one of my favorite comments from the Breckenridge Peak 6 EIR.

"Our national forest is not an amusement park. The unique features of "nature" should be preserved and promoted and the "man-made" impact mitigated. I support many of the proposed resort expansions, but cannot support zip-line tours or elevated rail flyers that exist primarily to provide an adrenaline rush ( speed, height, etc.) to amuse or entertain visitors. These types of "rides" are mechanical, commercial, amusement activities and do not further the goals of natural appreciation or environmental sensitivity. Neither are they location-dependent—they can be found anywhere in the U.S. Save our national forests. And promote the "inherent" beauty and values that exists in nature and the "human-powered" recreational activities that will nurture our next generation earth stewards."

Comment 17-1 Chapter 1 of the DEIR/EIS discusses the Purpose and Need for Action.

In November 2011, Congress enacted the Ski Area Recreational Opportunity Enhancement Act (SAROE), which amended the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of NFS land subject to ski area permits, and for other purposes (16 USC 487b). The SAROE provides public policy direction to and authority for the Forest Service to approve facilities to support summer and year-round natural resource-based recreation at ski areas. The Act recognizes the public benefits to be gained from expanding public access to year-round recreation opportunities in developed ski areas, including additional employment and economic activity for communities with public land ski areas.

The Purpose and Need for Action acknowledges that, over the years, the ways people engage in recreation during the summer months has evolved to include a new variety of activities and user experiences. Likewise, recreational use in the National Forests has evolved beyond activities traditionally associated with these lands such as hunting, fishing, camping or hiking. Ski areas serve as portals to National Forests and public lands for millions of people every year and provide important opportunities for the public to explore the outdoors and engage in active recreation.

Increased summer use at ski areas in recent years has been driven by new technologies and the growing number of people seeking outdoor recreational activities in more managed settings. In response to the policy direction and to visitor preferences, Heavenly has implemented a number of outdoor environment-based recreation activities including ropes courses, zip lines, hiking trails and summer tubing. The Proposed Action would broaden the range of existing recreational opportunities and is responsive to visitor preferences for a more diverse range of activities.

Comment 17-2 Refer to response to comment 17-1. The Epic Discovery Project is being analyzed as an amendment to the existing Heavenly Mountain Resort Master Plan. The DEIR/EIS/EIS studies the anticipated growth of summer visitor days that would result from implementation of the activities included in the Epic Discovery Project. Traffic and noise assessments are included in the DEIR/EIS/EIS analysis – no new traffic or noise impacts are identified that require mitigation measures not already included in the Master Plan Mitigation Monitoring Program.

Refer to Master Response 2 for additional discussion of the transportation impact analysis.

Comment 17-3 Noise impacts to wildlife are discussed in DEIR/EIS/EIS Impacts BIO-2, BIO-3, BIO-4 and BIO-6. Mitigation measures associated with these impacts help mitigate disturbance from noise through the establishment of buffer zones and/or timing of construction activities to not coincide with nesting/denning of applicable wildlife species.

Comment 17-4 As noted in DEIR/EIS/EIS Section 2.4, low shrubs and ground cover will remain in the area of the proposed coaster(s). Retention of this vegetation will allow for protection of the soil along with construction BMPs including but not limited to revegetation of any disturbed area.



