

TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING AGENCY (TMPO)
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, March 25, 2020** commencing **no earlier than 9:00 a.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV** the **Governing Board** of the Tahoe Regional Planning Agency will conduct its regular meeting. Please go to www.trpa.org for instructions on how to participate. TRPA sincerely appreciates the patience and understanding of everyone concerned as we make accommodations to conduct business using best practices to protect public health. The agenda is attached hereto and made part of this notice.

NOTICE IS FURTHER GIVEN that on **Wednesday, March 25, 2020**, commencing at **8:30 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Regional Plan Implementation Committee** will meet. The agenda will be as follows: **1)** Public Interest Comments; **2)** Approval of Agenda; **3)** Approval of Minutes; **4)** Discussion and possible direction on modifications to the VMT Threshold Update workplan; **(Page 113) 5)** Committee Member Comments; Chair – Vacant, Vice Chair – Bruce, Aldean, Laine, Lawrence, Gustafson, Yeates; **6)** Public Interest Comments

March 18, 2020



Joanne S. Marchetta,
Executive Director

This agenda has been posted at the TRPA office and at the following locations: Post Office, Stateline, NV, North Tahoe Event Center in Kings Beach, CA, IVGID Office, Incline Village, NV, North Tahoe Chamber of Commerce, Tahoe City, CA, and South Shore Chamber of Commerce, Stateline, NV

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Tahoe Regional Planning Agency	March 25, 2020
Stateline, NV	No earlier than 9:00 a.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and 5 minutes for group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 2 hours. In such an instance, names will be selected from the available sign-in sheet. Any individual or organization that is not selected or otherwise unable to present public comments during this period is encouraged to submit comments in writing to the Governing Board. All such comments will be included as part of the public record.

“Teleconference locations for Board meetings are open to the public ONLY IF SPECIFICALLY MADE OPERATIONAL BEFORE THE MEETING by agenda notice and/or phone message referenced below.”

In the event of hardship, TRPA Board members may participate in any meeting by teleconference. Teleconference means connected from a remote location by electronic means (audio or video). The public will be notified by telephone message at (775) 588-4547 no later than 6:30 a.m. PST on the day of the meeting if any member will be participating by teleconference and the location(s) of the member(s) participation. Unless otherwise noted, in California, the location is 175 Fulweiler Avenue, Conference Room A, Auburn, CA; and in Nevada the location is 901 South Stewart Street, Second Floor, Tahoe Hearing Room, Carson City, NV. If a location is made operational for a meeting, members of the public may attend and provide public comment at the remote location.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. Deviation from Governing Board Teleconferencing Procedures to Enable Virtual Meetings During COVID-19 Outbreak **Approval** Page 25

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair.

Any member of the public wishing to address the Governing Board on any item listed or not listed on the agenda including items on the Consent Calendar may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard. Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

V. APPROVAL OF AGENDA

VI. APPROVAL OF MINUTES

VII. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TRPA and convene as the TMPO

VIII. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TMPO and reconvene as the TRPA

IX. PUBLIC HEARINGS

- A. Tahoe Douglas Visitor’s Authority Tahoe South Event Center, TRPA File# ERSP2017-1212, 55 Highway 50, Stateline, NV (Douglas County, Nevada, APN 1318-27-002-006 **Approval** Page 27

(no earlier than 9:15 a.m.)

X. REPORTS

- A. Executive Director Status Report **Informational Only**
- B. General Counsel Status Report **Informational Only**

XI. GOVERNING BOARD MEMBER REPORTS

XII. COMMITTEE REPORTS

- A. Main Street Management Plan and other components **Report** Page 109

of the US 50 South Shore Community Revitalization Project

- B. Local Government & Housing Committee **Report**
- C. Legal Committee **Report**
- D. Operations & Governance Committee **Report**
- E. Environmental Improvement, Transportation, & Public Outreach Committee **Report**
- F. Forest Health and Wildfire Committee **Report**
- G. Regional Plan Implementation Committee **Report**

XIII. PUBLIC COMMENT

XIV. ADJOURNMENT

TRPA CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. APC Membership Appointment for the El Dorado County, Lay Member, Jason Drew	Approval <u>Page 1</u>
2. Legal Committee Membership Appointment	Approval <u>Page 3</u>

TMPO CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. Amendment #2 to the Transportation Planning Overall Work Program	Approval <u>Page 5</u>
2. 2021 Active Transportation Program Guidelines	Approval <u>Page 13</u>

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category. Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows: (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the

actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, William Yeates, California Senate Rules Committee Appointee; Vice Chair, Mark Bruce, Nevada Governor's Appointee; James Lawrence, Nevada Dept. of Conservation & Natural Resources Representative; Sue Novasel, El Dorado County Supervisor; Belinda Faustinos, California Assembly Speaker's Appointee; Shelly Aldean, Carson City Supervisor Representative; Marsha Berkbigler, Washoe County Commissioner; Cindy Gustafson, Placer County Supervisor Representative; Vacant, California Governor's Appointee; Casey Beyer, California Governor's Appointee; Barbara Cegavske, Nevada Secretary of State; Timothy Cashman, Nevada At-Large Member; A.J. Bud Hicks, Presidential Appointee; Wesley Rice, Douglas County Commissioner; Brooke Laine, City of South Lake Tahoe Councilmember.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA
Stateline, NV

February 26, 2020

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chair Mr. Bruce called the meeting to order at 10:20 a.m.

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

Members absent: Mr. Rice, Mr. Shute

II. PLEDGE OF ALLEGIANCE

III. PUBLIC INTEREST COMMENTS

Greg Lien, Tahoe City Attorney said he provided two reports; one from Cindy Sage who is an expert in EMF standards that can be applied for the benefit of the protection of the environment. The second report is from Dr. Martin Pall, expert in the impacts of electromagnetic frequency radiation on forest health, human health, and other living things. There's a rising level of awareness that the new technologies that are being produced are not benign. While humans maybe affected to some degree, plants and animals are affected to a greater degree. They kill the top layer of soils in the stream environment zone areas affecting full functioning SEZ soils and can also increase the fire hazard. Five G is already being rolled out at Lake Tahoe. The higher the frequency, the more the danger. It's no longer a straight analog signal in these communication devices, it's a lot of data that's pulsed. The physiological avenue of harm to living things is called voltage regulated calcium gates. Those exists in all life and that pulse is what trips it into dis-regulation and causes a number of negative impacts. The maximum number in a meeting room is 100, this meeting room is exceeding that. The peak levels here are close to the top and this room is not close to a cell tower. This has a direct impact on the environment that has not been evaluated. In 1987, when the Regional Plan was created, there were very little to no wireless telecom available. The number of cell sites are expected to grow exponentially. The Federal Communications Commission standards are outdated, and they don't apply beyond human exposure. The duty of the board members is to protect Lake Tahoe's sensitive environment. There are not standards in TRPA's Code of Ordinances, they are not evaluating anything, projects are being taken in with the completed checklist and if findings are made, these move forward. There is a severe risk that TRPA will not be able to hold to their non-degradation standard and there'll be problems in threshold attainment. He suggested that TRPA put a moratorium for at least the short term because the 5G findings cannot be made.

David Jinkens, South Lake Tahoe resident said he urged the board and staff to cease the

opportunity to develop a comprehensive strategy and plan for deployment of cell facilities and 112 foot tall towers in the Lake Tahoe basin. The current system of random deployment of towers and facilities in cities and counties by the telecommunication companies doesn't give policy makers the opportunity to review their entire deployment plan upfront, do the appropriate environmental assessment, and receive public and interested party input that all major projects in the basin should require. Within the Tahoe basin, the board is the planning leader. Deployment of telecommunications facilities and 112 foot tower projects need to have the scrutiny and organization one expects for this environmentally rich basin. A comprehensive deployment plan and its evaluation would be good for the region, the environment, the people who live and visit here, and good for companies who would have some reassurance of what they can or can't do. Good planning and protection of the environment requires such a comprehensive approach. All of us, want good cell and telecommunication services and want the deployment of these facilities to be based on a sound known and environmental review plan. The City of South Lake Tahoe is already moving to upgrade their standards for cell tower and facilities deployment. On February 20, the City's Planning Commission heard a draft ordinance that had a lot of public comments but is better than what the current standard is. That draft ordinance will go to the City Council for review and then within 60 to 90 days that ordinance should be adopted. He urged the board that until a comprehensive cell facilities deployment is approved, no such facilities should be approved in the basin.

Nikki Florio, founder and director of Bee Heroic said prior to that she ran an integrated sustainable business lifestyles and education program, Tahoe Regional and Environmental Education. She's done research on the collapse of the great pollination. It's the scope of winged and terrestrial insects, birds, bats, and small mammals that pollinate the ecosystems and food systems. The primary factors behind their losses which have to do with climate, agrochemical, and the new telecom technologies for 4G and 5G. These are different technologies and have impacts on the environment from the ground up. For soil microbes they stop production and impact different types of fungi in the soils that are needed for plant growth, especially in the forest for plants. The 4G and 5G range is going to gigahertz from megahertz. This is around one million pulses per second to one billion. This splits the single and double DNA strand in flowers and plants and makes them toxic. The wildlife and insects will be poisoned. When insects, animals, waterfowl, and amphibians are near these towers they are more susceptible because they have a different type of magnetite in their blood. Insects and bees will have their exoskeleton damaged and highly susceptible to diseases. Bee Heroic finished a two year, multi-state tour that showed where the 5G towers are, there isn't any insects or birds around any of the flowering plants. When trees are damaged especially the Conifers with the 5G frequencies that are 30 to 300 gigahertz which is an extremely high range for plants and increases the terpenes around 100 times. Information can be found at Bee Heroic, 5G Space Appeal, or Physicians for Safe Technology on 5G. These professionals have been working on this for decades.

Carole Black, Incline Village resident said none of us want a catastrophe like Orinda or Paradise or children finding guns in short term rentals. The area plan and ordinances that protect us and the current published proposals, although there may be some revisions have significant gaps. The draft ordinance is thin on neighborhood compatibility regarding neighborhood character, density intensity, and there's some tiers that are very generous without any neighbor input for impacts. The area plan was substantively revised in October 2019. There's been a lot of changes and almost no community meetings, although a report states that there's been several. It needs more

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discussion than it's had. There are land use changes incorporating TRPA's guidelines which Washoe County had not incorporated previously. These are changes which have not been acknowledged or discussed. No one is dealing with the impacts on area occupancy of the tourist and transient lodging volume increases that have occurred. Peak times in the area by Incline Village have a 60 percent increase in volume of population in the community that impacts emergency services, evacuation capabilities, and safe. It also potentially impacts the thresholds. There's a lot more vehicles and people. Paths and trails will only get us so far, but it needs more aggressive influx management and remote parking with transit. She suggested everyone look at Hallstatt, Austria which is adjacent to mountains and a lake and they've done massive things to address parking, volume, and limiting tourist to keep it to sustainable levels. This plan needs a lot more community input.

Ed Moser, South Lake Tahoe resident said the Tahoe Fund put up a billboard on Interstate 80 to remind people traveling to the basin to pick up their dog feces. Another one has been installed on US Highway 50 outside of Folsom. About 1.5 to 2 years ago before this group and the California Tahoe Conservancy he mentioned that it would be nice to put signs up at all the passes for people coming into the basin. For example, Welcome to the Lake Tahoe Basin, enjoy and respect it. There is one put up by the State of Nevada and other entities on US Highway 50, Spooner Summit and Mount Rose that says welcome to the Lake Tahoe Basin watershed, help protect it. He suggested that any others that are put up be larger in size. He also suggested that they be in the shape of a torii gate, bird of abode which marks the transition from the mundane to the sacred.

Steve Teshara on behalf of the South Shore Transportation Management Association said they've recently increased their capacity and capabilities with ten board members on the way to 15 which is the authorized number under their new bylaws. The board consists of Ryan Smith, Manager of Base Operations at Heavenly Mountain Resort, Jerry Bindel, board member with the South Lake Tahoe Lodging Association, Mike Bradford, President of the South Tahoe Alliance of Resorts, Carol Chaplin, CEO of the Tahoe Douglas Visitors Authority, Chris Proctor, Administrative Director with the Barton Health Center for Orthopedics and Wellness, Ami Chilton, Capital Projects Finance Manager with Lake Tahoe Community College, Dr. Darcie Collins, the League to Save Lake Tahoe, Gavin Feiger on behalf of the Community Mobility Group, and Frank Gerdeman, member of the South Shore Social Services Technical Advisory Committee, and lastly himself.

IV. APPROVAL OF AGENDA

Ms. Aldean moved approval of the agenda.
Motion carried.

V. APPROVAL OF MINUTES

Ms. Aldean said she provided her minor clerical corrections to Ms. Ambler and moved to approve the January 22, 2020 minutes as amended.
Motion carried.

VI. TRPA CONSENT CALENDAR

1. January Financials

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2. Transfer of previously released Water Quality Interest Mitigation funds in the amount of \$12,392 from Phase One (complete) to Phase Three (active) of the Lake Clarity Crediting Program Support Services Project
3. Resolution of Enforcement Action: Swarn Singh; Unauthorized Disturbance in SEZ Setback and Failure to Follow Construction Winterization Requirements Resulting in Unauthorized Site Disturbance around the Residence and in Protected Areas, 776 Eagle, Incline Village, NV, Assessor's Parcel Number 128-072-01

Ms. Aldean said the Operations and Governance Committee moved approval of items one and two.

Mr. Bruce said the Legal Committee said the Legal Committee moved approval of item number three.

Ms. Aldean moved approval.
Motion carried.

VII. PLANNING MATTERS

- A. Spooner Frontcountry Improvement Project at Spooner State Park in Douglas County, Nevada, APN 1418-00-001-007, TRPA File Number EIPC2019-0009, EIP Number 04.01.03.0164

TRPA team member Ms. Friedman provided the presentation.

Ms. Friedman said this project is located at Spooner State Park on Spooner Summit in Douglas County, Nevada. The state parks receive approximately 150,000 visitors per year and that number is expected to increase as the surrounding population increases and planned projects are completed such as the next phase of the Stateline to Stateline bike trail which will go from Sand Harbor to Spooner Summit. State parks anticipates that more people will come to enjoy this park. This park provides access to 12,000 acres of forested open space, back country, over 50 miles of trails for hikers, bikers, and equestrians including the world renowned flume trail and Tahoe Rim Trail. It also provides camping, cross country skiing, snowshoeing, fishing, and wildlife viewing. With all these recreational opportunities there's really minimal development facilities to support those recreation facilities. State Parks identified this as a high priority project to develop some support facilities that will match the facilities at the state park. It's identified in the Lake Tahoe Nevada State Park trails plan, it's also a high priority environmental improvement program 5 year list. It will have threshold gains in recreation and water quality. The project will redesign and update the developed facilities at Spooner State Park. Improvements include a visitors center, amphitheater, new and improved picnic areas, additional restrooms, new and improved pathways, interpretive and way finding signage, reorganized and new parking, and best management practices. It will match the recreational experience and provide a world renowned state park.

The project construction and funding will be broken into two phases. Phase one includes the amphitheater and visitors center as well as improving the entrance road. This phase will start construction in 2020 and last approximately two years. Phase one is completely funded from a variety of funding sources including the Nevada Tahoe Bond funds, land and water conservation funds, State Parks funds, and the Tahoe Fund license plate fund. That wide funding sources shows

the support that the state and locals have for this project. During the construction of phase one, State Parks will be working on funding for phase two elements which is the remainder of the items identified for the project. When phase two is constructed then they'll work on constructing those other elements shortly thereafter. The visitors center will include a gift shop, an information center, a park office, vending machines and wi fi charging stations. State Parks would like to increase the educational and interpretive programs that can be held there. The amphitheater located by the visitors center will serve as the space for those types of programs. Design Workshop worked with State Parks to develop the way finding and interpretive signage program.

The project will increase coverage on land capabilities 6 and 1A but it will decrease coverage in 1B. All of the increase in coverage is mitigated as required per TRPA's Code of Ordinances as well as required in the draft TRPA permit. There are best management practices proposed that will treat stormwater for all impervious surfaces as part of the project in addition to the existing BMPs that will be maintained. Pervious paving materials will be used to reduce the amount of runoff from impervious surfaces.

Presentation can be found at:

<https://www.trpa.org/wp-content/uploads/Agenda-Item-No.-VII.A-Spooner-Frontcountry.pdf>

Board Comments & Questions

Ms. Aldean asked if it's realistic to assume that there will not be an increase in visitor ship. This is a good project that's been tastefully done but with improvements of this nature, it's more likely to attract additional visitors who might not like the less refined experience that Spooner Lake will then offer. She suggested that additional restrooms should be considered in phase one if they're anticipating more visitors. She also asked what the capacity of the amphitheater was.

Ms. Friedman said the amphitheater capacity is approximately 60 people. A lot of the improvements are designed to match existing uses. The overall use is expected to increase but not at a dramatic rate.

Mr. Howard, State Parks said the visitation at Spooner State Park typically goes up by one to two percent per year. The parking will be increased to about 80 spaces in phase two. Phase one doesn't do anything to the parking. They want that number to accommodate the visitation that they see over the next decade. They don't feel they'll see a change in the type of person that visits the park, this is more to accommodate the people that are already going to the park.

Ms. Aldean asked if there's adequate restroom capacity to handle any increase in visitation that might result with the phase one improvements.

Mr. Howard, State Parks said by the time they get phase two built out, yes, they will have matched the restroom capacity that they're removing with phase one. That will be rebuilt as part of the visitors center which will be six restrooms. In phase two, there's another restroom building by the events area which will be a double and another single restroom planned down by the lake.

Ms. Aldean asked if there's an event that might increase the need for additional restrooms, are they planning to bring in portable toilets?

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Mr. Howard, State Parks said yes, the promoters of the events are responsible to bring in portable toilets or anything else that may be needed for the increase in visitors.

Mrs. Cegavske said she's concerned with the lake level at the park that's declined over time and then the potential increase in visitors. Are there any projections or thoughts about the lake level.

Mr. Howard, State Parks said in terms of the lake level at Spooner State Park it's fairly consistent. Over the course of 20 years he's never seen it to the point of drying up. There's a dam where they can manage the high levels. There are also some historic resources that will keep it from getting too high. That's been more of an issue over the years to keep it from getting too high. The lake will naturally drop during dry years, it's fed by springs and some surface water, although, it's the basin and the snowmelt that's associated with the lake.

Mr. Bruce asked if there's any concern with the lake level and this project.

Mr. Howard, State Parks said no, he doesn't believe so.

Mr. Hicks asked if it was correct that the Tahoe Fund has been generous in raising \$300,000 for phase one.

Mr. Howard, State Parks said yes, that's correct.

Mr. Hicks asked if phase one is totally funded.

Mr. Howard, State Parks said yes, it is.

Mr. Hicks asked how much money is estimated for phase two and how do they intend to raise that money.

Mr. Howard, State Parks said for phase two there are some planning dollars that need to be brought bear that they have a strong start on to bring the plans from 60 percent to 100 percent bid documents. It will be much of the same funding sources probably less the Tahoe Fund. The commitment that the Tahoe Fund has made is phenomenal but doesn't know that there'll be another commitment for phase two. The \$300,000 is primarily for the construction of the amphitheater for phase one. For phase two, they'll continue to tap into land and water conservation funding. They anticipate that there'll be some Tahoe bond sales that will probably be the main source of funding over the next few years that will be utilized to get phase one constructed. There's always something on the order of several hundred thousand dollars to fund phase two.

Mr. Lawrence referred to slide four, phasing diagram. He said there's three places where it shows potential phase one. Is that based on what the bids come in at and what's available, and what determines whether that's phase one or two.

Mr. Howard, State Parks said phase one is what's in the red dotted line. The other graphic is an earlier from just after the visioning phase early in the planning process where it was considered to be some additional items that might be part of phase one but is not going to happen at this point.

Mr. Lawrence said he appreciated Nevada State Parks being proactive at Spooner State Park. He's been going to this park with different generations of people since 1991. There is a need for an amphitheater because when he's been up there with school groups there's not a good place to gather and talk. It's a great place to bring the school groups to teach them about the environment. The boy scouts also go there to learn about winter skills. It's geared towards those type of events rather than special events that bring in more people. This is an important element for sustainable recreation on the east shore. Nevada State Parks with very limited resources and staffing has stepped up to get on top of this from a sustainable recreation standpoint.

Ms. Faustinos asked for further detail on an interpretive programming plan for the groups that will visit and if there was going to be a full time staff person at the visitors center.

Mr. Howard, State Park said they have rough plans for what the interpretive program would look like with this amphitheater. Since the 1980s it's been park rangers trying to find the time to organize some of those programs. Environmental education with the children has always been a focal point. That does involve outside speakers and teachers coming in and having a place to conduct their activities with their kids. With this construction they want to have a more regular program of activities. The rangers already lead tours into the back country. Currently, they don't have a dedicated interpretive staff person, yet it's been requested for a number of years. Given the construction of this facility it will be all the catalyst that they'll need to get that position.

Mr. Hicks asked if these improvements, particularly the additional parking are designed to accommodate the Spooner Summit to Incline shared use path when it's built.

Ms. Friedman said the intent of the expanded parking for this project is not intended to accommodate the shared use path. Part of the shared use path is implementing the entire State Route 28 corridor management plan. There is a parking lot that's planned in close proximity but on the other side of the highway to the entrance of Spooner State Park as well as some other parking lots along the route that will be expanded on. That project is addressing parking separately.

Public Comments & Questions

Steve Teshara, Lake Tahoe South Shore Chamber of Commerce said the State Route 28 corridor is an important corridor for everyone. He congratulated Mr. Howard and the Nevada State Parks team and the TRPA Environmental Improvement Program team, Shannon and other TRPA staff. He also thanked the Tahoe Fund for their generous contribution to phase one.

Board Comments & Question

Ms. Gustafson said speaking to Mr. Moser's comments, these give us the opportunity to educate our visitors as well. The kiosk and the opportunity to educate people coming to the basin on the proper practices and what we want to do to protect this lake. That's important to the growing visitation that we've seen. The Tahoe Fund was significant in raising \$300,000 but wanted to recognize Mr. Cashman who raised half of that money through his connections. Mr. Cashman had incredible leadership on this project on securing some significant contributions from the E.L. Cord and Kaiser Foundation.

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Mr. Cashman said the Tahoe Fund was happy to go out and raise the money. They didn't donate the money themselves, they raised it from other organizations. In addition to the E.L. Cord and Kaiser Foundation, there were a couple of private donors who made significant contributions and are the people we should be thanking for helping make the amphitheater portion of this project a reality.

Mr. Lawrence made a motion to approve the required findings including a finding of no significant effect as shown in Attachment A.

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

Absent: Mr. Shute, Mr. Rice

Motion carried.

Mr. Lawrence made a motion to approve the proposed project subject to the conditions contained in the draft permit as shown in Attachment B.

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

Absent: Mr. Shute, Mr. Rice

Motion carried.

VIII. PUBLIC HEARINGS

- A. Amendment to Chapter 84 of the TRPA Code of Ordinances regarding utility infrastructure within a Stream Mouth Protection Zone

TRPA team member Mr. Conger provided the presentation.

Mr. Conger said the proposal is an amendment to the Code of Ordinances to help with the implementation of the shoreline plan. This amendment addresses the utility infrastructure located within a stream mouth protection zone. Stream mouth protection zones are adopted as an official regional plan map and have corresponding standards in Chapter 84 of the Code of Ordinances. These zones were established in relation to the historical meander of tributary streams where they meet Lake Tahoe. These areas are typically associated with fish migration. During the shoreline plan adoption in 2018, TRPA revised restrictions on development in stream mouth protection zones. New structures are prohibited, and existing structures are limited to repair and maintenance activities only. The shoreline plan targets structures related to recreational boating, the code is written in a way that applies to all structures, not just boat ramps, piers, and moorings. The application of this standard to essential utilities was inadvertent and had not been contemplated when the standard was written. Utility lines submerged in Lake Tahoe is a common occurrence and in some cases these lines pass through the designated stream mouth protection zones. An unintended consequence of applying stream mouth protection zones restrictions broadly is that utility providers are precluded from upgrading, modifying, and reconstructing existing lines. Often modifying and upgrading existing lines is in the best public interest and in many cases, there are no other routing options. Modifications to upgrade construction quality or to respond to technology changes are part of standard industry practices.

These practices help to ensure that utility lines will maintain their integrity. Deferring maintenance could result in potential environmental consequences. For example, a wastewater line that could not be reconstructed or feasibly relocated could degrade overtime and discharge sewage into the Lake. To address this staff is bringing the proposed code amendment forward for consideration and add an exception to the limitation on reconstruction, expansion, and modification of existing structures. This exception would apply to both public utilities and private water intake lines.

The proposal would modify the current stream mouth protection zone development restrictions in Chapter 84. This standard is housed in the code section that pertains to piers and the code references this section throughout Chapter 84 in relation to other shorezone structures. As written, the standard would allow repair, replacement, upgrading, reconstruction, and expansion of existing utility structures within a stream mouth protection zone. The definition of expansion in the shorezone is slightly different than expansion outside of shorezone. Outside of the shorezone expansion includes the capacity to accommodate additional growth as within the shorezone, expansion is limited to meaning a physical change in the size or extent. For the purposes of this code amendment it would be looking at things like adding a pump to a water intake line or increasing the diameter of a water intake line or increasing the diameter of an intake line to meet current fire flow standards. Staff distributed an errata sheet that corrects an error that was in Exhibit 1 to Attachment A, wording from a different subsection was inadvertently copied into the preamble for the general standards. Which made it appear that the standards were subject only to mooring buoys. The language as adopted includes no preamble. The revised exhibit 1 correctly shows the existing language as adopted.

