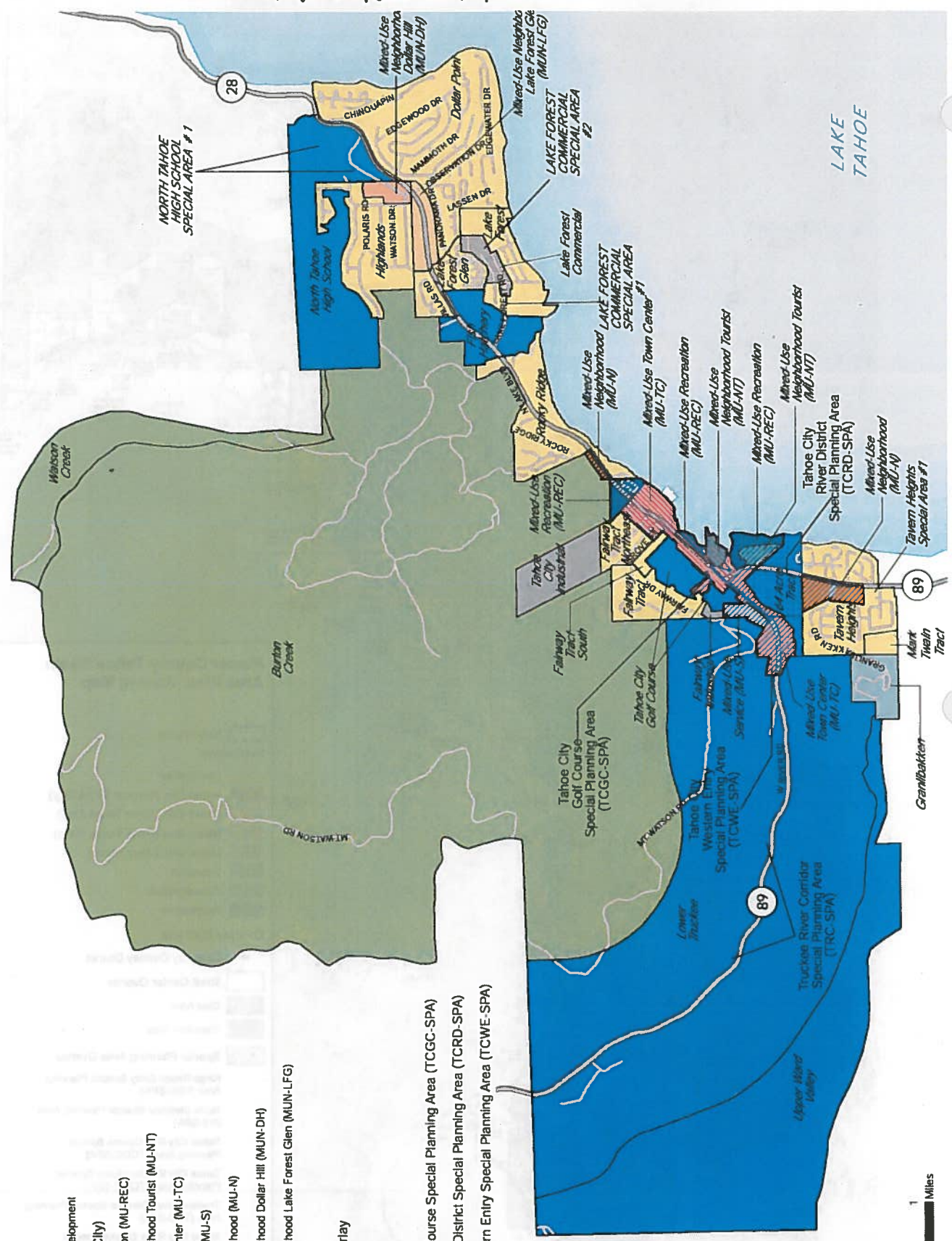


Appendix C

Comment Letter 13 Attachment

GREATER TAHOE CITY PLAN AREA

- Subdistricts**
- Residential
 - Commercial and Industrial
 - Conservation
 - Recreation
 - Tourist Planned Development
- Mixed-Use (Greater Tahoe City)**
- Mixed-Use Recreation (MU-REC)
 - Mixed-Use Neighborhood Tourist (MU-NT)
 - Mixed-Use Town Center (MU-TC)
 - Mixed-Use Service (MU-S)
 - Mixed-Use Neighborhood (MU-N)
 - Mixed-Use Neighborhood Dollar Hill (MUN-DH)
 - Mixed-Use Neighborhood Lake Forest Glen (MUN-LFG)
- Overlay Districts**
- Town Center Overlay
 - Core Area
 - Transition Area
 - Tahoe City Golf Course Special Planning Area (TCGC-SPA)
 - Tahoe City River District Special Planning Area (TCRD-SPA)
 - Tahoe City Western Entry Special Planning Area (TCWE-SPA)



- J. **Fairway Tract South Subdistrict.** The Fairway Tract South Subdistrict is located within the Greater Tahoe City Subarea. This area should continue to serve as a recreation and public service area in a residential neighborhood, maintaining the existing character.

1. **Special Designations.** (See Section 3.14)

- a. TDR Receiving Area for:
 - i. Multi-Residential Units
- b. Preferred Affordable Housing Area
- c. Multi-Residential Incentive Program Area

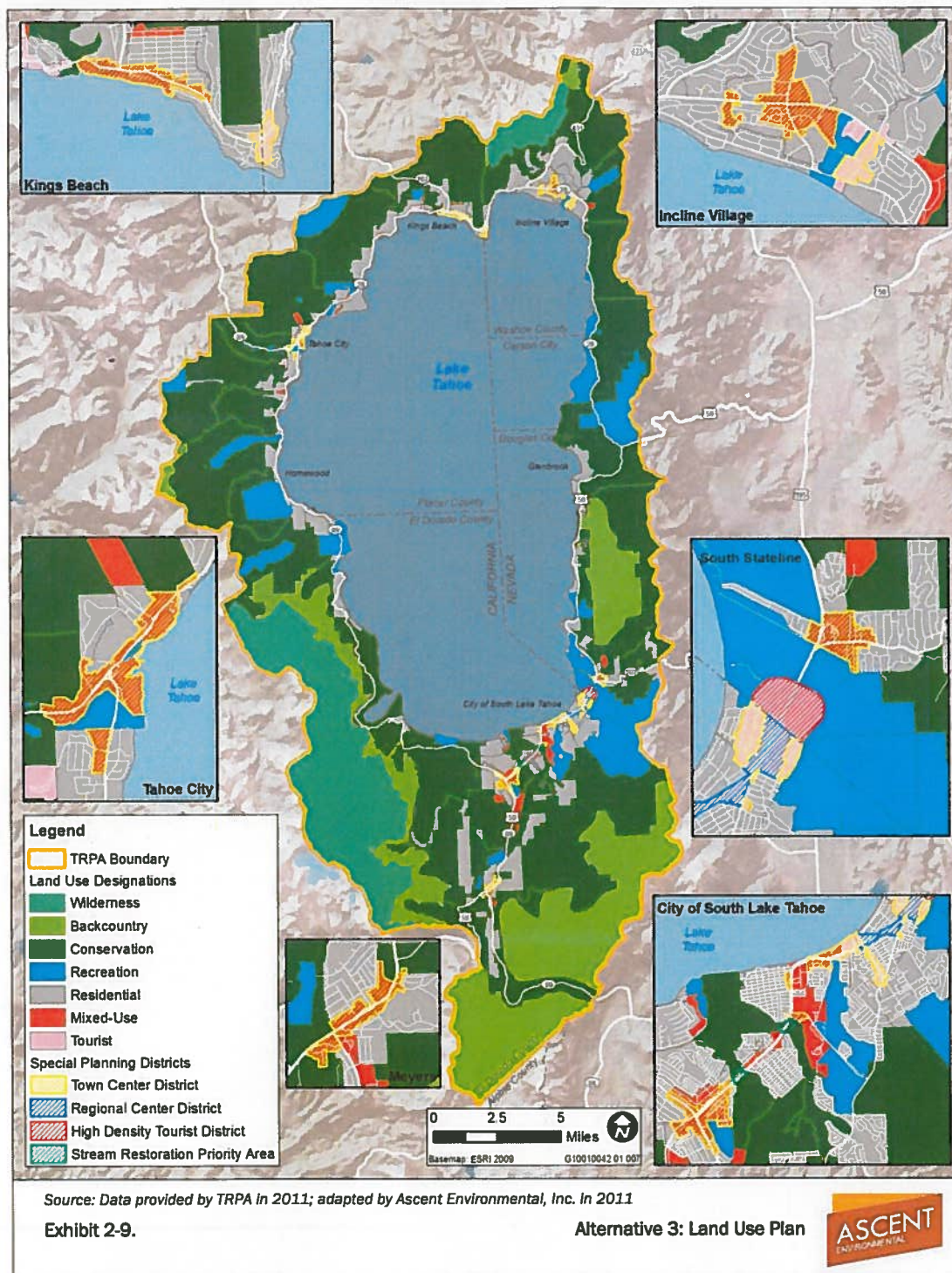
2. **Special Policies.**

- a. The Fairway Tract South Subdistrict is a recreation/public service area, which is in the influence area of the former Tahoe City Community Plan. All projects shall be subject to the policies and standards of this Subdistrict.

3. **Permissible Uses.** The following primary uses may be permitted within all or a portion of the Subdistrict. The list indicates if the use is Allowed (A), subject to an Administrative Review Permit (C), or must be considered under the provisions for a Conditional Use Permit (CUP) or Minor Use Permit (MUP). Existing uses not listed shall be considered nonconforming uses within this Subdistrict. The establishment of new uses not listed shall be prohibited.

TABLE 2.03.J-1: LAND USE REGULATIONS–FAIRWAY TRACT SOUTH SUBDISTRICT		
Allowable Land Uses	Land Use Permit	Add'l Regs.
Residential		
Single-Family Dwelling	A	
Employee Housing	MUP	
Tourist Accommodation		
Bed and Breakfast Facilities	CUP	
Hotel, Motel and Other Transient Dwelling Units	CUP	
Commercial		
Eating and Drinking Places	A	
Nursery	MUP	
Amusements and Recreation Services	A	
Privately Owned Assembly and Entertainment	MUP	
Public Service		
Cemeteries	A	
Religious Assembly	MUP	
Cultural Facilities	MUP	
Day Care Centers/Pre-Schools	A	
Local Post Offices	MUP	

Attachment C





Placer County
Community Development Resource Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn, CA 95603

Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, NV 89449

Date: June 23, 2015
To: Ms. Maywan Krach and Ms. Lucia Maloney
From: The League to Save Lake Tahoe

Re: Comments on Notice of Preparation of Draft Environmental Impact Report/Environmental Impact Statement for Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project

Dear Ms. Krach and Ms. Maloney,

The League to Save Lake Tahoe (the League) appreciates the opportunity to provide comments on the scoping for the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan (Area Plan) and Tahoe City Lodge Pilot Project (Pilot Project). The League acknowledges the work both Placer County and Tahoe Regional Planning Agency (TRPA) have done on updating the Area Plan and including the League as a stakeholder. The Area Plan will provide opportunities for different environmental improvements, but still requires extensive environmental review. While the TRPA's Regional Plan Update (RPU) provided a minimum frame work in its environmental review this Area Plan covers an entire local jurisdiction and is proposing many changes to current land use conditions. The following comments should be assessed in the EIR/EIS;

- **Tahoe City Town Center modifications must be analyzed as these do not conform to the RPU,**
- **Conversion of Commercial Floor Area to Tourist Accommodation Units must be assessed for potential environmental impacts,**
- **Non-contiguous parcels being used for a project area was not assessed in RPU,**
- **Secondary units and potential environmental impacts must be assessed,**
- **Mixed-use within Town Centers and residential uses in mixed-use areas outside of Town Centers should detail RPU tiering and other potential environmental impacts,**
- **Impacts to scenic viewsheds should be reviewed including nighttime skies,**
- **Water quality improvements should be included along with potential environmental impacts,**

- **All environmental impacts relating to the Tahoe City Pilot Project must be fully analyzed,**
- **All environmental impacts relating to the Kings Beach center must be fully analyzed.**

Background

The TRPA was successful in updating and passing the RPU in December 2012. A major component of the RPU is the concept of Area Plans. Area Plans allow local jurisdictions to create development standards based off of community input, streamlined permitting, and facilitated environmental restoration. Placer County has worked diligently over the past three years in creating an Area Plan for its entire jurisdiction within the Lake Tahoe Basin. The draft Area Plan has incorporated input from community teams and various stakeholders.