- Comment 17-5 Lahontan has considered the effects of cumulative projects on the affected watersheds (see the analysis in Chapter 3.1 of the DEIR/EIS/EIS); however Northstar and Heavenly Mountain Resort are located in different and unconnected watersheds at opposite ends of the region. Projects proposed at Northstar are located outside the Tahoe Basin and are in the area north of the greater Lake Tahoe region as opposed to the Epic Discovery Project located within the Lake Tahoe Basin in South Lake Tahoe. Projects at Northstar would not be applicable to this Project from Lahontan's watershed impact perspective as the two ski areas are located in different watersheds.
- Comment 17-6 Refer to response to comment 17-1.
- Comment 17-7 The DEIR/EIS/EIS analyzes and discloses the effects of all proposed activities on the physical, biological and human environments associated with additional use of the Heavenly SUP area for recreation. A fundamental assumption of this analysis is that, while this would represent additional visitation to Heavenly's SUP area in the summer, these types of activities are not likely to draw additional visitation to South Lake Tahoe, i.e., these people are already coming to the South Lake Tahoe area, and the activities and programs offered at Heavenly would provide them with additional recreational opportunities on NFS lands.
- Comment 17-8 This is a comment on a Vail Resorts press release dated March 6, 2013 and titled "Vail resorts Announces Record Capital Plan for Calendar 2013." The press release associates this quote with the Epic Discovery Project; however, this is a comment on a press release and is not a comment on the content of the DEIR/EIS/EIS.
- Comment 17-9 The DEIR/EIS/EIS clearly states in Chapter 2 that an alpine coaster is proposed under the Project and Alternative 1. The DEIR/EIS/EIS does not imply that Alternative 1 removes an alpine coaster from the proposed components, rather the DEIR/EIS/EIS states that Alternative 1 moves the alpine coaster from Adventure Peak to Sky Meadows Basin. This is very clear in the first two sentences in Section 2.4 (page 2-35), which states, "The Sky Meadows Basin Coaster would provide an alternative location for the Forest Flyer Alpine Coaster described above under the Proposed Action for Adventure Peak. Under this Alternative, the Sky Meadows Basin Coaster would be added to the Sky Meadows Basin (Figure 2-6) and the Forest Flyer Alpine Coaster would be removed from the Adventure Peak area (Figure 2-7)." No further clarification is warranted.
- The commenter appears to oppose development of a mountain coaster. An alternative with no mountain coaster was considered but eliminated from detailed study because elimination of this component would not meet the stated Purpose and Need for the Project by failing to offer a sufficient range of additional summer activities as stated in Chapter 2, Section 2.5, page 2-41 of the DEIR/EIS/EIS. It was determined that a mountain coaster broadens public access to an experience otherwise unavailable to a substantial portion of the visiting public.
- Comment 17-10 Nighttime operations of the coaster are not proposed. No lighting would be provided for the coaster and no additional scenic evaluation or dark skies evaluation is necessary as nighttime use of the coaster would not occur. Please refer to the visual analysis in Chapter 3.10. In Section 3.10-3 on page 3.10-11 of the DEIR/EIS/EIS, the paragraph states, "The EIR/EIS/EIS does not address nighttime light sources or dark sky compliance evaluation criteria (CEQA Environmental Checklist Item I[d],

TRPA IEC II [7 a, b, c, and d], TRPA Design Review Guidelines, and El Dorado County General Plan Policy 2.8.1.1) as no new lighting is proposed for the Proposed Action or Alternative activities and no impact would occur.”

Comment 17-11 Under Alternative 1, the Sky Meadows Basin Coaster would be added to the Sky Meadows Basin (Figure 2-6) and the Forest Flyer Alpine Coaster would be removed from the Adventure Peak area (Figure 2-7). This alternative was included to address potential impacts to suitable habitat for a USFS sensitive species (Pacific marten) related to the proposed Forest Flyer Coaster location.

In November 2011, Congress enacted the Ski Area Recreational Opportunity Enhancement Act (SAROE), which amended the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of NFS land subject to ski area permits, and for other purposes (16 USC 487b). The SAROE provides public policy direction to, and authority for, the Forest Service to approve facilities to support summer and year-round natural resource-based recreation at ski areas. The Act recognizes the public benefits to be gained from expanding public access to year-round recreation opportunities in developed ski areas, including additional employment and economic activity for communities with public land ski areas.

All proposed projects and activities have been screened against criteria at FSM 2343.14, and the screen is included in the DEIR/EIS. The coasters were determined to be appropriate for NFS lands within Heavenly’s SUP area, given (among other things) their specific locations and designs.

Comment 17-12 Glare is addressed and analyzed in Chapter 3.10 of the DEIR/EIS/EIS on page 3.10-22, which states, “As required in the Proposed Action, low reflectivity, and low visual contrast materials or coatings would be required for the Coasters and Canopy Tour facilities to reduce the effects of glare and be consistent with objectives of the USFS BEIG.” Since the tracks would be composed of low visual contrast materials or would have a low visual contrast coating, they would not have a reflectivity to cause glare. Please note that the images of example alpine coasters in Chapter 2 (Photos F and G on page 2-10 of the DEIR/EIS/EIS) are merely examples of alpine coasters to give readers a sense of what this type of coaster looks like and how it operates in summer and winter scenarios. The proposed coasters at Heavenly Mountain Resort would not look exactly like Photos F and G.

The visual impacts of the Forest Flyer Alpine Coaster and Sky Basin Coaster are addressed in Impact SCENIC-3 on pages 3.10-21 through 3.10-26 and in impact SCENIC-4 on pages 3.10-26 through 3.10-31. The analysis concludes that no significant impact would occur.

Comment 17-13 Refer to response to comment 17-4 for a discussion of vegetation removal. DEIR/EIS/EIS Impact BIO-6 discussed tree removal associated with the Proposed Project and Alternatives. DEIR/EIS/EIS Table 3.8-10 outlines the proposed trees to be removed that are larger than 24” dbh.