Staff reviewed this proposal in relation to the shoreline plan. The shoreline plan project description considered continuing preexisting prohibitions on piers, boat ramps, buoys, floating platforms, and general multiple-use facilities within stream mouth protection zones and expanding those restrictions to cover all other types of moorings. The description didn't contemplate placing restrictions on utilities. The proposed amendment was reviewed in an initial environmental checklist. The IEC concludes that with incorporation of the shoreline plan provisions no impacts would occur. Utility projects in stream mouth protection zones would still need to comply with mitigation requirements, for example for fish habitat mitigation that are already established in Chapter 84 of the Code of Ordinances.

The Regional Plan Implementation Committee reviewed the proposed amendment in January and recommended that the Governing Board adopt the ordinance as presented. The Advisory Planning Commission reviewed the proposal on February 12 and also recommend approval as presented. As part of the APC motion they asked that staff return by May to discuss the process and criteria for determining when it would be feasible to relocate a utility line to an area outside of the stream mouth protection zone.

Presentation can be found at:

<https://www.trpa.org/wp-content/uploads/Agenda-Item-No.-VIII.A-Shorezone-Amendments.pdf>

Board Comments & Questions

None.

Public Comments & Questions

Greg Lien, Tahoe City Attorney said he's a property rights advocate and in the 1980s he was negotiating on the property rights side of the shoreline ordinance. There's an irony here, we've been agonizing for 40 years over the number of piers and buoys and small things. There was concern in the 1970s about shoreline erosion and the littoral drift. Then last year, it was the fish habitat. In spite of multiple studies that said there were no problems. The objections to a lot of these structures has been more about visual preferences. There is some justification for not having open piling piers right out of a stream mouth protection zones where a log jam may happen and interfere with fish spawning. By amending this ordinance, your allowing replacement of communications services which would the ability to expand and modify. To the extent that there are existing cell towers in these areas, this would include colocation. Then there's the upgrade from 4G to 5G and then there's higher frequency and more danger. Once there's a cell tower in place, apparently the staff has been allowing these colocations to occur and encouraging the upgrading of equipment which has increases in radiated power, frequency, and pulsing. This has a significant environmental impact in a very sensitive area. Communications services a least in the wireless realm are not benign. He urged the board and staff to consider a temporary moratorium.

Sean Barclay, Tahoe City Public Utility District said he appreciated the efforts of staff, TRPA committees, and the Governing Board's for supporting this code amendment. This code amendment will allow them to continue to provide and plan for a safe and secure water supply and sewage collection system. It will allow the TCPUD to continue progress on their West Lake Tahoe Regional Water Treatment Plant project. This project is critical to the water supply and fire protection systems for a large portion of the west shore.

Board Comments & Questions

Ms. Laine asked if there was a specific project that triggered this.

Mr. Conger said the Tahoe City Public Utility District has a project in process but there are other potential projects that could also benefit from this amendment such as private water line replacement projects.

Ms. Aldean asked where the maps were that delineate the stream mouth protections zones.

Mr. Conger said they were adopted in Chapter 10 with the Shoreline Plan in 2018. They're available online. There's an interactive GIS map specific to the shoreline plan that contains the stream mouth protection zones as a layer.

Ms. Aldean made a motion to approve the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendment as described in the staff summary.

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

Absent: Mr. Shute, Mr. Rice

Motion carried.

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Ms. Aldean made a motion to adopt Ordinance 2020-___, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A as amended by the errata sheet submitted to the Governing Board today.

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

Absent: Mr. Shute, Mr. Rice

Motion carried.

Mr. Bruce read the ordinance into the record.

B. Amendments to Chapter 61: Vegetation Management and Forest Health, Sections 61.1 (Tree Removal) and 61.2 Prescribed Fire)

TRPA team members Ms. McIntyre and Mr. Barr provided the presentation.

Ms. McIntyre said the proposal is for amendments to the Code of Ordinances to help meet the intentions of Chapter 61 while increasing pace and scale forest restoration within the Tahoe Basin. These amendments pertain to prescribed burning and tree removal.

The focus of Chapter 61 is reorganization. For example, sections for protections are scattered throughout the chapter. There's also a need to eliminate any redundancy. An example is reasons for tree removal are currently found in two separate sections. The goal is to increase forest resilience and leverage collaborative partnerships within the basin.

Chapter 61.1 Tree Removal:

Quote from the Lake Tahoe Watershed Assessment said that early explorers described the forest of the Tahoe Basin as dominated by giant pine trees with so much room on the forest floor that riders could travel at a full gallop without losing their hats." This exemplifies that we had far less trees and much more of a heterogenous structure in the forest.

There are a variety of benefits from tree thinning and removal. It can increase diverse wildlife habitat, decrease tree density and increase structural heterogeneity. This will allow for the reintroduction of prescribed fire post treatment and allows us to protect homes, infrastructures, and fire fighter safety.

The proposed amendments for 61.1 are generally minor, ministerial, and clerical. They fall into three main categories: Modifying language for clarity, renumbering and reorganization, and minor deletions.

Section 61.1.6.A cutting practices is on the list and it had discussion at the Regional Plan Implementation Committee regarding some of the elements of this. Through that discussion staff has added back in subsections that had been flagged as problematic. The two areas with stars originally in the RPIC version had been red lined for removal and have now been added back in. Refer to power point slides 11 and 12.

Section 61.1.4.A hazard tree removal has a new section that references partner memorandums of understanding.

Section 61.1.5 general tree removal standards is allowing for other documents under the California Forest Practice Rules or the California Environmental Quality Act that still meet the intention of the tree removal plan to be submitted and approved by TRPA.

Section 61.1.8.B public parcels substantial tree removal. Again, referencing the memorandums of understanding with the partner agencies. If an agency doesn't have an MOU, they now need to follow the process that's outlined for private parcels.

There was also the renumbering of sections for clerical edits, reorganization, and moving items to different sections. There was also the deletion of a section and the addition of a new subsection. Restocking is now deleted because it was found that the regulation doesn't have any standards within it. Additionally, it doesn't consider any type of project that might be intended to create clumps and gaps on the landscape.

Chapter 61.2 Prescribed burning:

The Blue Ribbon Commission and the Lake Tahoe Basin Multi-jurisdictional Fuel Reduction Strategy both identify prescribed burning as a key component. There's a variety of benefits from prescribed burning. It's a key ecological process that's been suppressed for several decades in the basin. It helps reduce fuels and wildfire risk and it can reduce smoke impacts. There are studies that show that impacts from catastrophic wildfire in terms of smoke are significantly greater than if there was just prescribed burn. In 2017 and 2018, the average is about 700 to 800 acres for prescribed burning in the basin. The majority of those acres are pile burns and not the ecological beneficial prescribed burns that are low and slow and creep across the ground.

There are two amendments that focus on removals for redundancy. One is to delete 61.2.3.B limitations. This is redundant with a sentence in another subsection. The other is to delete 61.2.5.B.7 that is a sentence that doesn't preclude TRPA from requesting additional information from anyone seeking a permit.

Mr. Barr said the memorandums of understanding are tools that are used for the major land managers such as the Forest Service, California Tahoe Conservancy, Nevada and California State Parks, the Nevada Division of Forestry, and Cal Fire. All of the fire protection districts have memorandums of understanding with TRPA that allow them to do various fuels reduction projects within their ownership. Additionally, there are MOUs with Nevada Energy and Liberty Utilities. Also, the public utility districts have limited MOUs that allow them to remove hazardous trees. The MOUs are in place to streamline permitting processes, it's not a way to get around the code. Their agreement with TRPA is to honor and follow the code. About 75 percent of the land in the basin is owned and managed by the Forest Service, another 11 percent is state managed, two percent is local government which are the public utility districts and local jurisdictions, and 12 percent is private entities. MOUs allow TRPA to leverage the partners, to leverage the resources, and the qualified foresters and people that they have to get more work done. It helps protect the environment from wildfire, insect invasions, and catastrophic die back.

Ms. McIntyre said the Forest Health and Wildfire Committee reviewed these on November 20, 2019, the Regional Plan Implementation Committee reviewed them on January 22, 2020, and the Advisory Planning Commission reviewed them on February 12, 2020, all recommending them for Governing Board adoption.

Presentation can be found at:

<https://www.trpa.org/wp-content/uploads/Agenda-Item-No.-VIII.B-Forest-Health-Code-Amendments.pdf>

Board Comments & Questions

Ms. Aldean thanked staff for including the final product as amended in the staff packet. It's more logical and easier to follow. The MOUs need to be updated as there is reference to Chapter 70 which is not vegetation management. She asked if staff is planning to revisit these MOUs.

Mr. Barr said yes, this is the goal and plan. It was pointless to try and update the MOUs until the code updates were completed. The MOUs were written over the course of several years and many are in need of refreshing.

Ms. Novasel asked once the MOUs are updated are there plans to establish one with the local jurisdictions.

Mr. Barr said most of the local jurisdictions are under the public utility districts MOUs with a list of signatories including the counties, general improvement districts, and public utility districts.

Ms. Laine said it's her understanding that there are around 750,000 slash piles to be burned. She asked if that number is correct and is there a plan to address those.

Mr. Barr said there are a lot of burn piles and are currently being burned in a variety of areas. One issue is when they get into the upland areas, there is no other choice but to create these burn piles. These take a while to cure and they're limited in the windows of time that they can burn. It's up to the land managers and what their resources will allow, air quality, and what other agencies allow the land managers to do.

Ms. Laine asked if there's anyone who oversees this process to ensure that they circle back to these piles to get them burned, as this is a wildfire danger.

Mr. Barr said all of the land managers have a plan. For example, they may do a thinning project and create burn piles and then schedule to circle back to burn them. They get to them as quickly as possible. There is a potential for wildfire with more fuel on the ground but it's better to have horizontal fuels than vertical fuels. Getting them down is a benefit even if they don't get them burned right away.

Mr. Hicks said on behalf of the Forest Health and Wildfire Committee he thanked Ms. McIntyre and Mr. Barr who have put this together. Some of this work is tedious to bring change to years and years of amendments, changes, and statutes. After the Angora fire, one of the goals of the Bi-State Fire Commission was to simplify some of this and to make it more user friendly and is what we've done with these amendments.

Ms. Aldean asked if the burning of the slash piles is coordinated among the jurisdictions so they're not being burned at the same time.

Mr. Barr said yes, they need to be in contact with the air quality folks who follow the weather and authorize when the burning can take place. The Forest Service manages that well and they'll

post a plan when they intend to burn. They'll look at the weather forecast seven to ten days out.

Mr. Lawrence asked if the Forest Service distributes the information on who all is doing burns for Nevada and California State Parks, local fire protection districts, etc. It's a bigger picture than just the Forest Service.

Mr. Barr said the various agencies have their own burn projects, but they all coordinated through the Tahoe Fire and Fuels Team who knows who is burning what, when, and where.

Ms. Regan said there is also a body called the Fire Public Information Team (FPIT) which TRPA participates on. Perhaps they can get that information to the board when those press releases are done explaining what burn is happening when. It can get confusing because there are many entities. Every year during the Lake Tahoe Summit, Senator Feinstein will raise the question about the burn piles. It is coordinated through the ten year fuels strategy that's looking at the high risk areas and being prioritized to burn in the areas that it will do the most good for the ecology of the Lake and public safety.

Ms. Aldean said in Carson City they can sign up for alerts on their phones to keep residents informed during times when the wells are being flushed out as to not cause concern why the water may turn a different color. She suggested that this could be done for burn days in addition to the static signs around the basin.

Mr. Yeates asked what the timing is for updating the MOUs and will they go back to the Governing Board for approval.

Mr. Marshall said staff is going through the Lake Tahoe West process that has more substantive potential code amendments so it will be post Lake Tahoe West. There are two different kinds of MOUs; delegation MOUs that generally authorize local governments to act in TRPA's stead to issue permits and those go to the board. Traditionally, the exempt, qualified exempt MOUs which are for the agencies taking action themselves that if they follow the code and TRPA understands their processes and the activities are consistent with the MOU are exempt or qualified exempt from TRPA's permitting requirements. Those are usually executed by the executive director without Governing Board approval. Some of the MOUs are much broader than just forest health practices. For example, the Forest Service and other MOUs cover much more, there may be other types of activities that are contemplated the MOUs. It depends on the partner and the circumstances and the relative sensitivity of updating those MOUs. Staff has been discussing with the Forest Service for many years about updating their MOU but is not an easy process.

Mr. Yeates said the expansion that was made to the Forest Health and Wildfire Committee was the significant changes that need to be made to address the fire risk we know today that we didn't know 25 years ago. As we proceed to go through the code and get up to speed working with the Forest Service and others that all of the MOUs would reflect the changes that we're making in the basin with our codes because we're the basin entity that regulates this stuff. The MOUs should be consistent with the code and the board and committees should be comfortable with them.

Public Comments & Questions

Ed Moser, South Lake Tahoe resident said in the early 1980s the coast range did manual timber

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releases. The California Division of Forestry took funds from the timber that was taken out of the county and returned a portion of it to create a healthy forest and timberland. They would space out the trees and take out ones that were eight or nine inches and under and lay them down up to 30 inches above the ground. You should chip as much as possible so it's less to burn. Small burns will prevent big burns. With climate change it's important to remove the dead and infected trees.

Board Comments & Questions

Mr. Hicks made a motion to recommend approval of the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendments as described in the staff summary.

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

Absent: Mr. Shute, Mr. Rice

Motion carried.

Mr. Hicks made a motion to recommend adoption of the Ordinance 2020 - ___, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

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

Absent: Mr. Shute, Mr. Rice

Motion carried.

Mr. Bruce read the ordinance into the record.

IX. REPORTS

A. Executive Director Status Report

Ms. Marchetta said typically TRPA sees cell tower facility one by one for decision after a local jurisdiction reviews it. What we're seeing now in the basin is a shift to a different approach where local jurisdictions may be considering more comprehensive standards for themselves that are suitable to their jurisdiction for how they would like to look at location and approval of cell tower facilities. The City of South Lake Tahoe's Planning Commission is considering an ordinance which is still in process. That one application for a cell tower facility is about to come from the City to TRPA. Staff is looking at having the option to perhaps recommend to the Hearings Officer who will hear that particular application to consider a more general approach of deferring TRPA's decision in consideration of what local jurisdictions are doing. We could consider it a pause for a general moratorium on cell tower planning in deference to local jurisdictions that may be considering their own approaches.

Board Comments & Questions

Ms. Aldean asked if this would be appropriate to bring to the Local Government and Housing

Committee to discuss a more coordinated approach. She believes that once a cell tower is installed that the cell tower provider cannot deny a colocation per the Federal Communications Commission. How many cell towers are required in the basin to provide reasonable service? There may be some value to looking at what's before each of the local jurisdictions for cell tower requests and do it in a more coordinated fashion.

Ms. Laine said from the City of South Lake Tahoe's perspective that partnership would be helpful. If TRPA were able to take a pause and allow them to get some local rules in place would be beneficial.

Ms. Novasel said as the chair of the Local Government and Housing Committee she hesitates to take that on at this point because they're just starting the housing item. With that said, it is an important issue to address. She also would like to get more legal interpretation on how far a local entity can go to do anything about these.

Mr. Lawrence said it makes sense to take a pause to determine how it affects the local and regional level. He asked if that would require a code amendment or what legal responsibilities do we have for this process.

Mr. Marshall said we're not agenzized for too much conversation on this. There are a lot of issues regarding the intersection between local jurisdictions, the Federal Trade Commission, and the preemptive power of the Telecommunications Act. That will have to be navigated carefully as well as anytime we talk about a pause or moratorium it needs to be correct and narrowly tailored to the specific purpose.

Ms. Berkbigler said if this is going to go to the Local Government and Housing Committee please provided a definition of pause. She doesn't want to be in the situation where their constituents say that TRPA is taking a position that there is a full moratorium and why are you (the local jurisdiction) doing this?

1) 2019 Annual Report

Ms. Marchetta said TRPA turned 50 years old on December 18, 2019. Some of the progress in TRPA's core mission were in water quality where we continued to work well with this board coalition that continues to protect the Lake from aquatic invasive species. In 2019, they created a partnership action plan that's designed to treat every infestation in the Lake within ten years. This past year, they tested some very innovative treatment techniques and are continuing to look at more innovations. Those innovations are being taken into the consideration where TRPA is taking the lead on one of the longest standing and greatest threat remaining to the Lake which is the infestation of aquatic weeds in the Tahoe Keys. In forest health, we know that climate change, drought, and insects are stressing the overstocked forest and the threat of wildfire is here. TRPA with partners is developing the Lake Tahoe West project. This past year they put a period at the end of the Lake Tahoe West Landscape Resilience Strategy to restore 60,000 acres on the west shore. There is also a new forest action plan developed with partners where they are completing a plan to complete all forest treatments in the areas that are next to the communities; the wildland urban interface. The guidelines are to complete the work in the next five years. That action plan also includes the plan for accelerating treatments on those tens of thousands of acres particularly on the west shore. Other core pillars of TRPA's mission are

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transportation, sustainable recreation, community revitalization, and transportation implementation. There are transformational transportation projects that are addressing congestion and vehicle miles traveled reduction, and community revitalization. In 2019, the Incline to Sand Harbor bike trail was completed. Also, in 2019, was the State Route 89 Fanny Bridge project and is entering another year of construction on that congestion reducing project on the west shore. They're making good progress on the Highway 89 corridor plan and nearing public release of that plan that will bring some solutions to traffic congestion hotspots particularly around the south shore beaches and Emerald Bay. Last year, TRPA lead and delivered on their portion of the US Highway 50 South Shore Revitalization project on the mainstreet management plan. She thanked staff who pour their hearts into exceptionally hard work and work cross sector with hundreds of partners and don't get enough thanks.

We'll be spending some focused time this year on looking ahead and revisiting and reaffirming TRPA's purpose for Lake Tahoe. The Governing Board retreat and meeting is being scheduled for two days in April. Following that retreat, there'll be a 50th anniversary celebration.

Ms. Regan introduced Michael Burley who is an AmeriCorps staffer who TRPA is sharing with the South Tahoe Public Utility District. Mr. Burley is working on the water conservation and water resources program at STPUD and for three months, he'll be helping TRPA with some of the historical research for the 50th anniversary.

Ms. Ortiz said the flag in TRPA's board room is the official flag what flown over the United States Capitol on December 18, 2019 in honor of TRPA's 50th anniversary. The flag was folded by the local cub scout pack 592 and boy scout troop 594. Then followed by being framed by Artrageous in South Lake Tahoe.

B. General Counsel Status Report

None.

X. GOVERNING BOARD MEMBER REPORTS

Mr. Lawrence said the basin is eligible for hazardous fuels money to come out of the Southern Nevada Public Land Management Act to compete Spring mountain and Carson range. Round 18 of SNPLMA was scheduled to be open in the fall of 2018. It usually takes about 1.5 years to get through the process. Lake Tahoe has done well with SNPLMA compared to the rest of the state. Now in early 2020, round 18 has not been opened or advertised. He's had a lot of discussions with the Bureau of Land Management state office who runs the process. He doesn't feel it's the result of anything that's been done at the local or state BLM office, but rather it's being held up in Washington, DC. This is millions of dollars for Lake Tahoe.

XI. COMMITTEE REPORTS

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

Mr. Hester said he attended the parking symposium on Monday. The mainstreet management plan has pretty well wrapped up the design. They're waiting for the transit and parking management and operations and maintenance. The transit part is mostly

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worked out and will show up in both the mainstreet management plan and in the event center conditions. Once those components are done, they anticipate the Tahoe Transportation District will have the draft parking management plan around May and then will be able to bring the mainstreet management plan to the City of South Lake Tahoe, Douglas County, the Tahoe Transportation District, and the Governing Board by late summer.

B. Local Government & Housing Committee

Ms. Novasel said the committee met on February 12 and are discussing the accessory dwelling units.

C. Legal Committee

None.

D. Operations & Governance Committee

Ms. Aldean said she and Mr. Keillor recently met with representatives from Carson City and pending review of the documents, they've agreed to be the conduit for the proposed refunding of the 2007 bonds. The Operations and Governance committee discussed the virtue of private versus public offering and the committee decided that they should give staff direction to proceed with a private offering because it's less onerous. Mr. Keillor will work with the consultant, Mr. Johnson with a more definitive proposal at next month's meeting.

E. Environmental Improvement, Transportation, & Public Outreach Committee

Ms. Faustinos said the committee met this morning and had a robust discussion on many issues having to do with the Regional Transportation Plan. Some of the things coming up are looking public private partnerships in order to implement a comprehensive transportation plan. The funding approach to this is being discussed in other venues and will go to the board for discussion in the future.

F. Forest Health and Wildfire Committee

None.

G. Regional Plan Implementation Committee

None.

XII. PUBLIC COMMENT

None.

XIII. ADJOURNMENT

Vice Chair Mr. Bruce adjourned the meeting at 12:32 p.m.

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Respectfully Submitted,

A handwritten signature in cursive script that reads "Marja Ambler". The ink is dark and the signature is centered on the page.

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

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLAN IMPLEMENTATION COMMITTEE

TRPA
Stateline, NV

January 22, 2020

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chair Mr. Bruce called the meeting to order at 8:32 a.m.

Members present: Ms. Aldean, Mr. Bruce, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Mr. Shute (by phone), Mr. Yeates

II. PUBLIC INTEREST COMMENTS

None.

III. APPROVAL OF AGENDA

Vice Chair Mr. Bruce deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean said she provided her clerical edits to Ms. Ambler and moved approval of the December 18, 2019 minutes as amended.

Motion carried.

V. Item No. 4: Discussion and possible recommendation for Amendments to Chapter 84 of the TRPA Code of Ordinances regarding development standards for Stream Mouth Protection Zones

TRPA team member Mr. Conger provided the presentation.

Mr. Conger said the proposal is an amendment to the Code of Ordinances to help with the implementation of the shoreline plan. This amendment addresses the utility infrastructure located within a stream mouth protection zone. Stream mouth protection zones are adopted as an official regional plan map and have corresponding standards in Chapter 84 of the Code of Ordinances. These zones were established in relation to the historical meander of tributary streams where they meet Lake Tahoe. These areas are typically associated with fish migration. During the shoreline plan adoption in 2018, TRPA revised restrictions on development in stream mouth protection zones. New structures are prohibited, and existing structures are limited to repair and maintenance activities only. The shoreline plan targets structures related to recreational boating, the code is written in a way that applies to all structures, not just boat ramps, piers, and moorings. The application of this standard to essential utilities was inadvertent and had not been contemplated when the standard was written. Utility lines submerged in Lake

Tahoe is a common occurrence and in some cases these lines pass through the designated stream mouth protection zones. An unintended consequence of applying stream mouth protection zones restrictions broadly is that utility providers are precluded from upgrading, modifying, and reconstructing existing lines. Often modifying and upgrading existing lines is in the best public interest and in many cases, there are no other routing options. Modifications to upgrade construction quality or to respond to technology changes are part of standard industry practices. These practices help to ensure that utility lines will maintain their integrity. Deferring maintenance could result in potential environmental consequences. For example, a wastewater line that could not be reconstructed or feasibly relocated could degrade overtime and discharge sewage into the Lake. To address this staff is bringing the proposed code amendment forward for consideration and add an exception to the limitation on reconstruction, expansion, and modification of existing structures. This exception would apply to both public utilities and private water intake lines.

The proposal would modify the current stream mouth protection zone development restrictions in Chapter 84. This standard is housed in the code section that pertains to piers and the code references this section throughout Chapter 84 in relation to other shorezone structures. As written, the standard would allow repair, replacement, upgrading, reconstruction, and expansion of existing utility infrastructure within a stream mouth protection zone. Staff reviewed the proposal in relation to the shoreline plan. The shoreline plan project description considered continuing preexisting prohibitions on piers, boat ramps, buoys, floating platforms, and general multiple-use facilities within stream mouth protection zones and expanding those restrictions to cover all other types of moorings. The description didn't contemplate placing restrictions on utilities. The proposed amendment was reviewed in an initial environmental checklist. The IEC concludes that with incorporation of the shoreline plan provisions no impacts would occur. Utility projects in stream mouth protection zones would still need to comply with mitigation requirements established in Chapter 84 of the Code of Ordinances.

There was an errata sheet that was distributed that made a slight modification to the opening text (heading) on the adopting ordinance. Also, the adopting ordinance in Exhibit A had 2019 rather than 2020.

Presentation can be found at:

[RPIC-Agenda-Item-No.-4-Shorezone-Amendments.pdf](#)

Committee Comments & Questions

Ms. Aldean said she didn't find a definition of stream mouth protection zones in Chapter 90.

Mr. Conger said stream mouth protection zones are defined in Chapter 10 that address the official maps.

Ms. Aldean asked if it should be crossed referenced in Chapter 90.

Mr. Marshall said there isn't an expressed need to. He suggested the commission discuss stream mouth protection zones writ large as opposed to just this language. The definition is more of the basis upon which the zone is designated.

January 22, 2020

Ms. Aldean said under general standards where it states that "A designated area shall include all portions of the shorezone including areas lakeward." How far lakeward, is there any established standard for how far it projects into the lake?

Mr. Marshall said the mapped zones are mapped. He believes it extends out to the point at the "circles." The dimension out into the lake is the radius that is essentially the setback. Each one has a designated setback of 200 feet, 1,000 feet, for example. It will extend out into the lake up to the maximum of that diameter.

Ms. Aldean asked if the projection lines impact a property's ability to drop an additional buoy block to compensate for low water conditions.

Mr. Marshall said that would be an independent item. That's not governed by this change. That's asking about what is the operation of the stream mouth protection zone generally vis a vis shorezone structures. It is not directly raised by this amendment. This is providing an exception to the reconstruction, expansion, and modification limitation to apply to public utilities and private water intakes.

