

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

Virtual Meeting
Via GoToWebinar

April 22, 2020

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Yeates called the meeting to order at 11:01 a.m.

Members present: Ms. Aldean, Mr. Beyer, Ms. Berkbigler, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Mr. Hicks, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF AGENDA

Mr. Yeates deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean moved approval of the March 25, 2020 minutes as presented.
Motion carried.

V. TRPA CONSENT CALENDAR

1. March Financials
2. Amendments to the Nevada Division of State Lands Memorandum of Understanding
3. Release of Douglas County Water Quality Mitigation Funds (\$57,406) and Stream Environment Restoration (SEZ) Funds (\$20,109) for the Brautovich Park SEZ Restoration and Park Rehabilitation Project
4. Release of City of South Lake Tahoe Operations and Maintenance Mitigation Funds (\$250,000) towards the purchase of a replacement Vector Truck
5. Approval of and Delegation of Authority to Refinance TRPA's Long-term Building Debt
6. Selection of TRPA's independent auditor
7. Lake Tahoe Community College Early Learning Center, 1 College Drive, South Lake Tahoe, California, APN 025-041-010, TRPA File Number ERSP2020-0046

Ms. Aldean said the Operations and Governance Committee recommended approval of items one, two, three, four, five, and six.

Ms. Aldean provided remarks in reference to item number 5. Since TRPA is not authorized to directly issue bonds, after analyzing the pros and cons, staff is recommending that Carson City be used as a conduit for the private placement of these refinancing bonds. Through the proposed

GOVERNING BOARD

April 22, 2020

resolution the Governing Board would be authorizing indebtedness in the amount not to exceed \$8.6 million for a maximum term of 40 years for the repayment obligation not to exceed \$600,000 per year. As structured, this will free up approximately \$900,000 in prior deposits used to guarantee the original bond issue. The amount of \$500,000 will be used to address deferred maintenance, repairs, and necessary upgrades to the TRPA office building. On April 6, 2020, staff issued a request for financing through the agency's financial advisor, JNA & Associates, and several banks. However, due to the pandemic and the fact that banks are overwhelmed by the Payroll Protection Program loan requests, they will not be making a specific recommendation today with respect to the placement of the loan. The committee is requesting that the board delegate the authority to finalize the refinancing details and all required documentation and agreements relative to this refinancing to the authorized agency representatives as defined in the resolution contained in the packet. In addition, the Governing Board chair, Mr. Yeates, the Legal Committee chair, Mr. Bruce, the Operations and Governance chair, Ms. Aldean, TRPA's General Counsel and Finance Director will be involved in finalizing the details of this refinancing package. They are not anticipating that there will be any changes in the basic structure of the deal with respect to the leasing and subleasing arrangement or the rate, terms, or required security as currently envisioned. They were expecting a possible delay in the meeting of the Carson City Board of Supervisors to conduct the Tax Equity and Fiscal Responsibility Act hearing or the authorizing resolution. However, staff has indicated that the Carson City Board of Supervisors intend to move forward as planned on May 7 to hold the hearing and to consider the resolution.

Mrs. Cegavske made a motion to approve the consent calendar.

Public Comments

None.

Ayes: Ms. Aldean, Mr. Beyer, Ms. Berkgigler, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates

Motion carried.

VI. ADMINISTRATIVE MATTERS

A. TRPA Board Appointment to the Tahoe Transportation District Board

Ms. Marchetta said this agenda item arises out of new legislation that was passed by California and Nevada in the 2019 legislative session. TRPA did not sponsor this legislation but are now subject to that identical legislation that was enacted in each state. It was Senate Bill 785 in California and Senate Bill 136 in Nevada. That legislation of each state authorizes a governor's office appointee from each state and is up to the states to act on that aspect of the new appointments to the Tahoe Transportation District board. There is an additional provision that provides for a TRPA representative to the Tahoe Transportation District board. This agenda item is an administrative matter that carries out that required appointment of TRPA's Tahoe Transportation District Board representative as provided in that new state legislation.

Mr. Bruce nominated Mr. Yeates to serve as the Tahoe Transportation District Board

GOVERNING BOARD

April 22, 2020

representative. Mr. Yeates has demonstrated an expertise and interest in transportation. He's been very involved in transportation in the Bi-State Consultation Transportation for Lake Tahoe. He's been interested in making Tahoe's transportation system work and has collaborated both inside and outside of the basin on how to fund significant transportation needs. The legislative intent was to include a statewide representative. He also feels that the Tahoe Transportation District board rises to the level for the chair of TRPA to serve on that board. Although, that is not a requirement, it's most appropriate at this point in time and hopes in the future that it may become the TRPA chair because of the importance of transportation in the basin.

Ms. Aldean moved to close the nomination.

Public Comments & Questions

None.

Mr. Bruce moved to appoint Mr. Yeates as the TRPA appointee to the Tahoe Transportation District Board.

Ms. Novasel said she looks forward to Mr. Yeates joining the Tahoe Transportation District Board. She agreed that the chair of the TRPA Governing Board would be a good position to be the representative on the Tahoe Transportation District Board.

Ayes: Ms. Aldean, Mr. Beyer, Ms. Berkgigler, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates
Motion carried.

VII. PLANNING MATTERS

A. NV Energy and Liberty Utilities briefing on wildfire mitigation and preparedness in the Tahoe Basin

Liberty Utilities representatives Ms. Lawton, Environmental Program Manager and Mr. Jones, Senior Manager of Wildfire Prevention and NV Energy representative, Mr. Regan provided the presentation.

Ms. McIntyre said today's agenda has two important items related to forest health and the basin's readiness and resilience to the growing threat of wildfire. There'll be presentations from Liberty Utilities and NV Energy on their work to prevent incidents such as the Cascade Fire in Lake Tahoe or the Camp Fire that occurred in Paradise, California. We are entering the fire season and the partnership is taking actions in the basin and nearby to be more fully prepared for the summer and fall fire season. The Tahoe Fire and Fuels Team are bringing on crews soon for fuels work and setting up suppression crews. All this activity is occurring under the new Covid-19 safety protocols. Additionally, the Tahoe Fire and Fuels Team and the Fire Public Information Team have developed a coordinated public messaging for the fire season that was reviewed this past week under the multi-agency coordinating group. An added aspect of protection is working with the utility providers to ensure that utility corridor risk is mitigated which is the focus of today's presentation.

Ms. Lawton, Liberty Utilities said their service territory covers the north near Portola and to the

south in Coleville, California. They cover Placer, El Dorado, Nevada, Sierra, Plumas, Mono, and Alpine Counties on the California side of the basin. Their service territory covers 49,000 customers which most are in South Lake Tahoe.

Christmas Valley, Pioneer Trail area is a high fire threat area and is high priority to reduce the threat. The California Public Utilities Commission had all the investor owned utilities create a wildfire mitigation plan that was composed of vegetation management, system hardening, situational awareness, and public safety power shutoff. Today's presentation is focused vegetation management and system hardening because those are the interest areas to TRPA.

The wildfire mitigation plan investment includes \$40 million dollars of wildfire mitigation from 2020 to 2022. System hardening is making their system more resilient to fire. For example, if a tree fell onto their line, system hardening would be covering that conductor, so it won't catch on fire. They are also doing system survey's and are spending approximately \$6 million per year in operating and maintenance costs. A lot of that is used to repair issues that are found in the system surveys. They are also doing increased vegetation management that have an increased cost. In addition, they're adding staff. There's a big need for people to implement this new program. They're contributing \$40 million over the next two years which makes them one of the largest private investors in keeping Tahoe blue.

Mr. Jones, Liberty Utilities said there's three programs in the wildfire mitigation plan that are new and above and beyond existing programs that they are also carrying out at the same time. The first one is the tier three inspections. Their crews will be patrolling the high risk areas and inspecting for vegetation compliance annually which make up approximately 50 miles of overhead lines. Another program is that they've been working closely with the Forest Service Lake Tahoe Basin Management Unit and some of the other state partner agencies on forest resiliency corridor projects that share resources on fuels reduction projects. There are some forest practices and treatment methods that will enhance the health of the forest around the power line corridor and keep the power lines protected and safer from vegetation. They'll be removing vegetation that can grow into or fall into the utility infrastructure. The goal is to improve forest health around utility infrastructure by utilizing thinning practices that are designed to improve resiliency to insects, drought, climate change, etc. By reducing the volume of hazardous fuels around the utility infrastructure, these treatments are designed to modify fire behavior with a goal of reducing anticipated flame lengths so that active ground fire would be less likely in these areas. They're also trying to mimic other forest treatment prescriptions that are carried out in the wildland urban interface. The last program is the fuel reduction and wood management program. They are working to build out a comprehensive program around removing fuel, wood, and logs from the forest floor as a result of the vegetation management activities. Hauling logs away from the land was not a historic practice, rather they're trying to move forward with a program that can remove and reduce that fuel load that results from their activities.

The covered conductor are wires that are encased in layers of insulation that protects them when they're energized. The main purpose is to avoid sparking in the event that contact is made with things like animals, vegetation, or mylar balloons that can float into bare wires. The insulation of these wires is currently taking place on the west shore and in Coleville, and the Walker area outside of the basin. The goal is to replace approximately ten miles of line annually and may shift over time as they continue to evaluate these programs.

Historically, large trees have been used as power poles. Service wires (house drops) that come from the power line at the street to a home in some cases have been attached to a tree. They are

proactively looking for these tree attachments and are either reengineering the way it goes to the home or set a pole in place of a tree.

The expulsion fuse replacement program is designed to replace conventional fuses with non-expulsive type fuse. The fuses are protective devices that are meant to trip or open when a part of the system is overloaded. The conventional fuses can release hot gas particles and sparks when they trip so when replacing these conventional fuses with the non-expulsive type, they'll be able to contain those sparks, so they don't reach the ground. It's a six year program to have all the conventional fuses replaced. In addition, they're trying to harden all of the substations by replacing aging timber framed infrastructure with modern steel structures and updating aging circuit breakers with safer gas and vacuum style breakers.