Comment 17-14 The on-going Environmental Monitoring Program, which is existing DEIR/EIS/EIS Mitigation Measure 7.5-2, requires evaluation of soil disturbance activities and was amended in November 2013 under Board Order Number R6T-2003-0032A2 to update effective soil cover monitoring with an erosion-focused rapid assessment

process described in the Watershed Management Guidebook (Drake and Hogan 2012). The methodology was piloted in watershed CA-1 and focuses on identifying primary sources of erosion (“hotspots”) through a GIS flow accumulation mapping exercise followed by on-the-ground assessment and prioritizing treatments within a watershed context. Erosion hot spot identification and ranking criteria include: erosion risk, active erosion, active deposition, proximity to stream, connectivity to stream and stream environment zone, watershed priority, and operational priority. The Environmental Monitoring Program will be amended again to include the requirements specified in Mitigation Measures WATER-C1a: CA-1 Erosion Reduction Measures and WATER-C1b: Amendment to MPA 07 Mitigation Measure 7.5-2, Ongoing Environmental Monitoring Program.

- Comment 17-15 A description of the Forest Flyer Alpine Coaster is provided in Chapter 2, on pages 2-10 and 2-11 of the DEIR/EIS/EIS. As stated on page 2-10, “The layout of the track would be dictated by features such as topography, vegetation, snow depth (so that it could operate during winter), rock formations and general infrastructure. The height of the track would average between 3-6 feet above natural grade. The maximum height would be between 15-20 feet above grade. This project would require a 20-25 foot wide corridor of vegetation removal for installation and operation (resulting in approximately 0.7 acre of tree removal due to the lack of trees in the lower areas of the alignment). Low shrubs and ground cover could remain within the corridor following construction.” Lighting and nighttime operations are not proposed.
- Comment 17-16 Snow removal for the coaster will not result in any impacts on migrating wildlife. During the winter months, no migration would be occurring (either deer or avian species) and therefore no impact would result.
- Comment 17-17 Refer to response to comment 17-3. The proposed activities would not result in any noise or vibration impacts to areas outside the operational boundary.
- Comment 17-18 This is not a comment on the content or adequacy of the DEIR/EIS/EIS. This information is passed on to the Project proponent and decision makers for consideration. No further response to this comment in relation to the DEIR/EIS/EIS is warranted.

## Comment Letter 18 – Obray, Perry, 9/26/14

### Public comment on Heavenly Mountain Resort Epic project.

From Perry R. Obray

To David Landry

Recipients [dlandry@trpa.org](mailto:dlandry@trpa.org)

1 The local government agencies have been beneficial in educating the public about the Heavenly expansion of services on public land. The graphics at the information sessions were very helpful to understand better what is being proposed at this great recreation area.

Summer use of this huge resort can be a significant benefit to many groups of people. All levels of athletes, sightseers, and year around employment can be notable achievements through a competent plan.

I hope some day to do lift assisted mtn biking on this cherished mountain.

Vail corporation hopefully will provide an awesome service of accommodating people wanting summer activities at Heavenly resort.

Perry R. Obray

Comment 18-1      The commenter expresses opinion in support of summer activities at Heavenly. The commenter states the public outreach efforts on the Project have been helpful. Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



## Comment Letter 19 – Tevlin, Sean, 9/26/14

### heavenly epic discovery draft comments

From spt2 .

To David Landry

Recipients [dlandry@trpa.org](mailto:dlandry@trpa.org)

Hello,

- 1 | I would like to fully support the heavenly mountain bike park. It will increase the number of summer jobs (allowing year round employment at heavenly), boost our economy, and support the further development of south lake tahoe as an outdoor recreation hotspot, instead of just a casino town.
- 2 | A few comments: - the gondola in heavenly village should add bike racks so people can get up to the heavenly bike park without driving up to stagecoach lodge. - during the mountain biking season, heavenly  
3 | should pay for extra shuttles with extra bike racks that will bring people from heavenly village up to stagecoach lodge to minimize trafficand emissions up kingsbury grade. biek rack space is already an issue on existing transit service to stagecoach lodge, and without heavy additions, problems will only increase.
- 4 | - uphill and cross country travel on heavenly's mountain bike park should be built, and uphill users should not be charged for using the park. the bike park is part of the regional mounitan bike trail system, and therefore should be treated like public trails. only bikers using the lift should be charged. this rule is already in place at national forest mountain bike parks like Snowmass in Aspen, CO, and is a good model that locals will appreciate.