Ms. Aldean asked if there's a further need to amend this to take into account other structures that might be impacted by these projection lines.

Mr. Marshall said they've been working to address that question as well as the operation of the stream mouth protection zone prohibitions and restrictions. The Shoreline Steering Committee had discussions about this and were unsuccessful in negotiating an overall compromise between all the parties. TRPA's intent is to implement it as written for the time being. That means you can't put a new structure in a stream mouth protection zone. If someone was going to be dropping a buoy block or something that's not already there, that is prohibited.

Ms. Aldean asked if discussions are being continued to see if there can be a resolution to this.

Mr. Marshall said they've spent a lot of time on this and have come to a point where they cannot see a path forward for reconciling all the different party's interest despite significant effort.

Ms. Aldean doesn't feel that dropping a second buoy anchor is a significant impact.

Public Comments & Questions

Jan Brisco, Lakefront Homeowners Associations said she supported the proposed amendments. It's a very important component to what we are doing here at Lake Tahoe. She agreed with Ms. Aldean in that this conversation needs to be continued. This is a problem; this was not well thought out when they were putting the finishing touches on the shoreline plan. She applauds staff's efforts; this is something we need to continue to address. She doesn't feel that the door should be closed on further discussions such as bank stabilization projects that might occur in the shorezone. The shorezone is up beyond the high water mark in some of these areas. They don't know exactly what might come out of buoy fields that are in these zones that might want to relocate buoy anchor blocks. They're also concerned because they have a number of structures that are close in proximity to a stream mouth that the owners wanted to change, modify, and relocate within their property but further away from the stream mouth, that would be precluded.

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Even reconstructions are precluded. This is not the spirit in which they were negotiating originally on this topic.

Committee Comments & Questions

Mr. Shute said the amended language includes wastewater discharges. He thought wastewater discharges are prohibited and asked why that language was in the amendment.

Mr. Marshall said there are wastewater lines in the lake. They're not permitting discharges from that. They're permitting repairs, expansions, and modifications to those facilities. They have to exist; no new ones are allowed.

Mr. Shute asked what kind of wastewater is being discharged.

Mr. Marshall said no wastewater is being discharged but the routing of the line goes through the shorezone.

Mr. Shute asked how many private intake water lines are there.

Mr. Conger said he doesn't know the exact number of intake lines.

Mr. Lawrence said for the Nevada side, there are a fair number of water intake lines that the Division of State Lands has permitted over the years. He likes this proposed recommendation because it aligns with how the Nevada Division of State Lands operates. They do have permitted water intake lines that are mostly private but do have some public lines as well. A lot of the old permits for these were easements which are typical for utility lines and would have been surveyed. Part of the permit is that they have to maintain them in good condition. This recommendation aligns, they're grandfathered in and they want to be able to repair them.

Mr. Marshall said maintenance and repairs are already allowed. This addresses reconstruction, modifications, and expansions. The types of potential projects for example, is a project that would replace a pump and alter the pad that it's sitting on. It would still have to meet all the mitigation requirements, offset any issues regarding fish habitat, etc.

Mr. Lawrence said sometimes the best repair requires some modification in order to get it up to newer standards. It's not just a repair in kind.

Ms. Aldean made a motion to recommend approval the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendments as described in the staff summary.

Motion carried.

Ms. Aldean made a motion to recommend adoption of Ordinance 2019-__, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A as modified to reflect the correct year.

Motion carried.

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Ms. Aldean suggested that staff and others come to consensus on items such as the dropping additional anchors in order to accommodate low lake levels and the stabilization of banks in stream mouth protection zones.

VI. Item No. 5: Discussion and possible recommendation for Amendments to Chapter 61: Vegetation Management and Forest Health, Sections 61.1 (Tree Removal) and 61.2 (Prescribed Fire)

TRPA team member Ms. McIntyre provided the presentation.

Ms. McIntyre said the proposal is for amendments to the Code of Ordinances to help meet the intentions of Chapter 61 while increasing pace and scale forest restoration within the Tahoe Basin. These amendments pertain to prescribed burning and tree removal.

The focus of Chapter 61 is reorganization. For example, sections for protections are scattered throughout the chapter. There's also a need to eliminate any redundancy. An example is reasons for tree removal are currently found in two separate sections. The goal of this update is to facilitate that increase the pace and scale of restoration within the basin. Thus far, they've been working with the Forest Health and Wildfire Committee to vet these updates and edits. They've engaged with the regulations working group through the Tahoe Fire and Fuels Team to vet all of these to ensure that there's a collaborative approach to this code update.

Chapter 61.1 Tree Removal:

Quote from the Lake Tahoe Watershed Assessment in 2000. "The Tahoe Basin was dominated by giant pine trees with so much room on the forest floor that riders could travel at a full gallop without losing their hats." This exemplifies that we had far less trees and much more of a heterogenous structure in the forest.

There are a variety of benefits from tree thinning and removal. It can increase diverse wildlife habitat, decrease tree density and increase structural heterogeneity. This will allow for the reintroduction of prescribed fire post treatment and allows us to protect homes, infrastructure, and fire fighter safety.

The proposed amendments fall into three major categories: Modifying language for clarity, renumbering and reorganization, and minor deletions.

Section 61.1.4.A hazard tree removal has a new section that now relies more on memorandums of understanding with our partner agencies.

Section 61.1.5 general tree removal standards is another substantive modification in terms of adding language that states that TRPA can consider plans developed pursuant to the California Forest Practice Rules or the California Environmental Quality Act documents completed by a qualified forester to meet the intention of this section provided that all required elements are addressed.

Section 61.1.8.B public parcels substantial tree removal. If there's a memorandum of understanding with TRPA, it can be used to take care of substantial tree removal. If there's no MOU, then there's a process outlined for private parcels.

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There was also the renumbering of sections for clerical edits, reorganization, and moving items to different sections. There was also the deletion of a section and the addition of new subsections. Staff is proposing that restocking be deleted and then added is ecosystem management goals and environmental improvement program projects as a subsection. Public utility rights of way were removed from ski areas and became its own subsection.

Committee Comments & Questions on Section 61.1

Mr. Yeates asked if the language that's underlined is being moved around due to redundancies and is not new.

Ms. McIntyre said correct. For example, there were several pieces that had to do more with protections, so they've been moved to 61.3. It changed the entire structure due to renumbering.

Mr. Yeates referred to 61.1.4.E.2 on page 98 of the staff packet. He asked what the green strike through on item two represents.

Mr. Marshall said E.2 was moved up to D.

Ms. Aldean suggested to staff that for future amendments that the first attachment be the consolidated language with the changes and rationale and then the second attachment would be the new code as it will appear in the appropriate code sections. This will help to understand the flow of information better.

Mr. Shute said he's concerned with delegating a lot of the authority that were in these codes to something that's unclear. He's unclear what's in them, what standards they have to meet, or if they're existing or proposed. Second, there seems to be a general weakening of standards referring to 51.1.6, item 4 that states that "Damage shall be avoided to the extent feasible." Then substantive standards about trees being felled in line with being untouched or eliminated.

Ms. McIntyre said we have memorandums of understanding with the majority of our land managers in the basin. They do have different standards in terms of who is exempt, such as the Forest Service being exempt, whereas, other agencies might be qualified exempt and would have more of a process they have to go through to get approval from TRPA. They intend to open those MOUs back up after the code update is done to standardize them across the board.

Mr. Shute asked if those memorandums of understanding will come back to TRPA for approval.

Ms. McIntyre said yes.

Mr. Marshall said they're not delegation memorandums of understanding in sense of delegating TRPA's authority. They are exemption MOUs that if an agency does the project within certain parameters, it is qualified exempt from TRPA review. These are standard MOUs that we have with almost all utilities in the basin and land managers about routine activities that occur. There's a desire to have more activities take place under those exempt MOUs. Those MOUs become part of the code. Staff can bring back those MOUs if that's the pleasure of the board. The process that's being contemplated is trying to set up the MOU process that is used more to describe the criteria under which these activities will move forward. TRPA essentially makes a generic call that

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those activities if done within those constraints are exempt from further TRPA review.

Mr. Shute said he's still concerned about the qualified exempt without knowing the details and the weakening of standards.

Ms. McIntyre said in terms of the weakening of standards, these were edits that were developed in collaboration with the regulations working group through the Tahoe Fire and Fuels Team. The intention of those edits is that those agencies are already doing those items and then having them in the Code of Ordinances is redundant and unnecessary. A forester would follow those guidelines to begin with but are not tied to that if we need to step back and review it.

Mr. Hicks said the Forest Health and Wildfire Committee reviewed this and unanimously recommended that these changes be adopted. Mr. Shute has raised a fair question about the memorandums of understanding and we need to keep an eye on them. The proposed language is the recommendation of the committee.

Ms. Gustafson said if these code amendments are made now and then the memorandums of understanding is reopened which would apply if there's a project submitted. How quickly will the MOUs be reviewed?

Ms. McIntyre said that the current memorandums of understanding would apply while working on drafting new ones.

Mr. Lawrence said the memorandums of understanding for the Division of Forestry and State Lands that are for taking care of the urban lots, the back country, Lake Tahoe Nevada State Parks, and Van Sickle Bi-State Park. Largely those MOUs have language that mirrors the Code of Ordinances. From his standpoint, they don't weaken the code, it just makes it clear on how to move forward together to get this work done on the ground. The proposed language standardizes what's already occurring in order to get work done expeditiously. There's a need to ensure that we're not getting in our own way of getting this work done. We do need to work with our partners on what is a healthy forest and urban lot and mimic that in the Code of Ordinances. Right now, the thresholds and standards are siloed with specific species and activities. His concern initially, was putting the cart before the horse. In his opinion, he doesn't believe so, but doesn't want to lose sight of what he thinks is needed which is standards and indicators regarding a healthy forest.

Mr. Yeates said the Regional Plan Implementation Committee's role is to ensure that the language being amended is adequate. The substantive issue that Mr. Shute has raised is that the memorandums of understanding are brought to the board when these amendments are proposed for approval. He's comfortable with the way the language is proposed but agreed that these MOUs should go to the board so they can be compared to the code.

Ms. Marchetta said staff will bring the memorandums of understanding when this goes to the full board.

Public Comments & Questions

None.

(presentation continued)

Chapter 61.2 Prescribed burning:

The Blue Ribbon Commission and the Lake Tahoe Basin Multi-jurisdictional Fuel Reduction and Wildfire Prevention Strategy all point to prescribed burning and getting more prescribed burning done as a key component to a healthy forest. There's a variety of benefits from prescribed burning. It's a key ecological process that's been excluded for the past several decades. It helps reduce fuels and wildfire risk. There's data that shows that smoke impacts from a prescribed fire is much smaller than if we allowed catastrophic wildfire to move through the same landscape. In 2017, 867 acres were burned in the basin and in 2018, it was 732 acres. These are average number in terms of what they've been able to accomplish in the basin but the numbers need to go up. The majority of those acres are pile burns and not broadcast burns where there's a slow creeping fire in the understory that get those ecological benefits. Currently agencies within the basin must comply with strict state regulations to conduct prescribed burning and these regulations are stringent or more stringent than TRPA regulations.

There are two amendments that focus on deletions. One is to delete 61.2.3.B limitations. This is redundant with a sentence in another subsection. The other is to delete 61.2.5.B.7 that is a sentence that doesn't preclude TRPA from requesting additional information from anyone seeking a permit. Additionally, there is a memorandum of understanding process that they want to put in place to standardize the review process within the MOUs with partner agencies. Currently, the Forest Service is exempt and other land manager agencies are qualified exempt. They want to ensure that all the agencies are operating under the same type of MOU and criteria. An exempt activity would be if two criteria are met: One, does the partner agency have an MOU with TRPA or have they conducted a pre project consultation. This would include submitting plans and permits to TRPA prior to conducting a burn.

Presentation can be found at:

[RPIC-Agenda-Item-No.-5-Forest-Health-Code-Amendments.pdf](#)

Committee Comments & Questions:

Vegetation Management and Forest Health, Sections 61.1 (Tree Removal)

Committee Comments & Questions

Ms. Gustafson said if an agency participates in the pre project consultation with staff and if there's disagreement between the partner agency and TRPA, then does it go back to the "must comply."

Ms. McIntyre said yes.

Ms. Gustafson said she wanted to ensure that it's an automatic yes in that situation.

Public Comments & Questions

Bruce Barr, TRPA Forester said a lot of work has gone into these considerations for code rewrites. If we make the rules easy to follow, then they will be followed. Chapter 61 is one that we get

REGIONAL PLAN IMPLEMENTATION COMMITTEE

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mired in sometimes because the language is not clear and redundant. Staff received input from all the partner agencies. The memorandums of understanding work well within in the basin. There are land managers doing major projects and doing them well. The large projects get reviewed by himself and or Ms. McIntyre to determine if they're in compliance with the Code of Ordinances. MOUs don't make the partner agencies exempt from the code. The rewrite of the MOUs will have to reference the correct code sections.

Committee Comments & Questions

Ms. Aldean made a motion to recommend approval of the Required Findings, as described in Attachment B, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendments as described in the staff summary.

Ayes: Ms. Aldean, Mr. Bruce, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Mr. Yeates

Abstained: Mr. Shute

Motion carried.

Ms. Aldean said she had a discussion with Ms. McIntyre yesterday about a number of clerical non-substantive changes that staff agreed to which will be incorporated into the second motion.

Ms. Aldean made a motion to recommend adoption of the Ordinance 2019 - __, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A as amended. In addition, a direction has been given to staff to have the existing MOUs accompany these amendments when presented to the Governing Board at a subsequent meeting.

Ayes: Ms. Aldean, Mr. Bruce, Ms. Gustafson, Ms. Laine, Mr. Lawrence, Mr. Yeates

Abstained: Mr. Shute

Motion carried.

VII. Item No. 5: Upcoming Topics

Mr. Hester said depending on the Local Government and Housing Committee's work on a potential item to address California's legislation related to housing, there may be items for the Regional Plan Implementation Committee to consider in February.

VIII. COMMITTEE MEMBER COMMENTS

None.

IX. PUBLIC INTEREST COMMENTS

None.

X. ADJOURNMENT

Vice Chair Mr. Bruce adjourned the meeting at 9:28 a.m.

January 22, 2020

Respectfully Submitted,

A handwritten signature in cursive script that reads "Marja Ambler".

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



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STAFF REPORT

Date: March 18, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: APC Membership Appointment

Summary and Staff Recommendation:

Staff recommends Governing Board approve a two-year appointment for El Dorado County's recommended appointment of Jason Drew, Advisory Planning Commission lay member.

Required Motion:

In order to approve the proposed APC appointment, the Board must make the following motion, based on the staff report:

- 1) A motion to approve the proposed appointment.

In order for motion to pass, an affirmative vote of any eight Board members is required.

Background:

The Tahoe Regional Planning Agency Compact provides for a two-year term for lay member appointments to the Advisory Planning Commission, which term may be renewed. The El Dorado County Board of Supervisors voted to renew Jason Drew's lay member appointment to APC and advanced that recommendation to TRPA for action.

Contact Information:

For questions regarding this agenda item, please contact Joanne Marchetta, at (775) 589-5226 or jmarchetta@trpa.org.



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STAFF REPORT

Date: March 18, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: Legal Committee Membership Appointment

Summary and Staff Recommendation:

Governing Board Appointment to temporarily move Bill Yeates from the Operations and Governance Committee to the Legal Committee to balance committees until a new Governor of California appointee is made. Staff recommends the Governing Board approve the change in membership.

Required Motion:

In order to approve the committee membership appointment, the Board must make the following motion, based on the staff report:

- 1) A motion to approve committee membership appointment to move Bill Yeates from the Operations and Governance Committee to the Legal Committee.

In order for motion to pass, an affirmative vote of any eight Board members is required.

Contact Information:

For questions regarding this agenda item, please contact Joanne Marchetta, at (775) 589-5226 or jmarchetta@trpa.org.

STAFF REPORT

Date: March 18, 2020

To: TMPO Governing Board

From: TRPA Staff

Subject: Amendment #2 to the Transportation Planning Overall Work Program

Summary and Staff Recommendation:

Staff recommends that the TMPO Governing Board approve Amendment #2 of the FY 2020 TMPO Overall Work Program (OWP) by adopting the attached resolution (Attachment A).

Required Motions:

In order to adopt the proposed targets and funding program, the Board must make the following motion(s), based on the staff summary:

- 1) A motion to adopt the attached resolution approving Amendment #2 of the 2020 TMPO Overall Work Program. (Attachment A).

In order for motion(s) to pass, an affirmative vote of any eight Board members is required.

Tahoe Transportation Commission (TTC) Recommendation:

On March 13, 2020, the TTC recommended TMPO approval of Amendment #2 of the FY 2020 Transportation Overall Work Program.

Background:

As a recipient of federal transportation planning funds, the Tahoe Metropolitan Planning Organization (TMPO) is required to prepare an annual program of work outlining transportation planning activities TMPO will be undertaking in the coming fiscal year. The OWP, also referred to as a Unified Planning Work Program (UPWP), provides a description of the activities and financial budget to fund the efforts.

This amendment includes additional tasks in support of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and regional and project level GHG/VMT analysis. The additional activities will be funded by reconciled carryforward balances (\$117,420) from previous year Federal and State transportation planning funding.

Amendment #2 proposed modifications:

- *Work Element 103*- Adds additional budget for public outreach supporting the RTP/SCS update (+\$26,069)
- *Work Element 104*- Adds additional budget for consultant support of RTP/SCS environmental review and related technical services (+\$82,247)

- *Work Element 108.2*- Adds activities and budget for regional VMT/GHG evaluation, including the development of tools for project level evaluation and impact analysis in support of RTP/SCS (+\$9,104)

The specific Work Element modifications are included in Attachment B.

Contact Information:

If you have any questions or comments regarding this item, please contact Michelle Glickert, at mglickert@trpa.org or 775-589-5204.

Attachments:

- A. Resolution 2020-__ to adopt Amendment #2 of the FY2020 TMPO OWP
- B. 2019/2020 Lake Tahoe Transportation Overall Work Program Amendment #2

Attachment A

Resolution 2020-__ to adopt Amendment #2 of the FY2020 TMPO OWP

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2020-__

ADOPTION OF AMENDMENT #2 OF THE
TMPO 2020 TRANSPORTATION OVERALL WORK PROGRAM

WHEREAS, the Tahoe Metropolitan Planning Organization (TMPO) has been designated by the Governors of California and Nevada for the preparation of transportation plans and programs under US Title 23, CFR 450; and

WHEREAS, each MPO is required to adopt an Overall Work Program (OWP), describing the transportation planning program and the planning activities anticipated for the Region over the next fiscal year; and

WHEREAS, the Federal Highway Administration, the Federal Transit Administration, Caltrans and the Nevada Department of Transportation have approved the 2020 OWP; and

WHEREAS, staff has prepared Amendment #2 to the OWP that includes modifications to budget and activities in Work Elements 103, 104 and 108; and

WHEREAS, staff is requesting that the TMPO Governing Board adopt Amendment #2 of the 2020 OWP and authorize the submittal to state and federal agencies for approval as necessary, and authorize staff to take actions necessary for this approval; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Metropolitan Planning Organization adopts this resolution approving Amendment #2 of the 2020 Tahoe Basin Transportation Overall Work Program.

PASSED AND ADOPTED by the Governing Board of the Tahoe Metropolitan Planning Organization at its regular meeting held on March 25, 2020 by the following vote:

Ayes:

Nays:

Abstain:

Absent:

William Yeates – Chair
TMPO Governing Board

Attachment B

2019/2020 Lake Tahoe Transportation Overall Work Program Amendment #2

Attachment B

2019/2020 Lake Tahoe Transportation Overall Work Program Amendment #2

The specific amendments to Work elements 103, 104, and 108 shown below will be incorporated in to the 19/20 OWP upon adoption by TMPO Governing Board. Modifications are shown in ***Bold Italics***.

Work Element 103 – Public Outreach and Coordination

- Adds \$26,069 FTA 5303 (CA Carryover) to Noticing/Advertising/Meetings

Work Element 103 Budget:

REVENUES		EXPENDITURES	
Direct Costs:		Direct Costs:	
FTA 5303 (CA Carryover)	\$26,069	*Noticing/Advertising/Meetings	\$31,069
-Toll Credits (CA 5303-Carry)	\$2,990	*Subscriptions/Dues	\$12,000
TRPA General	\$39,170	TMA Cooperative Agreements	\$27,000
TDA Administration	\$4,830		
		<i>*Not funded by CPG funds</i>	
Subtotal:	\$70,069	Subtotal:	\$70,069

Work Element 104 – Public Outreach and Coordination

- Adds additional \$82,247 FHWA PL (CA Carryover) to RTP/SCS Update Support Svcs.

Work Element 104 Budget:

REVENUES		EXPENDITURES	
Direct Costs:		Direct Costs:	
FHWA PL (CA)	\$49,250	RTP/SCS Update Support Svcs.	\$194,247
-Toll Credits (CA-PL)	\$5,649	Transit Planning Support Svcs.	\$60,000
<i>FHWA PL (CA-Carryover)</i>	<i>\$109,582</i>		
-Toll Credits (CA-Carry)	\$12,569		
FTA 5303 (CA)	\$24,000		
-Toll Credits (FTA 5303 CA)	\$2,753		
FTA 5303 (CA Carryover)	\$1,800		
-Toll Credits (CA 5303-Carry)	\$206		
TRPA General	\$31,765		
TDA Planning	\$37,850		
Subtotal:	\$254,247	Subtotal:	\$254,247

Work Element 108 -Sustainable Communities Planning

- Adds new task (T-4) to 108.2 for regional VMT/GHG evaluation activities

108.2 TASKS	
T-1	Final SR 89 Emerald Bay Recreation Corridor Management Plan <ul style="list-style-type: none"> • Funding Strategy for Implementation, Monitoring Plan & Operations and Maintenance Agreements • Produce Final SR 89 Emerald Bay Recreation Corridor Management Plan • Prepare approvals and necessary incorporation in to RTP
T-2	Draft Main Street Management Plan <ul style="list-style-type: none"> • Refine and establish final alternative for draft plan • Present draft MSMP for stakeholder and public comment
T-3	Final Main Street Management Plan <ul style="list-style-type: none"> • Respond to comments received on draft MSMP • Prepare and present final MSMP for approvals
T-4	Regional VMT/GHG Evaluation Program <input type="checkbox"/> <ul style="list-style-type: none"> • <i>Initiate research, methodology and metric development, and set of tools for project evaluation and impact analysis to support RTP/SCS</i> • <i>Work with Placer County on development of local/regional VMT evaluation methodologies</i>

- Adds \$9,103 RMRA 18/19 to Sustainable Comm Planning

Work Element 108.2 Budget:

WE 108.2			
REVENUES		EXPENDITURES	
Direct Costs:		Direct Costs:	
TRPA General	\$20,508		
CA-RMRA 18/19	\$158,342	Sustainable Comm Planning	\$178,850
Subtotal:	\$178,850	Subtotal:	\$178,850
TMPO Staff:		TMPO Staff:	
Total:	\$178,850	Total:	\$178,850

STAFF REPORT

Date: March 18, 2020
To: TMPO Governing Board
From: TRPA Staff
Subject: Approval of 2021 Active Transportation Program Guidelines

Summary and Staff Recommendation:

Approve the resolution adopting the TMPO 2021 Active Transportation Program Guidelines

Required Motions:

In order to adopt the proposed resolution, the Board must make the following motion(s), based on the staff summary:

- 1) A motion to adopt the attached resolution (Attachment A)

In order for motion(s) to pass, an affirmative vote of any eight Board members is required.

Project Description/Background:

The Tahoe Regional Planning Agency, in its capacity as the Tahoe Metropolitan Planning Organization (TMPO), is responsible for managing and allocating various federal and state funding programs. In 2016 the TMPO combined multiple funding sources into one application and distribution process known as the Regional Grant Program (RGP) to create a more efficient regional process. One of the funding sources included in the RGP is the State of California Active Transportation Program (ATP) Metropolitan Planning Organization (MPO) Component administered by the California Transportation Commission (CTC). The ATP provides a consistent source of funding to enhance and implement new active transportation options identified in the 2017 Linking Tahoe: Regional Transportation Plan. Since the inception of TMPO's ATP component, the program has provided \$1,070,000 in funding; \$326,000 to Placer County West Shore Pedestrian Highway Crossing Improvements and \$744,000 to Lake Tahoe Boulevard Class 1 Bike Trail Projects. The next round of the RGP includes ATP funds for the next 4-years, 2022 through 2025, totaling over \$715,000 for projects that increase biking and walking. The 2021 ATP guidelines were recently updated by the CTC, requiring updates to the existing TMPO Guidelines and approval by the TMPO Board before opening the next call for projects.

The most significant changes to the state guidelines are highlighted below.

- An applicant is no longer required to apply to the statewide call to be eligible for the MPO ATP call.
- Project applications not selected for programming in the statewide competition must be considered by the MPOs in administering a competitive selection process.

In response to the updated State ATP guidelines, staff updated the RGP 2021 ATP Guidelines (Attachment B).

In addition to incorporating the State changes listed above, the TMPO also updated the definition of the Disadvantage Communities to reflect the uniqueness of the Tahoe Region.

- A disadvantaged community for the Tahoe Region, is defined as an area that is 100% below the statewide median household income or is within a 2-mile radius of a school with at least 25% of students eligible for free or reduced priced lunch.

Since the projects selected for ATP funds, through the Statewide call or the MPO Reginal Grant Program, are ultimately approved by the CTC, the TMPO guidelines must be approved by the CTC to ensure state requirements are met. This approval is currently scheduled for the April CTC meeting.

