EXHIBIT A

Bi-State Recommendation

Air Quality

The group recommends, and affirms its support, for the proposed RPU in relation to 8 hour ozone standards, disbursement of air quality mitigation fees, and the prohibition of biomass facilities as described.

Additional Recommendations

The group recommends TRPA develop and adopt a pilot program for drive-up pharmacy windows in the City of South Lake Tahoe, to be monitored for environmental impacts and evaluated for further opportunities in the Basin.

EXHIBIT B

TRPA Draft Regional Plan and Draft Code of Ordinances Language

Full length documents can be found at the TRPA website:
http://www.trpa.org/documents/rp_update/DEIS/2_Regional_Plan_Goals_&_Policies_Tracked.pdf
http://www.trpa.org/documents/rp_update/Code_Update/Phase2/2_Draft_Code_Tracked.pdf

1. Air Quality Mitigation Fees

Draft Plan (None Referenced)

Draft Code

Section 65.2.6 (Use and Distribution of Mitigation Funds)

65.2.6 Use and Distribution of Mitigation Funds

A. TRPA shall deposit air quality mitigation funds in a trust account. Interest accruing to the trust account shall remain in the account until used on air quality mitigation projects. TRPA shall keep track of the amount of funds collected for each local jurisdiction, with interest, and shall disburse funds to the local jurisdiction, or to the Tahoe Transportation District at the local jurisdiction's request, for expenditure within the jurisdiction of origin, provided TRPA finds that the expenditure is consistent with TRPA's Regional Transportation Plan or the 1992 Air Quality Plan. Pursuant to subparagraphs 65.2.4.C.2 and 65.2.5.C.2, certain funds may be identified for the construction of specific projects. By October 1 of each year, the recipient shall submit to TRPA an annual report of the funds expended as of June 30 each year.

B. As an alternative to distributing air quality mitigation funds to the jurisdiction of origin, a portion of the air quality mitigation funds may be distributed across jurisdictional boundaries to support projects of regional priority that are specifically identified in a regional capital improvement program developed in cooperation with local jurisdictions, such as the Five Year Environmental Improvement Program (EIP) Priority Project List.

2. Biomass Facilities

Draft Plan (None Referenced)

Draft Code

Section 65.1.6.E and F

E. Exemptions

The following activities are exempt from the prohibitions of subparagraph 65.1.6.B:

1. Emergency power generators;

2. Temporary uses and activities approved under Chapter 22: *Temporary Uses, Structures, and Activities*, unless they would have a significant adverse impact as determined by an environmental assessment; and

~~3. Biofuel facilities that meet the following standards:~~

~~a. The facility shall be designed to reduce the amount of pile burning through diversion of in-basin material to the facility;~~

~~b. There shall be a net reduction in volatile organic compounds, sulfur dioxide, and cdarbon monoxide on a per dry ton basis of biofuel as compared to the emissions that would be generated if material were burned in piles, and these pollutants shall meet the emission limits set forth in Table 65.1.6-2, using standard calculation methods;~~

~~c. The facility shall not accept biofuel that is imported into the region;~~

~~d. Material for the biofuel facility shall come from the diversion of material intended for pile burning from forest treatment programs, and cumulative demand shall not exceed 19,000 tons per year;~~

~~e. There shall be a net reduction in nitrogen oxide emissions of greater than 40 percent as compared to the emissions that would be generated if material were burned in pile burning. The emissions calculations shall follow EPA methodologies;~~

~~f. There shall be a net reduction of 90 percent or greater in emissions of particulate matter less than 10 microns as compared to the emissions that would be generated if material were burned in pile burning. The emissions calculations shall follow EPA methodologies; and~~

~~g. Emissions generated by dual-fueled systems shall conform to subparagraphs 65.1.6.A through D when operating with fuels other than biofuels.~~

F. Biofuel Facilities

TRPA shall suspend acceptance of applications for biofuel facilities until further research demonstrates the safety and environmental compatibility of such facilities.

EXHIBIT C

DRAFT Environmental Impact Statement (DEIS) Mitigation Measures

Full length DEIS can be found at the TRPA website:
http://www.trpa.org/default.aspx?tabindex=0&tabid=422

Mitigation Measure 3.4-2:

Develop and Implement a Best Construction Practices Policy for Construction Emissions.

Within 12 months of adoption of an updated Regional Plan, TRPA will coordinate implementation of Best Construction Practices for Construction Emissions through TRPA approved plans, project-permitting, or projects/programs developed in coordination with local or other governments that require, as a condition of project approval, implementation of feasible measures and Best Management Practices to reduce construction-generated emissions to the extent feasible. Until that time, TRPA will continue existing practice to require measures developed on a project-specific basis. Where local ordinances, rules, or regulations already require Best Construction Practices for construction emissions, no further action is necessary. Where local government ordinances, rules, or regulations do not adequately address Best Construction Practices, those practices will be implemented through local government and/or TRPA permitting activities. Such measures may include, but are not limited to, the following:

- Construction contractors shall prepare and submit an inventory of heavy-duty equipment over 50 horsepower and used an aggregate of 40 or more hours during construction. The equipment inventory shall demonstrate that the project-wide fleet average will achieve a minimum 20 percent NOX and 45 percent particulate matter emissions reduction compared to the most recent statewide average. Acceptable options for reducing emissions may include use of late model engines, low emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.
- Fugitive dust shall not exceed 40 percent opacity and not go beyond the property boundary at any time during project construction.
- No open burning of removed vegetation shall occur during infrastructure improvements.
- Minimize idling time to 5 minutes for all diesel-power equipment.
- Apply water to control dust as needed to prevent dust impacts offsite. Operational water truck(s) shall be onsite, as required, to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site.
- Apply approved chemical soil stabilizers, vegetative mats, or other appropriate Best Management Practices to manufacturer's specifications, to all inactive construction areas (previously graded areas which remain inactive for 96 hours). Spread soil binders on unpaved roads and employee/equipment parking areas and wet broom or wash streets if silt is carried over to adjacent public thoroughfares.
- Utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators, wherever feasible.