This Area Plan will be the largest Area Plan implemented and approved by the TRPA. While the planning documents include concepts to help accelerate environmental improvements, the Area Plan and associated ordinances require a comprehensive environmental review. The size of the plan alone and development allowances will create significant environmental impacts as compared to what exists today. The RPU environmental review did a regional analysis of new updates, but requires that Area Plans still go through their own assessment, "...[other planning documents] would remain in effect until superseded by Area Plans or other plan updates, which would, in turn undergo environmental review prior to adoption."¹ It is imperative that the Area Plan EIR/EIS look at all potential impacts to the environment including, but not limited to, the comments below. The RPU Draft and Final EIS did not analyze the specific impacts associated with this Area Plan. This Area Plan also proposes policy that is not in conformance to the RPU. These proposals will not only require detailed environmental review, but also to make the required TRPA findings necessary to amend the RPU and demonstrate threshold attainment.²

The League understands that the purpose in analyzing the Pilot Project concurrently with the Area Plan environmental review is to not delay implementation and approval of the project. However, this project alone must be assessed for its potential impacts to the environment and should not rely on the Area Plan analysis. It must meet all TRPA and California Environmental Quality Act (CEQA) requirements in terms of analyzing impacts, providing alternatives, and detailing mitigation measures. The approvals for this project should not be incorporated with the Area Plan approval process. It must go through the Placer County and TRPA permit approval process not related to the Area Plan. The project will also be required to demonstrate threshold attainment through its own findings.³

Tahoe City Town Center Modifications Must be Analyzed as These Do Not Conform to the RPU

Placer County is proposing modifications to the Tahoe City Town Center that were not addressed in the RPU or its associated environmental review. This proposal would be an amendment to the RPU and its Town Center boundary maps. The modifications are meant to remove land that will not be

¹ TRPA Draft Environmental Impact Statement for the Regional Plan Update. April 25, 2012. p.3.2-11.

² TRPA Code of Ordinances. Amended July 23, 2014. 4.5, 4.6. p(s). 4-2, 4-3.

³ TRPA Code of Ordinances. Amended July 23, 2014. 4.4. p. 4-1.

developed and to expand into the Tahoe City golf course onto high capability land.⁴ The League understands the concept for the modifications and that they are intended to facilitate the Pilot Project. This change still requires environmental review as it was not discussed in the RPU. Town Center modifications also require the following,

“When Area Plans propose modifications to the boundaries of a Center, the modifications shall comply with the following:

1. Boundaries of the Center shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (four-sided parcel), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standards.
2. Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
3. Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.^{5”}

The modifications to the Tahoe City Town Center boundary must demonstrate that they meet these TRPA Code and Ordinance (TRPA Code) requirements. Whether this occurs through the environmental review or Area Plan conformance, the information should be provided to the public. In addition to environmental review for associated impacts the findings will have to demonstrate that as an amendment to the RPU the modifications will achieve and maintain thresholds.⁶

Conversion of Commercial Floor Area to Tourist Accommodation Units Must be Assessed for Potential Environmental Impacts

The conversion of Commercial Floor Area (CFA) to Tourist Accommodation Units (TAU) was also not addressed in the RPU and must be assessed for potential environmental impacts. This is a new concept being proposed in the Area Plan. The conversion must meet specific requirements and no more than 400 additional TAUs may be established in Placer County through this program or other actions combined. The proposed rate of conversion would be 1 TAU = 454 square feet.⁷ While this program has very specific requirements and a limited cap it requires environmental review. This would also require to demonstrate threshold attainment as an amendment to the RPU.⁸

⁴ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.7

⁵ TRPA Code of Ordinances. Amended July 23, 2014. 13.5.3.G p. 13-9. .

⁶ TRPA Code of Ordinances. Amended July 23, 2014. 4.5. p.4-2.

⁷ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.4

⁸ TRPA Code of Ordinances. Amended July 23, 2014. 4.5. p.4-2.

Non-Contiguous Parcels for a Project Area was Not Assessed in RPU

Placer County is proposing another program in the Area Plan that was not assessed in the RPU or its environmental documents. The program would allow for a project site to include non-contiguous parcels within Town Centers.⁹ While any project using this program would require TRPA approval it is being proposed as new policy for the region in the Area Plan. Where these areas are geographically located should be detailed. This program should coincide with current parking strategy efforts occurring in North Lake Tahoe. This new program could set precedent throughout the region so must be seriously analyzed. All potential environmental impacts associated with this program requires assessment and must also make threshold attainment findings as an amendment to the RPU.

Secondary Units and Potential Impacts Must be Assessed

The Area Plan allows for a program providing for secondary residences. This would allow for secondary residences on certain residential parcels less than one acre in size, subject to Best Management Practice (BMP) certification, TRPA Code requirements, located within .25 mile of a mixed-use district, and may not be used as TAUs.¹⁰ The impacts associated with this allowance, including but not limited to, an increase to vehicle miles travelled (VMT), scenic concerns, and any potential effects to water quality must be addressed in the Area Plan EIR/EIS. The requirements limit the location and amount of possible secondary units, but potential impacts to the environment need to be reviewed.

Mixed-Use within Town Centers and Residential Uses in Mixed-Use Areas Outside of Town Centers Should Detail RPU Tiering and Other Potential Environmental Impacts

The Area Plan EIR/EIS must describe where the RPU Draft and Final EIS are being used and detail any potential environmental impacts associated with zoning changes. While the RPU did a general analysis for allowing mixed-use within Town Centers, Placer County's Area Plan is geographically very large in size. It will be replacing and rescinding 51 Plan Area Statements (PAS) and nine community plans.¹¹ The previous 51 PAS and nine community plans listed permissible and special uses that the majority of which have been translated to the draft Area Plan and associated code. The Area Plan will allow for mixed-use in Town Centers and add residential uses in mixed-use areas outside of Town Centers.¹² The RPU allows for mixed-use within Town Centers. Considering the significant amount of

⁹ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.4

¹⁰ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.4

¹¹ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.1

¹² Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. P(s).3-5.

plans that are being replaced by one document the Area Plan EIR/EIS should clearly point to what portions of the RPU environmental review is being used and list any potential impacts associated with these changes. Allowing residential use within mixed-use areas outside of the Town Center could have potential impacts relating to VMT, noise, and community character. All zoning changes within the Area Plan need to be assessed.

Impacts to Scenic Viewsheds Should be Reviewed Including Nighttime Skies

The changes to land use associated with the Area Plan should be reviewed in relationship to their impacts to scenic viewsheds and to nighttime skies. The TRPA has strict scenic requirements not only for planning, but for projects. While the Area Plan will have to demonstrate how it meets these scenic requirements through the RPU conformance, the EIR/EIS needs to assess any potential impacts to the scenic viewsheds. The RPU Draft EIS states,

“For Town Centers and the Regional Center, Area Plans must:

- Include building and site design standards that reflect the unique character of each area, respond to local design issues, and consider ridgeline and viewshed protection.¹³”

The Area Plan and associated code detail measures that have been taken to aid in scenic threshold attainment. However, potential impacts and how the Area Plan considers ridgeline and viewshed protection should be included in the environmental review. TRPA Code details specific design requirements for Area Plans to protect dark sky views. It states,

“(F. Community Design Standards). To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

5. (Lighting). Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- a. Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- b. Exterior lighting should utilize cutoff shields that extend below the lighting elements to minimize light pollution and stray lights.
- c. Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low intensity lights.
- d. Lights should not blink, flash, or change intensity except for temporary public safety signs.¹⁴”

The environmental review should demonstrate how nighttime skies will be protected through the Area Plan or detail what mitigation measures will be needed. Although the Area Plan conformance review and threshold findings will detail implementation of scenic protections, the impacts must still be assessed.

¹³ TRPA Draft Environmental Impact Statement for the Regional Plan Update. April 25, 2012. p.3.9-25.

¹⁴ TRPA Code of Ordinances. Amended July 23, 2014. 13.5.3.F.5. p. 13-8.

Water Quality Improvements Should be Included Along with Potential Environmental Impacts

Any potential environmental impacts to water quality as it relates to the Area Plan and its associated code must be analyzed. This includes the addition of coverage and new development allowances in Town Centers. The RPU Draft EIS was very specific in stating that for Town Centers, Area Plans must, “demonstrate that all activity within Town Centers will provide or not interfere with threshold gain, including but not limited to measureable improvements to water quality.¹⁵” The Area Plan EIS/EIR should describe not only impacts, but also detail how the Area Plan will improve water quality and where it will have beneficial impacts.

All Environmental Impacts Relating to the Tahoe City Pilot Project Must be Fully Analyzed

The Pilot Project and all associated environmental impacts, alternatives, and mitigation measures must be fully analyzed separately from the Area Plan assessment. The Area Plan includes a Pilot Project that is in Tahoe City next to the golf course that has a project size of almost three acres. It is aimed at eliminating dilapidated commercial property and redeveloping the property into tourist uses.¹⁶ There are different environmental improvements associated with the project, but it still requires a full review under both CEQA and TRPA requirements. The League understands that the project proponent wants to move forward with the environmental review concurrently with the Area Plan to prevent delay in permit approvals. The Area Plan EIS/EIR must specifically outline the impacts associated directly with the project. The review should consider impacts to VMTs, increase in coverage, scenic viewsheds, and to water quality. There is a “Potential Addition” of a neighboring property to the Pilot Project.¹⁷ The project proponents and TRPA must demonstrate that this area is classified under high capability land if it will be targeted for redevelopment. The approval of the actual project must go through its own permitting and approval process following environmental review.

All Environmental Impacts Relating to the Kings Beach Center Must be Fully Analyzed

The Area Plan includes the concept of a Kings Beach Center which must be fully analyzed for potential environmental impacts. The design concept includes 16 parcels that are currently being leased to residential and commercial tenants. Placer County has developed two conceptual proposals that involve a combination of hotel, commercial, professional office, and retail uses, government service building, community park, plaza, and parking.¹⁸ All potential environmental impacts should be analyzed for this design concept.

¹⁵ TRPA Draft Environmental Impact Statement for the Regional Plan Update. April 25, 2012. p.3.9-25.

¹⁶ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.7.

¹⁷ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.8.

¹⁸ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.11.

The alternatives listed for this state, “The Area Plan action alternatives could include but would not be limited to: modifications to Town Center boundaries and commodity conversion program details...”¹⁹ The League strongly advises against a Town Center modification. The proposed modifications to the Tahoe City Town Center has followed years of discussions with many different stakeholders. It would not comply with the RPU and would require additional environmental review. It would be required to demonstrate threshold attainment as an amendment to the RPU. The Area Plan has already been significantly delayed and an alternative exploring this type of modification could hinder the approval process.