The California ATP is an important component of the TMPO Regional Grant Program and directly supports the regional goals to create better biking and walking travel options. The TMPO ATP guidelines will require all applicants submit a project application and a performance assessment which includes specific transportation performance metrics to guide project selection and provide a transparent grant program internally and externally for our partners.

Public Comment:

n/a

Issues and Concerns:

There are no known issues or concerns.

Contact Information:

For questions regarding this agenda item, please contact Michelle Glickert, Principal Transportation Planner, at mglickert@trpa.org or (775) 589-5204.

Attachments:

- A. TMPO Resolution
- B. TMPO 2021 ATP Guidelines

Attachment A

TMPO Resolution

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2020 - _____

ADOPTION OF REGIONAL GRANT PROGRAM
ACTIVE TRANSPORTATION PROGRAM GUIDELINES

WHEREAS, the Tahoe Metropolitan Planning Organization (TMPO) is the designated metropolitan planning organization for the Lake Tahoe Region as defined by the Transportation Equity Act for the 21st Century; and

WHEREAS, TMPO has adopted a Regional Transportation Plan (RTP) for the Lake Tahoe Region pursuant to California Government Code Section 65080; and

WHEREAS, TMPO is required to prepare and adopt a Transportation Improvement Program (TIP) developed in accordance with the Fixing America's Surface Transportation Act (FAST Act); and

WHEREAS, California State Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101 (Chapter 354, Statutes 2013), created the Active Transportation Program (ATP), and Senate Bill 1 (SB1) (Chapter 2031, statutes of 2017) directs additional funding from the Road Maintenance and rehabilitation Account to the ATP; and

WHEREAS, TMPO has developed, in cooperation with the California Transportation Commission (CTC), California Department of Transportation (Caltrans), guidelines to be used in the development of the ATP; and

WHEREAS, TMPO adopts pursuant to Streets and Highways Code Section 2381(a)(1), an ATP program of projects using a competitive process consistent with guidelines adopted by the CTC, that is submitted to the CTC and Caltrans; and

WHEREAS, during the life of the program, it is sometimes necessary to amend the program to reflect changes in funding, eligibility and schedules; and

WHEREAS, the TMPO approves these guidelines to be used in the evaluation and recommendation of proposed projects for inclusion in the ATP program; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Tahoe Metropolitan Planning Organization adopts this resolution approving the Regional Grant Program - Active Transportation Program Guidelines.

BE IT FURTHER RESOLVED, that TMPO staff is hereby directed and authorized to work with Caltrans, the CTC, and the Federal Highway Administration to make whatever technical changes or corrections are needed to the format and organization of the document to obtain its approval by these agencies.

PASSED AND ADOPTED by the Governing Board of the Tahoe Metropolitan Planning Organization this March 25, 2020 by the following vote:

Ayes:
Nays:
Absent:

William Yeates, Chair
Tahoe Metropolitan Planning Organization
Governing Board

Attachment B

TMPO 2021 ATP Guidelines

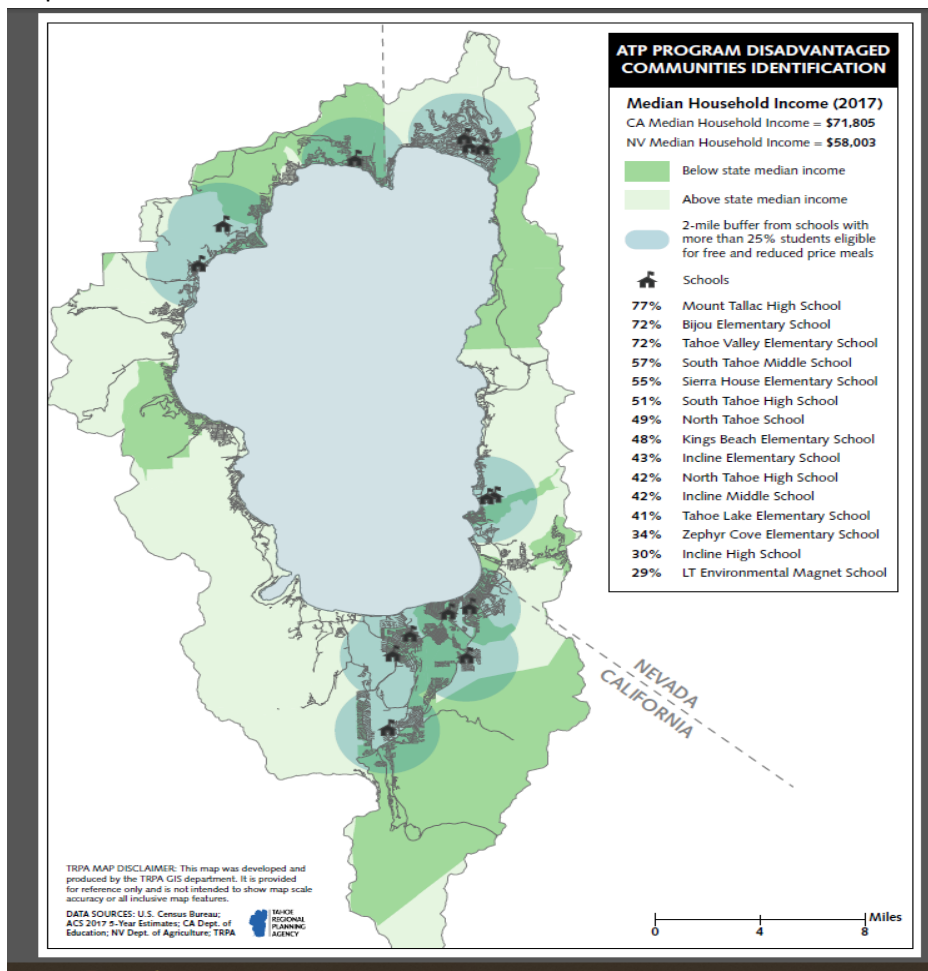
Tahoe Metropolitan Planning Organization 2021 Active Transportation Program Guidelines

INTRODUCTION

The Tahoe Metropolitan Planning Organization's (TMPO's) 2021 Active Transportation Program (ATP) is part of the Linking Tahoe: Regional Grant Program (RGP). The ATP guidelines are consistent with and support the California Transportation Commission's (CTC) cycle 5 ATP guidelines. TMPO's process, specifically its application, evaluation criteria, and evaluation committee do differ slightly from the Commission's process. These processes are described herein, and outlined below. For more general information on the Linking Tahoe: Regional Grant Program, application materials, and submittal instructions, please see the Linking Tahoe Regional Grant Program Guidelines.

1. An applicant is no longer required to submit to the statewide call to be eligible for the MPO ATP call as a result of a recent change. However, we highly encourage applicants to submit to the state when seeking funds for larger projects. In applying for MPO funds you will need to submit the ATP project application and the Performance Assessment to the TMPO. The Performance Assessment helps TMPO meet its Regional Grant Program needs, is fine tuned to be applicable to TMPO's regional transportation plan's goals, and incorporates federal, state, and regional performance measures. The application still meets the CTC requirement of qualifying as a PSR or PSR equivalent (including cost estimate and plans).
2. Projects not selected for programming in the statewide competition must be considered by the MPOs in administering a competitive selection process.
3. The State's application evaluation criteria reflect many of the regional goals and performance measures of the TMPO regional transportation plan, which also support the goals and mission of the CTC and Caltrans' Active Transportation program.
4. As required by CTC, the Evaluation Committee includes multidisciplinary advisory group of TMPO staff, with oversight from the TMPO Executive Committee. Staff representatives come from the following TRPA departments: Long Range, Transportation and Current Planning. Evaluation committee expertise includes transit, active transportation, environmental improvements and project implementation. A final recommendation for project awardee(s) will be submitted to the CTC for final approval.

5. As noted in the CTC's ATP guidelines, MPO's "may use a different minimum funding size." The TMPO has elected to decrease the minimum project size from \$500,000 to \$50,000, which is approximately 30% of the annual funds competitively distributed by the TMPO.
6. The final ATP project programming recommendations will coincide with the Commission's cycle 5 ATP MPO project selection approval in May 2021. See below schedule.
7. TMPO will adopt a contingency list of projects based on the project's evaluation score to be amended into the program in the event a programmed project is delivered for less or fails. If needed, this contingency list will be provided to the CTC and will be in effect only until the adoption of the next statewide program.
8. In conformance with the CTC ATP guidelines, a minimum of 25 percent of the funds distributed to each MPO must benefit disadvantaged communities. A disadvantaged community for the Tahoe Region, is defined as an area that is 100% below the statewide median household income or is within a 2-mile radius of a school with at least 25% of students eligible for free or reduced priced lunch. To determine if your project is within a disadvantaged community, review below map.



For other qualifying requirements, please see [Commission's cycle 5 ATP guidelines](#).

BACKGROUND

The ATP was created by Senate Bill 99 (Chapter 359, Statutes 2013) and Assembly Bill 101(Chapter 354, Statutes 2013), to encourage increased use of active modes of transportation, such as walking and biking. The ATP consolidates various transportation programs - including the federal Transportation Alternatives Program, state Bicycle Transportation Account, and federal and state Safe Routes to School programs - into a single program. The program funding is segregated into three components and is distributed as follows:

- Fifty percent to the state for a statewide competitive program;
- Ten percent to small urban and rural regions with populations of 200,000 or less for the small urban and rural area competitive program, and;
- Forty percent to Metropolitan Planning Organizations in urban areas with recognized populations greater than 200,000 for the large urbanized area competitive program.

The MPO apportionment is funded through various federal and state funds appropriated in the annual Budget Act. Funds must be awarded and programmed based on a competitive process in accordance with the MPO guidelines.

PROGRAM GOALS

TMPO's goal of the ATP is to support the CTC and Caltrans' active transportation program goals and the implementation of the adopted Regional Transportation Plan (RTP) by increasing active modes of transportation to provide mobility, social, and environmental improvements. The program targets active transportation projects, including but not limited to bike, pedestrian, and safe routes to schools.

PROGRAM SCHEDULE AND FUNDING

The following schedule lists the major milestones for the 2021 ATP MPO development and adoption:

ATP MPO Schedule	Date
Call for Projects	September 2020
Project applications deadline	October 2020
TMPO draft MPO project recommendations (includes Statewide applications not funded)	December 2020
Deadline for MPO draft project programming to Commission	January 18, 2021
GB adopts final project programming recommendations	February 2021
MPO final project programming recommendations to Commission	March 30, 2021
CTC adopts MPO selected projects	May 2021
TMPO programming of projects	June - July 2021

The funding is allocated by the state of California through the CTC and must be awarded to projects located entirely within the California portion of the Tahoe Region. Funding capacity for this cycle is

estimated at a total of \$751,000. Cycle 5 funding years are 2021-22, 2022-23, 2023-24 and 2024-25. Funds can be programmed as a lump sum in one year or over any 4 years that are within the cycle. There is no local match required on ATP funds, however, applicants that can demonstrate a match will have an opportunity to score higher on the application.

APPLICATION REQUIREMENTS

Applicants to the Linking Tahoe: Regional Grant Program ATP funds, must complete and submit

- A. TMPO Project Application
- B. Project Assessment
- C. A detailed phasing and budget plan will be required if the funding available will not fully fund the proposed project. The plan should outline how much of the project will be completed with the available funding and the approach to fund the remaining phases of the project.
- D. Project applications not selected for programming in the ATP statewide competition will automatically be considered for funding in the MPO competition. The applicant will still need to submit the statewide application, a TMPO Project Application and the Project Assessment to the MPO.

The state has five different applications available for applicants to complete depending on the project type and size. It is incumbent on the applicant to complete the application appropriate for their project. The five application types are:

1. Large Project, Infrastructure only or Infrastructure/Non-infrastructure: Projects with a total project cost of greater than \$7 million will be considered a Large Project and must use the Large Project application.
2. Medium Project, Infrastructure only or Infrastructure/Non-infrastructure: Projects with a total project cost of more than \$2 million and up to \$7 million will be considered a Medium Project and must use the Medium Project application.
3. Small Project, Infrastructure only or Infrastructure/Non-infrastructure: Projects with a total project cost of \$2 million or less will be considered a Small Project and must use the Small Project application.
4. Non-infrastructure Only
5. Plan, includes safe routes to school, bike and ped plans or comprehensive active transportation plans

DEFINITION OF DISADVANTAGED COMMUNITIES (DAC)

The TMPO has elected to use a different criterion from the State's for determining which projects benefit a DAC. The TMPO application requires that the applicant clearly identify whether the project is located within a disadvantaged community which is included in the Project Assessment form. A disadvantaged community for the Tahoe Region is defined as an area that is **100% below the statewide median household** income or is within a 2-mile radius of a school with **at least 25%** of students eligible for free or reduced priced lunch.

ELIGIBILITY OVERVIEW

1. Projects must be listed in the most currently adopted RTP constrained project list.

2. If a project is not funded through the statewide call it will automatically be considered for the MPO ATP Call. All final recommendations are sent for approval to the California Transportation Commission.
3. Allocation of funds must follow the Caltrans 2021 ATP Guidelines: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/cycle5> and CTC 2021 ATP Guidelines: <https://catc.ca.gov/programs/active-transportation-program>
4. Applicants must be able to comply with all federal and state laws, regulations, policies and procedures required to enter into a Master Agreement and follow the processes in the Caltrans Local Assistance Procedures Manual: <https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm>. Additional time should be included in the project timeline if there is not an existing Master Agreement in place to illustrate funds will be obligated and expended in the appropriate fiscal year.
5. All phases of work are eligible: Environmental, Preliminary Engineering, Right of Way, Construction.

ELIGIBLE PROJECTS AND ACTIVITIES

Funds are available for a variety of projects including but not limited to:

1. New bicycle and pedestrian facilities
2. Improvements to existing bikeways and walkways
3. Safe routes to school projects
4. Connectivity of bike paths
5. Education programs to increase active transportation
6. Establishment or expansion of bike share program
7. Installation of traffic control devices to improve safety of pedestrian and bicyclists

INITIAL PROJECT EVALUATION ELIGIBILITY SCREENING

TMPO staff will conduct an initial project screening to determine if a submitted project will proceed to the evaluation process. TMPO staff will use the following screening criterion:

1. The project must be listed in the constrained project list of the most current Regional Transportation Plan (RTP). Projects may be contained in a “grouped project” or broader category listing in the RTP. Please contact TMPO staff as necessary to confirm.
2. The project must be ready for programming in the Federal Transportation Improvement Program; ATP is funded from various federal and state funds appropriated in the annual Budget Act.
3. The project sponsor must demonstrate technical capacity and reliability for delivering similar projects (scale and complexity).
4. Projects requesting construction funding must have environmental, engineering and right-of-way completed by the time funds are requested.

IMPLEMENTATION AND OVERSIGHT REQUIREMENTS

Beyond the implementation and oversight requirements set forth in the Linking Tahoe: Regional Grant Program Goals and Criteria, all ATP funded projects must also follow and be aware of the below requirements:

1. The CTC has specific reporting requirements for ATP projects. Implementing agencies must submit the following reports to CTC and the MPO:
 - a. progress reports (semi-annual or quarterly),

- b. completion report and
 - c. final delivery report.
2. Applicants must work with Caltrans District Local Assistance to prepare the Allocation request for the CTC and the Request for Authorization (E76) process for obligation of the funds. These requests are typically processed at the same time. Follow the processes in the Caltrans Local Assistance Procedures Manual: <https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm>
 3. To ensure timely use of funds, TMPO shall retain the right to redirect program funding to other agencies and projects so as not to lose funding to the Tahoe Region. For ATP funded projects, TMPO will maintain a project contingency list. If an awarded project is not able to meet funding programming and allocation guidelines and milestones, funding may be moved to a project on the contingency list, with approval from the Commission. Extension requests for a project in the MPO selected portion of the program must include a recommendation by the MPO, consistent with the preceding requirements.
 4. Allocation requests for a project in the MPO selected portion of the program must include a recommendation by the MPO.

PROJECT EVALUATION CRITERIA

Team evaluators will review and score applications using the following selection criteria and relative weighting (maximum of 100 points):

Work plan and Timeline. Project application should clearly define the project description and current stage of the project (5pts), the delivery work plan (10 pts), and a detailed project timeline with key milestones demonstrating the capacity to deliver in timely manner (10pts).	25 points
Demonstrated Need. The applicant should clearly identify the purpose and need of the project and whether the project is located within a disadvantaged community. A disadvantaged community for the Tahoe Region is defined as an area that is 100% below the statewide median household income or is within a 2-mile radius of a school with at least 25% of students eligible for free or reduced priced lunch.	20 points
Project Performance Assessment. The applicant will show how the project meets TMPO’s goals and performance measures. Please see the attached Transportation Assessment and complete the questions within each category and all supplemental questions.	30 points
Potential for project success. Applicant’s ability to carry out project based on: <ul style="list-style-type: none"> ▪ Readiness of Project ▪ Reasonable work-plan ▪ Coordination with public ▪ Project leadership and council/board endorsement ▪ Available funding to complete and maintain the project 	20 points
Matching funds. If matching funding are provided, applicant must identify non-federal matching funds. Match is not required for ATP funds. However, project applications that can show match for ATP will be the most competitive.	5 points
TOTAL POINTS	100 points

STAFF REPORT

Date: March 18, 2020
To: TRPA Governing Board
From: TRPA Staff
Subject: Deviation from Governing Board Teleconferencing Procedures to Enable Virtual Meetings During COVID-19 Outbreak

Summary and Staff Recommendation:

The COVID19 virus has been declared a pandemic and public health authorities are issuing daily guidance and directives requiring the control of community spread of the virus. Both Nevada and California have issued guidance saying stay home, practice physical distancing and precautionary hygiene, and conduct only essential services. The Agency is currently operating on an official work from home status and performing essential services remotely and electronically. Governing Board meetings are mission critical to achieve the business of the Agency, and these meetings can be conducted by other means than in person proceedings.

In accordance with public health best practice recommendations during the COVID-19 outbreak, TRPA has deemed it necessary to conduct its Governing Board meetings virtually; i.e., by electronic meeting without Governing Board members or the public physically present in the same location(s). TRPA Rules of Procedure Section 2.16, currently allows Governing Board to conduct its regular meetings only when a quorum of members participate in-person and in one location with all locations accessible by the public, and with other restrictive requirements. Rules of Procedure Section 2.4.4.D allows the Governing Board to deviate from these requirements (with 5 affirmative votes from each state) effectively suspending the rule when circumstances warrant. TRPA staff therefore recommends that the Governing Board suspend the following rules in order to hold entirely virtual meetings consistent with public health directives.

Section 2.13.3 – requirement to have a quorum of participating Governing Board members physically present in one location in the Tahoe Basin.

Action: The suspension will allow virtual participation by members shall count towards all quorum requirements

Section 2.16.4 – requirement that all locations of Governing Board members participating remotely be open to the public.

Action: No remote location shall be open to the public. Instead the public shall be able to participate remotely via individual connection to the virtual meeting (assuming TRPA can hold a public meeting consistent with public health direction then in effect).

Section 2.16.5 – requirement that members of the public physically present in the Governing Board members' remote locations be allowed to present public comment.

AGENDA ITEM NO. II

Action: No remote physical location will be open to the public.

Section 2.16.6 – requirement that meeting materials be available to the public at locations where Governing Board members are participating remotely.

Action: All meeting materials will be available online from TRPA’s website (www.trpa.org) and staff presentations will be viewable and posted online.

TRPA staff also recommends that the Governing Board authorize the Executive Director to adjust these deviations and make any other further adjustments as necessary to promote public health and participation in consultation with the Governing Board Chair and the Agency’s legal counsel.

Required Motion:

In order to deviate from TRPA’s Rules of Procedure Section 2.16 to facilitate virtual Governing Board meetings, the Board must make the following motion, based on the staff report:

- 1) A motion to deviate from Rules of Procedure Section 2.16 as set forth in the staff report to facilitate virtual Governing Board meetings during the COVID-19 outbreak and authorizing the Executive Director in consultation with Governing Board Chair and the Agency’s legal counsel to adjust these deviations as necessary to promote public health and meeting participation.

In order for motion to pass, an affirmative vote of five Board members from each state is required.

Contact Information:

For questions regarding this agenda item, please contact John Marshall, at (775) 303-4882 or jmarshall@trpa.org.

STAFF REPORT

Date: March 18, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Tahoe Douglas Visitor's Authority Tahoe South Event Center, TRPA File# ERSP2017-1212, 55 Highway 50, Stateline, NV, Douglas County, Nevada, APN 1318-27-002-006

Requested Action:

Governing Board action on the proposed project and a mitigated finding of no significant effect.

Staff Recommendation:

TRPA staff recommends that the Governing Board make the required findings and approve the proposed project with environmentally protective conditions. Staff makes this recommendation based upon the project elements and the mitigation, monitoring, and adaptive management elements contained in the proposed conditions of approval. Together, these conditions minimize, offset, and mitigate the environmental impacts from operations of the Events Center.

Governing Board Required Motions:

To approve the proposed project, the Governing Board must make the following motions, based on this staff summary and the evidence in the record:

- 1) A motion to approve the required findings (see Attachment A), including a mitigated finding of no significant effect; and
- 2) A motion to approve the proposed project, subject to the draft permit (see Attachment B).

For the motions to pass, an affirmative 5-9 vote (5 Nevada and 9 total) of the Board is required.

Background:

In November 2017 the Tahoe Douglas Visitor's Authority (TDVA) submitted a project application to TRPA for a 6,000-seat Events Center. The project site is located at the southeast corner of the US Highway 50 intersection with Lake Parkway near the MontBleu resort hotel. The TDVA is responsible for the planning, construction and eventual operation of the Events Center.

TRPA prepared a draft Environmental Assessment (EA) to evaluate the potential impacts of the project. TRPA released a draft EA on January 13, 2020 and a public hearing was held at the January 22, 2020 Governing Board meeting to solicit comments on the draft EA.

During the review of the project, potential impacts to transportation and air quality /greenhouse gases ("GHG") were identified as the main environmental issues. At the public hearing on the draft EA and during subsequent stakeholder meetings concern was expressed about the assumptions used to

evaluate the effectiveness of paid parking and micro transit to achieve reductions in vehicle miles traveled (VMT) and trips. TRPA received comment letters from the League to Save Lake Tahoe and Office of the California Attorney General that identified concerns regarding adequacy of the EA, and recommended mitigation measures and the post project monitoring plan. In response to comments received during the comment period, TRPA convened a group of stakeholders. The stakeholders focused first on mitigation to ensure the project does not increase VMT. Stakeholder discussions also addressed daily vehicle trip ends (DVTE) and project monitoring. The outcomes of the stakeholder discussions are discussed in the Regional Plan Conformance section below.

Project Description:

The proposed Events Center building would consist of two levels: an event floor level and a suites and offices level. The building footprint is approximately 88,000 square feet and the total floor area is approximately 138,500 square feet. The proposed Events Center design has a maximum height of 85 feet and complies with the maximum height limits within 100 feet of U.S. Highway 50 (i.e., over 80 percent of the portion of the Events Center located within 100 feet of U.S. Highway 50 is below 56 feet in height). The facility's flexible design offers a variety of venue configurations for events including conventions and conferences, sports, trade shows, performing arts and musical concerts. The maximum seating capacity is 6,000, which would include floor seating for a concert or performing arts event. During trade shows, ice skating shows, and sporting events, such as hockey, basketball and volleyball, up to 4,200 seats would be available. To reduce traffic loads and competition with other area venues during the peak season, which runs from June 15 through Labor Day, a 2,500-seat limit would be implemented for the Events Center. A year-round paid parking program and a transit service are also proposed. In addition, the Events Center is designed for "shelter-in-place" (i.e., as an emergency shelter) during an emergency in the event of a natural disaster. The Events Center could host up to 130 events per year with most of the events likely occurring in spring, early summer, and fall months.

The Events Center's proposed exterior design is in response to its position as the gateway to the south shore. Through a combination of building materials, colors, façade articulation and setback from the roadway, the Events Center will incorporate architectural design strategies and site planning principles to upgrade the character and quality of the nearby built environment.

The space surrounding the Event Center would be enhanced with a new lawn area, public plaza and pedestrian paths connecting the Events Center to the adjacent streetscape. Pedestrian connections will be provided from the street level to the Events Center to enhance the walking environment and create public gathering spaces. A key feature of the enhanced streetscape design is a transit pull-off with shelters to maximize the benefit of public transportation opportunities. The project also includes the undergrounding of overhead utility lines located along MontBleu street frontage.

Project Location:

Within the project area, the proposed improvements associated with the Events Center will be sited within a 13.3-acre project area boundary that fits almost entirely within the existing already developed area of the MontBleu surface parking lots.

Environmental Review:

The EA prepared for the project assesses whether the Events Center may proceed without preparation of a full Environmental Impact Statement. The EA evaluates whether all potential impact can be safely determined to be insignificant to begin with or adequately mitigated. The EA concludes all potential impacts can be fully mitigated with specific and enforceable measures. In particular, the traffic

mitigations require an aggressive mitigation and monitoring program and mandatory adaptive measures in the event monitoring reveals that transit service and parking management are not achieving the required trip and VMT reduction performance measures.