Ms. Lawton, Liberty Utilities said the cover conductor project spans over a couple of miles of land and the focus now is on the Tahoe Basin. TRPA and the Forest Service are the permitting agencies. They have a memorandum of understanding with TRPA but because of the length of line that they are doing, the MOU usually doesn't cover the fire prevention work. They'll be going through TRPA's Hearings Officer for the fire prevention work. This summer they'll be doing covered conductor replacement in the Vikingsholm State Park from a TRPA permit that was recently issued. A lot of their lines are on forest service land and most of that land is their rural interface high priority areas that are surrounded by trees. Typically, resource surveys are required on Forest Service lands and to comply with National Environmental Policy Act requirements. Those usually take about six to twelve months to get approval on these types of projects. From the time it becomes an idea, it's usually about one to two years before the fire prevention project starts.

Mr. Regan, Fire Mitigation Specialist Fire Chief, NV Energy said their service area covers about 90 percent of the state of Nevada; 46,000 square miles. They are part of two companies combined; Nevada Power Company and Sierra Pacific Power. They became NV Energy about ten years ago and service about 1.4 million customers.

In the last legislation, Senate Bill 329 that was presented by the Nevada Fire Chiefs requiring utility companies to provide a natural disaster protection plan (NDPP) to be submitted to the public utility commission for approval. It's to be resubmitted every three years and updated on an annual basis. They submitted their NDPP on February 28, 2020 to the Nevada Public Utility Commission which has a 180-days to review and approve the plan. Prior to this, they had a plan in place internally on how the company would respond to a disaster.

In the Natural Disaster Protection Plan that was submitted incorporates wildland fires, blizzards, earthquakes, flooding, severe wind events, landslides, and avalanches. In the next three years when they resubmit, they'll look at the additional natural disasters such as tornadoes, hailstorms, and heatwaves.

The first section of the plan does a risk based approach. They worked with the University of Nevada Reno and other agencies to analyze the wildland threat and other disaster threats in Nevada and ranked them one through three. Three is most dangerous which is the Tahoe Basin and Mt. Charleston area.

The second is the operational practices. Their smart system can detect during the wildland mode when something enters the line and the power goes off, it won't try to re-trip. This prevents sparking and the possibility of a wildland fire. They've been doing this in the Tahoe Basin for approximately eight years and now has been implemented at Mt. Charleston.

Next is the inspections and corrections. They've increased their inspections in the tier three areas

on an annual basis. All inspections have been completed and corrections made in the Tahoe Basin.

They're also doing system hardening like Liberty Utilities. In addition, they are replacing the wooden poles with metal poles.

The vegetation management has been done in the Tahoe Basin for the past 20 years. The difference with the vegetation management plan now is that they'll also be doing clearance around the poles and also having some of the rights-of-way used as fuel breaks. Rather than just topping the tree, there may be a complete removal of the trees. They'll also be removing the ground vegetation because of the wildland code and Senate Bill 329 that requires the adoption of the Wildland Code, Appendix A. The Nevada State Fire Marshal also adopted as the minimum state Wildland Code the International Wildland-Urban Interface Code, Appendix A. They also have to align their fuels mitigation work with the Community Wildfire Protections Plans (CWPP).

The plan is to change the vegetation management cycles in the tier two and three areas. The tree trimming use to be up to a nine year cycle in some areas and is now a four year cycle. The vegetation management for the pole grubbing will be on a yearly cycle based on the growth. They've signed or are in the process to sign contracts with the Nevada Division of Forestry, the North Lake Tahoe Fire Protection, the Truckee Meadows Fire Protection District, North Lyon County, and Mt. Charleston to combine their fuels mitigation work. The goal is to create a healthier forest.

They're working with the Nevada Division of Forestry for funding through Senate Bill 508 with \$5 million dollars to do fuels mitigation work for the next two years. They're using some of their matching funds to help fund some of the projects that the Nevada Division of Forestry and other fire agencies are trying to implement for fuels mitigation work. There is also work being done with the Bureau of Land Management and the US Forest Service. The short term is to mitigate with removing the fuel. They will not be scattering the cuttings into the fuel, rather it will be either removed or piled to be burned.

On situational awareness they've teamed up with the University of Nevada Reno and their wildland fire cameras. They have two cameras recently installed and are planning to add ten cameras in the Tahoe Basin this year. The infrastructure is planned to handle up to 50 cameras across the state. This year, they're installing over 30 weather stations, 26 will be in northern Nevada. A meteorologist will be hired to analyze the data collected in house rather than contracting it out. They're also increasing their emergency operation department.

Proactive de-energization-Public Safety Outage Management (PSOM). The goal is to leave the power on at all times. Now, it will only be in the tier three area; the Lake Tahoe Basin and Mt. Charleston where they would de-energize if needed. Items that are considered are winds, temperature, humidity, and information from the first responders. They do weekly sampling of the vegetation and share that information with the fire agencies. If a PSOM event is possible, they start doing the field observations on a daily basis.

If there's a PSOM event, they'll have a resource center where people can charge electronic devices, there'll be additional communications, cell towers, and satellite systems. They're working with the telecom companies to boost the cell towers in the Tahoe Basin during these types of events. The green cross customers are customers that are medically required to have power for

their medical equipment and are directly contacted to ensure that their equipment is energized. They're working on additional educational campaigns. They've teamed up with Living with Fire and the fire agencies where they'll push out crucial information on how to deal with a PSOM event and safety tips on how to prepare for wildland fires and other disasters.

PSOM events will start to be determined internally about eight to ten days out. During that time, they'll reach out to their stakeholders to analyze the data on a daily basis. Three to six days out, they would order additional resources for the customer resource center and help to reenergize the system. The public will be notified two days out.

Presentations can be viewed at:

[Agenda-Item-No.-VII.A-Liberty-CalPeco-Wildfire-Mitigation-Plan.pdf](#)

[Agenda-Item-No.-VII.A-NV-Energy-Natural-Protection-Disaster-Plan.pdf](#)

Board Comments & Questions

Mr. Hicks asked if the inspections of approximately 50 miles per year in the tier three areas is their entire territory or just the Tahoe Basin.

Mr. Jones, Liberty Utilities said in Liberty's service territory they only have that one tier three area in the South Lake Tahoe, Meyers area. Most of all their other service territory is tier two. The 50 miles of overhead lines are tier three areas. Their current vegetation management practices cover a three year maintenance cycle and have other programs that are target specific such as patrolling for dead and dying trees. There are different programs that complement each other to have more regular coverage along their lines.

Mr. Hicks asked how many miles of lines Liberty has in the Tahoe Basin and how many miles of those lines are in the tier three location.

Mr. Jones, Liberty Utilities said he doesn't have the information specific to the Tahoe Basin. Liberty has approximately 730 miles of overhead lines in the whole service territory and about 80 percent of those lines are in the Tahoe Basin.

Mr. Hicks asked how and who sets the standard of ten miles per year of system hardening.

Mr. Jones, Liberty Utilities said Liberty sets the standard. They submit their programs to the California Public Utility Commission and the Wildfire Safety Division. 2020 was the first year in which they presented a three year plan as part of a new requirement. They'll get a decision around May 7 as to the acceptance of their plan. The CPUC may look at their programs and ask for them to be accelerated or to provide a justification on those numbers. Liberty's determination for the ten miles came from prioritizing areas or infrastructure that needed to be replaced anyway or prioritizing those areas that are most at risk for fire. Also, looking at resource constraints and the cost of implementing those projects.

Mr. Hicks asked how line replacements and inspections in tier three areas compare to the level of line replacements and inspections before the Camp Fire. He asked if that's caused Liberty to expand its programs in terms of inspections and replacement or are they operating at the same level as before.

GOVERNING BOARD

April 22, 2020

Mr. Jones, Liberty Utilities said they are enhancing and accelerating the pace and scale at which they replace and inspect equipment. There are also the regulations that require inspection of their system especially around tier two and three areas. Integrated into the wildfire mitigation plan is an enhanced effort to inspect and replace proactively.

Ms. Lawton, Liberty Utilities said prior to the Camp Fire, they would inspect their system for equipment that was aging or failing and would replace that. Now, they're going through entire circuits and replacing regardless of the condition of the pole or conductor. It's getting replaced with a covered system.

Mr. Hicks said TRPA is cleaning up and modifying their ordinances. If the utility companies have comments or suggestions that TRPA should consider in their procedures, please forward them to Kat McIntyre.

Ms. Novasel said Liberty has been very proactive in removing trees and inspecting the lines in Christmas Valley. She asked what assurances Liberty has that their notifications will be better than PG&E in the event of a power outage.

Mr. Jones, Liberty Utilities said they've worked over the past year on their communications plan for their PSPS (outages). It presents challenges to ensure they reach everyone. They've not had a PSPS event so haven't had an opportunity in real time to test that. They've worked on developing their public safety partner contact data base for every county. Last summer, they met regularly with the counties at the Office of Emergency Services level, the fire, and sheriff's agencies. They've also met with NV Energy, cell phone providers, and local hospitals, and critical care facilities. To the extent that there's been a lot of effort going on, they're still welcoming opportunities to get in front of folks at the county level and organizations that have methods for outreach that can help. They use Everbridge call out system that can communicate through text, email, and phone. Then there's other plans in place for the medical baseline customers.

Ms. Novasel said she would like to have them present at one of the El Dorado County Board of Supervisor meetings.

Ms. Aldean said there's an emerging issue that has to do with the potential health and environmental impacts of 5G service. One of the objectives for the utility companies is boosting communication capability. She asked if that would involve the use 5G service.

Mr. Jones, Liberty Utilities said he doesn't have any information on that at this time.

Mr. Regan, NV Energy said if there's a 5G tower in place, it can be increased. When he said, "boost it", that's not boosting the power rather every single tower has restrictions, so it doesn't overwhelm itself for safety measures. It prioritizes cell phone calls, text messaging, and data. The first thing they stop letting the towers use is data so people can get text messages and phone calls out. The last thing would be text messaging. They allow more phone calls to come into the cell towers. They're not boosting more power. Whatever type of tower is in place, they would allow more service to allow more data and cell phone use to those towers. They boost their power to the computer components of the tower. If a 5G tower is in place, then that would be a tower being used.