Thank you, Sean Tevlin

- Comment 19-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.
- Comment 19-2      Bicycles will be allowed on the Gondola, which is described in Chapter 2 on page 2-11 under the section entitled "Mountain Bike Skills Park". The description on page 2-11 states, "Users could access the park by loading their bikes onto the Gondola, renting bikes at the Adventure Peak area, or riding their bikes up trails and maintenance roads." A similar statement is made on page 2-14 in regard to the East Peak Basin Mountain Bike Park. Visitors will be able to load their bicycles on the Gondola without the need to drive to Stagecoach Lodge.
- Comment 19-3      The commenter expresses an opinion on operations and provides suggestion for improvements regarding mountain biking operations and facilities. If demand warrants, extra bike racks can be added to the shuttles as part of Heavenly's continued participation in Mitigation Measure 7.5-19 (Implement the Coordinated Transportation System).
- Comment 19-4      Fees will be charged for use of the lifts, but not for use of the park or trails. If a rider accesses and utilizes the park and trails without lift assistance, no fee is charged.

**Comment Letter 20 – Garrison, Dan, Resorts West, 10/7/14**



RESORTS  
WEST

October 7, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

Dear Mr. Landry:

RE: HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT EIR/EIS/EIS COMMENTS

1 Our organization supports Heavenly Mountain Resort's proposed Epic Discovery project. We agree with the stated purpose & need for the proposed project.

The project will be a benefit to both visitors to and residents of our community. It is consistent with our region's economic base of tourism and outdoor recreation. The project will further the goals of the TRPA's Regional Plan Update and the recently-adopted local area plans by providing high-quality sustainable public outdoor recreation. The range of activities that Heavenly has proposed is appropriate to the site and will help create the necessary critical mass of activities that will successfully attract and retain visitors.

In particular, we support the development of the Forest Flyer alpine coaster in the Adventure Peak area and the mountain bike park proposed for the East Peak Basin area. These are activities that are currently missing from the inventory of outdoor activities in the South Lake Tahoe area and will appeal to a wide cross-section of the public. The proposed locations for each activity are logical and well thought-out. Both activities are consistent with the 2011 Forest Service Summer Uses legislation and the management direction for Heavenly. We also support the development of the public multi-use trail identified in the document as the Panorama Trail in the route proposed.

We further believe that the environmental education program proposed as part of the Epic Discovery project will result in many positive benefits to our visitors and residents. The program will help them gain an enhanced understanding of our unique natural environment and how they can join our collective efforts to restore and conserve our beautiful area.

The additional employment that will be required to support the project elements will enhance the overall health of our community by providing more year-round jobs and improved economic stability.

Please provide these comments to all three lead agencies reviewing the project. We appreciate the opportunity to share our input with you and the other agencies on this very worthwhile project and hope each agency joins us in our excitement to see these wonderful projects through.

Sincerely,

RESORTS WEST

Dan Garrison  
Senior Vice President/General Manager

P.O. Box 5790, Stateline, Nevada 89449 (775) 588-3553 • [www.ridgetahoeresort.com](http://www.ridgetahoeresort.com)

Comment 20-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

## Comment Letter 21 – Lake Tahoe Visitors Authority, Tahoe South, 10/9/14



Lake Tahoe  
Visitors Authority

October 9, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

**RE: HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT EIR/EIS/EIS COMMENTS**

Dear Mr. Landry:

1 The Lake Tahoe Visitors Authority (LTVA) Board of Directors supports Heavenly Mountain Resort's proposed Epic Discovery project. The mission of the Lake Tahoe Visitors Authority is to market the South Shore of Lake Tahoe as a unique, world-class year-round resort destination for the economic benefit and quality of life for the area, while respecting its traditions and environment. The Epic Discovery project aligns succinctly with our mission.

As the destination marketing organization (DMO) for the South Shore region, our marketing campaigns inspire travelers from around the world to visit Tahoe South. Once visitors are in-market, we rely on the local business community to fulfill the destination vision that we promote by providing high-quality recreation opportunities. The development of the Forest Flyer alpine coaster and mountain bike park are two unique offerings that will help to balance out recreational offerings for our visitors.

As stewards of our environment, we are excited to see the Epic Discovery project includes environmental education components. Visitors play an integral role in maintaining the beauty of our natural surroundings and we commend Heavenly Mountain Resort's leadership in combining world-class recreation with local environmental stewardship.

Please submit this letter to all three lead agencies reviewing the project. We appreciate the opportunity to share our input with you and the other agencies on this worthwhile project.