To determine whether the assumptions in the environmental assessment's traffic analysis regarding the effects of paid parking and transit were reasonable, TRPA retained a transportation consulting firm to independently peer review the traffic analysis. The peer review identified a concern that the "study assumes that all customers of the proposed event center that are lodging in or outside the Casino Core will have a negligible impact on VMT given that: 1) they will be in the Tahoe Basin for other reasons other than a given scheduled event; or, they will simply replace visitors that would be lodged there in the first place given that hotel occupancy rates are typically "very high" during the peak summer season. The peer review also noted the analysis assumptions should distinguish between different types of events that will be held (e.g. sporting event, concert, trade show, conferences). In response to the peer review, the traffic analysis was revised to include a sensitivity analysis that better reflects the uncertainty in percentage trip and VMT reductions as a result of paid parking and transit service. The sensitivity analysis presents the possible reductions as a range rather than a fixed percentage that could imply a certainty that cannot be established based on available research studies. Based on this more conservative analysis, and other information incorporated based on the peer review, the EA determined the impact to vehicle trips and VMT to be potentially significant. The major revisions to the EA are:

- 1) Changes to the assumptions regarding VMT and trip generation based on hotel/motel occupancy rates. The draft EA only considered occupancy rates for hotels/motels located in the Stateline area of Nevada and the revised EA includes consideration of occupancy rates in the City of South Lake Tahoe as well.
- 2) Changes to the assumptions regarding the type of events expected to be held over the year. A table is now included in the EA that describes the type and number of expected events as well as the number of attendees. This change better informs the expected traffic generation from events at the Event Center.
- 3) Consideration of the VMT/trip reductions associated with year-round paid parking and year-round free transit. The draft EA only considered reductions in VMT/trips from seasonal paid parking and transit.

The final EA (including version that highlights the changes made to the draft EA) may be found here:

<https://www.trpa.org/document/projects-plans/>

Regional Plan Compliance Analysis:

A. Level of Review:

The Code of Ordinances requires Governing Board review of the project because it involves the addition of more than 3,000 square feet of new public service (public owned assembly and entertainment) floor area. The proposed project complies with the Regional Plan Goals and Policies and the TRPA Code of Ordinances, including all required findings in Chapters 3, 4, 30, 33, and 50 (see Attachment A).

B. Transportation:

The EA describes the existing traffic, parking, and circulation system in the vicinity of the project site and presents the regulations applicable to the study area. The EA also identifies significance criteria for traffic, parking, and circulation impacts. In addition, future cumulative transportation impacts are evaluated, and mitigation measure are identified.

To fully mitigate the impacts of traffic, Events Center operations must result in:

- 1) No net increase in trips and vehicle miles travelled annually and during peak summer days.
- 2) No increase in Level of Service (“LOS”) as identified in Event Center Environmental Assessment Tables 3.5-2 and 3.5-3. [Insert discussion of basic performance measures.

To evaluate the traffic impacts from projects, TRPA requires that a transportation analysis be based on traffic impacts occurring on a peak summer day in August. The following key assumptions are applied in the transportation analysis for the summer “design day”:

- A 2,500-attendee concert/entertainment or sporting event occurs at the proposed venue
- The paid parking program and transit service are implemented
- Casino core employees are exempted from the paid parking program
- Only one event occurs at the proposed event venue over the course of the day
- No concert event occurs at Harvey’s the same day or concurrently.

The goal of the transit and parking management mitigation measures is to help implement the TRPA Regional Transportation Plan (RTP). The mitigations are consistent with the following RTP policies:

- Policy 2.11: Coordinate public and private transit service, where feasible, to reduce costs of service and avoid service duplication.
- Policy 2.4: Improve the existing transit system for the user making it frequent, fun, and free in targeted locations. Consider and use increased frequency, preferential signal controls, priority travel lanes, expanded service areas, and extended service hours.
- Policy 4.5: Support the use of emerging technologies, such as the development and use of mobile device applications, to navigate the active transportation network and facilitate ridesharing, efficient parking, transit use, and transportation network companies.

The EA disclosed that operation of the Events Center would add significant VMT and GHG emissions. The measures, adaptive management plan and mitigation monitoring necessary to avoid, mitigate and offset are described below.

Events Center Seating Capacity Limitations

As proposed, the Event Center will limit attendance from June 15 through the Labor Day weekend to reduce transportation related impacts. Additional limits to venue capacity may be required if traffic reduction measures do not achieve the goal of no net increase in VMT or trips. Specifics of the seating capacity limitation requirements are:

- 1) The applicant is required to record a TRPA-approved deed restriction to limit event size to 2,500 during June 15 through Labor Day, 6,000 attendees the rest of the year. The deed restriction will also include a provision that the capacity, number, or distribution of type of events may be restricted beyond these limits in accordance with the Adaptive Management Plan

The capacity, number, or distribution of type of events may be restricted beyond these limits in accordance with the Adaptive Management Plan (See Attachment A of the draft permit). By May 1 of each year, the applicant will submit a list of events scheduled for the upcoming year divided into the June 15 through Labor Day period and the rest of the year, including the maximum attendance for each event. If additional events are subsequently scheduled, the applicant will submit an updated event list to TRPA within 10 days prior to the subsequently scheduled event(s).

- 2) The applicant will post a \$25,000 security with TRPA, concurrently with submission of the first June 15 through Labor Day period event list. The security will be forfeited to TRPA if an event during any yearly June 15 through Labor Day period exceed the 2,500-attendee limitation. If the initial posted security is forfeited, the applicant will replace the \$25,000 security with a \$50,000 security. If any subsequently posted security is forfeited, the security required to be posted with TRPA will be increased in \$25,000 increments. TRPA will use all monies forfeited under these provisions for enhanced transportation and transit services to offset the impacts of added attendance.
- 3) To ensure the limitations are adhered to over the long-term, any contract the applicant awards to operate the Event Center will provide that the management company or other responsible entity must limit attendance from June 15 through Labor Day to 2,500 persons per day.
- 4) Seating capacity will be further reduced if traffic reduction measures do not achieve the goal of a net zero impact to VMT and DVTE.

Parking Management

To meet the performance metrics, TDVA proposed seasonal paid parking to offset VMT and trips associated with Event Center operations. As a result of public comment and stakeholder concerns regarding the effectiveness of seasonal paid parking in reducing traffic, TDVA agreed to implement a parking management program that now includes year-round paid parking. The parking management program that must be in place prior to Event Center operations requires:

- 1) The applicant to submit an agreement among TDVA, TRPA and the owners of Harrah's, Harvey's, MontBleu, and Hard Rock resort hotels to manage their parking lots year-round consistent with the Main Street Management Plan (MSMP) Parking Management Program.

- 2) Year-round paid parking at Harveys, Harrah's, MontBleu and Hard Rock Hotel and Casino. Employees are exempted from the paid parking program.
- 3) A flexible parking fee based on market conditions. This includes all guests/customers, including club card holders. Pricing must be set at a level necessary to produce the reductions in VMT and trips identified in the EA.
- 4) No "in and out" privileges for day users using the parking lots. Overnight visitors will be allowed "in and out" privileges.
- 5) An enforcement strategy to prevent parking impacts in adjacent neighborhoods.
- 6) A wayfinding and parking guidance signage plan.
- 7) On-line transportation and paid parking information given with Event Center ticket purchases.
- 8) Electronic based application payment system for paid parking.

Transit Service

In addition to paid parking, the applicant also proposed seasonal free transit to help reduce VMT and trips associated with Events Center operations. Stakeholders support the transit proposal but expressed concerns about the effectiveness of transit to reduce traffic if only in operation seasonally. During the stakeholder meetings the need for free, consistently available transit with short headways was identified as important for meeting transit goals of reducing dependence on the automobile and increasing ridership. As a result, the transit program was changed to include free year-round transit. During the first five years of Event Center operations year-round transit will be seasonal (summer and winter). After the first five years of Events Center operations a year-round transit system must be in place with the following operational details:

- 1) Continuous daily service year-round in a service area between the Round Hill, NV area on the north and the Bijou Center, CA area on the west, including a one-way loop around Pioneer Trail, Ski Run Boulevard and US 50 (See Appendix A of Permit Attachment A for transit service area).
- 2) On-demand rides will be available within the core service area using a rider mobile application for making ride requests. At the time of ride request, rider will receive an estimated wait time based on current outstanding ride requests and real-time vehicle routing.
- 3) Fixed route will run between Montbleu and Round Hill Pines Beach Resort.
- 4) Vehicle tracking and stop estimated times of arrival will be viewable using the rider application.
- 5) All services will be fare free.
- 6) The transit fleet will include a minimum of four vehicles in order to meet and maintain 15-minute headways.
- 7) If changes to the transit measures are proposed, they must be consistent with the transit component of the MSMP as approved by the TRPA Governing Board.

- 8) To generate additional funding for transit enhancements, the applicant will require that the operator of the Event Center include a surcharge of \$4.00 for each participant contracted or ticket issued for every Event Center event. At least 75 percent of the surcharge shall be dedicated to transit enhancements above and beyond the transit operations required by the Adaptive Management Plan (Attachment A). The funds collected may be used to further reduce the VMT generated by the Events Center. The applicant may use up to 25 percent of the surcharge for post project monitoring.

Level of Service

Level of service (LOS) is a term used to qualitatively describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, delay, and safety. Traffic and parking management measures are needed during peak periods of event-related traffic. The following traffic management measures are required to provide acceptable intersection LOS:

- 1) An ingress/egress, loading and traffic management plan that includes but is not limited to rideshare, taxi loading, queuing areas, signage and pedestrian access management.
- 2) Lake Parkway/Montbleu Driveway intersection (peak/off-peak season) – Provide Traffic Control Officer.
- 3) Lake Parkway/Heavenly Village Way intersection provide a post-event Traffic Control Officer until and unless construction of the US 50 bypass project.

Traffic Reduction Adaptive Management Plan

An adaptive management plan was developed with stakeholder input to ensure Events Center operations do not result in an increase in VMT and trips. The adaptive management plan requires the implementation of additional traffic reduction measures if monitoring determines the initial traffic reduction measures are not effective at achieving the required reductions in VMT and trips. The specific requirements of the plan are:

- 1) Baseline and Effectiveness Monitoring: TDVA is required to monitor pre- and post-commencement of Events Center operations.
- 2) Performance Metrics: triggers were established for major and minor exceedances of the VMT and LOS metrics. If the performance metrics are exceeded, the adaptive management plan requires implementation of additional traffic reduction measures in order to achieve a net zero increase in VMT. Minor exceedances are defined as increases equal to or less than 200 trips or 1,000 VMT and major exceedances are defined as more than 200 trips or 1,000 VMT. The LOS triggers for further action are set forth in Tables 3.5-2, -3 of the EA.
- 3) If monitoring after implementation of additional traffic reduction measures reveal exceedances, TDVA will decrease the number and/or capacity of events held at the Events Center in order to ensure the performance metrics are met unless it can implement, or fund implementation of, other major traffic reduction measures such as transit service to intercept lots. The required decrease in the number and/or capacity of events is proportional to the number of trips that exceeded the net zero increase in VMT/trip standard.

Adaptive Management Plan Reporting and Implementation

During the first five years of Event Center operations, a quarterly monitoring report and an annual report will be prepared. The annual report will be prepared by October 1. The report will include a summary of data collected for each event monitored and an assessment of the extent to which the established performance standards are met or exceeded.

After year five of Event Center operations, the quarterly monitoring reports may be discontinued, and an annual monitoring report will be prepared by October 1. The report will include a summary of data collected for each event monitored and an assessment of the extent to which the established performance standards are met or exceeded.

Stakeholder Committee Coordination

TDVA is required to coordinate with stakeholders to evaluate monitoring results. The purpose of coordinating with varied interests is to identify and to understand the cause and effect of factors, including those not specifically associated with the Events Center, that may be affecting traffic patterns/volumes and spillover parking from paid parking and how to respond to monitoring and determine next steps with stakeholder/applicant endorsement. The Stakeholder Committee must include, but is not limited to, Event Center representative, a state representative with statewide interest from each state, and representatives from Douglas County, the City of South Lake Tahoe, TRPA, public safety, and TTD. Meetings shall include:

- 1) Quarterly Coordination Meetings: For the first 20 years of Event Center operations, TDVA will organize quarterly one or more meetings as needed with the governmental, environmental, and economic interests represented by the Stakeholder Committee to evaluate the success and effectiveness of Event Center strategies and monitoring results.
- 2) Annual Coordination Meetings: During the life of the Event Center, TDVA will organize annually one or more meetings as needed with the Stakeholder Committee to evaluate and recommend, based on monitoring results, projected transit service needs and associated improvements to transit service operations. The public shall be invited and given an opportunity to provide comment.

Recommendation of Additional Management Options

The draft permit allows flexibility in the identification and implementation of the most effective and cost-efficient traffic reduction measures. Equal or superior traffic reduction mitigation measures may be proposed, subject to evaluation of effectiveness by a qualified third-party transportation consulting firm, hired by TRPA at the applicant's cost. The alternative traffic reduction mitigation measures will be reviewed by the stakeholder group identified above. As the permitting authority for the Project, TRPA in consultation with TDVA, will decide on additional measures to be implemented. Annual monitoring reports shall be completed by October 1 and a recommendation to the Governing Board shall be made no later than December 31st. The additional measures shall be implemented before the next summer season of operations with TDVA responsible for providing necessary funding. The selection of additional performance measures for implementation shall be subject to review and approval by the TRPA Governing Board. See Appendix C of permit Attachment A for the list of Additional Traffic Reduction Measures.

Monitoring

The adaptive management plan requires long-term monitoring to verify the effectiveness of the traffic reduction measures and to determine if additional traffic reduction measures are needed. The attached Monitoring Plan is the monitoring framework that will be applied to data collection for Event Center monitoring. Its specific terms are subject to refinement between permit approval and permit acknowledgement to assure it is well targeted to necessary data and cost efficient. The framework for the monitoring program is:

Goal: The goal of Event Center monitoring is to understand how the Event Center, paid parking and transit is reducing or generating VMT/trips and affecting/or not, offsite parking impacts/spillover. The following principles will guide development of the monitoring plan:

- 1) Establish baseline condition that will be used to determine impacts from Events Center through monitoring – particularly impacts from paid parking.
- 2) Ensure the monitoring plan isolates impacts (trips, VMT, LOS, neighboring parking) resulting from Event Center operations.
- 3) Understand what external forces (economy, weather, etc.) may be driving increases or decreases that are not attributable to the Event Center.
- 4) Make monitoring cost efficient. Avoid over-monitoring of data not tailored to desired outcomes (scope and scale).

See Appendix B of permit Attachment A for the Monitoring Plan.

C. Scenic Resources:

The project area is visible from two scenic roadway units (Units 31 and 32) and from Recreational Area 37 (Heavenly Ski Resort). The project area is also visible from other scenic resources areas. The scenic quality of these areas would not be affected by the construction of the Events Center due to the distance and intervening vegetation between the structure and the scenic viewpoints.

A scenic impact analysis, visual simulations and a massing study are included in the EA. Simulations were prepared from a variety of viewpoints. The EA also includes an analysis of alternatives to the project that includes evaluating the scenic impacts from a different location for the Event Center and an alternative that includes a reduction in height of the structure. The alternative analysis concludes the preferred site is the proposed location at the corner of Highway 50 and Lake Parkway.

Within the boundary of the Event Center project area, pedestrian-oriented development along Highway 50 would include increased building setbacks compared to existing developments, a visible event lawn, improved landscape elements and street trees, new pedestrian amenities, and a unified façade, oriented toward the street and transit facilities. Overhead utilities along the east side of U.S. Highway 50 (at the Lake Parkway intersection) would be removed as part of the adopted South Shore Community Revitalization Project (i.e., Loop Road), or if that project is not constructed, would be completed within the Event Center project area and immediately across Lake Parkway as part of the proposed project. Based on these elements and including the proposed building design, materials, and colors, the EA concludes there may be an incremental improvement to the applicable roadway travel route threshold rating and no mitigation is required. Conditions of approval require:

- 1) Coordination with the Main Street Management Plan streetscape design to ensure consistency in the type and location of pedestrian amenities.
- 2) Final TRPA approval of building materials and colors.
- 3) Final approval of landscape and irrigation plans and streetscape design.

C. Groundwater Interception:

Groundwater is expected to be intercepted during construction and seasonally over long-term operations of the facility. Generally, seasonal high groundwater measurements across the project area range from 13.5 feet to over 25 feet below ground surface (bgs) where excavations are proposed. The Proposed Action requires a maximum excavation depth of approximately 25.5 feet, which would extend approximately 12 feet below the seasonal high groundwater levels at the eastern extent of the proposed structure (located at the back of house and vehicle service area).

Most of the excavation depths are not anticipated to extend to the seasonal high groundwater level. However, because of seasonal fluctuation and the timing of construction, variable depth to bedrock, and slope topography across the site, the need for construction and post construction dewatering is anticipated. The TRPA Code of Ordinances allows for the interception of groundwater if “there are no feasible alternatives for locating mechanical equipment, and measures are included in the project to prevent groundwater from leaving the project area as surface flow, and any groundwater that is interfered with is rerouted in the ground water flow to avoid adverse impacts to riparian vegetation.”

Mechanical equipment such as boilers, electrical, chillers, and an elevator are located on the ground floor which is the same level as the event floor. According to the project architect the building would not be marketable if mechanical equipment associated with back of house functions (such as loading/unloading dock) were not located on the same level as the event floor. The EA identifies mitigation for groundwater interception which includes dewatering during construction and over long-term operations of the facility that will prevent the intercepted groundwater from leaving the site as surface flow.

During construction temporary dewatering wells will be constructed and intercepted groundwater will be captured and discharged to the vacant property north of Lake Parkway through a system of sprinklers which will require approval from the Nevada Division of Water Resources. The intercepted groundwater will be pumped through a settling tank to allow any suspended sediment to settle out prior to the water being discharged into the undeveloped meadow across Lake Parkway Drive.

During the long-term operations of the facility permanent dewatering is required. Groundwater will be intercepted behind the retaining walls located at the back of house service dock area and rerouted to a permanent on-site infiltration facility to ensure runoff does not leave the site as surface flow. The capacity of the permanent facility is oversized by a factor of four to accommodate flows from above average winters. The groundwater infiltration facility will be located downslope from the Event Center and will be separate from the proposed underground stormwater infiltration facility. Conditions of approval addressing groundwater interception will require:

- 1) Review and approval of final temporary and permanent dewatering systems.
- 2) A maintenance and monitoring plan for the dewatering and infiltration facilities to ensure long-term functionality of the system.

- 3) Construction of the permanent infiltration facility to be completed by October 15 of the first construction season. Once the permanent dewatering facility is completed the temporary system will be discontinued to avoid surface dewatering over the winter while snow is on the ground.

D. Area Plan:

The project is located in the South Shore Area Plan. The Land Use Classification for the project area is High Density Tourist. The High-Density Tourist District contains a concentration of hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities for residents. The High-Density Tourist District is the appropriate location for the Region’s highest intensity development. The proposed activity (Public Owned Assembly and Entertainment) is listed as an allowed special use.

E. Land Coverage:

1. Land Capability Districts:

The project area has been verified as Class 6, 5, 2, 1a and 1b. The total project area is 1,626,555 square feet (37.34 acres).

2. Allowable Land Coverage:

Class 1b:	393,496 s.f. x 1% =	3,935 s.f.
Class 1a:	82,547 s.f. x 1% =	826 s.f.
Class 2:	68,468 s.f. x 1% =	685 s.f.
Class 5:	40,067 s.f. x 25% =	10,017 s.f.
Class 6:	1,041,977 s.f. x 30% =	312,592 s.f.
<u>Total Allowable Land Coverage</u>		= 328,055 s.f.

3. Existing Approved Land Coverage:

Class 1b:	152,939 s.f.
Class 1a:	0 s.f.
Class 2:	1,725 s.f.
Class 5:	2,176 s.f.
<u>Class 6:</u>	<u>610,776 s.f.</u>
Total	767,616 s.f.

4. Excess Land Coverage:

Class 1b:	149,004 s.f.
Class 2:	1,040 s.f.
Class 5:	7,841 s.f.
<u>Class 6:</u>	<u>298,184 s.f.</u>
Total	456,069 s.f.

5. <u>Proposed Land Coverage:</u>	
Class 1b:	152,939 s.f.
Class 2:	1,725 s.f.
Class 5:	2,176 s.f.
<u>Class 6:</u>	<u>606,423 s.f.</u>
Total	763,263 s.f.

There is a reduction of 4,353 s.f. of existing land coverage with the proposed project.

F. Building Height:

The proposed height of the structure is 85 feet – 1 inch and the allowable height is 95 feet. The building complies with the requirement of the South Shore Area Plan that over 80 percent of the portion of a structure within 100 feet of U.S. highway 50 be below 56 feet in height.

G. Parking:

The proposed project will result in the elimination of 468 parking spaces. The Event Center will enter into parking agreements with the owners of Harrah’s, Harvey’s, MontBleu, and Hard Rock resort hotels to manage their parking lots year-round consistent with the Main Street Management Plan (MSMP) Parking Management Program. The EA concludes that there will be a surplus of parking on days of the greatest parking demand associated with the Event Center which is a concert event. The estimated number of surplus parking spaces is 1,187.

H. Water Quality:

The proposed structure will replace approximately two acres of an existing paved parking area. Stormwater from the existing parking lot is collected in storm drains and routed to pre-treatment facilities on the MontBleu property that include sediment collection vaults and oil and grease separators. Stormwater is then conveyed to stormwater facilities operated by the Stateline Stormwater Association that was created to construct and operate a common stormwater treatment system to serve the Stateline casino corridor. Maintenance of the existing stormwater facilities occurs annually and consists of sediment removal and replacements of hydrocarbon absorbent booms within each pre-treatment vault as well as a systemwide inspection.

Stormwater sediment loading will be reduced since more runoff volume would originate from the roof of the proposed Event Center building instead of the existing surface parking lots which are a source of fine sediment. The relatively cleaner roof runoff will not require pre-treatment and will be infiltrated on-site. The proposed stormwater runoff and conveyance that would result from the proposed project was modeled for comparison to the existing drainage and conveyance across the project area. The modeling concluded that the proposed project would contribute roughly 1% of the credits needed to meet Douglas County’s Total Maximum Daily Load reduction milestone by the year 2021.

Contact Information:

For questions regarding this project, please contact Paul Nielsen, at (530) 318-6025 or pnielsen@trpa.org

Attachments:

A. Required Findings/Rationale

B. Draft Permit

- Attachment A to the Draft Permit – Adaptive Management Plan

- Permit Appendix A - Transit Service Area Map

- Permit Appendix B - Monitoring Plan

- Permit Appendix C - Additional Traffic Reduction Measures

C. Project Plans (site plan, floor plans, building elevations, landscaping, etc.)

Attachment A

Required Findings/Rationale

REQUIRED FINDINGS/RATIONALE FOR APPROVAL OF THE
TAHOE SOUTH EVENT CENTER

The following findings in Chapter 3: *Environmental Documentation*, Chapter 4: *Required Findings*, Chapter 21, *Permissible Uses*, Chapter 30: *Land Coverage*, , Chapter 33, *Grading and Construction and* Chapter 50, *Allocation of Development* of the TRPA Code of Ordinances must be made in order to approve the project:

CHAPTER 3 FINDINGS – ENVIRONMENTAL DOCUMENTATION

Finding 3.3.2.A: The proposed project could not have a significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with Rules of Procedure Section 6.6.

Rationale: Based on the information submitted in the Tahoe South Event Center Environmental Assessment (EA) the proposed project would not have a significant effect on the environment.

Water Quality:

The proposed structure will replace approximately two acres of an existing paved parking area. Stormwater sediment loading will be reduced since more runoff volume would originate from the roof of the proposed Event Center building instead of the existing surface parking lots which are a source of fine sediment. The EA concludes that the proposed project would contribute roughly 1% of the credits needed to meet Douglas County’s Total Maximum Daily Load reduction milestone by the year 2021.

Groundwater Interception:

Groundwater is expected to be intercepted during construction and seasonally over long-term operations of the facility. During construction temporary dewatering wells will be constructed and intercepted groundwater will be captured and discharged to the vacant property north of Lake Parkway through a system of sprinklers. During the long-term operations of the facility groundwater will be intercepted behind the retaining walls located at the back of house service dock area and rerouted to a permanent on-site infiltration facility to ensure runoff does not leave the site as surface flow. The capacity of the permanent facility is oversized by a factor of four to accommodate flows from above average winters.

Scenic Quality:

A scenic impact analysis, visual simulations and a massing study are included in the EA. Simulations were prepared from a variety of viewpoints. Within the boundary of the Event Center project area, pedestrian-oriented development along Highway 50 would include increased building setbacks compared to existing developments, a visible event lawn, improved landscape elements and street trees, new pedestrian amenities, and a unified façade, oriented toward the street and transit facilities. Based on these elements and including the proposed building design, materials, and colors, the EA concludes there may be an incremental improvement to the applicable roadway travel route threshold rating.

Air Quality/Traffic/GHG Emissions:

The EA assesses whether the project may proceed without preparation of a full

Environmental Impact Statement if all potential impact can be safely determined not to be significant or adequately mitigated. The analyses conclude that all potential impacts can be fully mitigated with specific and enforceable mitigation. In particular, the traffic mitigations require an aggressive mitigation monitoring program and mandatory adaptive measures in the event monitoring reveals that transit service and parking management are not achieving the required trip and VMT reduction performance measures.

To fully mitigate the impacts of traffic from the Event Center, operations must result in:

1. No net increase in trips and vehicle miles travelled annually and during peak summer days.
2. No increase in Level of Service (“LOS”) as identified in Event Center Environmental Assessment Tables 3.5-2 and 3.5-3. [Insert discussion of basic performance measures.

Paid parking and transit service are key elements of the project that address impacts related to traffic. Mitigations ensure the long-term operation of the Event Center will not result in a net increase in VMT or trips. The proposed mitigation measures focus on Event Center seating capacity limitations, parking management, transit, level of service, and mitigation monitoring. In addition, an adaptive management approach to implementing mitigations is proposed that requires changes to the traffic reduction measures (i.e. year-round paid parking/management and transit) if monitoring determines the goal of no net increase in VMT and trips is not achieved. The Events Center parking management plan and transit proposal will be required to coordinate and integrate with the Highway 50 Project’s Main Street Management Plan, once adopted.