Ms. Aldean asked if Liberty is collectively having issues with getting approval for the removal of hazardous materials on US Forest Service property adjacent to their rights-of-way. What authority do they have pursuant to these rights-of-way to remove potentially hazardous material on an expedited basis?

Ms. Lawton, Liberty Utilities said there are multiple avenues depending on the type of project. For example, if there's a tree that they feel will fall within 30 days, they have the ability to take care of that tree if it's on Forest Service land. Any other types of improvements require approval from the Forest Service. There are two buckets; the vegetation management (tree removal) and the covered conductor projects. They've been proactive with the Forest Service to create agreements with them. For example, they developed a categorical exclusion called the resilience corridor forest project. That allows them to share resources for vegetation management and fire prevention. It doesn't cover any of the system hardening work. Even with the categorical exclusion, the resource surveys such as biological, cultural, and noxious weeds that need to be conducted are still holding up their projects, so they are about six months to one year out even with that categorical exclusion.

Ms. Aldean asked if there's anything TRPA can do to help expedite the completion of these surveys.

Ms. Lawton, Liberty Utilities said possibly reaching out to Liberty to see if they need additional resource specialist or maybe TRPA can partner with the Forest Service on getting resource surveys conducted. She's unsure how TRPA can make the Forest Service implement the National Environmental Policy Act (NEPA).

Mr. Regan, NV Energy said they're working with the Tahoe National Forest to help speed up the process because it does take six months to one year to complete those studies. They are doing a request for proposal to contract out additional people for the Forest Service to conduct the studies to accomplish it this summer.

Public Comments & Questions

None.

VIII. PUBLIC HEARINGS

A. Lake Tahoe West Scoping and Notice of Preparation

TRPA team member Ms. Friedman provided the presentation.

Ms. Friedman said the Lake Tahoe Basin Management Unit, the California Tahoe Conservancy, and the Tahoe Regional Planning Agency released a scoping notice/notice of preparation to prepare an environmental assessment/environmental impact statement/environmental impact report per the National Environmental Policy Act, California Environmental Quality Act, and TRPA requirements. The agencies released the scoping document on April 10, 2020 through May 11, 2020 for a public comment period. The purpose of the scoping is to inform the public of the intent to prepare the environmental document for the Lake Tahoe West project as well as to solicit feedback on the proposed action to help inform the draft environmental assessment, environmental impact statement, and environmental impact report.

The Lake Tahoe Basin national ecosystems and built environment are increasingly at risk from high severity wildfire, drought, insect, and disease outbreak. A lot of work is currently being done on the landscape but is not being done at a pace that is fast enough to keep pace with the threats that are posed by these stressors. Because of these threats, a multi-jurisdictional landscape level approach to restoration was needed on federal, state, and private lands to improve the resiliency of Lake Tahoe's west shore landscape. Out of that need, the Lake Tahoe Restoration Partnership Collaborative was formed in 2016. That partnership is developing the Lake Tahoe West project and focusing on increasing the social, ecological resilience of forest, watersheds, and communities along the west shore of Lake Tahoe. The restoration partnership includes, TRPA, the Tahoe Fire and Fuels Team, the USDA Forest Service Lake Tahoe Basin Management Unit, California State Parks, the National Forest Foundation, the California Tahoe Conservancy, as well as stakeholders. The Lake Tahoe West project area comprises of approximately 59,000 acres on the west shore of Lake Tahoe. It includes land ownership by the National Forest System, which owns and manage lands as well as private and local government owned land. Treatments are prescribed on all of these land ownerships for the project.

The Lake Tahoe West Partnership laid out a thorough process to planning, developing, and implementing this project. The landscape resilience assessment was completed in 2017. That used modeling to evaluate the current condition and resilience of the west shore watersheds. The assessment found that the west shore is currently not resilient to fire, drought, and was subject to negative impacts from these stressors. The landscape restoration strategy was developed with information from the assessment that was completed in 2019. The strategy provides a science based framework to guide restoration and forest restoration on the west shore over the next two decades. The assessment and strategy both served as a foundation for the environmental document and planning the project. Currently, they are in phase three of this process which is the environmental document preparation, project planning, and the public scoping that kicks off that environmental document preparation step.

The landscape restoration strategy identified six goals that the project should keep in mind when it's being developed and designed. Forests recover from fire, drought, and insect disease and outbreaks; Fires burn at primarily low-to-moderate severity and provide ecological benefits; Terrestrial and aquatic ecosystems support native species; Healthy creeks and floodplains provide clean water, complex habitat, and a buffer from floodplains and droughts; People live safely with fire and enjoy and are stewards the land; and Restoration. All of these steps have involved a robust stakeholder engagement process. The stakeholders include representatives from the conservation community, science community, the fire protection agencies, the recreation community, and homeowners. The stakeholder group is a formal group that has met throughout the process to provide input throughout the development of the resilience assessment, the restoration strategy, and now the proposed action.

The following are the proposed actions in the scoping notice that were developed with those six goals in mind: Forest thinning-19,500 acres within the landscape; TRPA Basin-Wide Code Amendment to allow thinning with ground-based mechanized equipment on slopes up to 50 percent; Remove and/or process forest biomass from restoration treatments; Prescribed burning including strategically-placed prescribed burns to establish more frequent fuel intervals; Project-Specific Forest Plan Amendment to allow cutting trees greater than 6 inches in protective activity centers; Installation of temporary or permanent roads to access the landscape to implement treatments and upgrades to stream crossings; Temporary forest closures and access

considerations when work is being implemented in certain areas of the landscape; Forest Plan Amendment to allow some roads for the project in areas designated as Backcountry; Forest habitat restoration for species associated with old growth forest conditions; Reforestation to maintain species and genetic diversity; Meadow and aspen restoration-800 acres of meadow and 400 acres of aspen in project area; Aquatic habitat restoration for Lahontan Cutthroat Trout and Sierra Nevada Yellow-Legged Frog; and Stream restoration including 1 mile in Blackwood Creek and ½ mile in Ward Creek.

A lot of the forest on the west shore are not resilient to fire, drought, insects, and disease and are overgrown which makes them more subjective to high severity wildfire. The proposed action would involve thinning of approximately 19,500 acres to reduce overly dense forest stands, improve species composition and regeneration, reduce fuel accumulations and forest understory, increase forest heterogeneity, facilitate the growth of mid seral and late forest; reduce conifer encroachment, promote snow pack retention and allow for ecologically fire to occur on the landscape. The proposed action would allow implementing thinning treatments on approximately 2,500 acres per year which is double the amount that is currently implemented on the forest service lands now. This will help increase the pace and scale of these fuel reduction treatments. Meadows and Aspen forest in the project area are in a degraded condition. Some indicators of the degraded condition include high density of conifer trees and stream channel incision or bank instability, sensitive areas of bare soil in the meadow, presence of invasive species, and drying meadow condition. Eight hundred acres of meadow and 400 acres of Aspen, the proposed action would restore approximately 100 acres of the Aspen and 200 acres of Meadow every five years. That restoration would increase acreage of meadows and Aspen within the project area.

The proposed action is to amend TRPA's Code of Ordinances to allow mechanical based treatment on slopes between 30 to 50 percent. Currently, the code doesn't allow for the use of ground based mechanical equipment on slopes over 30 percent. This rule is in place to protect resources from equipment such as soil and vegetation. The rule is not in line with best forest practices in the industry. There is new technology that is available that can reduce the impacts. Other agencies such as Lahontan Regional Water Quality Control Board currently allows the use of ground based mechanical treatment on slopes up to 50 percent. The recommended code change would not apply across the board on all slopes but rather where the onsite conditions such as soil type deemed that it would be appropriate based on the analysis that was done in the environmental document. The use of ground based mechanical equipment as opposed to hand thinning would allow managers to remove trees greater than 14" in diameter to meet restoration objectives and reduce the number of piles that would need to be burned on site as well as increase the pace and scale of restoration. About 20 percent of the Lake Tahoe West restoration project area consists of slopes between 30 to 50 percent that may benefit from allowing ground based mechanical treatment. The proposed code change is basin wide but future projects may require additional site specific analysis to show that those conditions are appropriate for the use. The proposed action would involve the use of strategically placed prescribed burning within the project area to establish a more frequent fire interval, restore fire adaptive ecosystem processes, and reduce the risk of catastrophic fire by reducing forest fuel accumulations and maintain reduced fuel loads. The proposed action would involve implementing approximately 2,000 of prescribed burning per year. That acreage could increase as projects are implemented and the thinning treatment are completed which would allow for a more safe and effective management of wildfire. The next steps of the project include a second public scoping meeting on April 28 that will be held virtually by the Lake Tahoe Basin Management Unit. The public scoping ends on May 11. Those

comments will be used to help inform the draft environmental assessment, environmental impact statement, and environmental impact report which is scheduled to be released in the summer of 2021.

Presentation can be viewed at:

[Agenda-Item-No.-VIII.A-Lake-Tahoe-West-Scoping-Presentation.pdf](#)

Board Comments & Questions

Mr. Yeates said it's quite a project. The notice of preparation includes the work that we're going to have to do to the Code of Ordinances to address some of the issues.

Mr. Hicks said he'll coordinate with Ms. McIntyre to bring forward some of the items in this presentation today to the Forest Health and Wildfire Committee to address the specific procedures that should be considered in order to help facilitate this program.

Ms. Novasel said anytime we get this kind of project moving forward is worthy to protect our natural habitat. These catastrophic fires are getting worse and this kind of project is needed. The ability for TRPA to help make a difference is also an important key to this.

Ms. Gustafson said this is a great approach in doing a comprehensive look at that huge area of land and how we best protect it. She's pleased to see this coming forward and is a critical time for us to address this issue.

Mr. Bruce thanked everyone involved in this project. This is a lot of what we're about.

Ms. Aldean said this is a great project in many ways and very needed. She referred to page 248 of the staff packet, environmental effects analysis. She said part of the analysis will involve addressing whether the restoration treatments when implemented over the long term may actually convert forest land to non-forest uses. The debate goes on about climate change and how much is attributable to human impact and how much is a product of natural processes. She asked if the project included a cost benefit analysis to the extent that we're trying to reverse natural processes.