Sincerely,

Patrick Ronan  
Lakeshore Lodge & Spa

Jerry Bindel  
Aston Lakeland Village

Tom Davis  
City of South Lake Tahoe

John Koster  
Harrah's/Harveys

Nancy McDermid  
Douglas County

Bryan Davis  
Edgewood Tahoe

California Location:	3066 Lake Tahoe Boulevard	South Lake Tahoe, CA 96150	530-544-5050 phone	530-541-7121 fax
Nevada Location:	169 Highway 50 / P.O. Box 5878	Stateline, NV 89449-5878	775-588-5900 phone	775-588-1941 fax

**TahoeSouth.com**

### Comment 21-1

Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

**Comment Letter 22 – Koster, John, Harrah's/Harveys Lake Tahoe, 10/10/14**



Comment 22-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



**Comment Letter 23 – Murillo, Kindred, Lake Tahoe Community College District,  
10/13/14**



RECEIVED

OCT 20 2014

TAHOE REGIONAL  
PLANNING AGENCY

October 13, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

Subject: Heavenly Mountain Resort Epic Discovery Project and Draft EIR/EIS/EIS Comments

Dear Mr. Landry:

- 1 Thank you for the opportunity to comment on the Heavenly Mountain Resort Epic Discovery Project and Draft EIR/EIS/EIS. On behalf of Lake Tahoe Community College (LTCC), I am writing this letter in support of Heavenly Mountain Resort's proposed Epic Discovery project.

We believe that the Draft EIS adequately discloses the potential environmental effects and agree with the range of alternatives based on our understanding of the issues raised during public scoping. In reviewing the significance before mitigation and significance after mitigation the project appears to have appropriate mitigation for areas of impact, and the range of activities that Heavenly has proposed is appropriate to the site.

Having served on the recent Parks, Trails, and Recreation Master Plan Committee, I believe both visitors and residents will benefit from this project, as it is consistent with our region's economic base and future recreation plans. The project will further the goals of the TRPA's Regional Plan Update and the recently-adopted local area plans by providing high-quality sustainable public outdoor recreation. The proposed activities will help create the necessary critical mass of activities that will successfully attract and retain visitors.

In particular, we support the development of the Forest Flyer alpine coaster in the Adventure Peak area and the mountain bike park proposed for the East Peak Basin area. These are activities that are currently missing from the inventory of outdoor activities in the South Lake Tahoe area and will appeal to a wide cross-section of the public. The proposed locations for each activity are logical and well thought-out. Both activities are consistent with the 2011 Forest Service Summer Uses legislation and the management direction for Heavenly. We particularly support the development of the public multi-use trail identified in the document as the Panorama Trail in the route proposed. Trails are essential to the Lake Tahoe Basin lifestyle and should continue to be expanded.

Since LTCC is an educational institution, we support the environmental education program proposed as part of the Epic Discovery project because it will result in educating our visitors and local residents

LAKE TAHOE COMMUNITY COLLEGE DISTRICT • One College Drive • South Lake Tahoe, California 96150-4524  
(530) 541-4660 • For the Deaf: TTY (530) 542-1870 • FAX: (530) 541-7852

on understanding, restoring, and conserving our unique natural environment, issues which are important to everyone in the Tahoe Basin. LTCC is also in the process of the launching a new Environmental Technology and Sustainability program and we believe the programs will complement each other.

LTCC has a vested interest in the employment stability that this project will bring to the South Tahoe Basin, as the additional employment that will be required to support the project will enhance the overall economic health of our community by providing more year-round jobs and economic stability. This will support LTCC's goals of more stable student enrollments.

We will appreciate your passing this comment letter on to all three lead agencies reviewing the project. Again, thank you for the opportunity to comment with you and the other agencies on this very worthwhile project for the Tahoe Basin.

Sincerely,



Kindred I. Murillo, Ed.D.  
Superintendent/President  
Lake Tahoe Community College District

Comment 23-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

## Comment Letter 24 – Ronan, Patrick, Tahoe Lakeshore Lodge and Spa, 10/13/14

**From:** [Patrick Ronan](#)  
**To:** [David Landry](#)  
**Subject:** Heavenly EPIC Discovery Project  
**Date:** Monday, October 13, 2014 10:57:49 AM

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Dear Dave,

- 1 | My company would like to support the project which Heavenly has undertaken. We feel the expansion of the activities in the summer will be an economic boost for our economy. Heavenly has shown over the years that it is a good steward of the Public Lands and that it does not want to make any adverse environmental impacts to those lands.

Thanks you,

Patrick Ronan  
Tahoe Lakeshore Lodge and Spa

Comment 24-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

**Comment Letter 25 – Tahoe Douglas Visitors Authority, 10/14/14**



**Tahoe Douglas  
Visitors Authority**

October 14, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
dlandry@trpa.org

RE: HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT  
EIR/EIS/EIS COMMENTS

Dear Mr. Landry:

1 The Tahoe Douglas Visitors Authority (TDVA) Board of Directors supports Heavenly Mountain Resort's proposed Epic Discovery project. The TDVA was created to increase tourism revenues within the Lake portion of Douglas County, NV (Tahoe Township). We aim to accomplish this by continuing to enhance the accessibility of our area's natural attractions to our overnight visitors. It is our opinion that the proposed Epic Discovery project aligns with our aforementioned goal to increase tourism revenues.