As shown in Tables 3.6-4 through 3.6-7 of the Tahoe South Event Center EA, project construction and operation would not generate emissions that exceed applicable daily or annual standards or deteriorate air quality or conflict with adopted air quality plans.

The GHG emissions from construction and operation of the Proposed Action would not conflict with the GHG-related plans, policies or regulations. The Project would not conflict with federal, state, or TRPA applicable plans, policies, or regulations for reducing GHG emissions. Diesel fuel consumption would occur and increased vehicle trips would likewise occur; however, the location of the Event Center adjacent to existing tourist accommodations, and near existing residential areas surrounding the tourist and commercial core improve pedestrian and transit access to the proposed facility, and reduce overall reliance on vehicle trips to access the facility. For the Proposed Action, the transit summer shuttle and paid parking programs will reduce vehicle trips and associated use of diesel fuel to better achieve GHG reduction goals.

The proposed project will not result in the creation of additional land coverage and the proposed use is a permissible use identified in the South Shore Area Plan. TRPA rules and regulations will continue to be in place to ensure maintenance and

attainment of the environmental thresholds and the proposed project will not have a significant effect on the environment. As a result, TRPA has prepared a mitigated finding of no significant effect as required by Rules of Procedure, Section 6.6.

All of the adverse environmental effects associated with the proposed Tahoe South Event Center project may be avoided or reduced to a less-than-significant level with the adoption of the mitigation measures set forth in the EA and the conditions of approval contained in the draft permit. Table 1-1 in the EA summarizes potential impacts and mitigations.

CHAPTER 4 FINDINGS – REQUIRED FINDINGS

Finding 4.4.1.A: The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs.

Rationale: The transit and parking management mitigation measures are designed to help implement the TRPA Regional Transportation Plan (RTP) and are consistent with the following RTP policies:

Policy 2.11: Coordinate public and private transit service, where feasible, to reduce costs of service and avoid service duplication.

Policy 2.4: Improve the existing transit system for the user making it frequent, fun, and free in targeted locations. Consider and use increased frequency, preferential signal controls, priority travel lanes, expanded service areas, and extended service hours.

Policy 4.5: Support the use of emerging technologies, such as the development and use of mobile device applications, to navigate the active transportation network and facilitate ridesharing, efficient parking, transit use, and transportation network companies.

The South Shore Area Plan identifies the project area as High Density Tourist District, which is defined as: “The High Density Tourist District contains a concentration of hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto dependent development pattern and provides economic opportunities for local residents. The High-Density Tourist District is the appropriate location for the Region’s highest intensity development.”

The South Shore Area Plan establishes objectives for this area dominated by casino and hotel uses. The objectives seek to: replace the casino towers with energy efficient, architecturally compatible buildings; reduce coverage and surface parking; restore stream environment zones; create a pedestrian friendly environment; and provide a variety of recreational opportunities (including indoor and outdoor entertainment) within walking distance from the bed base to revitalize and sustain the economy while contributing to TRPA environmental threshold attainment.

The project will result in the reduction of coverage and elimination of approximately two acres of existing surface parking to be replaced with an

architecturally compatible building. The design of the improvements is consistent with design standards and guidelines of the South shore Area Plan and the proposed use is listed as a permissible use. The proposed project as conditioned in the draft permit (see Attachment C) is compliant with all provisions of the Regional Plan and will not adversely affect its implementation including all applicable goals and policies, local plans (i.e., plan area statements, community plans, and area plans) adopted for the purpose of implementing the Regional Plan and their maps, the TRPA Code, and other TRPA plans and programs (as amended).

Finding 4.4.1.B: The project will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: Based on the analysis in the Tahoe South Center Project EA and Table 2-1, implementation of the Tahoe South Event Center project would not cause the environmental threshold carrying capacities to be exceeded. The primary threshold areas that affected by the project are Air Quality/Transportation, Water Quality and Scenic Quality.

Air Quality/Transportation: As shown in Tables 3.6-4 through 3.6-7 of the Tahoe South Event Center EA, project construction and operation would not generate emissions that exceed applicable daily or annual standards/thresholds or deteriorate air quality or conflict with adopted air quality plans. The Proposed Action would likely result in fewer operational emissions than shown in the tables referenced above due to implementation of the paid parking program and summer shuttle program which would result in a reduction of existing daily vehicle trips but was not included in the assumptions related to the generation of emissions.

Mitigation measures require that Event Center operations must result in:

1. No net increase in trips and vehicle miles travelled annually and during peak summer days.
2. No increase in Level of Service (“LOS”) as identified in Event Center Environmental Assessment Tables 3.5-2 and 3.5-3. [Insert discussion of basic performance measures.

Paid parking and transit service are key elements of the project that address impacts related to traffic. The proposed mitigation measures focus on Event Center seating capacity limitations, parking management, transit, level of service, and mitigation monitoring. In addition, an adaptive management approach to implementing mitigations is proposed that requires changes to the traffic reduction measures (i.e. year-round paid parking/management and transit) if monitoring determines the goal of no net increase in VMT and trips is not achieved.

The GHG emissions from construction and operation of the Proposed Action would not conflict with the GHG-related plans, policies or regulations. The Project would not conflict with federal, state, or TRPA applicable plans, policies, or regulations for reducing GHG emissions. Diesel fuel consumption would occur and increased vehicle trips would likewise occur; however, the location of the Event Center adjacent to existing tourist accommodations, and near existing residential areas

surrounding the tourist and commercial core improve pedestrian and transit access to the proposed facility, and reduce overall reliance on vehicle trips to access the facility. For the Proposed Action, the transit and paid parking programs will reduce vehicle trips and associated use of diesel fuel to better achieve GHG reduction goals.

For the reasons described above and based on the Tahoe South Event center Project EA, the proposed project would not cause the air quality thresholds to be exceeded.

Water Quality: The proposed structure will replace approximately two acres of an existing paved parking area. Stormwater sediment loading will be reduced since more runoff volume would originate from the roof of the proposed Event Center building instead of the existing surface parking lots which are a source of fine sediment. The EA concludes that the proposed project would contribute roughly 1% of the credits needed to meet Douglas County's Total Maximum Daily Load reduction milestone by the year 2021.

Groundwater is expected to be intercepted during construction and seasonally over long-term operations of the facility. During construction temporary dewatering wells will be constructed and intercepted groundwater will be captured and discharged to the vacant property north of Lake Parkway through a system of sprinklers. During the long-term operations of the facility groundwater will be intercepted behind the retaining walls located at the back of house service dock area and rerouted to a permanent on-site infiltration facility to ensure runoff does not leave the site as surface flow. The capacity of the permanent facility is oversized by a factor of four to accommodate flows from above average winters.

For the reasons described above and based on the Tahoe South Event Center EA the proposed project would not cause the water quality thresholds to be exceeded.

Scenic Quality: The project area is visible from two scenic roadway units (Units 31 and 32) and from Recreational Area 37 (Heavenly Ski Resort). The project area is also visible from other scenic resources areas, but the scenic quality of these areas would not be affected by the construction of the Events Center due to the distance and intervening vegetation between the structure and the scenic viewpoints.

A scenic impact analysis, visual simulations and a massing study are included in the EA. Simulations were prepared from a variety of viewpoints. Within the boundary of the Event Center project area, pedestrian-oriented development along Highway 50 would include increased building setbacks compared to existing developments, a visible event lawn, improved landscape elements and street trees, new pedestrian amenities, and a unified façade, oriented toward the street and transit facilities.

Within the boundary of the Event Center project area, pedestrian-oriented development along Highway 50 would include increased building setbacks compared to existing developments, a visible event lawn, improved landscape elements and street trees, new pedestrian amenities, and a unified façade, oriented toward the street and transit facilities. Overhead utilities along the east side of U.S. Highway 50 (at the Lake Parkway intersection) would be removed as

part of the adopted South Shore Community Revitalization Project (i.e., Loop Road), or if that project is not constructed, would be completed within the Event Center project area and immediately across Lake Parkway as part of the proposed project.

Based on these elements and including the proposed building design, materials, and colors, the EA concludes there may be an incremental improvement to the applicable roadway travel route threshold rating. For these reasons, the proposed project would not cause the roadway units, shoreline units or scenic recreation area thresholds to be exceeded.

Soil Conservation: The proposed action would be located on the existing parking lot and would reconfigure the parking lot and landscaping to accommodate the new facility and parking layout, including creation of a landscaped lawn area and other landscape features. Grading would occur and the topography would change to accommodate entrances and layout; however, the overall site slope would be retained as depicted in the site plans.

There are no portions of the project area that are located on or near steep terrain and subject to slope instability (i.e., land sliding, both gravitational and earthquake-induced) hazards. Because of the developed state and the relatively flat topography of the project area, the possibility of landslides and seismically induced slope instability is considered very low. Unstable soil conditions do not currently exist within the project area. Compliance with Douglas County building codes and design standards, and implementation of geotechnical recommendations, project design features and the TRPA Erosion and Sediment Control Plan would avoid the creation of unstable soil conditions. Also, according to the Geotechnical Report (Black Eagle Consulting Inc. 2017), the Proposed Action would not alter geologic substructures.

Implementation of the proposed action would result in an approximately 4,353 square foot reduction in impervious land coverage. However, even with the coverage reduction, the total land coverage still exceeds coverage limits (328,055 square feet) by 456,069 square feet. No new temporary disturbance or permanent land coverage within LCD 1b, 1a, 2, or 5 lands would occur under the Proposed Action. No opportunity for Stream Environment Zone restoration exists on the project area because it consists of the Montbleu casino structures. Existing land coverage that exceeds TRPA base allowable land coverage is considered a significant impact requiring mitigation in compliance with TRPA Code Section 30.6, Excess Land Coverage Mitigation Program. For the reasons described above, and based on the Tahoe South Event Center EA, the proposed project would not cause the soil conservation thresholds to be exceeded.

Vegetation: Under the proposed action the vegetation in the project area will not be disturbed, injured, or removed during construction except in accordance with the conditions of project approval (TRPA Code Section 33.6). Trees, major roots, and other vegetation not specifically designated and approved for removal in connection with the Project will be protected through application of TRPA approved methods. Temporary construction fencing will be installed to clearly delineate the project area boundary and protect vegetation outside of the designated project area. No tree removal is proposed within SEZs and no TRPA special-interest plant species occur within the project area. For the reasons

described above, and based on the Tahoe South Event Center EA, the proposed project would not cause the vegetation thresholds to be exceeded.

Wildlife/Fisheries: The project area is currently developed, and the construction and operation of the proposed action would not result in physical disturbance to surrounding forest habitat; thus avoiding and minimizing potential impacts to special status species. Due to the location of construction activities, which are either within existing asphalt pavement or within the existing road rights-of-way, only four (4) trees of greater than 24-inch would require removal and potential impacts to habitat or nesting pairs would be avoided through implementation of the project's resource protection measures. Total tree removal would be up to 34 trees (18 trees between 14-inch and 24-inch dbh and 12 trees less than 14-inch dbh). Because of the urban characteristics and management of the project area, there are no snags (dead trees that provide wildlife habitat). Project construction will incorporate the appropriate resource protection measures to avoid impacts to migratory birds during nesting periods in accordance with TRPA Chapter 62. Should there be a discovery of a TRPA-designated sensitive species or species of interest, or the location of a nest or den of such a species, this discovery would be immediately reported to TRPA. Nests, dens, or plant locations would be protected in accordance with TRPA regulations, and construction work within the project area would cease until TRPA identifies under what conditions the Project may again commence and implementation continue.

There are no waterbodies within or adjacent to the project area. For the reasons described above and based on the Tahoe South Event Center EA, the proposed project would not cause the wildlife or fisheries thresholds to be exceeded.

Noise: The Proposed Action is construction and operation of the TSEC building, an enclosed events center and its adjacent event lawn. Noise generated within the structure would be mostly insulated from outside noise receptors. While noise producing events such as sporting events and concerts may occur in the building, they would not be substantially audible outside the building, and an events center is not considered a significant stationary source such as an industrial complex. Exterior noise would also include mechanical equipment noise; however, the primary noise source would be event traffic and vehicle activity associated with operation of the facility. Existing daily traffic numbers along U.S. 50 in the vicinity of the TSEC range from 22,000 to nearly 38,000 trips (in both directions). The EA noise analysis shows that for increased traffic to be noticeable and have a potential to exceed existing CNEL measurements, the number of vehicles in the vicinity of the proposed Event Center area along U.S. 50 would have to double.

Construction would result in temporary noise increases; however, no extraordinary noise level above typical construction noise is anticipated. Construction noise levels are exempt between the hours of 8:00 a.m. and 6:30 p.m. Construction noise would be most audible to patrons on the MontBleu Casino and Resort, the Hard Rock Hotel and Casino and patrons of the Edgewood Golf Course. If construction occurred outside this time, guests of the adjacent hotels could be exposed to severe noise levels.

As discussed in the project description, construction measures include noise best management practices. Active construction would be limited to between the hours

of 8:00 a.m. and 6:30 p.m., except during potential continuous concrete pours, which would occur during overnight hours if required for the project's foundation. Exceptions to the construction limitation (exceedance of CNEL levels outside the hours of 8:00 a.m to 6:30 p.m.) will need to be acquired to allow certain types of construction work outside the exemption hours. Equipment would be equipped with mufflers and engine shrouds per the manufacturers' specifications and vehicle idling for construction equipment should be kept to a maximum of five minutes. For the reasons described above and based on the Tahoe South Event Center EA the proposed project would not cause the noise thresholds to be exceeded.

Recreation: The proposed action would establish a new regional indoor entertainment venue that would provide space for sports events, performances, and conventions/banquets. This would not detract from existing outdoor recreation opportunities. Use of the facility would differ from existing recreational facilities and would not compete with those uses as the facility would not be used for every day, casual recreation such as an outdoor or school-related basketball court or sports field. The facility would be used for scheduled, large events, with a large spectator base, such as semi-professional hockey, regional tournaments or competitions, or large sports clinics.

Population increases associated with the Proposed Action are addressed in Chapter 13 of the EA. The Proposed Action would generate approximately 12 new full-time positions. Large events would generate up to 225 part-time positions (during a maximum 6,000-seat event); however, these jobs would primarily be filled by existing part-time or seasonal workers. This change in population associated with new employment would be spread through the South Tahoe area in both California and Nevada as well as the Carson Valley. Existing recreational facilities would accommodate this growth and no increase in recreational demand would occur that would result in the need to construct additional facilities. Likewise, the slight increase in demand would not overburden existing facilities or cause a decrease in the quality of the facilities as a result of demand. Increased tourist populations associated with attendance at the proposed TSEC would not be of a size that would negatively affect existing recreation. The variety and dispersion of recreation facilities and opportunities in the area would dispel demand in any one area or for any recreational facility. For the reasons described above, and based on the Tahoe South Event Center EA, the proposed project would not cause the recreation thresholds to be exceeded.

As demonstrated in the Tahoe South Event Center Project EA there are no unmitigated adverse impacts to the thresholds. TRPA rules and regulations will continue to be in place to ensure maintenance and attainment of the environmental thresholds and the proposed project will not have a significant effect on the environment.

Applicable environmental threshold carrying capacities are incorporated into the criteria of significance for each applicable resource evaluation in Chapter 3 of the EA. As explained in the findings portion of Table 2-1, changes or alterations have been required or incorporated into the proposed Tahoe South Event Center Project that avoid or reduce any significant adverse environmental effects of the proposed amendments to a less-than-significant level. As a result, TRPA has

prepared a mitigated finding of no significant effect as required by Rules of Procedure, Section 6.6.

Finding 4.4.1.C: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V (d) of the Tahoe Regional Planning Compact.

Rationale: The Tahoe South Event Center does not affect or change the federal, state, or local air and water quality standards applicable to the Region. As disclosed in the EA (Section 3.2, Hydrology, Surface Water Quality and Groundwater, and Section 3.6, Air Quality/Greenhouse Gases), these standards were used as criteria of significance where applicable and no unmitigable air quality and water quality impacts were found.

Based on the Tahoe South Event Center EA, no applicable federal, state or local air or water quality standard would be exceeded with implementation of the Tahoe South Event Center Project. The proposed project would be required to meet the strictest applicable air or water quality standards and implement water quality improvements consistent with TRPA BMP requirements, the Lake Tahoe Total Maximum Daily Load (TMDL), and the county and city Pollutant Load Reduction Plan (PLRP) in California and Stormwater Load Reduction Plan (SLRP) in Nevada.

To reduce fugitive dust emissions during all construction activities involving earth-moving activities, the prime construction contractor shall implement all available fugitive dust control measures. The project would also be required to comply with TRPA's Best Construction Practices Policy for Construction Emissions (TRPA 2013); construction idling restrictions set forth in Section 65.1.18 of the TRPA Code.

The proposed project will not alter federal, state, or local air or water quality standards currently in place. Therefore, the strictest standards will continue to be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact. In addition, the applicant will comply with all temporary and permanent air and water quality BMP requirements which will prevent any adverse impacts to federal, state, or local air and water quality standards (Also see rationale for finding 4.4.1.A, above).

Finding 4.4.2: In order to make the findings required by subparagraph 4.4.1, TRPA evaluated the proposed project pursuant to the provisions of subsection 4.4.2.

Rationale: In making the findings required by subparagraph 4.4.1, TRPA evaluated the proposed project pursuant to the provisions of subsection 4.4.2 and found that it would not negatively impact a compliance measure, resource capacity, target date or interim target date, threshold, or Environmental Improvement Program (EIP) project.

Finding 21.2.2.A: The project to which the use pertains is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located.

Rationale: The project is located in the South Shore Casino core, which is home to Harrah's, Harvey's, Hard Rock and MontBleu resort hotels. Combined, the Casinos have five existing hotel towers ranging in height from 85 to 197 feet, 2,266 hotel rooms, four parking garages and acres of surface parking. Various shops and restaurants are also located in the Core.

The project will be constructed on a paved parking area on the MontBleu property comprised of approximately 13.7 acres. The building footprint is approximately 88,000 square feet (sf) and the total floor area is approximately 138,500 sf. The building is 85 feet in height and consists of two levels: an event floor level and a suites and office level. Existing parking at MontBlue is sufficient to serve the parking demands of the project, and the proposed micro-transit and paid parking programs will reduce reliance on the private automobile.

The project is designed to host a variety of event types including concerts, conventions, trade shows, sporting events, banquets and performing art shows and has a maximum seating capacity of approximately 6,000. The project is sized between existing casino ballrooms and theaters (750 - 1,750 indoor capacity) and the existing Harvey's Lake Tahoe Outdoor Arena (8,000 capacity). Since the project site is currently occupied by entertainment-related uses in multi-story towers adjacent to US 50, and surrounding properties contain similar uses in buildings much taller than the Event Center building, the project is of such a nature, scale, density, intensity, and type to be an appropriate use for the parcel on which and surrounding area in which it will be located.

Finding 21.2.2.B: The project to which the use pertains will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners.

Rationale: As described above, the purpose of the project is to provide a multi-functioning facility that is designed to accommodate a variety of events, uses and functions for which there is no appropriately sized indoor venue in the Core. While the Casinos have facilities that can accommodate several of the events that are proposed at the Event Center, they are limited due to square footage, seating capacity, lack of appropriate infrastructure or a combination of these factors. The project is designed to account for the existing facility limitations, while also maximizing the use of existing land coverage, maximizing proximity to existing tourist accommodations and transit, addressing drainage and water quality, and reducing potential noise and air conflicts.

Specifically, the project will reduce land coverage and replace existing asphalt with clean building materials, thereby improving water quality. The project, which

includes transit, paid parking and adaptive management programs, will reduce existing VMT on the peak summer day and existing vehicle trips on an annual basis. As designed, the project ensures the protection of persons and the environment of the neighborhood and region.

Finding 21.2.2.C: The project to which the use pertains will not change the character of the neighborhood, or detrimentally affect or alter the purpose of the applicable planning area statement, community plan, and specific or master plan, as the case may be.

Rationale: The project is located in the High-Density Tourist District of the South Shore Area Plan (SSAP). The District includes the high-rise Casinos, various shops in a multi-story building and several restaurants. US 50 runs through the center of this highly urbanized area. Since the project site is currently occupied by entertainment-related uses in multi-story towers adjacent to US 50, and surrounding properties contain similar uses in buildings much taller than the Event Center building, the project will not change the character of the neighborhood. project consists of an 85-foot tall building

The project supports the SSAP's objective for the District by providing a large indoor entertainment venue, within walking distance of the bed base in the casino core and other tourist amenities and attractions, that can accommodate a wide range of events for both local residents and visitors. The project will help to maintain steady tourism in the shoulder season and allow for a different variety and caliber of events consistent with SSAP's vision for the District to enhance recreational opportunities in the area. Accordingly, the project will not detrimentally effect or alter the purpose of the SSAP.

CHAPTER 30 FINDINGS – LAND COVERAGE

Finding 30.4.5.A: The relocation is to an equal or superior portion of the parcel or project area.

Rationale: The land coverage to be relocated will be adjacent to the removed land coverage location. Land coverage will be removed from an existing parking lot and relocated to the footprint of the new building, and pedestrian walkways and plaza areas adjacent to the new building. Relocation would be feasible since the areas are disturbed, on the same soil type, are adjacent to existing development, do not encroach on SEZ, and otherwise complies with coverage mitigation.

Finding 30.4.5.B: The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3.

Rationale: All areas of removed land coverage shall be revegetated. The applicant has submitted a landscape/revegetation plan documenting all areas disturbed by construction and areas of removed land coverage will be restored with the planting of trees, shrubs and groundcovers.

Finding 30.4.5.C: The relocation shall not be to Land Capability Districts 1a, 1b, 1c, 2, or 3, from any higher numbered land capability district.

Rationale: No land coverage is proposed to be relocated to Land Capability Districts 1a, 1b, 1c, 2, or 3, from any higher numbered land capability district.

CHAPTER 33 FINDINGS – GRADING AND CONSTRUCTION

Finding 33.3.6.A.2 Groundwater Interception, and 33.3.6.B – Excavation in excess of 5 feet or where there exists a reasonable possibility of interference or interception of a water table findings:

There are no feasible alternatives for locating mechanical equipment, and measures are included in the project to prevent groundwater from leaving the project area as surface flow, and any groundwater that is interfered with is rerouted in the ground water flow to avoid adverse impacts to riparian vegetation.

Rationale: Groundwater is expected to be intercepted during construction and seasonally over long-term operations of the facility. Most of the excavation depths are not anticipated to extend to the seasonal high groundwater level.

Mechanical equipment such as boilers, electrical, chillers, and an elevator are located on the ground floor which is the same level as the event floor. According to the project architect the building would not be marketable if mechanical equipment associated with back of house functions (such as loading/unloading dock) were not located on the same level as the event floor. Therefore, there a no feasible alternative for locating mechanical equipment.

The EA identifies mitigation for groundwater interception which includes dewatering during construction and over long-term operations of the facility that will prevent the intercepted groundwater from leaving the site as surface flow. There is no riparian vegetation in the project vicinity.

CHAPTER 50 FINDINGS – ALLOCATION OF DEVELOPMENT

Finding 50.8.1.A: There is a need for the project.

Rationale: The South Shore of Lake Tahoe currently lacks a year-round venue suitable to host conventions, trade shows, special events and entertainment. The desired condition is a high-quality public assembly and entertainment venue for residents and visitors to the south shore of Lake Tahoe. There is also a desire to reinvent the built environment, animating the street with retail, dining, entertainment and events, providing aesthetic and environmental enhancements, and improving the area’s market position and visitor experience.

As proposed, the Event Center will limit attendance from mid-June through the Labor Day weekend to no more than 2,500 persons per day. Hotel, motel, timeshare, and vacation home rental occupancies within and adjacent to the tourist core operate at near capacity during these peak summer months, commanding high room rates compared to the remainder of the year, particularly spring and fall. Due to high rate and occupancy, the summer room night inventory is not available to accommodate discounted room blocks necessary to attract group sales. Accordingly, since occupancies are at near capacity during the peak summer months, the Event Center project analysis assumes little to no increase in peak summer occupancy in as much as lodging inventory is already occupied. It is

anticipated the Event Center will increase occupancy in the spring, fall and winter, particularly mid-week when discounted group sales' room blocks are available. This is expected to change the business model favorably for the South Shore because it will generate steadier business revenues over more of the year.

To respond to both the name brand entertainment component and sports tourism, a facility capable of accommodating the seating for 6,000 persons for entertainment and with an area of 29,000 sf for sporting events is proposed. This space allocation will also accommodate floor exhibition and trade show functions, as well as banquet seating for up to 1,500 persons. To host the range of anticipated events, approximately 10,000 sf of meeting rooms, a commissary kitchen, concession stands, locker rooms, dressing rooms, storage, ticket office, and supporting office spaces are programmed. Most annual events (approximately 90) are expected to draw between 250 and 1,200 attendees.

Finding 50.8.1.B: The project complies with the Goals and Policies, applicable plan area statements, and Code;

Rationale: The proposed project is located in Land Use District 4 of the Bijou-Al Tahoe Community Plan. Schools – College is an allowed use for this Community Plan District. The design of the improvements is consistent with the design standards and guidelines of District 4 of the Bijou-Al Tahoe Community Plan. The proposed project as conditioned in the draft permit (see Attachment C) is compliant with all provisions of the Community Plan and Regional Plan and will not adversely affect their implementation.