Recommendations

The League would like to thank Placer County staff and their consultants for their continued communication through the Area Planning process. The environmental review is a critical component to Area Plan approval and for successful implementation. The League recommends the following be included as part of the environmental review;

- **All environmental impacts associated with the Tahoe City Town Center modifications be analyzed as it was not part of the RPU;**
- **The conversion of CFA to TAU be assessed for potential environmental impacts as this was not contemplated in the RPU;**
- **Non-contiguous parcels used for a project area was also not assessed in the RPU so must be fully vetted for environmental impacts,**
- **Secondary residences should be assessed for any potential environmental impacts;**
- **Zoning changes and their impacts must be detailed which includes any tiering of the RPU environmental review;**
- **Impacts to scenic viewsheds and nighttime skies must be analyzed;**
- **Both benefits and impacts to water quality must be included in the environmental review;**
- **All environmental impacts associated with the Pilot Project must be separate from the Area Plan review;**
- **All environmental impacts associated with the Kings Beach Center must be reviewed and a Town Center modification should not be included as an alternative.**

Sincerely,
Shannon Eckmeyer
Policy Analyst
League to Save Lake Tahoe

¹⁹ Notice of a Draft Environmental Impact Report/Environmental Impact Statement (EIS) for the Proposed Placer County Tahoe Basin Area Plan and Tahoe City Lodge Pilot Project. June 3, 2014. p.11.



Placer County
Planning Services Division
775 North Lake Boulevard
P.O. Box 1909
Tahoe City, CA 96145
SWydra@placer.ca.gov

Ascent Environmental, Inc.
455 Capitol Mall, Suite 300
Sacramento, CA 95814

Date: June 8, 2016
To: Ms. Stacy Wydra and Ms. Fran Ruger
From: The League to Save Lake Tahoe

Re: Comments on Final Environmental Impact Report (FEIR) for the Martis Valley West Parcel Specific Plan

Dear Ms. Wydra and Ms. Ruger,

The League to Save Lake Tahoe (the League) has taken the opportunity to review the Final Environmental Impact Report (FEIR) for the Martis Valley West Specific Plan (Specific Plan). The Specific Plan has been brought forth by Mountainside Partners (project proponents) following years of discussions and negotiations, many of which the League was a participant.

While the League is in support of a significant conservation component of the Specific Plan, the League is disappointed with both the adequacy of the review and dismissal of traffic impacts to Lake Tahoe associated with the Specific Plan. The Specific Plan lies outside of the Lake Tahoe Basin and the jurisdiction of the Tahoe Regional Planning Agency (TRPA), but will still have negative environmental consequences to the Basin. Because of the importance of Lake Tahoe as an Outstanding National Resource Water, as well as the unique and comprehensive environmental standards governing the Lake Tahoe Basin, it is essential that the project be denied as it is proposed today. There must be a genuine analysis that looks at real impacts associated with traffic to the Basin. The League urges Placer County Board of Supervisors (BOS) to not certify the FEIR as it is presented today. The FEIR does not meet California Environmental Quality Act (CEQA) requirements for certification as described in these comments. Approving the Specific Plan and FEIR could only be used with arbitrary findings and inappropriate overriding consideration that disregard environmental impacts. The following comments on the FEIR address the concerns of the League as they relate to impacts to the Lake Tahoe Basin:

- I. **The FEIR is Inadequate Because It Does Not Account for the Negative Traffic Impacts the Specific Plan Will Generate in the Lake Tahoe Basin.**
 - a. *Impacts Associated with a Drop to Level of Service (LOS) in Lake Tahoe Basin Are Ignored While Impacts Associated with an Increase to Vehicle Miles Travelled (VMT) to Lake Tahoe Basin are also Ignored.*
 - b. *The Changes Made to the Transportation and Circulation Mitigation Measures Are Meaningless. These Weak Mitigation Measures Do Not Hold Project Proponents Accountable nor Mitigate Impacts to the Lake Tahoe Basin.*
- II. **The FEIR is Inadequate Because Placer County Failed to Meet CEQA Requirements by Coordinating with TRPA.**
- III. **The FEIR Ignores Current Placer County and TRPA Planning Efforts. Placer County is also the Lead Agency for the Squaw Valley Project and Lake Tahoe Basin Area Plan Which Have Been Ignored in this FEIR. This Makes the FEIR Inadequate.**
- IV. **The FEIR Ignores Cumulative Impacts Associated with Brockway.**
- V. **The FEIR Ignores the Alternative Proposed by the League and Other Organizations.**
- VI. **This FEIR Should Not Be Approved or Certified under CEQA. There Are Not Enough Appropriate Overriding Considerations to Approve FEIR Over Detrimental Environmental Impacts.**

Background

The Specific Plan proposal put forth by the project proponents is a result of years of negotiations, public comment, and agency input. The League was engaged by the project proponents in early 2012 to discuss the project and its associated conservation easement because a portion of the original project was within the Lake Tahoe Basin. The League and other conservation groups such as Mountain Area Preservation (MAP), Sierra Watch, and Sierra Club participated in discussions relating to the appropriateness of development entitlements for the project coupled with a significant amount of environmental conservation. The original project proposal spanned what is now designated as the West Parcel in the Specific Plan of Martis Valley and a 112.8 acre portion of the Lake Tahoe Basin, which would have required TRPA approval. It also included what is to be designated as conservation as the East Parcel of the Specific Plan.¹

The original proposal had essentially three planning components. The first and second components were the West Parcel located in Martis Valley within Placer County (1,052 acres) and the Lake Tahoe Basin (112.8 acres) parcel, both of which would have been the location site for development. The development project included 760 units and 6.6 acres of commercial property spanning both Placer County and TRPA jurisdictions. The project proponents sought a Resort Recreation designation through an Area Plan under the TRPA Regional Plan Update (RPU) for the Lake Tahoe Basin portion of development. The third component was the East Parcel which included a designation as

¹ Martis Valley West Parcel Specific Plan. Preliminary Draft. May 2014. Prepared by East West Partners. 1.3 Plan Authority. p.10.

conservation for over 6,000 acres of open space in Martis Valley.² The project proponents ignored guidance given by the League and other conservation groups in delaying the Lake Tahoe Basin development and establishing environmental targets as required by the TRPA for Area Plans. Neither the Resort Recreation designation nor the Area Plan were redevelopment opportunities envisioned by the TRPA. There was significant public and TRPA Governing Board pushback when the first Notice of Preparation (NOP) for the original project was released in May of 2014. While the League supported the overall concept of conservation for the East Parcel within Martis Valley, the League did not find that the Lake Tahoe Basin portion of the project complied with TRPA TRPA goals and policies. The significant criticism surrounding the original proposal resulted in the project proponents temporarily eliminating the Lake Tahoe Basin development.

The project proponent shifted the 760 units and 6.6 acres of commercial development from the original Placer County and Lake Tahoe Basin project site to only the Placer County jurisdiction. This is what has now created the Specific Plan that is discussed today. The Specific Plan is directly adjacent to the Lake Tahoe Basin parcels that were part of the original project proposal. The revised NOP for the Specific Plan was released in February of 2015. The project proponents have continuously touted their gesture in removing the Lake Tahoe Basin component of the Specific Plan.³ However, in July of 2015 the project proponents applied for a new TRPA permit for the Lake Tahoe Basin parcel for Brockway campground (Brockway). The Brockway campground permit will seek approval from the TRPA for a 550-site developed campground including tent sites, camper sites, permanent shelters, a lodge, meeting pavilions, and other permanent structures.⁴ While the Specific Plan and Brockway projects require separate approval processes, their infrastructure and environmental impacts are intertwined. Not only have they been proposed by the same project proponents, but they very likely will be merged into the original project proposal once the infrastructure for both projects has been approved. The Brockway proposal will require its own environmental analysis under CEQA and the TRPA Bi-State Compact (the Compact). However, the cumulative impacts associated with the Specific Plan and Brockway projects were ignored and piecemealed in both the Draft Environmental Impact Report (DEIR) and FEIR.

The public process for the Specific Plan (and Brockway) have been incredibly complex, rushed, and forced. It has been difficult for public officials and other professional stakeholders to keep pace, let alone general public. The Brockway project was submitted to both Placer County and the TRPA in July 2015. The DEIR for the Specific Plan was released in October of 2015. Placer County released a FEIR for an unrelated Squaw Valley Project in April 2016 which is a document close to 4,000 pages long (this project and cumulative impacts to Lake Tahoe will be discussed later). Placer County then released the Specific Plan FEIR less than a month later in May 2016 which is a document over 2,000 pages long. The Specific Plan project and FEIR went forward to approval to an advisory council nine days after it was released and has now leap-frogged the Squaw Valley project approval process and

² Martis Valley West Parcel Specific Plan. Preliminary Draft. May 2014. Prepared by East West Partners. 6.4 Designated Open Space. p.65.

³ Placer County Planning Commission. November 19, 2015. Public Hearing on Martis Valley West Specific Plan Draft Environmental Review. Transcript in Volume II Martis Valley West Parcel Specific Plan FEIR.

⁴ Brockway Campground Minor Use Permit Project Description and Site Design Maps. Submitted to TRPA July 31, 2015. Pages 4,5 of 8.

has been slotted for Planning Commission approval June 9, 2016 and BOS July 26, 2016. It appears both the Specific Plan project and FEIR have been forced at the hand of the project proponents through this disingenuous public process. The League urges the BOS to influence the final Specific Plan project and FEIR rather than simply processing it.

The League, Sierra Watch, and MAP met with Placer County staff on March 2, 2016 and April 13, 2016 to discuss concerns relating to the DEIR/FEIR and the public process for the Specific Plan. The League explained in detail the significant impacts this project would have to Lake Tahoe in terms of traffic and how these concerns have been dismissed. Minimal efforts had been made in updating mitigation measures. The DEIR and FEIR cannot be proof of a public process under CEQA. The Placer County Planning Director stated that there was still time to influence the project before it is approved through a staff discretionary review. It was made clear by him to all of the organizations that our issues would be addressed. The League repeated this commitment to the BOS at their April 19, 2016 meeting so that this could be part of public record.⁵ It is the responsibility of Placer County as the lead agency of the DEIR and FEIR to influence the approval process for the Specific Plan. On May 12, 2016 the North Tahoe Regional Advisory Council (NTRAC) voted that the Planning Commission table approval of the project as proposed today to allow that body and the public more time to review. This was the advisory council given only nine days to make a decision on a 2,000 paged document. They also voted that the project not be approved as it has been currently proposed as there were too many unanswered questions raised not only by the public, but members of NTRAC.⁶ Placer County staff has ignored the NTRAC recommendation by moving forward with allowing the Planning Commission to consider approval on June 9, 2016. All of these things must be considered by the BOS when making their overriding considerations and should deny certification of this FEIR. The League highlights specific concerns relating to the FEIR below.

I. The FEIR is Inadequate Because It Does Not Account for the Negative Traffic Impacts the Specific Plan Will Generate in the Lake Tahoe Basin.

The FEIR essentially concludes that the Specific Plan will increase vehicle miles traveled (VMT) to the Lake Tahoe Basin, but to a point where the project proponents do not have to be held accountable for their actions. The project proponents are being “let off the hook” with conclusions drawn in the FEIR stating a traffic increase does not matter along with meaningless mitigation measures. Traffic impacts and concerns must be addressed before the Specific Plan is approved.

a. Impacts Associated with a Drop to Level of Service (LOS) in Lake Tahoe Basin Are Ignored While Impacts Associated with an Increase to Vehicle Miles Travelled (VMT) to Lake Tahoe Basin Are Also Ignored.