Ms. Friedman said right now that is not within the scope of the project but is a good thing to consider and keep in mind moving forward.

Ms. Aldean suggested that it should be addressed. Financial resources are limited and although something might be desirable in terms of turning back the clock, it may be something that's irreversible. It would be unfortunate to put money towards something that ultimately will not yield beneficial long term affects.

Mr. Marshall said what was presented today is the scoping of the environmental document. Ms. Aldean's comment relates more to whether or not the project as a whole is designed appropriately. They'll take that comment under advisement particularly because a lot of the treatments under this project are specifically designed to address climate change and the increased threat related from it. This is a good point but in terms of the actual design of the project, it has been designed to respond to climate change and to make the forest more resilient

notwithstanding the change in the climate. They can address that issue when they bring the project back to the board. For the purposes of today and is the environmental document scoped appropriately. The comment is more directed at the content of the project itself.

Ms. Aldean said she doesn't have an issue with the forest restoration aspect of the project. When there's trees encroaching on the meadow areas because of a change in climate, the question is what the long term benefits are and can they be sustained environmentally and financially.

Public Comments & Questions

Greg Lien said given the hundreds of studies that point out the negative environmental impacts from pulse modulated microwave radiation, he would have thought the lead environmental agency at Tahoe would at least be willing to analyze the issue. The Lake Tahoe West Restoration Project does not even mention the issue, even though forest health, fire danger, plant communities in stream zones and ultimately even water quality will all be impacted. In a way, he's surprised at the unwillingness to look at this in an honest intellectual manner.

What has surprised him more recently is the anger that seems to be directed at those of us who raise the issue in our very earnest desire to point out the dangers of ever-increasing levels of pulsed microwaves to human health and the environment. In the face of the media's silence on this issue, and the telecom industry's attractive promises of faster speeds and new applications, who wants to hear that there are negative impacts? He understands that, and if any of us have offended you in our desperation to be understood, please accept his apologies. It is not our desire to offend, only to speak the truth as we know it.

These are uncertain times, and it is difficult to know truth from fiction. In view of that uncertainty, shouldn't this be all the more reason to bring to bear the most recent studies that are on point? As we have said, and the telecom industry has admitted, the microwave network known as 5G is being rolled out without any recent studies as to its safety as if it were a national mandate. Should we be encouraging this at Tahoe?

A look back at the history of new technology should give us pause. The rapid development of pesticides like DDT led to the realization that these were dangerous chemicals literally a silent spring. Monsanto was sued over Roundup and the litigation disclosed the massive efforts Monsanto used to spread disinformation and silence dissent. The nuclear industry promised safe clean energy, and now we have Fukushima continuously spewing radiation that will last for centuries and the technology to clean it up does not yet exist. New technology is attractive. In the case of cell phones and screen time, it could even be argued to be as addictive as tobacco use. It's hard to admit there are negatives to consider, but there are.

Please try not to be offended when we point out the scientific evidence of problems with pulsed microwaves or your obligations under the TRPA Compact and your Code when you consider approving new microwave transmitters and the required findings you must make. Would you be willing to at least look at the issues? Would you be willing to create a subcommittee to study this and report back to you? Just, please, don't continue to just ignore this. One day history may likely once again show that the allure of new technology may not be worth the risk.

Dennis Hayes said Happy Earth Day! The Lake Tahoe West Scoping need to develop threshold

findings pertaining to the placement and siting of radiofrequency telecommunications facilities. There is a vast and rapidly growing body of hard science proving that the radiation used by this technology is an emerging threat to the Tahoe Basin.

The most prestigious scientific journal NATURE published several articles on the effects of radiofrequency (RF) radiation on migratory birds, butterflies, bees, other insect and mice, which make it unequivocal that RF radiation has the potential to harm, harass, or stress wildlife populations. NATURE also recently published a new study confirming RF radiation causes oxidative stress leading to DNA damage. Hundreds of scientific publications demonstrate the potential for serious adverse environmental effects to the protected Lake Tahoe ecosystem. This very fragile alpine ecosystem is along a salient migratory bird path; there is far more at stake than just the human populace. Even where cell tower antennas have ground fencing sufficient to protect humans from RF exposure above the Federal Communication Commission (FCC) limits, migratory birds, inclusive of northern goshawks, peregrine falcons, osprey, bald and golden eagles, regularly perch in the stands of trees where these antenna towers would be installed. This federally protected wildlife is certainly being exposed to radiation above the FCC's limits designed for human exposure. Peregrine Falcons and Northern Goshawks are federally protected migratory birds, that are further protected within TRPA's designated disturbance free zones.

Because Lake Tahoe is such an incredibly special and environmentally sensitive place, Congress created the TRPA in an unusual manner so as to allow it to create extraordinary environmental regulations, it even permits it to regulate radiofrequency emissions at levels below those chosen by the FCC, if necessary, to protect the basin. The science is now here that this basin does indeed need such protection.

Mono-pine antenna towers are particularly harmful as they mimic predatory bird habitat, and hence invite eagles and hawks to perch within the intense near-field radiation of 50,000-watt ERP antenna panels to their own peril. For this reason alone, the board needs to act. TRPA staff left to their own discretion have already approved a Macro Cell Antenna within the Truckee Marsh Bald Eagle Winter Nesting Site despite our national bird being expressly protected from harm by federal law! The TRPA may and must set its own alpine environment specific radiofrequency emissions limits; it is exempt from FCC restrictions pertaining to local and state governments (Lake County Estates, Inc, v. Tahoe Reg. Planning Agency, 440 US 391, 401, (1972) Carpe diem.

Nicole Rinke on behalf of the California Attorney General's office said thank you for the briefing today. They think the level of multi-jurisdictional, cross-agency collaboration here is very positive and will look forward to seeing more details as the environmental review process goes forward. At this time, we have just a couple of preliminary comments.

The scoping notice describes some of the potential impacts of changing the code to allow for mechanical removal on slopes greater than 30 percent. They appreciated the description today of the new technologies that make this feasible and will be interested to see the details of the proposed amendment so as to insure this is appropriate and without adverse environmental consequences (e.g., resource damage, erosion).

It also strikes them as a bit awkward to be proposing and analyzing a basin wide code amendment in the context of this one project. From an analysis standpoint, how will this be handled? The staff report suggests that future projects may need to do further analysis to go up to 50 percent, but

that does not seem like a given if the code amendment is approved and applies basin wide. Also, the staff report indicates that the code amendment will impact approximately 20 percent of the project area, this might suggest the "fix" is too broad relative to the scope of the problem? They hope this can be better explained as part of the process going forward.

Board Comments & Questions

Mr. Lawrence feels that all of the issues have been captured pretty succinctly for this public scoping. Given the breadth and scale of this project and with the different goals, for example, restoring one mile of Blackwood Creek and the meadow restoration in the forest, how much detail will be in the environmental document? For example, does the environmental document get into detail about their hydrology impacts or impacts for any residences along the creek. How big of an environmental document will this be to address hydrology, biological resources, etc. in so many acres.

Ms. Friedman said the team has discussed this because the project is large geographically and has a lot of proposed actions and elements in it. For example, the level of detail for the stream restoration is the intent to have enough detail in there to where they can make the necessary findings related to that particular action item. The intent would be that there would be enough information and analysis that it would be project level analysis and could forward with implementing those actions. They are doing all of that without making the document too large but honors the California Environmental Quality Act and the National Environmental Policy Act, TRPA rules, and is readable by the public as well.

Mr. Marshall said referring to "project" in the Lake Tahoe Restoration project it is a word that is not in TRPA's standard definition of what a project is. It's an amalgam of both conceptually programmatic actions as well as the ability to look at more individual level actions through general criteria that can be applied to forest thinning actions, for example that can be analyzed. If the individual project is consistent with those general descriptions that have been used in the project descriptions for those particular activities that they may be able to go forward based on this environmental document. Stream restoration is one that may have more limited ability to rely on this environmental document for their final approvals because of some of the things Mr. Lawrence mentioned. The ability to describe at this time with specificity that particular action. It will be on a case by case basis particularly with some of the more complicated restoration actions that are being described in this document. Hopefully, through the inclusion of things such as best management practices and standard approaches to stream restoration that more specific analysis that is done subsequently can be quite narrow and more efficient than if they were to start from square one on some of those more specific projects.

Mr. Lawrence said we're early in the process and agreed that we have to increase the pace and scale. He applauds the effort and is just trying to understand it.

Mr. Yeates said as he went through the document, he wondered what the California Tahoe Conservancy's role was in regard to all the forest thinning work. They've done a lot of good work on the question of forest health but can't imagine that they would be out actually doing the work. He assumed these restoration projects that would fall within the work of the California Tahoe Conservancy. It raises the question in a scoping document, the breadth of the project. If this project is going to focus principally on protecting the forest health and reducing wildfires, etc.

that's pretty immense anyway from just the west side of the Lake. Then you add other projects in that and seems to him that you're doing the opposite of things of which we used in the California Environmental Quality Act as piecemealing. But what you done, is made the breadth of the project so large; you can't get to the detail. He believes that's the criticism we'll get from the California Attorney General's Office. From a scoping perspective, those working on this need to reconsider what all is going to be covered in this document. He feels it's too big and we'll find some problems with it.

B. Tourist Core Area Plan, Pioneer/Ski Run Plan Area Statement 092 and Lakeview Heights Area Plan Statement 085 Boundary Line Amendments

Ms. Gustafson recused herself from this agenda item.

TRPA team member Ms. Fink and Mr. Hitchcock, Planning Manager, City of South Lake Tahoe made the presentation.

Ms. Fink said there is a focus on addressing the shortage of workforce housing in Lake Tahoe. Even with the Covid-19 pandemic, affordable and workforce housing will continue to be an issue moving forward. This amendment provides additional opportunities for workforce housing by providing additional height, density, and coverage needed so workforce can pencil in this location which is in close proximity to jobs, transit, and amenities. The lots that are subject to the amendment are among the sites being considered for housing mitigation for the US 50 Revitalization project that the Governing Board approved in November. However, the intent is to build affordable housing in this location regardless of the outcome of the US 50 project.