Finding 50.8.1.C: The project is consistent with the TRPA Environmental Improvement Program;

Rationale: The US 50 South Shore Community Revitalization Project is listed on the five-year EIP list (EIP # 03.01.02.0024) and will achieve multi-threshold attainment in Transportation and Air Quality, Water Quality, and Scenic Resources. The Event Center project will assist in implementing the project by providing free transit and parking management in the Core area. The parking management plan will encompass the four major casinos which have frontage along Highway 50. In addition, the Event Center project will help to implement the EIP by undergrounding utility lines, which are considered EIP project, along the property frontage which will result in benefits to scenic quality.

Finding 50.8.1.E: If the proposed project is to be located within the boundaries of a community plan area, then, to the extent possible consistent with public health and safety, the project is compatible with the applicable community plan; and

Rationale: The project is located in the South Shore Area Plan. The Land Use Classification for the project area is High Density Tourist. The High-Density Tourist District contains a concentration of hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities for residents. The High-Density Tourist District is the appropriate location for the Region's highest intensity development. The Events Center is designed for "shelter-in-place" (i.e., as an emergency shelter) during an emergency should a

natural disaster occur in the area. The proposed activity (Public Owned Assembly and Entertainment) is listed as an allowed special use.

Finding 50.8.1.F:

Where a public service project is proposed for construction in a community plan area before the community plan has been adopted by TRPA, the sponsoring entity shall demonstrate that the need for such a construction schedule outweighs the need for the prior completion of the community plan process.

Rationale:

The proposed project is located within the boundaries of an adopted community/area plan.

Attachment B

Draft Permit

Draft Permit

PROJECT DESCRIPTION: Tahoe South Events Center APN: 1318-27-002-006

APPLICANT: Tahoe Douglas Visitor’s Authority FILE #: ERSP2017-1212

COUNTY/LOCATION: Douglas / 55 Highway 50, Stateline

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on **March 25, 2020**, subject to the standard conditions of approval attached hereto (Attachments Q) and the special conditions found in this permit.

This permit shall expire on **March 25, 2023**, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

CONSTRUCTION SHALL NOT COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE APPLICANT(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE APPLICANT OBTAINS APPROPRIATE COUNTY PERMIT. TRPA’S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

Date

APPLICANTS’ ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Applicant _____ Date _____

(PERMIT CONTINUED ON NEXT PAGE)

**APN 1318-27-002-006
FILE NO. ERSP2017-1212**

SECURITY AND MITIGATION FEE INFORMATION

Excess Coverage Mitigation Fee(1): Amount \$ _____	Paid _____	Receipt No. _____
Project Security(2): Amount \$ _____ Type _____	Posted _____	Receipt No. _____
Security Administration Fee: Amount \$ <u>206.00</u>	Posted _____	Receipt No. _____
Monitoring Deposit(3): Amount \$ <u>10,000.00</u>	Paid _____	Receipt No. _____
Capacity Exceedance Security(4): Amount \$ <u>25,000.00</u> Type _____	Posted _____	Receipt No. _____
Security Administration Fee: Amount \$ <u>206.00</u>	Posted _____	Receipt No. _____

Notes:

- (1) See Special Condition 5.B, below.
- (2) See Special Condition 5.A, below.
- (3) See Special Condition 5.C, below.
- (4) See Special Condition 5.E, below.

Required plans determined to be in conformance with approval: Date: _____

TRPA ACKNOWLEDGEMENT: The Applicant has complied with all pre-construction conditions of approval as of this date:

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit authorizes construction of the Tahoe South Events Center (“Events Center”). The building consists of two levels: an event floor level and a suites and offices level. The building footprint is approximately 88,000 square feet and the total floor area is approximately 138,500 square feet. The approved building height is 85 feet. The proposed design would repurpose the space between the Events Center and MontBleu for use as an event lawn, public plaza and pedestrian paths connecting the Events Center with the adjacent streetscape. Streetscape improvement consist of a transit pull-off with shelters to maximize the benefit of public transportation opportunities, sidewalks, landscaping and lighting consistent with the Main Street streetscape design. This permit requires the placement of 615 linear feet of overhead utility lines to be placed underground. The facility’s is authorized to host conventions and conferences, sports, trade shows, performing arts and musical concerts.

The maximum seating capacity is approximately 6,000, which would include floor seating for a concert or performing arts event. During the peak season, which runs from June 15 through the Labor Day weekend, a 2,500-seat limit would be implemented for the Events Center during the peak season. In addition, the paid parking program and a new microtransit service described in Attachment A of this permit shall be operational prior to holding the first event in the Events Center. The Events Center is designed for “shelter-in-place” (i.e., as an emergency shelter) during an emergency should a natural disaster occur in the area. Office and meeting spaces are approved to accommodate Events Center administration, the TDVA and the Tahoe Chamber of Commerce. The verified existing land coverage is 767,616 square feet and the total approved land coverage is 763,264 square feet. The approved roof material is non-reflective composite shingles. The maximum approved depth of excavation is 25.5 feet.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. The permittee shall mitigate the impacts of traffic from the Events Center so that operations result in no net increase in trips and vehicle miles travelled annually and during peak summer days or an increase in Level of Service (“LOS”) as identified in Tahoe South Events Center Environmental Assessment (“EA”) Tables 3.5-2 and 3.5-3.
4. In order to ensure that the performance metrics identified in Special Condition 3 are continuously met, the permittee shall implement the Tahoe South Events Center Traffic Reduction Adaptive Management Plan (“Adaptive Management Plan”) appended hereto as Attachment A of this permit and incorporated as a condition. The microtransit and paid parking program described in the Adaptive Management Plan shall be operational prior to holding the first event in the Events Center and throughout its operational life.
5. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
 - A. The security required under Standard Condition I.B. of Attachment Q shall be equal to 110% of the estimated BMP cost and shall be determined upon the permittee’s submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
 - B. The affected property has 767,616 square feet of excess land coverage. The permittee shall mitigate a portion or all excess land coverage on this property by removing coverage within Hydrologic Transfer Area 4 – South Stateline (Nevada side), or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of 5.0% (as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise the final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Land coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$15.00 for projects within Hydrologic Transfer Area 4 – South Stateline (Nevada side). Please provide an updated construction cost estimate by your licensed contractor, architect or engineer. See TRPA Code of Ordinance Subsection 30.6.1.C.2 for how to calculate the construction cost estimate for the purposes of the excess land coverage mitigation fee.

- C. The permittee shall submit a \$10,000.00 deposit for monitoring costs. Field inspections and administrative costs related to monitoring will be charged against this deposit. This deposit is based on review of three monitoring plans per year, for a minimum of 5 years. Fees charged against this deposit will be based on a reasonable hourly rate, \$75 per hour at the time of permit issuance. Rates are subject to change for inflation. If necessary, TRPA will send an invoice for an additional deposit to cover monitoring costs. Any such invoice shall be paid within 30 days. Upon successful completion of the monitoring period, any funds remaining in the deposit shall be refunded to the permittee.
- D. The permittee shall record a TRPA-approved deed restriction to limit event size to 2,500 during June 15 through Labor Day, 6,000 attendees the rest of the year. The deed restriction shall also include a provision that the capacity, number, or distribution of type of events may be restricted beyond these limits in accordance with the Adaptive Management Plan. These restrictions cannot be modified or revoked without TRPA approval. The deed restriction shall remain in place for the life of the operations of the Events Center unless TRPA approves its removal. The deed restriction shall include the following or comparable language:
- “From June 15 through Labor Day of each year, no event or combination of Events Center events shall exceed 2,500 attendees per day. From the day after Labor Day to June 14, no event or combination of Events Center events shall exceed 6,000 attendees per day. The capacity, number, or distribution of type of events may be restricted beyond these limits in accordance with the Adaptive Management Plan attached hereto). No later than May 1 of each year, the permittee shall submit a list of events scheduled for the upcoming year divided into the June 15 through Labor Day period and the rest of the year, including the maximum attendance for each event. Should additional events subsequently be scheduled, the permittee shall submit an updated event list to TRPA no later than 10 days prior to the subsequently scheduled event(s). No later than October 1 of each year, the permittee shall submit a report of all events held during the prior June 15 through Labor Day period, including actual attendance counts for each.”
- E. The permittee shall post a \$25,000 security with TRPA, concurrently with submission of the first June 15 through Labor Day period event list required herein, which security shall be automatically forfeited to TRPA should an event during any yearly June 15 through Labor Day period exceed the 2,500-attendee limitation. If the initial posted security is forfeited as provided herein, the permittee shall replace the \$25,000 security with a \$50,000

security. If any subsequently posted security is forfeited as provided herein, the security required to be posted with TRPA shall be increased in \$25,000 increments. TRPA shall use all monies forfeited under these provisions for enhanced transportation and transit services to offset the impacts of added attendance. The provisions of this paragraph shall be in addition to, and do not preclude use of, TRPA's enforcement authority pursuant to Article VI of the Tahoe Regional Planning Compact.

Any contract the Permittee awards to operate the Events Center shall provide that the management company or other responsible entity must limit attendance from June 15 through Labor Day to 2,500 persons per day.

- F. The permittee shall submit an agreement between TDVA, TRPA and the owners of Harrah's, Harvey's, MontBleu, and Hard Rock resort hotels to manage their parking lots year-round consistent with the Main Street Management Plan (MSMP) Parking Management Program if adopted by the TRPA Governing Board. The agreement shall require market rate, year round paid parking be in place prior to commencement of operations of the Events Center. The agreement shall also require participation in the MSMP Parking Management Program as long as that participation will not result in the elimination of the paid parking requirement required by TRPA to mitigate the traffic impacts associated Events Center operations. The agreement shall also specify that the implementation of additional parking management measures beyond those specified in the Adaptive Management Plan must be consistent with the parking management component of the MSMP as approved by the TRPA Governing Board. If either the MSMP Parking Management Plan is not adopted or the US 50 Community Revitalization Project (EIPC 201-0008) does not occur, the owners of these resort hotels shall also agree to prepare and manage their parking lots under a paid parking program for the Events Center, including a fee structure, wayfinding, signage, technology and enforcement agreements, a parking program manager, information technology and data, enforcement operations, employee parking program and other operating and monitoring requirements; all designed to ensure that the trip reductions identified in the Events Center Environmental Assessment occur to offset all new trip and VMT created by operation of the Events Center. The price for parking shall be set at rate to at least meet the trip and VMT reductions projected in the Tahoe South Events Center Environmental Assessment (March 2020). Should the owners of Harrah's, Harvey's, MontBleu, and Hard Rock resort hotels (or their successors) individually or jointly end their participation in the paid parking required by this provision, the permittee shall within 60 days submit to TRPA for review and approval a plan to mitigate the lack of participation or cease operations of the Events. The permittee shall implement the plan immediately upon TRPA approval.
- G. The permittee shall submit an active raptor and migratory bird nest site and wildlife nursery site protection program. The Program shall include dates surveys will occur, consultation, and protective actions. Pre-construction surveys, conducted during the nesting/breeding season immediately prior to initial project construction (e.g., excavation, grading and tree removal), shall be conducted to identify any active raptor or migratory bird nest sites and wildlife nursery sites (bat roosts) within the Project area. During initial construction activities (tree removal and excavation for construction), a qualified biological

monitor shall be onsite to evaluate whether any raptors or migratory birds are occupying trees or whether any wildlife den/nursery sites are within the Project area. The biological monitor will have the authority to stop construction near occupied trees or nursery sites if it appears to be having a negative impact on nesting raptors or migratory birds or their young observed within the construction zone. If construction must be stopped, the monitor must consult with TRPA and/or NDOW staff within 24 hours to determine appropriate actions to restart construction while reducing impacts to identified nursery sites, raptors or migratory bird nests.

- H. The permittee shall prepare a Storm Water Pollution Prevention Plan (SWPPP), which describes the site, sediment, erosion and dust control measures and maintenance responsibilities. The plan shall also address tracking of sediment off site during construction. The plan shall include proposed methods for winterizing the site prior to October 15 during each year of construction. Water quality controls shall be consistent with the TRPA Handbook of Best Management Practices, the Nevada Division of Environmental Protection and Douglas County requirements for erosion control. Water quality controls shall ensure that runoff quality meets or surpasses TRPA water quality objectives. The SWPPP shall specifically include a dewatering plan and measures to prevent/minimize sediment and contaminant releases into groundwater during excavations, and methods to clean up releases if they do occur. Measures to prevent/minimize sediment and contaminant releases into groundwater during excavations and methods to clean up releases may include using temporary berms or dikes to isolate construction activities; using vacuum trucks to capture contaminant releases; and maintaining absorbent pads, and other containment and cleanup materials on-site to allow an immediate response to contaminant releases if they occur.
- I. The permittee shall submit a temporary dewatering plan consistent with the recommendations included in the technical memo from Welsh/Hagan dated November 4, 2019.
- J. A BMP Inspection and Maintenance Plan shall be submitted detailing necessary maintenance activity and schedules for all BMPs installed on the property. All BMPs shall be maintained subject to the Inspection and Maintenance Plan approved as part of this permit. All maintenance activities shall be recorded in a corresponding maintenance log. This log shall be maintained for the life of the property and made available for inspection by TRPA staff. If this log is not complete, TRPA will assume that maintenance has not been performed and reserves the right to revoke the BMP Certificate of Completion.
- K. The Permittees shall prepare an exterior lighting plan in conformance with Chapter 30 of the TRPA Code and other applicable TRPA standards. The Lighting Plan shall encompass all public areas and street frontages.
- L. The applicant shall submit a Construction Noise Control plan for TRPA review and approval. Said plan shall include best available noise mitigation technology and shall restrict noise generating construction activities to the hours of 8:00 a.m. to 6:30 p.m.

- M. The permittee shall provide evidence that a boundary line adjustment has been approved and acknowledged by the TRPA, and recorded with the Douglas County Recorder's Office, that adjusts the existing lot lines to reflect the proposed project area. As an alternative the permittee may record a TRPA approved project area deed restriction to combine both parcels for the purposes of land coverage calculations.
 - N. The permittee shall provide final will-serve letters that indicate adequate services are available for water, sewer, fire flow and access, gas and electricity.
 - O. The permittee shall submit calculations demonstrating that the proposed infiltration facilities are sized accordingly for the slope and soil type of the property and will capture and infiltrate a 20 year/1-hour storm event.
 - P. The permittee shall submit three sets final construction plans and property owner and utility provider authorization for the 615 linear feet of overhead utility lines to be placed underground.
 - Q. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area, as outlined in Section 33.5 of the TRPA Code of Ordinances. The construction schedule shall also identify the underground groundwater infiltration chamber will be completed and operational by October 15 of the first year of construction.
 - R. The permittee shall pay all invoices from Hauge Brueck and Associates, LLC to TRPA for completion of the project EA have been paid in accordance with the provisions of the three-party contract.
 - S. The permittee shall submit a fertilizer management plan in accordance with the standards required in Section 60.1.8 of the TRPA Code of Ordinances for TRPA review and approval.
 - T. The permittee shall submit a contaminated soils remediation plan for contaminated soils associated with a former underground storage tank near the entrance to the parking structure consistent with the requirements of the Nevada Division of Environmental Protection (NDEP).
 - U. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
6. An increase to the 2,500-person building capacity limit extending from June 15 thru the Labor Day weekend requires TRPA Governing Board approval and modification of the deed restriction recorded pursuant to Special Condition 5.D after consultation with and recommendation of the stakeholder group created by the Adaptive Management Plan.
 7. From June 15 through Labor Day of each year, no event or combination of events shall exceed 2,500 attendees per day. No later than May 1 of each year, the permittee shall submit a list of events scheduled for the upcoming June 15 through Labor Day period, including the maximum attendance for each event. Should additional events subsequently be scheduled for that period,

the permittee shall submit an updated event list to TRPA no later than 10 days prior to the subsequently scheduled event(s). No later than October 1 of each year, the permittee shall submit a report of all events held during the prior year, separating out the June 15 through Labor Day period, including actual attendance counts for each individual event. The total number of events is limited to 130 events and 220 event days. Not less than three years after operations of the Events Center commence, the Permittee may, after consultation with and recommendation of the stakeholder group created by the Adaptive Management Plan, propose to the TRPA Executive Director to amend the above limitations on event number and days if monitoring results from implementation of the Adaptive Management Plan establish sufficient and sustained VMT reductions to offset any change in VMT produced by an amendment to the event number and day limitations. The Executive Director's decision is subject to appeal to the TRPA Governing Board pursuant to Article XI of the TRPA Rules of Procedure.

8. The Permittee shall ensure that the attendee arrival or departure shall not occur at peak hour for large events, defined as more than 2,000 in the summer and 4,000 in other seasons.
9. The Permittee shall require that the operator of the Events Center include a surcharge of at least \$4.00 for each participant contracted or ticket issued for every Events Center event. At least 75 percent of the surcharge shall be dedicated to transit enhancements above and beyond the transit operations required by the Adaptive Management Plan (Attachment A). The funds collected may be used to further reduce the VMT generated by the Events Center. The Permittee may use up to 25 percent of the surcharge for monitoring required by this permit with any unused portion dedicated to transit enhancements above and beyond the transit operations required by the Adaptive Management Plan. After review and recommendation by the stakeholder group, the Permittee shall submit for TRPA review and approval an annual plan for the use and distribution of the funds generated by the surcharge required by this condition.
10. Prior to commencement of operations, the Permittee shall submit for TRPA review and approval an Employer Transportation Plan, pursuant to TRPA Code of Ordinances Section 65.5.2.B.2, to reduce automobile trips associated with TDVA's commuting employees. The Employer Transportation Plan's Transportation Control Measures pursuant to 65.5.3 shall include the provision of secure bicycle parking, showers, lockers, and a meaningful credit or subsidy for employees commuting by non-auto modes or car or vanpooling.
11. In order to address potential impacts from taxis, limousines, and Transportation Networking Companies (e.g., Lyft, Uber) ("TNCs"), the Permittee shall prior to commencement of operations provide a plan for TRPA review and approval that includes but not limited to a dedicated "wait and hold" area for such vehicles, appropriate wayfinding to alert Events Center participants to the dedicated pickup area, measures to control vehicle staging and operations on U.S. 50, and appropriate enforcement mechanisms. The dedicated "wait and hold" area shall be located sufficiently distant from building exits to minimize congestion at event release.
12. The Tahoe South Events Center is considered a public service use (Publicly Owned Assembly and Entertainment). If the Tahoe South Events Center is sold to a private entity, the building will be considered a commercial use (Privately Owned Assembly and Entertainment) and shall not operate

until approximately 138,500 square feet (subject to verification) of commercial floor area is either allocated or transferred (or a combination thereof) to the property in accordance with the requirements of the TRPA Code of Ordinances.

13. The Applicant and contractor shall coordinate with law enforcement and fire protection agencies, utility companies, and businesses within the vicinity of the construction area prior to and during construction activities. This coordination shall inform affected parties of the construction schedule and allows development of actions to best maintain access and service in the active project area. Coordination with utility companies shall follow accepted practice. During final plan preparation, utilities shall be located on the civil plan sheets and confirmed to identify the depth to conduit, pipeline, or other facility and to avoid significant grade changes for maintenance of minimum coverage depths for safety and compliance. If necessary, utility infrastructure, including underground or aboveground connections, shall be relocated. Prior to construction, the contractor shall contact Underground Service Alert (USA) to ensure buried lines are properly located and marked and provide utility companies with an accurate schedule noting when construction occurs in the vicinity of their facilities.
14. Prior to occupancy and operation, the Applicant shall meet with the Tahoe Douglas Fire Protection District (District) to evaluate staffing and/or equipment needs generated by Events Center operations. A Funding Agreement between the Applicant and District shall be negotiated and established that requires the Applicant to pay their proportional fair share of impact fees to fund increased fire protection and emergency services that may include additional equipment or staffing to maintain current levels of service.
15. Any material excavated from the site that does not meet TRPA and NDEP waste discharge standards shall be hauled out of the Basin to an approved disposal site.
16. Temporary and permanent BMPs may be field fit as appropriate by the TRPA inspector.
17. Loose piles of soil, silt, clay, sand, debris, or other earthen material shall be covered to prevent the discharge of these materials.
18. Any soil tracked off site during construction shall be immediately cleaned up with a mechanical street sweeper.
19. The construction and use of concrete washout facilities is prohibited unless approved in writing by the TRPA Environmental Specialists.
20. If buried cultural resources are discovered during the course of construction activities, construction operations shall immediately stop in the vicinity of the find and the Nevada State Historic Preservation Office, shall be notified. At the discretion of the Nevada State Historic Preservation Office, the undertaking may proceed provided reasonable efforts are implemented to minimize harm to the resource until a determination of significance is made. Cultural resources could consist of, but not be limited to, artifacts of stone, bone, wood, shell, or other materials, or features, including hearths, structural remains, or dumps. If human burials are encountered, all work in the area will stop immediately and the County Coroner shall be notified. If the remains are determined to be Native American in origin, the State Native American Heritage Commission and the

appropriate Native American organization, pursuant to the requirements of the Native American Graves Protection and Repatriation Act of 1990 Section 3(d), shall be notified. Following notification, and upon certification that notification has been received, the undertaking may resume after 30 days.

21. The permittee shall prepare and provide photographs to the TRPA Compliance Inspector that have been taken during construction that demonstrate any subsurface BMPs or trenching and backfilling proposed on the project have been constructed correctly (depth, fill material, etc.).
22. All Best Management Practices, including the groundwater infiltration facility, shall be maintained in perpetuity to ensure effectiveness which may require BMPs to be periodically reinstalled or replaced.
23. All BMPs shall be maintained subject to the Inspection and Maintenance Plan approved as part of this permit. All maintenance activities shall be recorded in a corresponding maintenance log. This log shall be maintained for the life of the property and made available for inspection by TRPA staff. If this log is not complete, TRPA will assume that maintenance has not been performed and reserves the right to revoke the BMP Certificate of Completion.
24. Excavation equipment shall be limited to approved construction areas to minimize site disturbance. No grading or excavation shall be permitted outside of the approved areas of disturbance.
25. All waste resulting from the saw-cutting of pavement shall or other activities be removed using a vacuum (or other TRPA approved method) during the cutting process or immediately thereafter. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.
26. Any change to the project requires approval (except for TRPA exempt activities) of a TRPA plan revision permit prior to the changes being made to any element of the project related structures (i.e., coverage, landscaping, grading, BMPs, etc.). Failure to obtain prior approval for modifications may result in monetary penalties and removal of the unapproved elements.
27. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA

for actions arising directly or indirectly from issuance or implementation of this permit. TRPA reserves the right to select its own attorney. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

END OF PERMIT

Attachment A to the Draft Permit (Attachment B)

Adaptive Management Plan

Permit Attachment A

Tahoe South Event Center Traffic Reduction Adaptive Management Plan

Performance Metrics:

The TDVA shall mitigate the impacts of traffic from the Event Center so that operations result in:

- 1) No net increase in trips and vehicle miles travelled annually and during peak summer days.
- 2) No increase in Level of Service (“LOS”) as identified in Event Center Environmental Assessment Tables 3.5-2 and 3.5-3.

Initial Mitigation Measures:

The following traffic reducing measures shall be in place, upon opening of the Events Center and thereafter as long as it operates:

- 1) **Transit:** Provide a combination of fixed route, flexible route and on-demand transit service with 15-minute headways to meet the goal of net zero increase in VMT and vehicle trips (See Appendix A for service area). Year-round transit shall be provided in perpetuity after the first five years of Event Center operations. Prior to and for the first five following opening of the Event Center free to the user transit to be provided seasonally in core service area with the following minimum components:

- a) **Dates:** Continuous daily service year-round (seasonally in peak summer, June 15 through Labor Day weekend and major holiday periods during years one through two and during years three through five from June 15 through Labor Day weekend and winter, Dec 1 to April 1

Major Holiday Periods are defined as:

- The Wednesday preceding Thanksgiving thru the Monday following Thanksgiving
- The Friday preceding December 25 thru the Monday following January 1
- The Friday preceding Martin Luther King Jr. Day thru the Tuesday after Martin Luther King Jr. Day
- The Friday preceding Presidents Day thru the Monday after Presidents Day

- b) On-demand rides available within core service area

- Hours: 7am - 9pm, Monday - Friday
- Hours: 9am - 10pm, Saturday - Sunday
- Ability to extend service to add-on areas
- When major Event Center events end after 10 PM, the service hours would be extended to serve departing attendees

- C) On-demand rides requested using a rider mobile application
- D) At the time of ride request, rider will receive an estimated wait time based on current outstanding ride requests and real-time vehicle routing
- E) Fixed route will run between Montbleu (A) and Round Hill Pines Beach Resort (B)
 - Frequency: 15 minute headways (depending on time of day)
 - Hours: 9am - 5pm, Friday - Sunday
 - Dates: June 5 - September 20
- F) Vehicle tracking and stop estimated times of arrival will be viewable using the rider application
- G) All services will be fare free
- H) Fleet – To include, but is not limited to, the following vehicles in order to meet and maintain 15-minute headways:
 - On-demand service: At a minimum four vehicles
 - Fixed and flexible route service: At a minimum two vehicles

After the first five years of event center operations, free to the user micro-transit to be provided in core service area year-round as described above; headway can be reduced after Labor Day and before Memorial Day if ridership data warrants. To be provided for fixed route (orange line on Appendix A) seasonally as demand warrants. The implementation of additional transit measures below must be consistent with the transit component of the Main Street Management Plan (MSMP) as approved by the TRPAS Governing Board.