The DEIR for the Specific Plan ignored a general assessment of VMT increase and associated impacts to the Lake Tahoe Basin, but did acknowledge that the Specific Plan would drop the level of service (LOS) to the region. The FEIR now chooses to ignore concerns raised by the League relating to

⁵ Placer County BOS Meeting. April 19, 2016. Squaw Valley Resort. Squaw Valley Creek, CA. Video: http://placer.granicus.com/ViewPublisher.php?view_id=6.

⁶ North Tahoe Regional Advisory Council Meeting. May 12, 2016. Tahoe City PUD. Electronic minutes unavailable at time this letter was submitted.

unacceptable LOS service, while also inadequately assessing impacts associated with VMT increase to the Lake Tahoe Basin. The DEIR concludes that the Specific Plan will drop the LOS for the segment of the SR267 to SR28 (segment within Lake Tahoe Basin in Kings Beach) to unacceptable service and that this cannot be mitigated. The project proponents will pay a fee to County Improvement Program (CIP), but that section of roadway is controlled by Caltrans, so payments to the County would have no effect on its management.⁷ The FEIR agrees with the assumption and concludes that the unacceptable LOS is significant and unavoidable.⁸ The League requested other mitigation be considered, but this request was ignored. The FEIR has concluded that there will be a drop in LOS and increase to VMT as discussed below. However, it states the VMT increase can be mitigated to a level of less than significant. This is inherently contradictory and makes the FEIR inadequate.

The FEIR does what should have been done in the DEIR by doing a VMT assessment to the Lake Tahoe Basin. However, it ignores an impact assessment associated with the VMT increase. The FEIR states several times the analysis does not fall under TRPA jurisdiction so is not required to meet the Compact requirements. The FEIR points out,

“On a peak travel day, the project would generate approximately 13,745 VMT within the Tahoe Basin. Total VMT in the TRPA boundary was estimated in the Regional Transportation Plan (TMPO and TRPA 2012) to be 1,984,600 for summer 2010 conditions. Based on this benchmark, which is considered the best available data, the project would result in an estimated 0.7 percent increase in VMT within the TRPA boundary. The TRPA environmental threshold carrying capacity threshold calls for the Tahoe Region’s VMT to be at least 10 percent below its 1981 level, or 2,067,600 VMT. The addition of the project’s VMT to the 2010 summer value would result in 1,998,345 VMT, which would remain below this VMT threshold.”⁹

There are brief discussions of other in-Basin projects and relationship to VMT increase in the Basin and what constitutes a significant increase. It then however concludes there is not a standard to use when determining “significant.”¹⁰ To simplify, this FEIR concludes there will be an increase to VMTs in the Basin, it is unsure if this is significant, but because the increase is less than what exceeds the ultimate TRPA carrying capacity, an overall impact assessment does not need to be done. This is an arbitrary analysis. A rational deduction can be made that a 0.7 percent increase to VMT within the Lake Tahoe Basin is significant because this means thousands of more trips which directly relate to increased air quality and water quality impacts. Specifically, increased traffic will result in negative impacts as they relate to greenhouse gas emissions and increases to fine sediment particles from roadways into Lake Tahoe.

⁷ Draft Environmental Impact Report Martis Valley West Parcel Specific Plan. October 22, 2015. Prepared for Placer County by Ascent Environmental. Master Responses. p.10-43.

⁸ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Comments to Responses. p.3.5-258.

⁹ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p.3-17.

¹⁰ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p.3-18.

MAP and Sierra Watch had Mr. Neal K. Liddicoat, P.E. a Traffic Engineering Manager for MRO Engineers conduct an assessment of the traffic analysis. His detailed report explains deficiencies in trip generations through the DEIR and FEIR. The League incorporates the whole assessment by reference for purposes of these comments. The League referred to his first analysis in comments submitted on the DEIR referring to a lack of general VMT assessment. As stated in those comments, "...analysis presented in DEIR Chapter 10 reveals virtually no mention of VMT and certainly no documentation of the assumptions and procedures employed in developing in VMT estimates."¹¹ The FEIR traffic assessment concludes that,

"FEIR Master Response 6 is intended to answer the many questions that were raised regarding the treatment of this topic in the DEIR. We must note, once again, that the project's VMT estimate is inaccurate because of the significant deficiencies in the trip generation estimates described [in this report] particularly with respect to internal trips at the proposed project. Correcting those errors will result in higher VMT values."¹²

Not only is conclusion that the VMT increase to the Lake Tahoe region inadequate in determining significance, but Mr. Liddicoat's report explains how the overall values are incorrect. These deficiencies must be remedied for an accurate VMT and associated impact analysis. As already discussed the LOS for the area will drop to a significant unacceptable level. The conclusions drawn are confusing and conflicting. The impacts relating to traffic are ignored through the inadequate VMT analysis. An actual impact analysis as it relates to VMT increase must be done. Certification of the FEIR must be denied based off of all of these reasons.

b. The Changes Made to the Transportation and Circulation Mitigation Measures Are Meaningless. These Weak Mitigation Measures Do Not Hold Project Proponents Accountable nor Mitigate Impacts to the Lake Tahoe Basin.

Minimal changes were made to mitigation measures under the "Transportation and Circulation" section of the DEIR and the League's request for adequate mitigation was ignored. The below mitigation measures shifted impacts related to transit in Impact 10-5: Impacts to Transit from Potentially Significant (PS) to Less than Significant (LTS).¹³ As explained below, this shift should not have been made. The mitigation measures state;

"Mitigation Measure 10-5a: Payment of annual transit fees: Prior to recordation of the initial Small Lot Final Map, the applicant shall establish a new Zone of Benefit (ZOB) within an existing County Service Area (CSA) or annex into a pre-existing ZOB to provide adequate funding of capital and ongoing operational transit

¹¹ Review of Transportation and Circulation Analysis Martis Valley West Parcel Specific Plan Final Environmental Review. June 1, 2016. Prepared for Shute, Mihaly & Weinberger LLP by MRO Engineers. p.27.

¹² Review of Transportation and Circulation Analysis Martis Valley West Parcel Specific Plan Final Environmental Review. June 1, 2016. Prepared for Shute, Mihaly & Weinberger LLP by MRO Engineers. p.27.

¹³ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Revisions to DEIR. p.2-18.

services/requirements. The applicant shall submit to the County for review and approval a complete and adequate engineer's report supporting the level of assessments necessary for the establishment of the ZOB. The report shall be prepared by a registered engineer in consultation with a qualified financial consultant and shall establish the basis for the special benefit appurtenant to the project.

Mitigation Measure 10-5b: Join and maintain membership in the Truckee-North Tahoe Transportation Management Association: Prior to approval of Improvement Plan and/or recordation of the Final Map, the commercial and homeowner associations shall join and maintain membership (at the rate defined by the TNT/TMA and tied to improvements to be funded) in perpetuity in the Truckee-North Tahoe Transportation Management Association (TNT/TMA), whose established purpose is to improve the general traffic and transportation conditions in the Truckee/North Tahoe area, and to address situations associated with traffic congestion and transportation systems.¹⁴

These updated mitigation measures lack detail on how they could truly be considered mitigation or what positive consequences they would have. *Mitigation Measure 10-5a* requires that the project proponents contribute funding to either a ZOB or CSA without any description as to what this means. There is no discussion as to an actual amount, where directly this funding will go to, how the funding will be traced, if it is a continual or one-time contribution, or if any of this will improve transit to the Lake Tahoe Basin. The mitigation measure is a lot of words describing a contribution that could happen, at some point, and go somewhere. This is another example of an arbitrary and capricious assessment in this FEIR. The purpose of mitigation measures is to detail how impacts will be mitigated, which is not the case here. This mitigation measure does not and will not hold the project proponents accountable for transit impacts to the Lake Tahoe Basin. This mitigation measure is weak because of its lack of details.

Mitigation Measure 10-5b is equally as arbitrary and capricious as to what it means and how it will mitigate impacts. It states that the commercial and homeowner associations will be a part of an association without a real discussion as to what the TNT/TMA is or what a "membership" entails. It does not discuss how the project proponents will hold either the commercial or homeowner associations accountable in attending and participating in TNT/TMA. In short this mitigation measure states, the homeowner association (not the project proponents) will be a member of an association that the FEIR explains nothing about, making this mitigation measure meaningless and arbitrary.

Having two mitigation measures without any detail that shift a critical impact from Potentially Significant (S) to Less Than Significant (LTS) is not only inadequate in terms of an appropriate environmental review, but is a blatant disregard of solutions to transit impacts to the Lake Tahoe Basin. It is the responsibility of Placer County to influence the project approval process through the FEIR. It would be irresponsible for the BOS to certify the FEIR as it is presented today because of the overall disregard of VMT impacts to Lake Tahoe and lack of meaningful mitigation measures. The conclusions drawn and

¹⁴ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Revisions to DEIR. p.2-18.

mitigation, or lack thereof, between LOS and VMT are inadequate and must be resolved. The League recommends that the certification of the FEIR be denied. An actual environmental analysis should include more details to the above mitigation measures and consideration of requiring the project proponents to increase transit opportunities from the project area to the Basin.

II. The FEIR is Inadequate Because Placer County Failed to Meet CEQA Requirements by Coordinating with TRPA.

The FEIR cannot be certified as presented today because Placer County failed to meet CEQA requirements by coordinating efforts with the TRPA. CEQA requires that as the lead agency, Placer County shall consult with and request comments on the draft EIR from, “any other state, federal, and local agencies which have jurisdiction by law with respect to the project or which exercise authority over resources which may be affected by the project.”¹⁵ Placer County ignored consultation with TRPA during the environmental review process for this Specific Plan. In response to the League’s request for recirculation of the DEIR for lack of consultation, the FEIR states that the TRPA was consulted because the original Area Plan proposal was withdrawn.¹⁶ This does not meet the above definition of consultation. This is a blatant disregard of CEQA requirements. It took the League to urge the TRPA at their December 16, 2015 Governing Board meeting to provide comments on the Specific Plan DEIR for the agencies to consult.¹⁷ The TRPA did provide comments on December 22, 2016 days after the comment period had closed for the DEIR. These comments related specifically to traffic impacts.

The comments provided by TRPA on the DEIR did include a discussion as to what should be assessed in terms of their threshold analysis. The FEIR concludes, “Because the project is located outside the Tahoe Basin and outside the jurisdiction of TRPA, the analysis does not address the unique regulatory requirements of TRPA (e.g., TRPA goals, policies, and environmental threshold carrying capacities).”¹⁸ While TRPA does not have authority over the actual permit for the Specific Plan, it does have authority over the region whose resources will be impacted as already discussed. This triggers the consultation requirement under CEQA, which again, was ignored. This alone should constitute denial of the certification of the FEIR. The TRPA specifically requested that adequate mitigation be incorporated in the FEIR to mitigate VMT increase to the Lake Tahoe Basin.¹⁹ For reasons already discussed above, the FEIR did not do this. The FEIR ignored requests made by both the League and TRPA for adequate mitigation. The Specific Plan cannot be approved as proposed. The DEIR and FEIR have ignored current planning efforts underway involving both Placer County and TRPA discussed below.

¹⁵ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15086 (a)3.

¹⁶ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Comments to Responses. p.3.5-258.

¹⁷ Oral Comments provided by Shannon Eckmeyer. TRPA Governing Board meeting Stateline, NV. December 16, 2015. <http://www.trpa.org/wp-content/uploads/January-27-2016-Governing-Board-Packet.pdf>, p.7.

¹⁸ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Comments to Responses. p.3.5-256.

¹⁹ Final Environmental Impact Martis Valley West Parcel Specific Plan. May 2016 Prepared for Placer County by Ascent Environmental. Comments and Responses. p. 3.3-3,4.