Mr. Hitchcock said the Tourist Core Area Plan was adopted by the City of South Lake Tahoe and TRPA's Governing Board in 2013. It is geographically located on the east end of town and the boundaries run from Fairway Avenue on the west to Stateline on the east with a portion of it going down Ski Run Boulevard to Pioneer Trail.

The Tourist Core Area Plan is the City's primary tourist commercial center in the south shore. It provides land use guidance for new development as well as redevelopment activities in this location. They've also adopted land use policies in the area plan that focuses on promoting a mixed land use while supporting residential development within close proximity to employment centers, commercial retail centers, and with access to recreational opportunities.

The City of South Lake Tahoe was approached by the Pacific Development Group who requested an amendment to incorporate three parcels that they currently have ownership to include those in Tourist Core Area Plan Tourist Center Mixed Use Corridor District. This amendment would affect the Tourist Core Area Plan boundary as well as the boundary for Plan Area Statement 092 and 085. Currently the three parcels that are being considered for incorporation into the Tourist Core Area Plan are one vacant parcel, one is developed with a dirt road, and one has two small cabins on it.

Pacific Development Group that holds fee title to the three parcels as well as the two adjacent parcels that are located in the Tourist Core Area Plan are proposing to develop a 77-unit affordable housing project once the amendment has been adopted.

The amendment is intended to incentivize multi-family development and make affordable housing more feasible. By incorporating these three parcels into the Tourist Core Area Plan they would be eligible for increase in density from 15 dwelling units per acre to up to 25. They would be able to have an increase in height from 42 feet to 56 feet. They would also be able to transfer in coverage up to 70 percent.

The three subject parcels are ideal for developing a multi-family development. It's located in proximity of similar uses. The parcels are located on a main thorough fare that provides transit with a route from Stateline to the South Y Transit Center. There are also bus stops nearby that can service the three parcels along with bus routes that run along Ski Run Boulevard from the Ski Run Marina to Heavenly Mountain Resort California base.

During the public outreach efforts and presentations to various boards and commissions some issues came up primarily related to scenic and fire safety. They're confident that redevelopment of the site will improve the scenic quality travel unit which is Pioneer Trail North and that any proposed development will not have an impact to any viewsheds. They did a tree survey for the height of trees on the property and the range from 15 to 122 feet. Any proposed height within the project site would be well below two thirds of the tree canopy. Any project proposed in the future would have to implement California Fire Code for defensible space. The subject parcels are surrounded by California Tahoe Conservancy lots. The CTC has indicated that they will be doing fuels management treatment of those parcels beginning this summer and will help improve the defensible space in this area.

A public information meeting was conducted in November 2019. Individuals that attended were mainly interested in the project itself and not the amendment. Prior to circulating the initial study for the California Environmental Quality Act purposes, the City did do a tribal consultation. They received one comment from the Auburn Tribe who deferred comment to the Washoe Tribe. The City staff reached out to the Washoe Tribe to get comments on the amendment but received no response. The City Planning Commission considered this item on February 20, 2020 and the City Council took action on March 10, 2020. They found the initial study neg dec to be technically adequate. They found that the Tourist Core Area Plan as amended is consistent with the City's General Plan and for the California Environmental Quality Act purposes adopted the Tourist Core Area Plan as a specific plan.

The project will require design review and approval by the City's Planning Commission and approval by TRPA because it's greater than 50,000 square feet of new floor area. Although, the City has not received a full application they've held a pre-application meeting with the Pacific Development Group and went over some of the initial conceptual ideas for the project. The City is proposing to hold a public workshop in the near future to discuss the project with the effected property owners within the vicinity.

Ms. Fink said on March 11, 2020, the Advisory Planning Commission made a motion to recommend a finding of no significant effect as well as recommend approval of amendments to the Tourist Core Area Plan. This morning the Regional Plan Implementation Committee heard the item and similarly made a motion to recommend a finding of no significant effect and motion to recommend approval of amendments to the Tourist Core Area Plan.

TRPA completed an area plan conformance checklist, findings, and a thresholds and compliance

spreadsheet based on the Initial Environmental Checklist and the application that was submitted. These were used to support the findings of conformance with the Regional Plan and consistency with the Thresholds. One item that was raised at the Regional Plan Implementation Committee meeting was to ensure that the project was consistent with the requirements of Chapter 13. It requires that if parcels are being amended into a town center they need to show that the parcels are within one quarter mile of commercial and public services that support the use of transit and must be developed parcels or surrounded on three sides by development. These parcels meet this criterion, they are directly adjacent to transit and within one quarter mile of a fire station, multiple restaurants and other services. One parcel is currently developed with two units and the second is nearly 100 percent covered with a dirt road that provides access to the adjacent parcels, and the third parcel is surrounded by those other two developed parcels as well as another developed parcel to the east.

Presentation can be viewed at:

[Agenda-Item-No.-VIII.B-TCAP-Amendment-Ski-Run_Pioneer.pdf](#)

Board Comments & Questions

Mr. Yeates said that the Regional Plan Implementation Committee unanimously recommended approval of the findings and project. There were two comments during their discussion dealing with a question of the assurance that this is going to be an affordable housing project because it's a site that's been linked to the approval of the US 50 South Shore Community Revitalization Project. That project includes the Loop Road around the backside of the casinos, the Main Street Management Plan, and the housing requirements that were all a part of that approval.

Mr. Lawrence said he's excited about the possibility of getting affordable housing at this location. It's a great location and is key to linking it to the South Shore Revitalization Project and the Main Street Management Plan. He has complete trust on the intent of the City and the applicant to make something happen here. The plan amendment while it does facilitate affordable housing, it doesn't guarantee that something else could be constructed there that's higher than affordable. He supported it moving on from the committee this morning to the Governing Board but there was discussion about tying the approval of this to a time factor. The amendment would stay in place provided that an application for the affordable housing project is received within a one year time frame.

Mr. Bruce said he appreciated the work that the applicant has done and the risk they've taken. He agreed with Mr. Lawrence that the timing issue is one that is worth discussing and considering. He said he would support the suggestion of one year.

Ms. Laine said she would like to hear from the developer to see if that's a timeline that they can meet. In addition, she would like more information on the question regarding their ability to apply for state credits and other funding sources to make this affordable housing project pencil out.

Mr. Feldman read comments from John Bacigalupi, Vice President, Pacific Development Group to answer the question raised by the Regional Plan Implementation Committee regarding availability of gap funding sources. Mr. Bacigalupi said there are several gap funding sources which may be available to the project, many of which exists at the state level. They include affordable housing sustainable communities, aka cap and trade, infill infrastructure grant program, multi-family

housing program, and home funds. Other assistance includes the Federal Home Loan Banks Affordable Housing Program (AHP) as well as the donation of land by a public agency and fee deferrals.

The Pacific Development Group is currently in a competitive application round for last home notice of funding availability issued by the State Department of Housing and Community Development for a project in another area of the state. They have real time experience with these programs. It's important to note that the regulations and guidelines governing these programs are typically revised with each funding cycle which can impact eligibility. They will diligently explore all funding possibilities as applicable keeping abreast of program changes.

To fully exploit these possibilities, the Pacific Development Group needs the help of the City of South Lake Tahoe, TRPA, and the Tahoe Transportation District well in advance in applying to these funding sources for the following critical reasons: To maximize the competitiveness of an application to any of the programs listed above, the project must be fully approved at the local level, entitlements, and environmental review. Local gap funds which help earn leverage of public funds points under these programs must be fully committed by the local agencies in advance of applying to programs for funding. Both of these conditions need to be met for any application to be competitive under these programs. The funding rounds for these programs are routinely oversubscribed in terms of the amount of funds requested so cooperation and assistance on the part of local agencies per the items above is essential.

Mr. Feldman said the Pacific Development Group is comfortable complying with the proposal of a sunset within 12 months in the event that they do not submit a full application for project approval for the affordable housing project that is anticipated.

Mr. Bruce said he's comfortable with the proposal. He said this is necessary in order to get to the Main Street Management Plan and the affordable housing component. This affordable housing project is important, and we need to do what we can to make it happen.

Mr. Lawrence said he appreciated the applicant's willingness to address the concerns. He's fine with the proposal. It's not that he has distrust with the City or the applicant but would like to have some assurances.

Ms. Laine said for the record, she vacated the mayor position for the City of South Lake Tahoe in December. She's currently an elected city council member. She thanked the Pacific Development Group because of their willingness to be open to some kind of sunset is a demonstration of their commitment that this is the project we want to see it go forward. It also demonstrates their commitment to seeing this through. Should this fall apart, they don't have the benefits of the entitlements on that land and would only hurt them. The City of South Lake Tahoe is supportive of this project and others as housing is a top priority in the City. Whether or not it has the added benefit of helping any other projects, congruently, that's even more of a bonus.

The City has this project and four to five units in the Lakeview Commons area that they currently have a memorandum of understanding out with the land trust to develop these units. There's a parcel at the Y that the City is working on with the California Tahoe Conservancy for a possible affordable housing, multi-family workforce housing project. This proposed project from Pacific Development Group is of great importance and the City will be looking at possible opportunities to

contribute some funding to this project. They are also providing other items of value but are more in kind such as sewer units that they acquired when they acquired the hotel where Whole Foods currently is. They've partnered with the South Tahoe Public Utility District who up until now didn't allow a transfer of units from one parcel to another. They've amended that and will allow the City to transfer units as long as they go to affordable housing projects.

Mr. Cashman said this project is the kind of project we envisioned when we did the Regional Plan amendment years ago and is the type of investment that we need to see in Lake Tahoe. Being affordable housing is a significant step forward for South Lake Tahoe. Ms. Aldean stated earlier this morning that this project will be even more needed based on the jobs that it will create and the people that it will serve in today's time. The time that we find ourselves in is very fluid and he's concerned that one year is possibly not enough time to give this project a chance for success. While the developer has agreed to that, he would hope that in one year from now, if we find ourselves in a situation where they haven't been able because of the financial markets, we will reconsider the one year expiration of the amendments.