As residents of Douglas County, our Board believes that the project will benefit visitors and locals alike. The project will positively affect our local economy through the addition of consistent year-round employment opportunities for our recreation professionals. The distinctive features of the project, including the alpine coaster and mountain bike park, will enhance the overnight visitor experience.

The Epic Discovery project should be applauded for its consistency with the TRPA's Regional Plan Update and the 2011 Forest Service Summer uses legislation. Heavenly Mountain Resort has stringently followed the stipulations created by our local regulatory organizations in order to provide needed recreational assets with respect for the environment that we depend upon for our tourism-based economy.

It is our request that this letter be submitted to all three lead agencies reviewing the project. We appreciate the opportunity to share our feedback with you and the other agencies on this valuable proposed development to the South Shore.

Sincerely,

John Packer  
Harrah's/Harveys

Mike Bradford  
Lakeside Inn & Casino

Bryan Davis  
Edgewood Tahoe

Nancy McDermid  
Douglas County

Xenia Wunderlich  
Harrah's/Harveys

169 Highway 50, Stateline, NV 89449 • PO Box 6777, Stateline, NV 89449 • Phone (775) 588-5900

**Comment 25-1**

Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



**Comment Letter 26 – Hollingsworth, Tamara, Tahoe Chamber of Commerce,  
10/14/14**

Lake Tahoe South Shore  
Chamber of Commerce



169 Highway 50  
Edgewood Village, Bldg. D  
Post Office Box 7139  
Stateline, Nevada  
8 9 4 4 9  
775.588.1728 **ph**  
775.588.1941 **fx**

October 14, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
dlandry@trpa.org

**Re: HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT  
EIR/EIS/EIS COMMENTS**

Dear Mr. Landry:

TahoeChamber supports Heavenly Mountain Resort's proposed Epic Discovery project. We believe the proposed project aligns succinctly with our guiding document, Tahoe Future: A South Shore Community Vision 2020. Epic Discovery will enhance quality of life, sustainability efforts and infrastructure improvements all while contributing to the economic vitality of the South Shore.

The proposed project will improve the quality of life for residents in our community by adding more year-round employment opportunities for our outdoor recreation workforce. Additionally, it will increase the accessibility to our scenic and recreational opportunities for residents and visitors alike. Improving access to outdoor recreation is essential to improving the overall visitor and resident experience and furthers the goals of the TRPA's Regional Plan Update and the recently-adopted local area plans.

We believe the environmental education program proposed as part of the Epic Discovery project is a positive step in improving the sustainability dialogue on the South Shore. Our recreation economy is directly affected by our effort towards improving environmental sustainability. Heavenly is commended for incorporating environmental sustainability measures into the project.

TahoeChamber supports efforts to attract capital investment to the Basin. In this regard, we particularly support the development of the Forest Flyer alpine coaster and the mountain bike park as these would add diversity to our recreation offerings. Both activities are consistent with the 2011 Forest Service Summer Uses legislation and the management direction for Heavenly.

Please submit this letter to all three lead agencies reviewing the project. We appreciate the opportunity to share our input on this vital project.

Sincerely,

A handwritten signature in black ink, appearing to read "Tamara Hollingsworth".

Tamara Hollingsworth  
Chair of the Board

A handwritten signature in black ink, appearing to read "Jason Drew".

Jason Drew  
Chair, Government Affairs Committee

Comment 26-1

Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

**Comment Letter 27 – Steinbach, John, Lake Tahoe Resort Hotel, 10/14/14**



4130 Lake Tahoe Blvd.  
South Lake Tahoe, CA 96150  
530 544 5400  
Fax: 530 544 7643  
TahoeResortHotel.com

October 14, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
P.O. Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

RE: HEAVENLY MOUNTAIN RESORT EPIC PROJECT DRAFT EIR/EIS/EIS COMMENTS

Dear Mr. Landry,

1 Our organization supports Heavenly Mountain Resort's proposed project. We agree with the stated Purpose of Need for proposed project. We have reviewed the Draft EIR/EIS/EIS and agree with the conclusions reached in the document.

Our community is a year round destination and Heavenly's Epic Discovery Project will only add to that draw. Our guests come to us for many reasons, but all of them tie back into the beauty of Lake Tahoe.