III. The FEIR Ignores Current Placer County and TRPA Planning Efforts. Placer County is Also the Lead Agency for the Squaw Valley Project and Lake Tahoe Basin Area Plan Which Have Been Ignored in this FEIR. This Makes the FEIR Inadequate.

Placer County is the lead agency for not only the Specific Plan analyzed in this FEIR, but another major development project called the Village at Squaw Valley Specific Plan (Squaw Valley Project) and the Lake Tahoe Basin Area Plan (the Area Plan). The Specific Plan FEIR does not include a discussion of cumulative impacts associated with the Squaw Valley Project or of the current Area Plan planning efforts. This dilutes the public process for the Specific Plan.

The FEIR concludes that CEQA does not require that TRPA Compact thresholds be applied in its analysis because the Specific Plan lies outside of TRPA's jurisdiction.²⁰ The League would like to highlight in these comments the current planning efforts between Placer County and TRPA and explain why the FEIR should include a threshold analysis, specifically as it relates to VMT increase to Lake Tahoe. In 2012, the TRPA adopted the RPU, which created the concept of area plans. The purpose of area plans is to focus redevelopment within urbanized areas to streamline permitting and incentivize environmental restoration. Placer County and TRPA have embarked on an area planning process for over four years. The League supported the RPU and in turn has worked as a collaborative stakeholder with both Placer County and TRPA through the area plan efforts. The Area Plan includes policy and projects within Lake Tahoe to decrease VMT problems to the North Shore and improve traffic flow. A recently adopted project called Fanny Bridge was approved by both Placer County and TRPA to improve traffic flow within Tahoe City, California. The League has raised concerns to Placer County staff in both the March and April 2016 meetings about how the Specific Plan will negatively impact the process being made in planning efforts put forth in the Area Plan.

The FEIR concludes, as already discussed, that there will be an increase to VMT in the Lake Tahoe Basin, but not enough to go above the TRPA VMT threshold, and that TRPA thresholds are inapplicable anyway. The FEIR completely ignores the Area Plan efforts by not mentioning it. The Area Plan and Fanny Bridge project are intended to help improve *current* traffic conditions. They cannot be used as mitigation or substitute for a lack of traffic impact assessment to the Lake Tahoe Basin for this Specific Plan.

The Squaw Valley Project is another significant development outside of the Basin that would also add thousands of additional VMT to the Lake Tahoe Basin. The scoping for this Specific Plan and DEIR were released after before the scoping and DEIR of the Squaw Valley Project, yet a discussion of cumulative impacts has been completely ignored. The cumulative impacts associated with both the Squaw Valley Project and the Specific Plan and how they relate to the Area Plan efforts have been discussed at length in both Placer County and TRPA public hearings. The process has been so complicated and confusing that Placer County Supervisor Jennifer Montgomery requested at the BOS meeting on January 24, 2016 that the Area Plan environmental draft environmental review be released with a cumulative impact assessment prior to both the Specific Plan and Squaw Valley Project FEIR

²⁰ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Comments to Responses. p.3.5-256

releases to be able to guide both FEIR reviews.²¹ This request was ignored along with a cumulative impact assessment of the Squaw Valley Project and Area Plan in this Specific Plan FEIR.

The League highlights these concerns because both the Specific Plan and Squaw Valley Project FEIRs ignore efforts to curb VMT in the Area Plan. These comments must be included in this letter as they will be referenced in both the Squaw Valley Project FEIR and Area Plan environmental review comments. They must be included in the record in the event that cumulative impacts continued to be ignored in the Area Plan environmental review. As already stated in these comments, the Specific Plan will increase the VMT threshold carrying capacity to the Lake Tahoe region by 0.7 percent. The Squaw Valley Project will increase the VMT threshold carrying capacity by 1.2 percent.²² The FEIR for both of these projects conclude that VMT increase will not cause an exceedance of the TRPA VMT threshold. However, cumulatively these projects move the entire Tahoe Basin almost 2 percent closer to its VMT limit. Put another way, since the Basin is 10 percent below the threshold, the two out-of-Basin projects close about a fifth of the gap remaining toward the TRPA VMT threshold limit for the entire Lake Tahoe Basin region. This does not include any potential cumulative impacts associated with the Brockway proposal as discussed below.

Placer County as the lead agency for these projects and the Area Plan cannot ignore the detrimental cumulative impacts associated with this VMT increase. There is no discussion as to what happens in terms of environmental impacts once the 10 percent gap towards the threshold is erased. There is also no discussion as to what this means for Placer County and future projects actually *within* the Lake Tahoe Basin. If the BOS approves this Specific Plan and certify the FEIR as proposed today, they are casting a vote against future appropriate redevelopment projects within the Basin and a vote for a continued increase to VMT rather than solving an already dire situation. The Area Plan planning efforts cannot be used as mitigation measures for this or the Squaw Valley Project FEIR. The Area Plan planning efforts are meant to remedy *currently existing traffic conditions*. Placer County must hold the project proponents accountable for increased VMT to the Lake Tahoe Basin by enforcing adequate mitigation. The League stated these concerns as part of the public record at the TRPA Governing Board meeting on May 25, 2016.²³ As lead agency for all of these environmental reviews, Placer County should not certify this Specific Plan FEIR as presented today because it has ignored traffic impacts to the Lake Tahoe Basin, cumulative impacts associated with Squaw Valley Project, and ignore the Area Plan efforts to improve existing conditions.

IV. The FEIR Ignores Cumulative Impacts Associated with Brockway.

As discussed above the cumulative impacts as they relate to VMT increase to the Lake Tahoe Basin between the Specific Plan and Squaw Valley Project have been ignored in the FEIR. The FEIR also continues to ignore cumulative impacts associated with Brockway campground. The FEIR claims it

²¹ Placer County BOS Meeting. Jan 24, 2016. North Lake Tahoe Event Center, Kings Beach, California. Video: http://placer.granicus.com/ViewPublisher.php?view_id=6.

²² Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-25.

²³ TRPA Governing Board Meeting. Oral Comments. May 25, 2016. North Tahoe Events Center, Kings Beach, California.

conducted a cumulative impact analysis by listing Brockway in cumulative projects list.²⁴ This cannot constitute a cumulative impact analysis, specifically as it relates to increased VMT to the Lake Tahoe Basin. The project proponents for these projects are one in the same and Placer County is the lead agency. By ignoring a true cumulative analysis, the FEIR is inadequate.

V. The FEIR Ignores the Alternative proposed by the League and Other Organizations.

The FEIR considers a new alternative, but did not consider a proposal suggested by the League, MAP, and Sierra Watch. All of the organizations suggested that the project size be reduced with a new point of access for the project. Instead of a new access through SR 267 to the Specific Plan, the project proponents would seek an easement to roadway access through Highlands View Drive. This alternative would also include a conservation easement of the Lake Tahoe Basin property where the Brockway campground has been proposed. This alternative would greatly reduce the amount of environmental impacts and provide much more adequate mitigation measures. The League urges that this be considered as a realistic alternative.

VI. This FEIR Should Not Be Approved or Certified under CEQA. There Are Not Enough Appropriate Overriding Considerations to Approve FEIR Over Detrimental Environmental Impacts.

This Specific Plan FEIR cannot be certified as it does not meet the necessary CEQA requirements. CEQA only allows for certification of a FEIR after it has been found that the EIR has been completed in compliance with CEQA.²⁵ The comments provided above detail how the public process has been inadequate and that the FEIR had not conducted a cumulative impact analysis with the Squaw Valley Project, Brockway, and the Area Plan. The NTRAC agreed the public has been ignored and that the FEIR cannot be certified as currently presented, as evidenced by their vote against certification on May 12, 2016. Placer County did not meet CEQA requirements in consulting with TRPA through the DEIR phases of the Specific Plan environmental review process. This FEIR cannot be certified because of its lack of CEQA compliance.

The Specific Plan cannot be approved as proposed as the Lake Tahoe Basin traffic impacts were ignored and the FEIR lacks adequate mitigation. CEQA states that a project can only be approved if it will not have significant effect on the environment.²⁶ The FEIR did not prove through its analysis that there would not be significant impacts to the Lake Tahoe Region because the VMT analysis is arbitrary. The associated mitigation measures relating to traffic impacts to Lake Tahoe are also arbitrary and meaningless. The priceless Lake Tahoe environment cannot be ignored at the sacrifice of the Specific Plan approval.

The BOS could make findings of overriding consideration against environmental harm to approve the project. To do this CEQA requires that the BOS,

²⁴ Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p.3.8.

²⁵ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15090(a)(1).

²⁶ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15092(b)(1).

“...balance, as applicable, economic, legal, social, technological, or other benefits, including region-wide or state-wide environmental benefits, of a proposed project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological, or other benefits, including region-wide or state-wide benefits, of a proposed project outweigh the unavoidable adverse environmental effects may be considered ‘acceptable.’²⁷”

The Specific Plan and associated FEIR have ignored public input and have disregarded current planning efforts to improve the Lake Tahoe region by both TRPA and Placer County through the Area Plan. The Specific Plan will likely bring financial gain to the project proponents. Alternatives brought forth by the League, MAP, and Sierra Watch have been ignored. The project will have detrimental environmental impacts to the Martis Valley region and Lake Tahoe. It is unclear as to what benefits the Specific Plan will bring other than financial gain to the project proponents. There is not enough evidence for the BOS to make any overriding considerations to approve this project. The League recommends that the FEIR be denied certification and that the approval of the Specific Plan also be denied.

Recommendations

These comments have detailed concerns with not only the FEIR, but impacts to the Lake Tahoe region. The League recommends that:

- **The FEIR be denied certification as proposed today.**
- **The Specific Plan approval be denied as proposed today.**
- **A true assessment on VMT increase to Lake Tahoe and its associated traffic impacts be completed for the Specific Plan.**
- **Adequate mitigation for traffic be presented through detailed funding mechanisms and transit solutions from the project area to the Lake Tahoe Basin.**
- **Funding mechanisms should include continual and annual contributions. Transit solutions should include continual shuttles from the Specific Plan to Lake Tahoe.**
- **A cumulative traffic impact analysis be conducted for the Specific Plan, Squaw Valley Project, and Brockway. There must be details provided on what this means for the Area Plan environmental review.**
- **Placer County coordinate planning efforts with the TRPA on the Specific Plan, Squaw Valley Project, and Area Plan.**
- **The alternative proposed by the League, MAP, and Sierra Watch be seriously considered.**

Sincerely,
Shannon Eckmeyer
Policy Analyst
League to Save Lake Tahoe

²⁷ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15093(a).



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Date: August 9, 2016
To: Mr. Alex Fisch and Mr. Sean Bechta
From: The League to Save Lake Tahoe

Re: Comments on Final Environmental Impact Report (FEIR) for the Village at Squaw Valley Specific Plan

Dear Mr. Fisch and Mr. Bechta,

The League to Save Lake Tahoe (the League) has taken the opportunity to review the Final Environmental Impact Report (FEIR) for the Village at Squaw Valley Specific Plan (Specific Plan). The League is disappointed with both the adequacy of the review and dismissal of traffic impacts to Lake Tahoe associated with the Specific Plan. The Specific Plan lies outside of the Lake Tahoe Basin and the jurisdiction of the Tahoe Regional Planning Agency (TRPA), but would still have environmental consequences to the Basin. Because of the importance of Lake Tahoe as an Outstanding National Resource Water, as well as the unique and comprehensive environmental standards governing the Lake Tahoe Basin, it is essential that the project is denied as it is proposed today. There must be a genuine analysis that looks at real impacts associated with traffic to the Basin. Cumulative impacts as they relate to other projects with Placer County have also been ignored. The League urges the Placer County Planning Commission and Placer County Board of Supervisors (BOS) to not certify the FEIR as it is presented today. The FEIR does not meet California Environmental Quality Act (CEQA) requirements for certification as described in these comments. The following comments on the FEIR address the concerns of the League as they relate to impacts to the Lake Tahoe Basin:

- I. **The FEIR is Inadequate Because It Does Not Account for the Negative Traffic Impacts the Specific Plan Will Generate in the Lake Tahoe Basin.**
 - a. ***Impacts Associated with an Increase to VMT to Lake Tahoe Basin are Ignored.***

b. Cumulative VMT Impacts Associated with Martis Valley and Brockway Campground are Ignored. Area Plan Analysis Raises More VMT Concerns.

c. The Changes Made to the Traffic and Circulation Mitigation Measures Are Meaningless. These Weak Mitigation Measures Do Not Hold Project Proponents Accountable nor Mitigate Impacts to the Lake Tahoe Basin.