Mr. Bruce said he supported reconsidering the one year time limit after reviewing what's transpired over that period of time.

Mr. Marshall said the board has that authority to do that in the future.

Ms. Aldean asked if we could amend the condition to state that at the end of the first 12 month period that the board will consider a reasonable extension due to extenuating circumstances. We could have a change in board members who are not familiar with the project and suggested that it be expressed as part of this amendment.

Mr. Bruce supported Ms. Aldean's suggestion.

Ms. Faustinos said that the California Attorney General's Office submitted good comments. She hopes that as we move forward with this project that their concerns continually be addressed, and we go into this with open eyes in terms of considering some of the items they brought up.

Public Comments & Questions

Nicole Rinke on behalf of the California Attorney General's office said their office has been heavily involved in working on VMT issues with TRPA staff and appreciate the commitment that has been made to updating the VMT threshold. They also appreciated the efforts that were made around the Events Center and the application of a net zero VMT standard for that project.

In contrast to the Events Center, this plan amendment declined to analyze the VMT generated by the project because it will generate less than 100 daily trips and therefore, pursuant to the interim VMT guidance, does not require a VMT analysis. They disagree that 100 daily trips are an appropriate screening criteria for VMT analysis, trips do not alone equal VMT. Please refer to their May 21, 2019 letter to Karen Fink, page 5, for more detail. But, particularly at this time when it has been acknowledged that the basin is over the existing VMT threshold, there is no support for using a 100 or other trip generation threshold to avoid analyzing and addressing a project's generated VMT.

Any projects/plan amendments being proposed at this time need to be analyzing VMT and complying with a net zero VMT standard in order to make the required findings for threshold compliance. Please also note that the supporting documentation for the amendment is not clear that the plan amendment will not exceed the 100 trip screening level ; Table 1 of the LSC memo (page 128 of the pdf) indicates that 17 units will generate 78 daily trips, which is the total claimed for the plan amendment as a whole. However, the plan amendment would accommodate up to 77 units (see page 136 of the pdf). Please clarify that the analysis has accounted for the full number of trips that will be associated with “build out” (aka 77 units) of the plan amendment.

Finally, while they certainly support the development of affordable housing in this area, they also note that the plan amendment is being proposed ahead of the project. Thus, there is no guarantee that the more permissive development standards that the plan amendment authorizes will in fact be utilized for affordable housing. At a minimum, the plan amendment, if approved, should be limited to the development of affordable housing.

They request that action on this item be deferred so that these issues can be adequately addressed. In addition, in the future they request that staff keep them engaged on matters that relate to VMT or raise VMT issues, as these are matters of ongoing importance to their office. Unfortunately, they were not able to engage earlier with this proposal, they are now aware that this has already been before the Regional Plan Implementation Committee and the City of South Lake Tahoe. However, with their focus on the Events Center and more recently the pandemic, they were not aware of this proposed plan amendment until now. Their preference is to engage early and productively, and they can do so more effectively when they are made aware of matters earlier in the process.

Steve Teshara on behalf of the Lake Tahoe South Shore Chamber of Commerce. The Chamber strongly supports the Governing Board's approval of the Tourist Core Area Plan boundary line adjustment as described in the staff report. They have confidence in the Pacific Development Group's commitment to submit an application and construct deed-restricted affordable housing on the parcels they have purchased within the area to be added to the Tourist Core Area Plan. Pacific Development Group has previously developed several of the most successful deed-restricted affordable housing projects within the City. Affordable housing is what this company does. We are fortunate to have an affordable housing developer of their caliber interested in developing this important project. This specific project has been identified as a priority project in the recently published South Shore Region Local Resident Housing Action Plan, a priority in the City of South Lake Tahoe's intended Housing Work Plan, as well as a major step forward in the City's ability to meet its assigned Regional Housing Needs Assessment number. Please do not delay in approving this Tourist Core Area Plan boundary line amendment.

Carl Hasty, Tahoe Transportation District said the Tahoe Transportation District is working with the City of South Lake Tahoe and Pacific Development Group on this project. The District supported the amendment and thanked the City, Pacific Development Group, and TRPA for their support.

Mr. Marshall said staff received two other comments on this agenda item from Galen Rowell and Edward Weston; two deceased photographers. The comments were pertaining to the scenic quality of the topic as well as cell towers. Staff will not be reading these comments as these are not real people.

Board Comments & Questions

Mr. Yeates said regarding the issue of vehicle miles traveled raised by the California Attorney General's Office. It's not the 77 units because the difference that we're looking at is the change by this amendment which is 17 additional units. Those 17 additional units do not get to the point where we would do a VMT calculation; the policy is 100 or fewer trips. Not only is that our position, it's pretty consistent with the Governor's position regarding trips of less than 110 don't have a significant effect on the environment. However, if someone was to put forward evidence that this particular project would have a substantial effect on the environment then we would have to adjust to that evidence. There's no evidence that's been put forward. There's a disagreement between us and the staff of the California Attorney General's Office. As we move forward in developing a VMT threshold and reworking our VMT issues, he's committed to making sure that we have far better communication between the two agencies as we move forward on this issue. The statements from Mr. Bruce and Mr. Lawrence and the applicant's decision on the timing issue to make the application for affordability addresses the other part of the California Attorney General's comments.

Ms. Laine referred to Attachment A and the effective date of this ordinance. She asked if it would be appropriate to amend the ordinance itself to have the sunset clause be a part of the effective date rather than adding it to the motion.

Mr. Marshall said he has some proposed amendments to section two that will incorporate the concept. This will be added to the second motion.

Mr. Bruce said he believes what Ms. Aldean was stating was that we "shall" review it rather than "might" be a review. He did not object to that request.

Mr. Marshall said he took the language to be permissive. "The Governing Board may consider a reasonable extension of this time limit as conditions warrant."

Ms. Aldean said that's fine with her. She's comfortable that the board members in one year from now will use their good judgement if warranted to cooperate fully with the applicant to ensure that this project is successful.

Ms. Laine asked where the language will be inserted regarding the sunset.

Mr. Marshall said it would be in section 2.0 on page 274 of the packet. The second page of the ordinance. First, there needs to be an edit the header to read "TRPA Regional Plan (Tourist Core Area Plan) and Plan Area Statement Amendments. At the end of that section which ends with "As set forth in Exhibit 1, he added "This amendment shall sunset automatically within 12 months unless a development application for an affordable housing project on the parcels incorporated into the TCAP by this amendment is submitted. The Governing Board may consider a reasonable extension of this limit if conditions warrant."

Ms. Laine made a motion to approve the required findings, including a finding of no significant effect, for adoption of draft Tourist Core Area Plan, Pioneer/Ski Run Plan Area Statement 092, and Lakeview Heights Plan Area Statement 085 Boundary Line Amendments as provided in Attachment B.

GOVERNING BOARD

April 22, 2020

Ayes: Ms. Aldean, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates

Absent: Mr. Beyer, Ms. Berkgigler

Motion carried.

Ms. Laine made a motion to adopt Ordinance 2020-___, amending Ordinance 2019-03, as previously amended, to amend the Tourist Core Area Plan, Pioneer/Ski Run Plan Area Statement 092, and Lakeview Heights Plan Area Statement 085 to include the changes referenced in Attachment A and as amended as read prior by Agency Counsel.

Ayes: Ms. Aldean, Mr. Bruce, Mr. Cashman, Mrs. Cegavske, Ms. Faustinos, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Ms. Novasel, Mr. Rice, Mr. Yeates

Absent: Mr. Beyer, Ms. Berkgigler

Motion carried.

IX. REPORTS

A. Executive Director Status Report

Ms. Marchetta said April 22 marks the 50th anniversary of the first earth day celebration. TRPA is lucky to share the birthday year with its 50th anniversary. Earth day is about preserving the planet for generations to come. Right now, is a time that might lead to transformations that we may not even know what those look like. Maybe one of the silver linings to this Covid-19 crisis is creating a greater sensitivity to our environment around us and how it is that environment sustains us.

TRPA has adjusted in response to the Covid-19 closures with the closure of our office since March 16th. Staff has been working remotely since that time and has been quite successful. We are carrying forward every aspect of our operations including permits. We have a drop box at the front lobby for document drop off. Work is continuing in all divisions and in all aspects of TRPA. She thanked staff who has handled this transition remarkably well. They are a stellar group. We have been using very extensive use of telecommunications to replace in person meetings. At this morning's Operations and Governance Committee they discussed looking ahead at the budgets. As an outgrowth of this pandemic, TRPA has already started to receive the first requests for belt tightening. The Nevada Budget Office requested TRPA submit a cut for the remainder of this fiscal year of \$76,000 and then asked for two budget scenarios for next year with four percent plus another four percent with totals a 10 to 14 percent cut from Nevada. Those scenarios were submitted last week. We have not heard from California but are expecting additional pressures there. We are anticipating and building our budgets around expected cuts.

The Governing Board retreat was originally scheduled for April and then moved to May. In consultation with the Chair and Vice Chair, we have developed a plan B that is in lieu of our annual day long offsite Governing Board retreat. Instead of planning two day virtual meeting in May, it will be a one day meeting on Wednesday. In lieu of the retreat, staff will be presenting to the board the Fiscal year 2021 work program at next month's meeting. The board will have an opportunity to review and provide guidance on the work program. Staff will use that work program to build the final budget which will go to the board in June.

GOVERNING BOARD

April 22, 2020

Lastly, Mr. Yeates asked for an update on the Tahoe Keys Aquatic Weeds Management Project and whether or not this Covid-19 crisis had an effect on that project schedule. We are still on schedule and are retooling for virtual stakeholder and public outreach to manage that project. We are still anticipating a release of the Draft Environmental Impact Statement this summer and there'll be future meetings on this topic.

1) Quarterly Report: January – March 2020

No further report.