Heavenly and Vail Resorts are willing to invest in our community both economically and environmentally with this endeavor. Epic Discovery will offer more options to our visitors and residents, expand the use and enjoyment of public lands, and create additional year round jobs. It will be within walking distance of South Shore's greatest lodging concentration through the gondola, and on land that is already used for public outdoor recreation.

In addition, the project plans provide that many of attractions, like the Zip Line Canopy Tours, Forest Flyer Alpine Coaster in the Adventure Peak area and the Mountain Bike Park proposed for the East Peak Basin Area, will create little to no additional land coverage while the proposed interpretive activities that are being developed with the Nature Conservancy will help teach visitor how they can protect the lake.

Epic Discovery continues the positive change we are seeing in South Shore. It is a brick in the recently adopted Tourism Core and South Shore are plans, and is in line with the federal Ski Area Recreational Opportunities Enhancement Act, which was designated to stir summer economies in resort communities.

We know that to make the whole stronger, we must diversify. This project continues our economy's revitalization and moves us forward to a strong future.

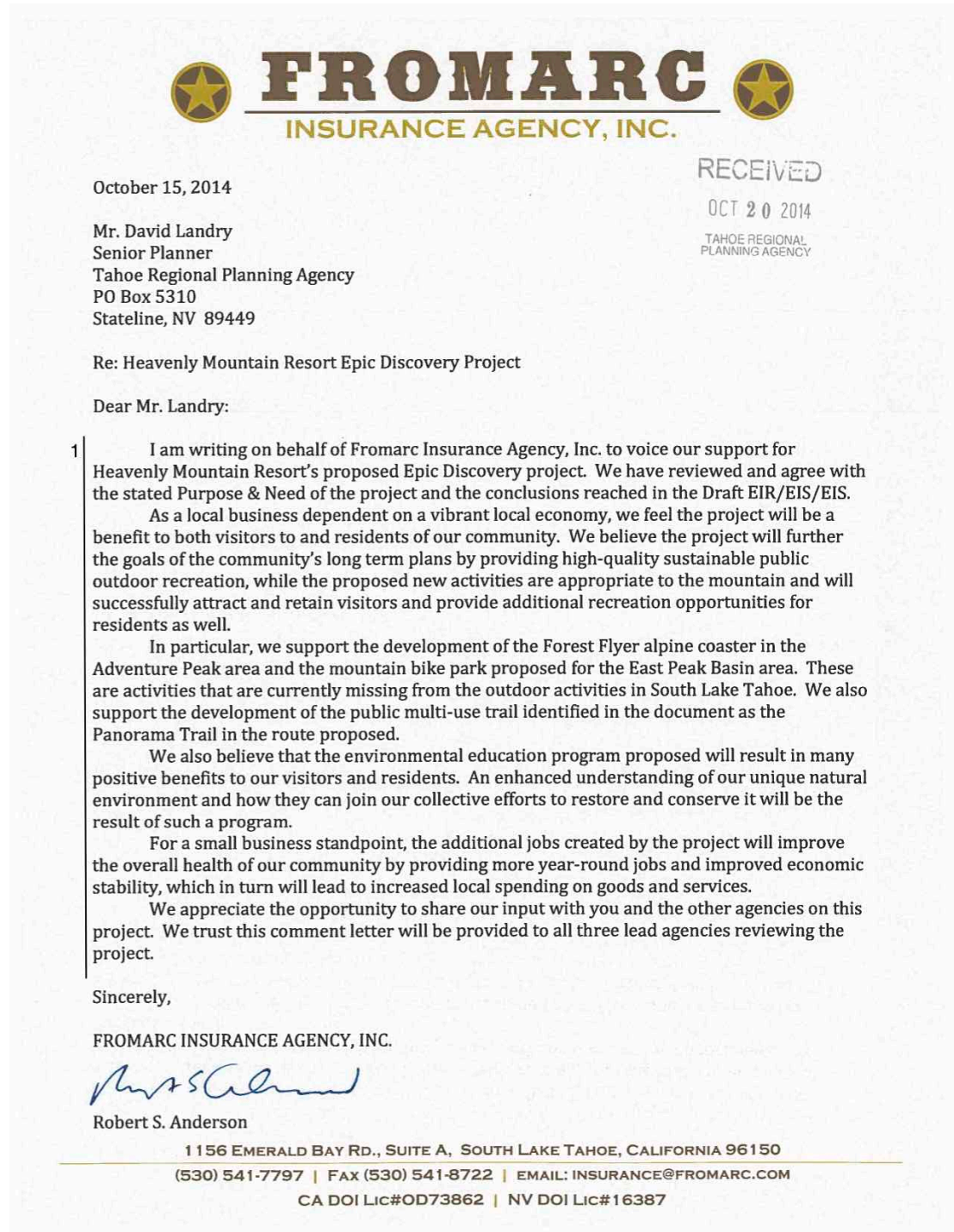
Thank You,

A handwritten signature in black ink, appearing to read "John Steinbach".