- II. The FEIR is Inadequate because Placer County Failed to Meet CEQA Requirements by Coordinating with TRPA.**
- III. The Reduced Density Alternative Must Be Considered as a Viable Alternative.**
- IV. This FEIR Should Not Be Approved or Certified Under CEQA. There Are Not Enough Appropriate Overriding Considerations to Approve FEIR Over Detrimental Environmental Impacts.**

Background

The Specific Plan has been brought forth by Squaw Valley Real Estate, LLC. (project proponents) to Placer County for approvals to entitlements. The proposed Specific Plan is massive and will come with several significant and unavoidable environmental impacts. The Specific Plan would remake the existing Squaw Valley Ski Resort by adding 1,493 bedrooms associated with hotel and resort residential uses provided in up to 850 units, up to a maximum of almost 300,000 square feet of commercial uses, a Village Core, changes to Squaw Creek, forest recreation uses, conservation preserve uses, an indoor water park (Mountain Adventure Camp), and a transit center with parking facilities.¹ The Specific Plan is located outside of the Lake Tahoe Basin, but is close enough in proximity that consequences relating to the substantial development will occur in the region. A true assessment of consequences to the Lake Tahoe Basin were omitted from both the draft and final EIRs.

The FEIR has been released with minor changes to the Specific Plan and without any coordination of current planning efforts occurring in the Lake Tahoe Basin. Placer County has been developing a Lake Tahoe Basin Area Plan (Area Plan) for their jurisdiction under the guidelines of the TRPA Regional Plan Update (RPU). These endeavors have spanned the course of over four years in an effort to condense redevelopment within urbanized areas and to incentivize environmental restoration. The Specific Plan and associated environmental reviews not only ignore the Area Plan efforts, but would negatively impact its process. The Area Plan's intent is to improve *existing conditions*. The planning document is meant to improve traffic problems that already exist while fostering environmental improvements. The Specific Plan will only exacerbate traffic congestion that the Area Plan and stakeholders have been working diligently at trying to improve. The Specific Plan would not bring any environmental gains or deliverables to Lake Tahoe. The Area Plan draft environmental review

¹ Draft Environmental Impact Report Village at Squaw Valley Specific Plan. May 2015. Prepared for Placer County by Ascent Environmental. Introduction p.1-1.

report/statement (DEIR/S) has been released for public review. The comment period ends August 15, 2016. There are specific excerpts from the Area Plan DEIR/S analysis included later in these comments that are critical for understanding the true impacts of the Specific Plan to increased traffic within the Basin.

The League is the longest running advocacy organization for Lake Tahoe. The League is responsible for watchdogging any plans or projects that could negatively impact the environment of Lake Tahoe. Lake Tahoe is a nationally protected natural resource governed by the TRPA. The Specific Plan falls under the general jurisdiction of Placer County. However, TRPA requirements cannot be overlooked when the Specific Plan will be impacting its jurisdiction. The TRPA regulates through its RPU and associated Code of Ordinances (the Code). The TRPA is mandated through the federal Bi-State Compact (the Compact) which details specific environmental thresholds (thresholds) for the Lake Tahoe Basin. The FEIR cannot be certified as there are remaining issues relating to the Lake Tahoe Basin that must be resolved including the need of appropriate mitigation measures.

The League, Sierra Watch, and Mountain Area Preservation (MAP) met with Placer County staff on March 2, 2016 and April 13, 2016 to discuss concerns relating to both the draft environmental impact report (DEIR) and FEIR for the Specific Plan. All of the organizations explained that the comments made not only by all three organizations, but by the public on the DEIR had essentially been ignored in responses in the FEIR. It appears the environmental review process has been driven by the project proponents as no significant changes had been made to the Specific Plan. Minimal efforts had been made in updating mitigation measures. The DEIR and FEIR cannot be proof of a public process as the public concerns have been ignored. The Placer County Planning Director stated that there was still time to influence the project before it is approved through a staff discretionary review. It was made clear by him to all of the organizations that our issues would be addressed. The League repeated this commitment to the BOS at their April 19, 2016 meeting so that this could be part of public record.² It is the responsibility of Placer County as the lead agency of the DEIR and FEIR to influence the approval process for the Specific Plan and not simply process the paperwork. On May 14, 2016 the Squaw Valley Municipal Advisory Council (MAC) voted against the Specific Plan as it is proposed today after hundreds of community members came to speak out against the project.³ On July 7, 2016 the Placer County Planning Commission held a hearing on a different project called Martis Valley West Specific Plan (Martis Valley) and voted against that project as proposed.⁴ They found that there were not enough overriding considerations to approve the project and associated CEQA document because of the unanswered impacts to traffic, Lake Tahoe, and fire safety. The Specific Plan and CEQA document contain the same deficiencies as Martis Valley, if not more. There has been no true cumulative assessment of impacts to the Specific Plan, Martis Valley, and a potential Brockway campground project. All of these things must be considered by the BOS when making their overriding considerations and should deny certification of this FEIR. The League highlights specific concerns relating to the FEIR below.

² Placer County BOS Meeting. April 19, 2016. Squaw Valley Resort. Squaw Valley Creek, CA. Video: http://placer.granicus.com/ViewPublisher.php?view_id=6.

³ Placer County Squaw MAC meeting. May 14, 2016. Plumpjack Inn, Squaw Valley Creek, CA. Minutes unavailable at the time these comments were submitted.

⁴ Placer County Planning Commission Meeting. July 7, 2016. Kings Beach, CA. North Tahoe Event Center. <http://www.placer.ca.gov/~media/cdr/planning/pc/2016/july%207/jul7actions.pdf?la=en>

I. The FEIR is Inadequate Because It Does Not Account for the Negative Traffic Impacts the Specific Plan Will Generate in the Lake Tahoe Basin.

The FEIR essentially concludes that the Specific Plan will increase vehicle miles traveled (VMT) to the Lake Tahoe Basin, but to a point where the project proponents do not have to be held accountable for their actions. The project proponents are being “let off the hook” with conclusions drawn in the FEIR stating a traffic increase does not matter along with meaningless mitigation measures. Traffic impacts and concerns must be addressed before the Specific Plan is approved.

a. Impacts Associated with an Increase to VMT to Lake Tahoe Basin are Ignored.

The DEIR for the Specific Plan ignored a general assessment of VMT increase and associated impacts to the Lake Tahoe Basin. The FEIR does what should have been done in the DEIR by doing a VMT assessment to the Lake Tahoe Basin. However, it ignores an impact assessment associated with the VMT increase. The FEIR states several times the analysis does not fall under TRPA jurisdiction so is not required to meet the Compact requirements. Comments relating specifically to the Compact will come later in this letter, but a specific portion relating to VMT requires immediate attention. The FEIR points out,

“The project’s summer Friday VMT estimate within the TRPA boundary is 23,842. Total VMT in the TRPA boundary was estimated in the Regional Plan (at Table 3.3-5) to be 1,984,600 for summer 2010 conditions. The project would result in an estimated 1.2 percent increase in VMT within the TRPA boundary. The TRPA environmental carrying capacity thresholds calls for the Tahoe Region’s VMT to be at least 10 percent below its 1981 level, which establishes a VMT threshold of 2,067,600. The addition of the project’s VMT to the 2010 summer value would result in 2,008,442, which would remain below this VMT threshold.”⁵

The FEIR goes into a more detailed discussion later as to why the Compact thresholds are inapplicable and states as they relate to VMT, “With regard to VMT, the exact VMT from the project to the Basin was not directly evaluated, except as it pertains to traffic effects on roadways. This issue is discussed further in the portion of the traffic Master Response that addresses VMT.”⁶ The “portion of the traffic Master Response” is what is cited above. These two conclusions seem to inherently conflict. The VMT discussion states the threshold will not be exceeded, while the threshold discussion states the exact VMT from the project to the Basin was not directly evaluated. This inconsistency alone invalidates the VMT analysis and impacts evaluation associated with traffic to the Lake Tahoe Basin. The inconsistency and confusion make the VMT assessment inadequate and arbitrary.

The broad VMT Master Response alone does not detail impacts associated with VMT increase to the Lake Tahoe Basin. It states that there will be a 1.2 percent increase to the region. It then concludes that this is below the 10 percent allowable increase of the TRPA environmental carrying capacity

⁵ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-25.

⁶ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-87.

threshold for VMT. There are brief discussions of other in-Basin projects and relationship to VMT increase in the Basin and what constitutes a significant increase. It then however concludes there is not a standard to use when determining what is “significant.”⁷ To simplify, this FEIR concludes there will be an increase to VMT in the Basin, it is unsure if this is significant, but because the increase is less than what exceeds the ultimate TRPA carrying capacity, an overall impact assessment does not need to be done. This is an arbitrary analysis. A rational deduction can be made that a 1.2 percent increase to VMT within the Lake Tahoe Basin is significant because this means thousands of more trips which directly relate to increased air quality and water quality impacts. Specifically, increased traffic will result in impacts as they relate to greenhouse gas emissions and increases to fine sediment particles from roadways into Lake Tahoe.

To understand the impacts relating to increased traffic the League pulls information from the Area Plan and the Lake Tahoe Total Maximum Daily Load (TMDL) report that have been completely ignored in this FEIR. The TMDL is described as follows from the Area Plan,

“In 2011 and after years of study, a Total Maximum Daily Load (TMDL) water quality improvement program was established for Lake Tahoe in accordance with the U.S. Clean Water Act. More than any prior work, the TMDL identified Lake Tahoe’s pollutants of concern and their primary sources. Fine sediment, phosphorous and nitrogen are the primary pollutants. The largest source categories are the urban uplands (developed areas and roads) and atmospheric deposition, largely from private vehicle emissions.”⁸

The actual TMDL report itself explains impacts to atmospheric deposition by concluding,

“Atmospheric deposition refers to the deposition of pollutants that land directly on the lake surface. This can occur as dry deposition or as part of a precipitation event (wet deposition). Because the surface area of the lake is 501 km² in comparison to its drainage area of 812 km², airborne input of nutrients and fine sediment particles to Lake Tahoe’s surface is significant. The California Air Resources Board (CARB) conducted the Lake Tahoe Atmospheric Deposition Study (LTADS) to estimate the contribution of dry atmospheric deposition to Lake Tahoe. These estimates were paired with long term monitoring data collected by UC Davis - TERC to provide detailed pollutant loading numbers to use for lake clarity modeling purposes. Gertler et al. (2006) and CARB (2006) found that airborne pollutants are generated mostly from within the Lake Tahoe basin and come from motor vehicles, wood burning, and road dust. Motor vehicles, including cars, buses, trucks, boats, and airplanes are primary sources of atmospheric nitrogen. Swift et al. (2006) determined that inorganic particles

⁷ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-26.