B. General Counsel Status Report

Mr. Marshall said yesterday the mandates were issued in the Garmong versus TRPA case in a challenge to a cell phone tower. It was a tower that was approved by TRPA outside of Skyland, Nevada on Forest Service land. The Ninth Circuit Court of Appeals found that the individual did have standing to bring his challenge. So that's be remanded back to the District Court in Reno, Nevada. They anticipate that briefing on not only the remaining defenses that TRPA has asserted particularly for the individually named Governing Board, staff, and Hearings Officer individuals. We'll make those defenses in a renewed motion to dismiss if the complaint is amended. Otherwise, we'll proceed to the merits of the underlying permitting decision.

X. GOVERNING BOARD MEMBER REPORTS

Mr. Yeates said he's concerned about the upcoming Memorial Day weekend and the recreation potential at Lake Tahoe. He asked if we're looking into the situation and what's the strategy between the two states and coordination with the local sheriff's department.

Ms. Novasel said this was discussed this week at their El Dorado County Board of Supervisors meeting. There's an ordinance which in part has been approved that will fine visitors \$1,000 per day if they are staying in a vacation rental. They don't have any hotels in the Tahoe Basin in the unincorporated area other than Camp Richardson which is shut down. They have an emergency office which has coordinated between most of the areas and agencies in El Dorado County including Barton Hospital, fire protection, and health providers. This is being ran by their Public Health Office, Dr. Nancy Williams. They're looking at phasing in the reopening but don't have a timeline on that right now. A lot of this will coordinated with the Governor's order. The El Dorado County Sheriff's has said that they will not cite second homeowners for using their own homes. They feel it's a violation of their private property rights. She feels that we have the ability to cite second homeowners if they are truly vacationing. This vacation rental enforcement is a civil enforcement that they put forth so they could around that and be able to fine vacation home renters who are coming here on vacation. They've been in daily contact with Barton Hospital and at the beginning they had 19 beds and if there's a surge, they temporarily have up to 139 beds. The City of South Lake Tahoe Recreation Center has temporarily opened up as a homeless shelter. They've had up to nine positive Covid-19 cases in the Tahoe Basin portion of El Dorado County.

Mrs. Cegavske said in Las Vegas they're having issues that are a little different. One of the biggest issues is they are still letting party houses (vacation rentals) have multiple people in them causing problems in neighborhoods and are not adhering to any of the restrictions such as masks and social distancing. They don't have people to go out and investigate these issues. She would like to

discuss with Ms. Novasel how they are addressing some of these issues.

Ms. Novasel said in El Dorado County they turn the complaints into the Code Enforcement personnel. The code enforcement contacts the property owners to let them know that there's a violation and sends out the \$1,000 per day fine. This is new and is still unclear how this is going to work administratively. The City of South Lake Tahoe has been doing the same process. In particular it's the vacation rentals that are so egregious that they're working to take care of them being that their Sheriff won't take care of it in an enforcement manner.

Mr. Rice said since the Nevada Governor has declared vacation rentals an essential business, there's not a lot they can do about this. Their District Attorney concurred that as long as they're deemed essential businesses, there's not much they can do.

Ms. Laine said at this time, the City of South Lake Tahoe and El Dorado County have been issuing administrative fines of \$1,000 per day for about three weeks. To date, they've only issued three citations. Their police department is a big part of the enforcement team along with the code enforcement officers. They receive a report from the police department daily and are proactively enforcing the shelter in place order. They also accept calls through their dispatch from concerned citizens as previously vacated homes are suddenly being populated. The position that the City has taken with regards to the property rights issue is to remove the property rights issue from the center of the table and rather look at it like this. The Governor issued a shelter in place order on March 20th. If you leave your home in "x" jurisdiction and you drive to Lake Tahoe, you are in violation of the shelter in place order regardless of whether they own the property or not. They don't care whether it's a vacation rental or second home, there is a shelter in place order and driving from one place to another is a violation of the order. It's disappointing when the law enforcement are not getting behind the citizens in trying to keep our area safe. The City developed a short term economic recovery task force along with a long term economic recovery task force. With regards to the short term goals, they have a committee that's working on what is their branding going to look like, who do they want to be when they do open, and how is hygiene a part of that. They just don't want to get open but want to stay open. They want to have a phased in process that's thoughtful and works. They know that they'll be dealing with a drive up market and estimate that to be about a 750 mile radius around Lake Tahoe. It's going to be sometime before that airline market comes back.

Ms. Novasel said Sheriff D'Agostini is aware of her opinion that it's the right of the county to shut down any second home. He had a dispute with county council on that. Their order is that all vacationing or temporary travel is a violation of the Governor's order. With that being said, she could not get a majority vote of her Board of Supervisors to allow that. So, it's vacation rentals only right now but has in the ordinance the ability to move to that second phase which would be to require that from second homeowners. However, they don't have the support of the Sheriff. They're trying to make it a civil administrative penalty rather than a criminal penalty because they don't have the backing to allow that enforcement.

Mr. Lawrence said even before the Nevada Governor put restrictions in place, they did close down camping at all of their state parks but kept the parks open for day use excluding visitors' centers and things like that. They've been monitoring them on a daily basis. Since they closed the campgrounds and kept day use open, they've had to close down all of the state parks even for day use in Clark County because social distancing wasn't being followed. They've been monitoring

GOVERNING BOARD

April 22, 2020

Sand Harbor and the East Shore Trail in particular to see what they might do there. They get a lot of comments that people want to keep that open and also get concerned calls from about people using the trail and possibly being infected. They constantly monitor it and coordinate with the Tahoe Fund and the Take Care program to put social distancing signs on the East Shore Trail and Sand Harbor. If the social distancing doesn't occur, then they'll have to close it down as they've done with other parks. They've been discussing with California about consistency. Even outside of Covid-19, outdoor recreation is always a challenge because you don't want any one area to be overcrowded for environmental reasons. If we're not consistent and there's four out of five parks, whether it's local, federal, or state close and one park open, everyone is going to visit that one park. Discussions have been held with his California counterpart, TRPA, and State Parks staff to see if they can do something that's a consistent type of resource recreation management moving forward. They'll need to get the message out to people in advance if they do need to change direction with their land management. The situation is fluid and is difficult to make any decision or determination on what's going to happen any given day without them doing the monitoring.

Mr. Rice said since the last Governing Board meeting, Douglas County approved the Tahoe South Event Center project.

Ms. Aldean asked what the implication will be for the ballot question for the redevelopment area since the project has already been approved.

Mr. Rice said at this point they hope it will be mute.

Ms. Aldean asked if they've received a legal opinion on that.

Mr. Rice said per the County Manager, the way the ordinance was written when they presented it to the approvers, it's advisory as far as their concerned.

XI. COMMITTEE REPORTS

A. Main Street Management Plan and other components of the US 50 South Shore Community Revitalization Project

No further report.

B. Local Government & Housing Committee

No report.

C. Legal Committee

No report.

D. Operations & Governance Committee

No further report.

E. Environmental Improvement, Transportation, & Public Outreach Committee

GOVERNING BOARD

April 22, 2020

No report.

F. Forest Health and Wildfire Committee

Mr. Hicks said there may be a committee meeting in May to review possible code amendments to Section 61.3, vegetation protection and management.

G. Regional Plan Implementation Committee

Mr. Yeates said the committee met and discussed VMT and the air quality mitigation fee as part of the workplan.

XII. PUBLIC INTEREST COMMENTS

Elizabeth Noah said she's a year-round resident of North Lake Tahoe. She would like TRPA to address the closure to boats until further notice. Did you receive a mandate from Nevada or California governing bodies to make this decision? Did you make this decision internally, within TRPA? What studies or science are you relying upon to substantiate your decision to prohibit boating? Do you believe that if your decision to prohibit boating is defensible if litigated?

Ellie Waller, Douglas County resident said some language from previous a staff report in this packet, only 2 pages. Staff, applicant, and stakeholders worked to ensure that the transit package is effective and works to change people's behavior and will get people them out of their cars. The group designed mandatory conditions of the permit that will deliver effective transit and traffic mitigation for the traffic effects of this project; new, free, and frequent on demand, and flexible transit services and parking management measures. What in the way of funding is being requested of Douglas County ? Staff should provide any future expected funding requirements to the Douglas County Commissioners (BOCC) for consideration at future meetings so the public can weigh-in and not assume funds will necessarily be granted. Grant dollars may cover some of the expenses for new or additional vehicles but what about the high potential for infrastructure upgrades due to public utility line relocations?

In Mr. Nielsen's presentation, Transportation impacts were the primary topic of conversation with this project. The environmental assessment identified impacts to transportation as potentially significant. The primary impact is operation of the event center will result in a significant increase in vehicle miles traveled.

Who will monitor and fund VMT counts to ensure no net increases occur? How often will traffic counts be completed? The Tahoe Douglas Visitor's Authority should foot that bill, it's their Event Center. How will the proposed year-round free transit be funded? There are only so many grant dollars to go around. If Douglas County is in the assumption pool of potential funders, then the Douglas County Board of Commissioners should discuss at an upcoming public hearing. One of the questions discussed amongst the stakeholders was what would happen if the monitoring showed that the performance measures were not being met. Stakeholders collaborated to develop an adaptive management plan.

How often will measurements be reviewed to ensure VMT exceedance issues are kept in check? Who will fund the monitoring? Should be the Tahoe Douglas Visitor's Authority footing that bill.

The purpose of the stakeholder coordination is to identify and to better understand the factors including those not specifically associated with event center operations that may be affecting traffic and how they need to respond to monitoring and determine the next steps. The stakeholder committee will include but is not limited to an event center representative, a state representative from each state, and representative from Douglas County, the City of South Lake Tahoe, TRPA, public safety, and the Tahoe Transportation District.

When will this stakeholder group be convened? The Douglas County Board of County Commissioners should be selecting the Douglas County representatives at an upcoming BOCC meeting, so the public is aware of who is representing them. They should also be allowed to weigh-in on representation. The entire County, not just the lake will possibly be asked to fund some of the Mainstreet Management Plan goodies, infrastructure updates, etc.