Mitigation Measure 3.4-5:

Develop and Implement a Best Construction Practices Policy for TAC Emissions during Construction.

Within twelve months of adoption of an updated Regional Plan, TRPA will coordinate implementation of Best Construction Practices for Construction Emissions through TRPA approved plans, project permitting, or projects/programs developed in coordination with local or other governments that requires, as a condition of project approval, implementation of feasible measures to reduce exposure of sensitive receptors to construction-related TAC emissions. Until that time, TRPA will continue the existing practice to require measures developed on a project-specific basis. Where local ordinances, rules, or regulations already require Best Construction Practices for construction emissions, no further action is necessary. Where local government ordinances, rules, or regulations do not adequately address Best Construction Practices, those practices will be implemented through local government and/or TRPA permitting activities. Such measures may include, but are not limited to, the following:

- Limit idling time to 5 minutes maximum.
- Equip heavy-duty construction equipment with diesel particulate traps.
- Locate construction staging areas as far away as possible on the project site from off-site receptors.
- As a condition of approval, individual project environmental review shall demonstrate that current district-recommended BMPs are implemented to ensure sensitive receptors are not exposed to substantial TAC concentrations.

Mitigation Measure 3.4-9:

Maintain Level of Air Quality Mitigation Improvements.

For Alternative 4, TRPA will evaluate and adjust the Air Quality Mitigation Fee program to ensure that no decrease in the level of air quality improvements would result from the change in the eligible time period for a previous use from 2 to 5 years. Adjustments to the mitigation fee program may include, but are not limited to the following:

- Increase Air Quality Mitigation Fees on new developments to offset the reduction in fees from the proposed change.
- Implement regulatory changes that would ensure the same level of air quality improvements could occur with reduced fees.
- Develop an additional Air Quality Mitigation Fee for additional uses that would offset the reduction in mitigation fees from the proposed change.

Mitigation Measure 3.5-1:

Implement Sustainability Measures with Performance Standard.

Within twelve months of adoption of an updated Regional Plan, TRPA will coordinate implementation of a GHG Emission Reduction Policy through TRPA approved plans, project-permitting, or projects/programs developed in coordination with local or other governments addressing Best Construction Practices and ongoing operational efficiency. Until that time, TRPA will continue existing practice to require measures developed on a project-specific basis. The policy will require

implementation of measures for the reduction of GHG emissions generated by demolition and construction activity in the Region and by ongoing building and property operations. Where local ordinances already require GHG Emission Reductions consistent with the Policy, no further action is necessary. Where local government ordinances do not adequately address GHG reduction practices, those practices will be implemented through local government and/or TRPA permitting activities. Such measures may include, but are not limited to, the following:

Minimize Construction-Related GHG Emissions:

- Limit equipment idling time to a maximum of five (5) minutes.
- Recycle or reuse construction waste and demolition material to the maximum extent feasible.
- Use electrified or alternative-fueled construction equipment to the maximum extent feasible.
- Use local and sustainable building materials to the extent possible.

Minimize Operation-Related GHG Emissions:

- Use on-site renewable energy, such as photovoltaic systems.
- Exceed building code standards for energy efficiency.
- Install energy efficient appliances and equipment in new buildings.
- Retrofit existing buildings to exceed energy efficiency building code standards.
- Construct new development to allow for electric lawn maintenance and snow removal equipment compatibility.
- Require minimum passive solar design standards in new buildings.
- Expand recycling opportunities and increase recycling infrastructure, including food waste diversion into a composting process.
- Implement water conservation standards in new development.

TRPA will require through TRPA approved plans, project permitting, or projects/programs developed in coordination with local or other governments that GHG emissions from project specific construction and operational activities permitted pursuant to and in accordance with the Regional Plan are reduced to the maximum extent feasible. As described in the RTP/SCS EIR/EIS, all feasible mitigation measures pertaining to mobile-source GHG emissions have been considered within the range of transportation strategies already included in the three RTP/SCS Transportation Strategy Packages. Through the grant awarded to the Lake Tahoe Region from the California Strategic Growth Council, a partnership of agencies and organizations are working on a Region-wide Sustainability Plan, which will address other primary sources of GHG emissions (i.e., energy use and efficiency, water supply and conservation, and solid waste). At such time a Sustainability Plan is completed for the Tahoe Region, TRPA will coordinate implementation measures through TRPA approved plans, project permitting, or projects/programs developed in coordination with local or other governments recommended in that plan along with other appropriate measures, as feasible.

EXHIBIT D

Comments from Agencies, Organizations and Businesses/Individuals

Full comment letters can be read at the TRPA website, located at: http://www.trpa.org/RPUEISComments/

Agencies:

CA_Department of Justice
CA_State Agencies
City of South Lake Tahoe
El Dorado_Department of Transportation
Placer County
Placer County Air Pollution Control District
TRPA Advisory Planning Commission
US_Environmental Protection Agency

Organizations:

Contractors Association of Truckee Tahoe
Friends of Tahoe Vista
League to Save Lake Tahoe, Friends of the West Shore, Tahoe Area Sierra Club – Joint Comments.
North Tahoe Business Association
Snowlands Network
Tahoe Chamber
Tahoe City Downtown Association

Businesses:

Edgewood Companies
Edgewood Companies & Heavenly Mountain Resort – Joint Comments
Gary Davis Group
Harray's_Harveys
Nevada Pacific Consulting
Sierra Colina
Sustainable Community Advocates

Individuals:

Anonymous 1