⁸ Placer County Tahoe Basin Area Plan, Public Review Draft June 2016. Prepared by Placer County Planning Services Division, TRPA, Dyett & Bhatia Urban and Regional Planning, Stockham Consulting. Introduction. p.2.

are the dominant factor in clarity loss since those particles contribute greater than 55 to 60 percent of the clarity loss while organic particles contribute up to 25 percent of the clarity loss.”⁹

Simply put, motor vehicles contribute substantially as a pollutant (specifically phosphorus and nitrogen) to the Lake through fine sediment along with tailpipe emissions. The TMDL report goes on further in describing impacts of nitrogen to the Lake,

“Long-term Nitrogen and Phosphorus trends in the mid-1980s Lake Tahoe began to experience an increase in nitrogen from atmospheric deposition directly onto the lake surface (Jassby et al. 1994). Atmospheric deposition provides most of the dissolved inorganic nitrogen and total nitrogen in the annual nutrient load. Increased amounts of atmospheric nitrogen have caused an observed shift from co-limitation by nitrogen and phosphorus to persistent phosphorus limitation in the phytoplankton community (Jassby et al. 1994, 1995, and 2001). Algal growth studies also support the finding of increased nitrogen in Lake Tahoe; these long-term bioassay experiments show a shift from co-limitation by both nitrogen and phosphorus, to predominant phosphorus limitation (Goldman et al. 1993).”¹⁰

Again more simply put, more nitrogen and phosphorus put into the Lake creates more algae which drops clarity in the Lake. It can be deduced that more traffic creates more fine sediment and tailpipe emissions which directly contribute to algae increase in the Lake. The overall VMT analysis in relationship to the Lake Tahoe Basin is confusing through its contradictions, arbitrary in its conclusions, and ignores impacts to the Lake Tahoe environment. The VMT analysis does not have an inclusive baseline for a true assessment as discussed below.

b. Cumulative VMT Impacts Associated with Martis Valley and Brockway Campground are Ignored. Area Plan Analysis Raises More VMT Concerns.

The League has been diligently reviewing the Specific Plan FEIR, the Martis Valley FEIR, and the Area Plan DEIR/S. The League will be submitting detailed comments relating specifically to the Area Plan DEIR/S by the end of the public comment period on August 15, 2016. The Area Plan EIR/S cumulative impact analysis (or lack thereof) is directly relevant to this Specific Plan. It is unclear what baseline numbers have been used for VMT analysis for this project, Martis Valley, and the Area Plan. Below is an excerpt from the League’s comment letter to be submitted on the Area Plan DEIR/S that refers to the Specific Plan FEIR and Martis Valley FEIR as well. The inclusive comment letter will be submitted on August 15, 2016 to be included as part of the public record before the BOS hears the Specific Plan.

“The Squaw FEIR states:

‘The project’s summer Friday VMT estimate within the TRPA boundary is 23,842. Total VMT in the TRPA boundary was estimated in the Regional Plan (at Table 3.3-5) to be 1,984,600 for

⁹ Final Tahoe Total Maximum Daily Load Report. November 2010. Prepared by California Regional Water Quality Control Board, Lahontan Region and Nevada Division of Environmental Protection. Source Analysis. p.7-8.

¹⁰ Final Tahoe Total Maximum Daily Load Report. November 2010. Prepared by California Regional Water Quality Control Board, Lahontan Region and Nevada Division of Environmental Protection. Optical Properties of Lake Tahoe. p.3-7.

summer 2010 conditions. The project would result in an estimated 1.2 percent increase in VMT within the TRPA boundary. The TRPA environmental carrying capacity thresholds calls for the Tahoe Region's VMT to be at least 10 percent below its 1981 level, which establishes a VMT threshold of 2,067,600. The addition of the project's VMT to the 2010 summer value would result in 2,008,442, which would remain below this VMT threshold.¹¹

It clearly concludes that this project alone would substantially increase the amount of VMT to the Lake Tahoe Basin. The Martis Valley FEIR states:

'On a peak travel day, the project would generate approximately 13,745 VMT within the Tahoe Basin. Total VMT in the TRPA boundary was estimated in the Regional Transportation Plan (TMPO and TRPA 2012) to be 1,984,600 for summer 2010 conditions. Based on this benchmark, which is considered the best available data, the project would result in an estimated 0.7 percent increase in VMT within the TRPA boundary. The TRPA environmental threshold carrying capacity threshold calls for the Tahoe Region's VMT to be at least 10 percent below its 1981 level, or 2,067,600 VMT. The addition of the project's VMT to the 2010 summer value would result in 1,998,345 VMT, which would remain below this VMT threshold.'¹²

This summary concludes that this project will also bring a substantial increase to VMT within Lake Tahoe. The amount of increase to VMT to the region from the Brockway campground is unknown at this time because that information has not been provided to the public. Cumulatively the Squaw and Martis Valley projects impacts are discussed below (actual number increase will be 37,582 cumulatively) within Lake Tahoe. The Area Plan DEIR/S lacks an adequate analysis of what this truly means in terms of environmental impacts to not only North Lake Tahoe, but to the whole region. The DEIR/S states in Cumulative Impact 10-4: Cumulative vehicle miles traveled:

'The analysis of region-wide VMT resulting from build-out of the alternatives is presented in Chapter 10. That analysis also accounted for growth that could occur throughout the rest of the Lake Tahoe region consistent with the TRPA Regional Plan, to allow for comparison of regional VMT under the alternatives to TRPA's regional VMT threshold standard. The TRPA TransCAD model scenarios analyzed in Chapter 10 reflect some, but not all, of the cumulative growth that occurred outside of the Tahoe Basin. This cumulative analysis adds traffic growth that could occur as the result of growth outside of Tahoe Basin, including Martis Valley, the Squaw/Alpine Meadows area, and Truckee. Table 19-5 shows summary daily VMT in the Tahoe Basin under baseline 2015 conditions and in cumulative 2035 conditions for each alternative, assuming full build-out of the Tahoe Basin and surrounding areas near the Plan area (including Martis Valley, Truckee, and Squaw/Alpine). The VMT threshold is periodically updated whenever the TRPA updates its transportation model. The most recent VMT threshold was calculated at 2,030,938 for a peak summer day, based on the 2014 model update. Existing summer daily regional VMT is estimated to be 1,937,070 or 93,868 below the

¹¹ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-25.

¹² Final Environmental Impact Report Martis Valley West Parcel Specific Plan. May 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p.3-17.

TRPA threshold standard based on the most recent modeling completed to support the Tahoe Regional Transportation Plan (TRPA 2016). Additional detail on the cumulative VMT methodology is provided in Appendix G. In future cumulative conditions with all alternatives daily summer VMT in the Tahoe region would increase by various amounts. However, under cumulative conditions with all alternatives VMT would remain below the TRPA regional VMT threshold standard of 2,030,938. Because cumulative VMT would remain below adopted standard under all alternatives, the cumulative impact would be less-than-significant. Thus, the Area Plan or Lodge Alternatives **would not make a considerable contribution** to a significant cumulative impact.¹³

The information relating to the VMT threshold is inconsistent throughout the 2011 Threshold Report, 2014 Transportation Monitoring report, Squaw, Martis Valley FEIRs, and the Area Plan DEIR/S. If the current VMT Threshold (from Area Plan DEIR/S) is at 2,030,938 VMT per day (on the peak day) and the current status is 1,937,070 VMT the addition of 37,582 VMT from Squaw and Martis Valley projects will bring the status to 1,974,652 VMT. **Which would mean the entire Lake Tahoe Region would be within 0.97% of attainment, meaning there is only 3% before the region is out of attainment.** This does not include the Brockway campground project which could very well bring the region out of attainment. Concluding that Squaw and Martis Valley 'would not make a considerable contribution to a significant cumulative impact,' without any adequate explanation is not only not legally defensible, a conclusion that could put the Lake at risk and cause failure to prepare for a threshold nonattainment. There is no discussion as to what is considered 'significant' in either the transportation section of the Area Plan DEIR/S nor the cumulative impact discussion. While the Area Plan DEIR/S shows that VMT will decrease by 2035, again there is still no discussion of the projects' impacts to existing conditions or future Area Plan build-out. Even with the projected beneficial improvement of a reduction to 1,931,634 VMT in 2035 the additional VMT from Squaw and Martis Valley would still bring the threshold to **within 0.967% of complete attainment**. The work and efforts put forth through this Area Plan to improve existing traffic conditions could be negated by these projects. Concluding that there is not a considerable contribution to a significant cumulative impact is arbitrary because there is no standard of significance. These inaccuracies must be resolved in the FEIR/S. The Squaw and Martis Valley FEIR/S should also be amended to reflect the most current data and all of this information should be made public."

Again, this excerpt will be part of an extensive comment letter to be submitted on August 15, 2016. However, the conclusions directly apply to this Specific Plan FEIR. The standard of what is deemed significant in terms of VMT increase was not addressed in this Specific Plan FEIR. Even if the Martis Valley VMT impacts are disregarded, as stated above, the Specific Plan will increase VMT by 23,842. This will increase the current standard (numbers taken from the Area Plan DEIR/S) to 1,960,912. This will close the gap for the **entire Lake Tahoe Region to being within 0.965% of attainment**. The League disagrees with the Specific Plan that this is not significant without any legal justifications. The amount of inconsistencies within this FEIR and the Area Plan DEIR/S must be resolved before this project is approved as presented today. Increased traffic directly increases fine sediment, increased

¹³ Draft Environmental Impact Report/Statement for Placer County Tahoe basin Area Plan and Tahoe City Lodge Project. June 2016. Prepared for Placer County and TRPA by Ascent Environmental. Cumulative Impacts. p.19-18 & 19.

greenhouse gas emissions, and increased algae as discussed above. The impacts relating to traffic are ignored through the inadequate VMT analysis. An actual impact analysis as it relates to VMT increase must be done. Because of these inadequacies, certification of the FEIR must be denied.

c. The Changes Made to the Traffic and Circulation Mitigation Measures Are Meaningless. These Weak Mitigation Measures Do Not Hold Project Proponents Accountable nor Mitigate Impacts to the Lake Tahoe Basin.

Minimal changes were made to mitigation measures under the “Traffic and Circulation” section of the DEIR and the League’s recommendations were ignored. The below mitigation measures shifted impacts related to transit in Impact 9-7: Impacts to Transit from Significant (S) to Less than Significant (LTS).¹⁴ As explained below, this shift should not have been made. The mitigation measures state:

“Mitigation Measure 9-7a: Contribute fair share or create a Community Service Area (CSA) or Community Facilities District (CFD) to cover increased transit service. The project applicant shall commit to providing fair share funding to the Department of Public Works and Facilities (DPW & F) or create a CSA or a CFD to fund the costs of increased transit services. An Engineer’s Report shall be complete prior to recordation of any Small Lot Final Map to the satisfaction of DPW & F to define the fair share or used for the creation of the CSA or CFD. If and when a CSA or CFD is formed, the project applicant shall no longer be responsible for making fair share payments to DPW & F for the increased transit service for the portion of the project covered by the CSA or CFD.

Mitigation Measure 9-7b: Maintain Membership in the Truckee North Tahoe Transportation Management Association (TNT/TMA). The following mitigation measure, while not required to achieve or maintain a less-than-significant impact conclusion, would further reduce the projects impact to transit.