John Steinbach  
Vice President/General Manager, Lake Tahoe Resort Hotel

Comment 27-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.

**Comment Letter 28 – Anderson, Robert, Fromarc Insurance Agency Inc., 10/15/14**



Comment 28-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



**Comment Letter 29 – Slack, Sam, Resorts West, 10/16/14**



RESORTS  
WEST

October 16, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

Dear Mr. Landry:

HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT EIR/EIS/EIS COMMENTS


1 I support Heavenly Mountain Resort's proposed Epic Discovery project. I agree with the stated Purpose & Need for the proposed project. I have reviewed the Draft EIR/EIS/EIS and agree with the conclusions reached in the document.

The project will be a benefit to both visitors to and residents of our community. It is consistent with our region's economic base of tourism and outdoor recreation. The project will further the goals of the TRPA's Regional Plan Update and the recently-adopted local area plans by providing high-quality sustainable public outdoor recreation. The range of activities that Heavenly has proposed is appropriate to the site and will help create the necessary critical mass of activities that will successfully attract and retain visitors.

In particular, I support the development of the Forest Flyer alpine coaster in the Adventure Peak area and the mountain bike park proposed for the East Peak Basin area. These are activities that are currently missing from the inventory of outdoor activities in the South Lake Tahoe area and will appeal to a wide cross-section of the public. The proposed locations for each activity are logical and well thought-out. I also support the development of the public multi-use trail identified in the document as the Panorama Trail in the route proposed.

I visited the facilities and interpretive area that opened at the top of the Tram earlier this year and look forward to the additional educational aspect proposed.

Please ensure this comment letter is provided to all three lead agencies reviewing the project. I appreciate the opportunity to share my input with you and the other agencies on this very worthwhile project.

Sincerely,  
  
Sam Slack  
Vice President

P.O. Box 5790, Stateline, Nevada 89449 (775) 588-3553 • [www.rwgroup.biz](http://www.rwgroup.biz)

Comment 29-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.



**Comment Letter 30 – Ditchkus, Stephen, Montbleu Resort Casino and Spa,  
10/17/14**

October 17, 2014

Mr. David Landry  
Senior Planner  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449  
[dlandry@trpa.org](mailto:dlandry@trpa.org)

Dear Mr. Landry:

HEAVENLY MOUNTAIN RESORT EPIC DISCOVERY PROJECT AND DRAFT EIR/EIS/EIS COMMENTS

- 1 | Montbleu Resort Casino and Spa supports Heavenly Mountain Resort's proposed Epic Discovery project. We agree with the stated Purpose and Need for the proposed project. We have reviewed the Draft EIR/EIS/EIS and agree with the conclusions reached in the document.

The project will be a benefit to both visitors to and residents of our community. It is consistent with our region's economic base of tourism and outdoor recreation. The project will further the goals of the TRPA's Regional Plan Update and the recently-adopted local area plans by providing high-quality sustainable public outdoor recreation. The range of activities that Heavenly has proposed is appropriate to the site and will help create the necessary critical mass of activities that will successfully attract and retain visitors.

In particular, we support the development of the Forest Flyer alpine coaster in the Adventure Peak area and the mountain bike park proposed for the East Peak Basin area. These are activities that are currently missing from the inventory of outdoor activities in the South Lake Tahoe area and will appeal to a wide cross-section of the public. The proposed locations for each activity are logical and well thought-out. Both activities are consistent with the 2011 Forest Service Summer Uses legislation and the management direction for Heavenly. We also support the development of the public multi-use trail identified in the document as the Panorama Trail in the route proposed.

As you may be aware we recently announced a \$24 million dollar renovation project that will be completed over the next two years. We believe the proposed Epic Discovery project only enhances our ability to obtain a satisfactory return on our investment.

The additional employment that will be required to support the project elements will enhance the overall health of our community by providing more year-round jobs and improved economic stability.

Please ensure this comment letter is provided to all three lead agencies reviewing the project. We appreciate the opportunity to share our input with you and the other agencies on this very worthwhile project.

Sincerely,



Stephen J. Ditchkus  
General Manager



Comment 30-1      Comments that state a position for or against a specific alternative are appreciated as this gives the Agencies a sense of the public's or other agencies feeling and beliefs about a proposed course of action. Such information can only be used by the decision maker(s) in arriving at a decision and not for improving the environmental analysis or documentation.