Henry Patrick said the TRPA should not be holding public hearings while the "freedom to assemble" is unconstitutionally suspended. Even martial law protects against undemocratic long term changes to governmental functions. There are a lot of individuals that rely on public sources of internet access (libraries, coffee shops, public areas), who cannot attend these webinars. Worse, because the libraries are closed (even law libraries), the public cannot consult the valuable references for constructive thought about agenda items. The lack of public assembly has real chilling effects on public debate. The economy is suspended by stay at home orders (large gathering venues are forecast to be prohibited reopening until a vaccine is developed, manufactured, and delivered to all 350 million US residents approximately in four years), and the country will certainly be dramatically transformed by the time it exits this crises, it is inappropriate to "railroad" a potentially obsolete vision under the darkness of the pandemic. These projects will not be able to generate revenue to pay for themselves for half a decade. This all should wait.

Frank Sinatra said he's a real and alive musician who has a home in the Basin. His parents, who are also musicians, gave me the first and middle names "Frank" and "Sinatra." He's honored to go by the alias "Frank Sinatra." Hence, he finds its particular offense in the pretext you are using to censor other peoples' public comment. Are we to believe that because John Marshall is irrefutably the diseased fourth Chief Justice of the United States Supreme Court, he cannot also be a real person? Cease and desist in finding creative pretexts to illegally censor public comment.

Tahoe Residents for Actual Prosperity said the simple high school physics assumption that radiation can only cause cancer by being of a high enough photon energy (UV/X-ray) to dislodge electrons and break chemical bonds is wrong. A preponderance of scientific evidence clearly indicates that radio frequency (RF) radiation causes reactive oxidative species (ROS) in living cells and free radical production. Microwave radiation alters the antioxidant repair mechanism resulting in a buildup of reactive oxidative stress. Free radical DNA damage results, as well as reproductive harm and some electro-hypersensitivity effects. Laboratory toxicology experiments show DNA damage directly resulting from microwave RF exposure, and epidemiology has found cancer rates near cell towers are upwards of three to four times higher than background rates; this aggregate rate approximates the vehicular fatality rate in the US! Despite long emerged science, the captured FCC continues to apply an outdated standard it imported from the "National Council on Radiation Protection" in 1996 before cell phones were widely adopted or any direct science existed to expose actual health effects. The FCC exposure standards are now 10,000 times higher than the 0.1 $\mu\text{W}/\text{cm}^2$ recommended by current science. Cell towers should not be located less than 1,500 feet (~500 m) from the public or sensitive wildlife. Telecommunications are a

trillion-dollar industry, and their corporate lobbying has been tremendous. The TRPA is not prohibited from regulating RF emissions limits as it is neither a state nor local agency (Lake County Estates, Inc, v. Tahoe Reg. Planning Agency, 440 US 391, 401, (1972)).

Concerned Citizens of the Tahoe Basin Regarding Cell Tower Moratorium said we need a moratorium on cell tower installations until the TRPA develops its own threshold findings specific to the sensitive Lake Tahoe alpine environment.

Arbitrary cell tower installations add uncertainty to real estate values, cost homeowner equity, unexpectedly ruin a family's nest egg, and generate large health expenses that we all pay for one way or another. A single cancer treatment regimen costs between \$100,000 and \$1 million and human life, itself, is invaluable. Even small risks which result in grave consequences must be taken very seriously. Because of the large numbers of residents exposed to this risk, the cost of doing nothing would result in an increasing number of people, many of them young, developing cancer and suffering other health effects; this extends to wildlife too. We have long proudly held a constitutional liberty in this country to personally make informed choices over the risks we exclusively take against our own health and bodily integrity. Regarding cancer, these ethos appear in California law through Proposition 65. Cell tower radiation is far worse than purchasing a cup of coffee, processed meat, BPA plastics, and MTBE gasoline. Such purchases are all informed choices. Unlike the latter, cell towers incessantly and non-consensually intrude radiation into our bodies with harmful cumulative exposure. Moreover, carcinogenic risk is not simply additive; there are synergistic effects because when cellular repair is consumed by one genotoxin, DNA is far less protected against additional mutagenic threats such as radon gas, UV light, or "recreational splurges." Callous infliction of bodily harm and disregard for home equity is un-American. We can do better.

Gaylord Nelson said the TRPA needs to implement a moratorium on wireless telecommunications facilities (WTF's) deployments, until it is able to assess the serious degree that such installations are undermining its own climate change policies.

Cellular broadband is one of the most energy inefficient means of information transmission imaginable. Energy is radiated in a wide range of directions such as to send an adequate signal to just a single point. The energy effectively lost through the air is tremendous. Furthermore, these towers and phones constantly "ping" the each other with idle chatter just to be able to connect a call.

The greenhouse gas emissions associated with continuously running a macro cell tower transmitter with 47,090 watts of effective radiative power (or 187.2 kilowatt-hours per day) is a sizeable fraction per day of the power a household will use in an entire month! The agency policy is to reduce net power consumption, and there needs to be analysis on the impact against the agencies energy consumption goal and policy.

The new 5G frequencies increase the data capacity because the signals travel a much shorter range and thus limit inter-tower interference. However, the very reason this frequency band's range is limited is because the energy is lost heating up the air! We just phased out incandescent lightbulbs because of thermal and electrical waste, and now we are asked to adopt kilowatt microwave transmitters! This is all being done to make some greedy corporate giants milking a bad technology even wealthier, at the complete loss of the environment. 5G transmitters create thermal islands around each site, which also have an obvious potential for environmental harm.

When you compare cellular to fiber optics, the waste is dramatic: a milliwatt laser diode can continuously send broadband signals tens of miles through a single fiber optic strand, whereas it would take a 50,000 watt transmitter to send this same signal to the same point through the air. The disadvantage of fiber optic terminals being spatially fixed is not an issue for home broadband, because houses do not get up and move around. Setting-up a cellular infrastructure to provide home broadband is horrible public policy. The obvious answer is fiber-to-the-home; and compact home Wi-Fi networks are always an option for those who must have Wi-Fi calling available to their "smart" phone.

Such extremely wasteful uses of energy are responsible for global warming. This is resulting in one of the larger mass-extinction events in geologic history. In this context, the policy choice is easy. Do not permit this waste! TRPA needs a moratorium on Cell Towers while it assesses the impacts.

Ira Einhorn said concerns raised by local special interest groups that we "will all die" in a freak inferno unless there is a rapid deployment in cell towers (Wireless Telecommunicating Facilities/WTF's) are unfounded conjecture and baseless speculation. There is no hard evidence whatsoever supporting the certain likelihood of a historically extremely rare scenario; or such event resulting in a mass-casualty. The canyon gorge topography, vegetation, and associated "Venturi Effect" fire weather in Paradise, CA is actually quite different than that surrounding our alpine lakeside cities. Many people died in the "Camp Fire" because the roadways did not have the capacity to evacuate trapped people. Cellphones have actually created stampedes in a wide variety of emergencies.

Groups exploiting this tragedy, such as the Tahoe Prosperity Center, ought to be ashamed! I have heard firsthand knowledge that close relatives of victims of this tragedy are generally angry how their loss has been used statewide to sell all sorts of things, including political decisions that the victims certainly would not have supported if they were alive.

Cell towers are neither the only way or the best way to provide network connectivity to residents. Cell towers transfer real costs to the environment. Science proves that cell towers damage trees at the cellular level, triggering stress responses. Conifers secrete extremely flammable terpenes, possibly to ward off typical beetle infestations in response from stress caused at the cellular level. In this case because of RF radiation. This actually raises fire danger.

Furthermore, the pulsed microwave radiation used by 4G/5G cell towers is known to cause extremely adverse neuropsychiatric effects including depression and several well documented suicides. It is just as likely or perhaps unfounded as a mass-casualty conflagration that these towers could be the proximate cause of a mass-shooting: known RF-induced depression such as in that in future teenager could cause him or her to act out in violence at school or a public event. We need a moratorium on cell towers and decisions based on current science, not speculation off freak disasters.

Tomasz said there are currently some vocal special interest groups pressuring TRPA to streamline cell tower approval. They myopically claim that rapid cell tower deployments are necessary under the banner of "prosperity." They ignorantly and incorrectly profess to the public that there is no evidence that cell towers have any adverse effect on environmental quality. Despite being presented with thousands of pages of science, they dishonestly continue with the exact same narrative.

GOVERNING BOARD

April 22, 2020

Congress created the Tahoe Regional Planning Agency in order to protect a threatened “National Treasure.” The basin was being assaulted by short-term economic interests that ultimately endangered its long-term future. These included a hideous Emerald Bay bridge, beach high-rises, alpine wetlands development, and other development attempts that would strip away the very character that makes Tahoe a treasure. The current cell tower deployments are a new chapter in this very tired story. They threaten to strip away the scenic and wild character of the basin. Radiofrequency radiation kills-off pollinating insects, which in turn lowers the yield of alpine berries and seeds, which then diminishes the renewable food supply, and hence the populations of birds and mammals. The low-intensity radiofrequency radiation also stresses migratory birds. Furthermore, hundreds of thousands of tourists are drawn to the Tahoe basin to see its unique wildlife populations, and urbanization would significantly diminish this appeal, causing economic harm. Cell towers also diminish real estate values. Because the continued installation of cell towers is a threat to the long-term prosperity of the basin, I plead that you implement a moratorium on cell towers until the long-term impacts are understood.

Monica Eisenstecken said she’s extremely concerned about the rapid increase in the number of cellular facilities at Lake Tahoe. These are dangerous to Tahoe’s sensitive environment. Trees, wildlife, birds, insects, plants, and more are all negatively impacted. Your Board has never even required study of this issue. TRPA’s mission is to protect the environment. While this threat to the environment did not exist when your first Regional Plan was adopted, it is now a severe threat which will only get dramatically worse with the rapid roll out of new 5G infrastructure. We need a moratorium on new cellular facilities now so that TRPA can create appropriate standards for the protection of Tahoe’s sensitive environment. There is ample evidence that increased levels of EMF’s are a hazard. Please, take action on this immediately before more damage is done!

XIII. ADJOURNMENT

Chair Mr. Yeates adjourned the meeting at 3:19 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review