Prior to approval of improvement plans/final maps, the project applicant shall maintain membership in perpetuity in the Truckee North Tahoe Transportation Management Association (TNT/TMA). Once commercial and homeownership groups have been formed, the project applicant shall shift the TNT/TMA membership to the associations and the associations shall maintain membership in perpetuity. It is not anticipated membership will need to be cancelled; however, if for a reason unknown at this time cancellation of the membership is required, it shall be mutually agreed to by the County and the entity responsible for paying the annual dues.”¹⁵

These updated mitigation measures lack detail on how they could truly be considered mitigation.

Mitigation Measure 9-7a requires that the project proponents contribute funding to either a CSA/CFD or make fair share payments to DPW & F without any description as to what this means. There is no discussion as to an actual amount, where directly this funding will go to, how the funding will be traced,

¹⁴ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Project Modifications. p. 2-20.

¹⁵ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Project Modifications. p.2-54&55.

if it is a continual or one-time contribution, or if any of this will improve transit to the Lake Tahoe Basin. The mitigation measure is a lot of words describing a contribution that could happen, at some point, and go somewhere. This is another example of an arbitrary and capricious assessment in this FEIR. The purpose of mitigation measures is to detail how impacts will be mitigated, which is not the case here. This mitigation measure does not and will not hold the project proponents accountable for transit impacts to the Lake Tahoe Basin. The League provided detail comments on the DEIR recommending that the project proponents should be responsible for providing transit services to the Lake Tahoe Basin.¹⁶ Not only were these recommendations ignored, but the FEIR response was to refer to the Master response for the mitigation measures stated above.¹⁷ *Mitigation Measure 9-7a* is inadequate because of its lack of details.

Mitigation Measure 9-7b is also arbitrary and capricious as to what it means and how it will mitigate impacts. It states that the project proponent will be a part of an association without any description as to what the TNT/TMA is or what a “membership” entails. It later goes on to state the project proponent will be a member in perpetuity until a homeowner association becomes a member. How the project proponents will be able to hold the homeowner association accountable for attending and participating in the association is not discussed. The concept of perpetuity is eliminated with the last sentence stating, “if for some reason unknown at this time cancellation is required, it shall be agreed to by the County and the entity paying membership dues.” In short this mitigation measure states, the project proponents will be a member of an association that the FEIR explains nothing about, until it and the County decide at a later date it no longer has to for some future reason. Again, this mitigation measure is meaningless and arbitrary.

While there will be a development agreement that should detail funding mechanisms, the actual impact assessment is incomplete. The development agreement also suggests coordinating with Caltrans on widening Highway 89. There needs to much more information on all of these things to see if they can be a reality (if Caltrans has been brought to the table for discussion) and if they actually mitigate impacts. Having two mitigation measures without any detail that shift a critical impact from Significant (S) to Less Than Significant (LTS) is not only inadequate in terms of an appropriate environmental review, but is a blatant disregard of solutions to transit impacts to the Lake Tahoe Basin. It is the responsibility of Placer County to influence the project approval process through the FEIR. It would be irresponsible for the BOS to certify the FEIR as it is presented today because of the overall disregard of VMT impacts to Lake Tahoe and lack of meaningful mitigation measures. The League recommends that the certification of the FEIR be denied. An actual environmental analysis should include more details to the above mitigation measures and consideration of requiring the project proponents to increase transit opportunities from the project area to the Basin. An analysis of how mitigation measures *actually* mitigate environmental impacts must be conducted in a new FEIR for it to be adequate.

¹⁶ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3.2.4-125.

¹⁷ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3.2.4-129.

II. The FEIR is Inadequate because Placer County Failed to meet CEQA requirements by Coordinating with TRPA.

The FEIR cannot be certified as presented today because Placer County failed to meet CEQA requirements by coordinating efforts with the TRPA. CEQA requires that as the lead agency, Placer County shall consult with and request comments on the draft EIR from, “any other state, federal, and local agencies which have jurisdiction by law with respect to the project or which exercise authority over resources which may be affected by the project.”¹⁸ Placer County ignored consultation with TRPA during the environmental review process for this Specific Plan. It took the League and other organizations raising concerns to both Placer County and TRPA for the consultation to occur (*attachment enclosed*).¹⁹ This is a blatant disregard of CEQA requirements. Both the scoping and DEIR comment period had closed before consultation began. While the TRPA did not provide input on scoping for the Specific Plan, it provided comments, specifically as they relate to traffic impacts on the DEIR.

The FEIR not only disregarded the comments provided by the TRPA on the DEIR, but disregards Placer County’s obligation as lead agency through the review process. It states that, “In the case of the proposed project, Placer County is the lead agency. While some impacts may occur in the Basin, TRPA has no permit authority over any element of the project and is not a responsible agency. During scoping, TRPA did not request that Placer County address TRPA thresholds in the DEIR. The County as lead agency has identified the appropriate thresholds of significance for each impact, including those impacts that could occur from the project within the Basin.”²⁰ The reason TRPA did not provide comments through scoping was because they were not consulted. The comments provided by TRPA on the DEIR did include a discussion as to what should be assessed in terms of their threshold analysis. While TRPA does not have authority over the actual permit, it does have authority over the region whose resources will be impacted as already discussed. This triggers the consultation requirement under CEQA, which again, was ignored. This alone should constitute denial of the certification of the FEIR. The TRPA specifically requested that adequate mitigation be incorporated in the FEIR to mitigate VMT increase to the Lake Tahoe Basin.²¹ For reasons already discussed above, the FEIR did not do this. The FEIR ignored requests made by both the League and TRPA for adequate mitigation. The Specific Plan cannot be approved as proposed. The DEIR and FEIR have ignored current Area Plan efforts underway involving both Placer County and TRPA.

¹⁸ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15086 (a)3.

¹⁹ League to Save Lake Tahoe Comment Letter to TRPA Governing Board. August 19, 2015. Re: Squaw Valley Specific Plan Impacts to Fanny Bridge and Placer County Area Plan.

²⁰ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-87.

²¹ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. TRPA Responses. p. 3.2.X-5.

III. The Reduced Density Alternative Must Be Considered as a Viable Alternative.

The Reduced Density Alternative within the Specific Plan FEIR must be considered as a viable alternative. The League and other commenters had requested that a financial feasibility study be conducted on the Reduced Density Alternative so that it be discussed as a realistic alternative.²² The FEIR states, “that a financial feasibility of this alternative was analyzed by a financial consultant separately from this FEIR. That report will be available at least 10 days prior to the commencement of entitlement hearings before the Planning Commission or Board of Supervisors.”²³

The financial feasibility study has been released (August 8, 2016) giving the Planning Commission and public less than 72 hours to review before decisions are made. The public is currently being inundated with planning and environmental documents through Placer County with the overlapping release of the Specific Plan, Martis Valley, and Area Plan DEIR/S. There must be an appropriate amount of time for the public and the BOS to have to review this study. The burden will fall on the BOS to include (or not include) the study as reasoning for overriding considerations in determining the certification of this FEIR.

The review itself is lengthy but weak in concrete arguments detailing specifics as to why the Reduced Density Alternative is not viable. The League will provide detailed comments relating to this study prior to the BOS meeting.

IV. This FEIR Should Not be Approved or Certified under CEQA. There Are Not Enough Appropriate Overriding Considerations to Approve FEIR Over Detrimental Environmental Impacts.

This Specific Plan FEIR cannot be certified as it does not meet the necessary CEQA requirements. CEQA only allows for certification of a FEIR after it has been found that the EIR has been completed in compliance with CEQA.²⁴ The comments provided above detail how the public process was ignored with the comments in the FEIR not being addressed and dilution between cumulative impact analysis with Martis Valley and the Area Plan. The Squaw MAC agreed the public has been ignored and that the FEIR cannot be certified as presented today based off their vote against certification on May 14, 2016. Placer County did not meet CEQA requirements in consulting with TRPA in the scoping and DEIR phases of the Specific Plan environmental review process. This FEIR cannot be certified because of its lack of CEQA compliance.

The Specific Plan cannot be approved as proposed as the Lake Tahoe Basin traffic impacts were ignored and the FEIR lacks adequate mitigation. CEQA states that a project can only be approved if it will not have significant effect on the environment.²⁵ The FEIR did not prove through its analysis that there would not be significant impacts to the Lake Tahoe Region because the VMT analysis is arbitrary.

²² Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Organizational Responses. p. 3.2.4-122

²³ Final Environmental Impact Report Village at Squaw Valley Specific Plan. April 2016. Prepared for Placer County by Ascent Environmental. Master Responses. p. 3-63.

²⁴ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15090(a)(1).

²⁵ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15092(b)(1).

The associated mitigation measures relating to traffic impacts to Lake Tahoe are also arbitrary and meaningless. The priceless Lake Tahoe environment cannot be ignored at the sacrifice of the Specific Plan approval.

The BOS could make findings of overriding consideration against environmental harm to approve the project. To do this CEQA requires that the BOS,

“...balance, as applicable, economic, legal, social, technological, or other benefits, including region-wide or state-wide environmental benefits, of a proposed project against its unavoidable risks when determining whether to approve a project. If the specific economic, legal, social, technological, or other benefits, including region-wide or state-wide benefits, of a proposed project outweigh the unavoidable adverse environmental effects may be considered ‘acceptable.’”²⁶

The Specific Plan and associated FEIR have ignored public input and have disregarded current planning efforts to improve the Lake Tahoe region by both TRPA and Placer County through the Area Plan. The Specific Plan will likely bring financial gain to the project proponents. The project would have detrimental environmental impacts to the Squaw Valley region and Lake Tahoe. The League recommends that the FEIR be denied certification and that the approval of the Specific Plan also be denied. An actual analysis on traffic and associated impacts to Lake Tahoe must be included in an amended FEIR.

Recommendations

The comments have detailed concerns with the FEIR as they relate to Lake Tahoe. All of these concerns must be resolved. In addition, the League recommends that:

- **The FEIR be denied certification as proposed today.**
- **The Specific Plan approval be denied as proposed today.**
- **A true assessment on VMT increase to Lake Tahoe and its associated environmental impacts be completed for the Specific Plan.**
- **Adequate mitigation for traffic be presented through detailed funding mechanisms and transit solutions from the project area to the Lake Tahoe Basin.**
- **Funding should include upfront and annual contributions to public transit. Transit solutions should include project proponent providing their own shuttles to the North Lake Tahoe. Shuttles should operate in both summer and winter.**
- **Project proponent should provide shuttles to the Bay Area, Reno, and Truckee regions.**
- **An actual assessment must be conducted on how mitigation measures will truly mitigate environmental impacts. A new analysis must be conducted for a new FEIR to be adequate.**
- **A cumulative traffic impact analysis must be conducted for the Specific Plan, Martis Valley and the Area Plan before the project is approved.**

²⁶ § 21000 CCR, Title 4, Chapter 3 (CEQA) §15093(a).

- **Improvement to parking management strategies including the concept of paid parking in Tahoe City.**
- **As recommended in comments submitted by Greg Riessen, Placer County should adopt a no additional traffic policy and not allow the Specific Plan to increase traffic above current existing conditions. His suggestions as they relate to this policy include:**
 - **Charter busses to the Bay Area, Squaw Valley, and to Alpine Meadows.**
 - **Operation of high quality local transit vehicles.**
 - **East Parcel to be used as a parking interceptor facility for shuttle service.**
 - **Partner with rideshare companies.**
 - **Further improvements to the Squaw Valley Bike Path.**
 - **Coordination with Caltrans to widen Highway 89 for carpool lanes.**
 - **Implementation of casual carpool spots.**
 - **Implementation of parking management strategy best practices.**

Sincerely,
Shannon Eckmeyer
Policy Analyst
League to Save Lake Tahoe

Enclosures:

League to Save Lake Tahoe Comment Letter to TRPA Governing Board. August 19, 2015. Re: Squaw Valley Impacts to Fanny Bridge and Placer County Area Plan.