2) **Paid Parking:**

Implement a paid parking program at Harrah’s, Harvey’s, MontBleu, and Hard Rock resort hotels consistent with MSMP Parking Management Program and including flexible pricing rates, enforcement, and wayfinding; to be determined in coordination with Main Street Management Plan Parking Management Plan stakeholders. The following shall be in place upon opening of the Events Center:

The paid parking components shall include:

- Year-round paid parking
- No “in and out” privileges for day users (allowed for overnight visitors)
- Flexible fares based on market rates
- Enforcement strategy to prevent parking impacts in adjacent neighborhoods
- Wayfinding and parking guidance signage plan
- On-line transportation and paid parking information given with Event Center ticket purchases
- Electronic based application payment system

- Year-round parking management plan in place for events with 4,800 or more attendees including enforcement, wayfinding and parking guidance signage plan, and marketing strategy

3) **Traffic Management for LOS:**

Traffic and parking management measures should be provided during peak periods of event-related traffic. The following traffic management measures are needed in order to provide acceptable intersection LOS:

- 1) An ingress/egress, loading and traffic management plan that includes but is not limited to rideshare, taxi loading, queuing areas, signage and pedestrian access management
- 2) Lake Parkway/Montbleu Driveway intersection (peak/off-peak season) – Provide Traffic Control Officer.
- 3) Lake Parkway/Heavenly Village Way intersection provide a post-event Traffic Control Officer until and unless construction of the US 50 bypass project.

The initial mitigations measures may not be changed without TRPA approval. Major changes to the initial mitigation measures requires Governing Board approval.

Baseline and Effectiveness Monitoring:

TDVA shall monitor pre- and post-commencement of Events Center operations according to the monitoring requirements attached hereto as Appendix B.

Performance Metrics Triggers:

The following triggers for additional management measures shall be used:

- 1) **Minor exceedance:** equal to or less than 200 trips or 1,000 VMT
- 2) **Major exceedance:** more than 200 trips or 1,000 VMT
- 3) **Level of Service:** exceedance of LOS standard in Tables 3.5-2, -3.

Additional Management Measures:

If post-operation monitoring reveals exceedances of performance metrics, TDVA shall:

- 1) For minor exceedances, TDVA, with consultation and agreement from stakeholders specified in F.2, shall propose sufficient measures from Appendix C: Additional Traffic Reduction Measures, to reduce trips/VMT in order to achieve performance metrics.
- 2) For the first major exceedance, TDVA shall increase the year-round free transit service area by adding Area 1 (lighter blue on Appendix A), with at most 15-minute headway; headway can be reduced if ridership data warrants. Additional traffic control measures shall be proposed from

the list of Additional Traffic Reduction Measures and shall be selected based on efficacy and cost efficiency.

- 3) For exceedances of LOS standard, TDVA shall revise its traffic management plan, to include, but not limited to, increased use of traffic control officers, modification traffic patterns, and/or changed event start and end times.
- 4) In the case of any exceedance of trips/VMT, TDVA shall submit a plan for TRPA review and approval demonstrating with monitoring data, how the trips/VMT exceedance will be reduced with the applicable measure(s).
- 5) If monitoring after implementation of the applicable measures listed above reveal exceedances, TDVA shall decrease the number and/or capacity of events held at the Events Center in order to ensure the performance metrics are met unless it can implement, or fund implementation of, other major traffic reduction measures such as transit service to intercept lots.
- 6) Additional adaptive management measures required to meet net zero VMT/trip reductions shall be implemented three months after first year of monitoring, if required (subject to Governing Board approval). If the following year of monitoring concludes VMT/trip reductions are still not being met, then implement revised set of traffic reduction measures within three months (subject to Governing Board approval). If based on following year of monitoring, VMT/trip reductions are still not being met, staff will present a recommendation, based on stakeholder group input, regarding next steps which may include requiring capacity reductions specified in conditions. Future increases in capacity will be determined based on monitoring results that show enough reductions to justify increase in capacity and stakeholder group input. Capacity reductions shall not affect events that are previously “booked”. Capacity reductions shall apply to future “unbooked” events. Any reductions or increases in Event Center capacity is subject to Governing Board approval based on consideration of staff and stakeholder group recommendation.
- 7) The capacity of the number of events or type of event for the Event Center shall be reduced proportionally to the amount of VMT exceedance over the net zero standard. Based on the results of monitoring, the amount of VMT shall be divided by the average number of VMT (9.1 miles) associated with a vehicle trip. Each trip shall then be multiplied by the average number of occupants of a vehicle (2.8 occupants per car) to identify the required per person capacity reduction.

Reporting and Implementation:

- 1) **Documentation:**
 - a) During the first five years of Event Center operations, a quarterly monitoring report and an annual report shall be prepared. The annual report shall be prepared by October 1. The report will include a summary of data collected for each event monitored and an

assessment of the extent to which the established performance standards are met or exceeded.

- b) After year five of Event Center operations, an annual monitoring report shall be prepared by October 1. The report will include a summary of data collected for each event monitored and an assessment of the extent to which the established performance standards are met or exceeded.

2) **Stakeholder Coordination:**

TDVA shall organize coordination meetings with stakeholders to evaluate monitoring results to understand the cause and effect of factors, including those not specifically associated with the Events Center, that may be affecting traffic patterns/volumes and spillover parking from paid parking and how to respond to monitoring and determine next steps with stakeholder/Permittee endorsement. Stakeholders include, but are not limited to Event Center representative, a state representative with statewide interest from each state, Douglas County, the City of South Lake Tahoe, TRPA, public safety, and TTD. Meetings shall include:

- a) **Quarterly Coordination Meetings:** TDVA shall organize a quarterly meeting with governmental, environmental, and economic interests to evaluate the event center strategies and monitoring results during the first twenty years of operation.
- b) **Annual Coordination Meetings:** TDVA shall organize an annual meeting with stakeholders during the life of the event center to discuss transit service operations, monitoring results, and projected transit needs. The public shall be invited and given an opportunity to provide comment.

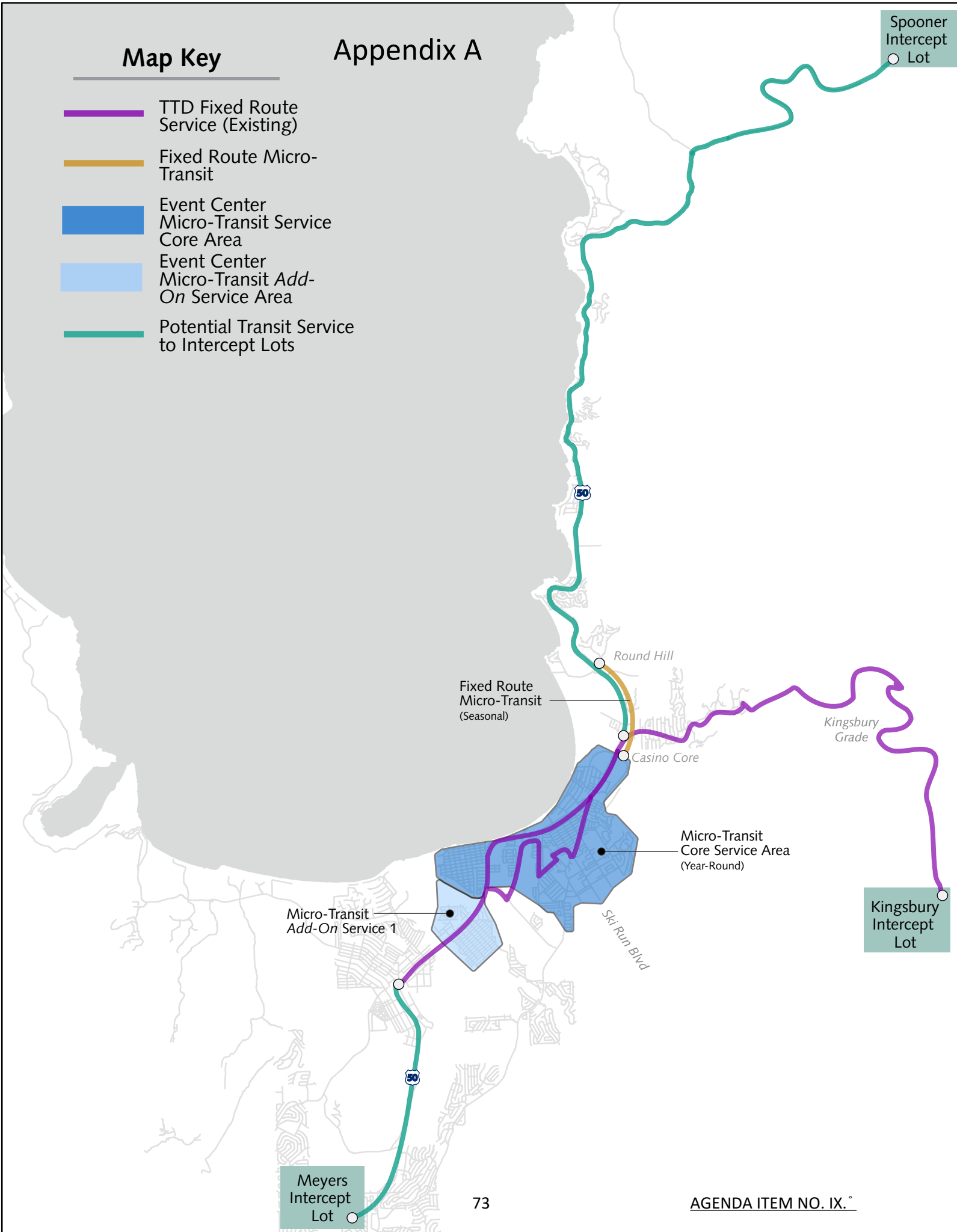
3) **Recommendation of Additional Management Options:**

To provide flexibility in the identification and implementation of the most effective and cost efficient traffic reduction measures, equal or superior traffic reduction mitigation measures may be proposed, subject to evaluation of effectiveness by a qualified transportation third party consulting firm, hired by TRPA, reviewed by a stakeholder group, and at the applicant's cost. As the permitting authority for the Project, TRPA with consultation with TDVA, will decide on additional measures to be implemented. Annual monitoring reports shall be completed by October 1 and a recommendation to the Governing Board shall be made no later than December 31st. The additional measures shall be implemented before the next year of operations with TDVA responsible for providing necessary funding. Implementation of additional performance measures shall be subject to review and approval by the TRPA Governing Board.

Map Key

Appendix A

- TTD Fixed Route Service (Existing)
- Fixed Route Micro-Transit
- Event Center Micro-Transit Service Core Area
- Event Center Micro-Transit Add-On Service Area
- Potential Transit Service to Intercept Lots



Spooner Intercept Lot

Fixed Route Micro-Transit (Seasonal)

Round Hill

Casino Core

Kingsbury Grade

Micro-Transit Core Service Area (Year-Round)

Micro-Transit Add-On Service 1

Ski Run Blvd

Kingsbury Intercept Lot

Meyers Intercept Lot

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

Introduction

This discussion focuses on the data collection steps necessary to ensure that adequate data is available for future analysis. Additional detail will need to be defined as to specifically how the data analysis is conducted. The key performance measures that this monitoring plan is intended to address are as follows:

- The net impact on a busy summer day of a 2,500 attendee event and paid parking/microtransit programs shall not result in an increase in VMT and vehicle trips.
- The net impact over the course of a year of all Event Center activities and paid parking/microtransit programs shall not result in an increase in VMT and vehicle trips.
- Parking overflow into nearby parking areas outside of the Casino Core shall not result in unacceptable parking conditions.

The following data collection steps will be implemented.

Bluetooth Traffic Count Data

Traffic counts will be conducted using an electronic sensor system. Developed over recent years, these systems detect and record the individual electronic “tags” of various types of devices, such as smartphones paired with in-vehicle sound systems. The recorded time-stamped tags can then be used to identify and tally specific vehicles that pass through multiple sensor locations, as well as the time required between sensor locations. While there are several commercially available systems, BLYNCSY is a system that has been successfully deployed in similar resort settings, such as Park City.

To provide comprehensive counts of the traffic activity in the four casino core properties, it is necessary to install sensors at all roadways/driveways providing access into and out of the area. Figure A presents the nine locations of the sensors needed to provide this comprehensive count. (Other configurations within the individual properties were also configured but found to be more complicated and raised issues regarding trips between properties.)

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

Sensors will be installed at each of these nine locations and maintained and monitored to provide hourly count data over all days of the year. The data will be analyzed to identify those vehicles that are through vehicles (observed at two locations within a specific time period defined to disaggregate through trips versus short stop trips) versus those observed at a single location (within the specific time period). This data will be evaluated to identify the following:

- Total vehicle-trips to/from the four casino core properties over the course of the year.
- Total vehicle-trips to/from the four casino core properties over the course of a busy summer day.
- Travel speeds along US 50 between Stateline and north of Lake Parkway, as an indicator of roadway Level of Service.

The Bluetooth counts will need to be evaluated to subtract trips to/from the Wells Fargo Bank property on the northwest corner of Lake Parkway / 50 (which is currently being redeveloped), as it is not part of the paid parking properties. In addition, it may be necessary to adjust the counts to reflect other uses in the area, such as the current practice of Edgewood Tahoe Resort employees to park in the Harveys lot on peak days. Finally, any off-site parking generated by travel to/from the Casino Core (as evidenced by parking counts and survey data discussed below) will need to be added. An advantage of this data source is that it can be reviewed to identify trip generation (for the casino core as a whole) for any number of periods with events, both large and small.

Sensors and the provision of the resulting data is provided on a subscription basis. For each site, the total 5-year subscription cost for the BLYNCSY technology is on the order of \$5,700 for units provided with 110-volt power or \$7,400 for solar powered units. Assuming that solar powered units are installed (avoiding the need to provide power cabling), installation would be relatively inexpensive (so long as permission can be granted for suitable locations). A reasonable cost for installation would be \$1,000 per site, or \$9,000 in total. Subscription costs would be approximately \$66,700 for a five-year period, or \$13,300 per year.

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

Mobile Device Data

The widespread use of internet enabled mobile devices provides the basis for a variety of services that can track (in an anonymous manner) individuals. Rather than using specifically-installed data collection devices (like the Bluetooth devices discussed above), these services rely on smartphone signals picked up by the mobile phone networks or satellite networks. Firms that provide this type of data include Teralytics, Airsage and StreetLight. Of these, the latter to date appears to work best in the Tahoe Region (and is currently in use by TRPA).

Some of the services purport to be able to provide data by trip type (such as commute trip versus visitor trip, etc.). However, this disaggregation has been developed for typical urban area trip-making patterns, and would need to be evaluated in more detail to ensure that unique characteristics of a resort area (such as day visitor trips that can appear to the software to mimic employee commute trips) are accurately characterized.

The key data this source will provide is average vehicle trip length information. This information can then be multiplied by traffic counts (from the Bluetooth devices) in order to define total VMT.

Assuming that the StreetLight option is selected, the appropriate version is the “Advanced Analytics” option with up to 10 zones. This version allows analysis of relative trip generation, origin/destination analysis (among the 10 zones) analysis of specific time periods (such as for Event Center events) and other trip attributes. The ten zones could be designed to define individual casino core properties and/or other zones (such as the microtransit service area) that could help inform overall trip patterns and potential new trip reduction strategies. This option currently has an annual subscription cost of \$6,000 per year.

The mobile device data services capture data on only a proportion of total vehicles, as not all vehicles are generating signals that the specific service collects. Generally, the services provide data on approximately 30 percent of all vehicles. While this data provides relative traffic volumes, it introduces uncertainty regarding actual total trip counts. For this reason, it is not preferable to rely solely on mobile device data

An advantage of this data source is that historic data is available back to 2017 – prior to the implementation of partial paid parking in the casino core. Obtaining this data would therefore allow an

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

analyst to assess the impacts of paid parking on existing casino trips (so long as this analysis carefully controls for other factors such as hotel occupancy rates, special events, etc.)

Surveys

The data sources discussed above give a good database regarding overall trip generation and trip length. However, they do not provide data regarding trip purpose, or trips specific to the Event Center.

Event Attendee Surveys

Attendee surveys will be conducted for each of the six individual types of events. These surveys will be conducted manually, by having staff persons intercept attendees (such as while they are arriving at the venue) and using tablets to record responses. A review of the number of annual vehicle-trips expected by the various events over the course of the year indicates that the following proportions of annual vehicle-trips by type of event are as follows:

- Corporate/Association Meetings 42 percent
- Concert/Entertainment Events 30 percent
- Sporting Events 9 percent
- Conventions/Conferences 8 percent
- Banquets/Receptions 8 percent
- Public/Consumer Shows 3 percent

Based on these proportions, surveys will be conducted for two relatively large corporate/association meetings and two concert/entertainment events and one each of the other four types of events, for a total of eight surveys per year.

Survey questions will be consistent with those used in the ongoing TRPA Travel Mode surveys. In addition, for those persons indicating that they drove to the event, a question will be asked regarding where they parked (aided by a map). A minimum of 200 responses will be generated at each event. These surveys are estimated to cost a total of \$25,000 per year.

Event Employee Surveys

Employees will be surveyed regarding travel mode, trip origin/destination, trip travel times, vehicle occupancy and parking location. The limited permanent employees will be surveyed, as well as

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

temporary employees for at least five larger events each year. These surveys can be administered either directly via email or paper forms distributed to employees. A budget of \$4,000 is sufficient for this survey.

Surveys of Non-Event Casino Core Travelers

For many years, TRPA has conducted surveys throughout Tahoe's commercial and recreational activity centers every two years, alternating between summer and winter surveys. The LTVA will provide funding for TRPA to conduct summer surveys for each of the first five summers throughout the casino core or arrange for an independent organization to complete the surveys using TRPA protocols. In addition to the standard questions, those persons indicating that they drove to the event will be asked where they parked (aided by a map). A minimum of 300 surveys will be completed. A budget of \$5,000 per year is defined for this work.

Other Survey Considerations

If three years of surveys indicate that results for a specific type of event are consistent and are not critical to the overall analysis, at the discretion of TRPA staff the survey process can be modified to reduce overall costs and/or to better priority survey resources.

Off-Site Parking Counts

One of the potential impacts of the Event Center and paid parking program is an increase in off-site parking. While the EA indicates that there will be more than adequate parking available within the four casino properties, some drivers may choose to park beyond the four casino properties in order to avoid parking fees. To provide data needed to assess this impact, manual counts will be conducted for off-site parking areas shown in Figure B. These areas consist of on-street parking areas within a 10-minute walk of the casino core, as well as the Douglas County Government Center off-street parking areas.

Counts will be conducted hourly, over a four-hour period (defined by observed parking activity and event scheduling). For at least the first five years, counts will be conducted a minimum of five days. These days will all occur in the busy summer period and will be selected for three days with large concert events, one busy (expected high occupancy) day without a large event, and one typical day without an event.

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

As there are many other land uses in the Stateline area that generate on-street parking activity, this data will not specifically quantify parking activity associated with off-site casino parking and/or Event Center parking. However, by comparing parking counts under various conditions, an analyst will be able to draw general conclusions regarding the impact of casino core activity on off-site parking demand. This data can also be augmented by survey data collected among casino core patrons and employees (as discussed above).

This parking count area could be modified (at TRPA discretion) based upon observed parking patterns, as well as community input. For example, if the first year's counts indicate no off-site parking activity in the Van Sickle Bi-State Park area, this area could be dropped and resources potentially used to collect data in another area that has been raised as a possible concern.

Collecting hourly data will require four count personnel at a time. Including staff time for designing the count forms, managing the counts and summarizing the data, this plan element will cost approximately \$15,000 per year.

There are options to manual counts that could be considered, such as video monitoring and device detection. Given the extent of the potential off-site parking area and the informal nature of many of the parking areas (undefined parking areas along roadway shoulders, for example), manual counts will be more cost-effective. They will also be more able to be modified as conditions change and new areas of concern may arise.

Note that there are currently parallel planning efforts regarding the US 50 Main Street Management Plan as well as the related US 50 South Shore Community Revitalization Project which may change parking areas in the vicinity and/or introduce new parking management strategies. The parking monitoring program discussed above may be modified to coordinate with other changes, so long as the overall level of parking data remains at identified levels.

Other Data

The project are many other factors that could impact trip generation and VMT of the Casino Core beyond the operation of the Event Center and the paid parking /microtransit programs. In particular, changes in the economy could impact trip generation and VMT. Changes in transit ridership and level

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan

of event attendees could also impact VMT. The following additional data will be collected by the LTVA and provided to the TRPA on an annual basis:

- Hotel occupancy counts for the four casino properties, by day.
- Microtransit ridership and origin/destination data, as well as app request response times.
- A list of all events held at the Event Center over the course of the year, including the dates/times, type of event, number of employees and number of attendees.

Data Analysis and Report Preparation

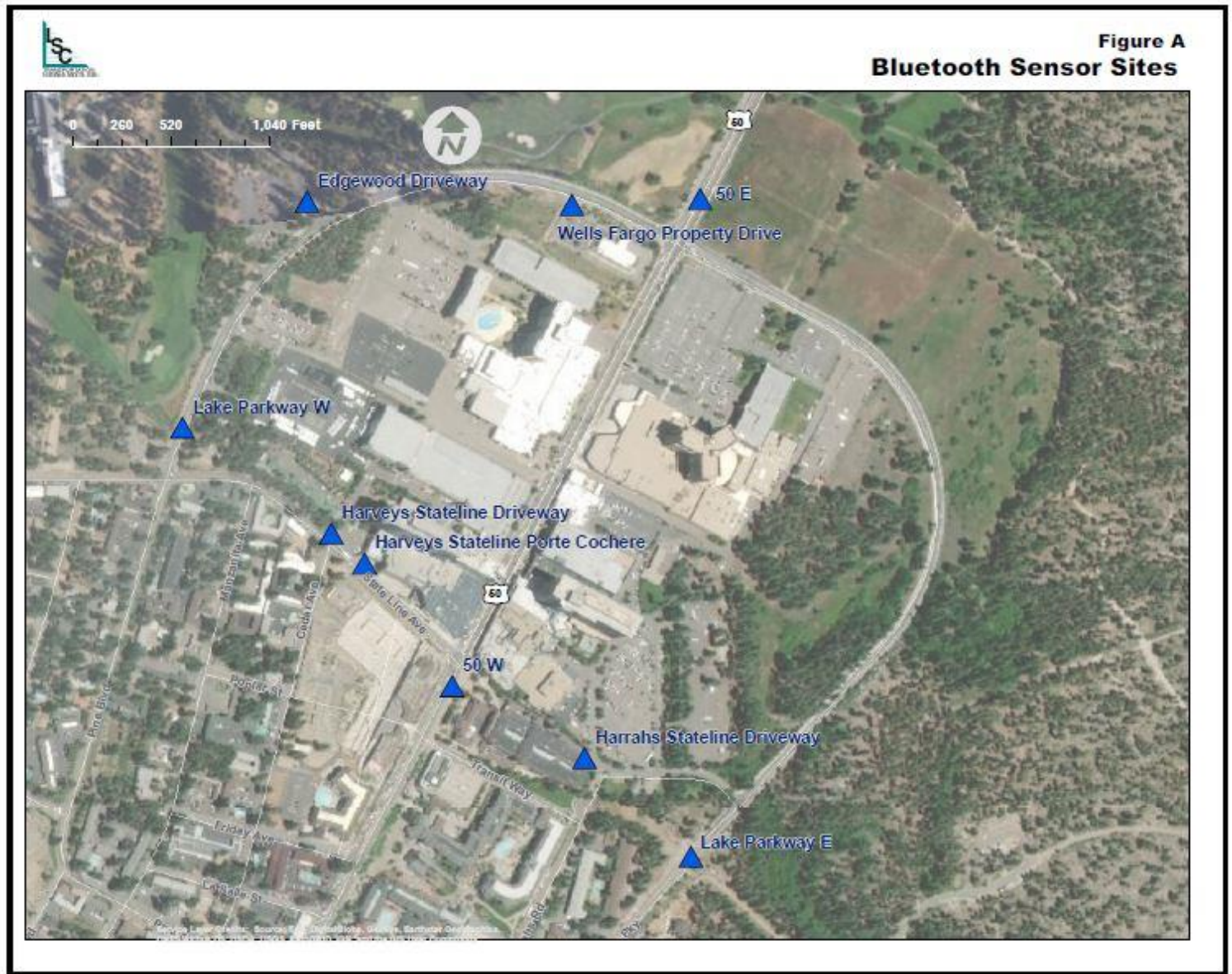
An independent analysis conducted by a qualified transportation consulting firm will be needed to analyze the various data sources and quantify overall impacts. While this cost can only be defined through a bidding process and will depend on the level of review and revision, a reasonable budget for the first year report (including discussions at multiple levels regarding methodology and content) is \$30,000. Subsequent annual reports will be more straightforward and require lower levels of higher-rate staff time, resulting in an estimated \$20,000 per year.

Total Cost

Capital costs for this overall data collection program consist of the \$9,000 for the Bluetooth traffic count technology. Ongoing annual costs are estimated as follows:

	Year 1	Subsequent Years
Bluetooth traffic count annual subscription	\$13,300	\$13,300
Mobile Device Data	\$ 6,000	\$ 6,000
Event Center Attendee Surveys	\$25,000	\$25,000
Event Center Employee Surveys	\$ 4,000	\$ 4,000
Casino Core Travel Mode Surveys	\$ 5,000	\$ 5,000
Data Analysis and Report Preparation	<u>\$30,000</u>	<u>\$20,000</u>
TOTAL COST	\$83,300	\$73,300

Appendix B - Tahoe South Events Center - Traffic Performance Monitoring Plan



Permit Appendix C: Additional Traffic Reduction Measures

Measure	Category	Time of Year	Applies to Event Trip Generators	Applies to All Casino Core	Relative VMT Reduction	Discussion
Bus pullout and shelter	Transit	Ongoing			Low	Modest improvement in convenience for transit riders
Require all Casino Core employees to pay for parking on days of peak events	Parking Management	Peak Event Days	●	●	Moderate	
Further reduce maximum event size in peak summer	Event Operations	Peak Summer	●		Potentially High	Specific event limits would depend on results of monitoring
Cap number of events in peak summer	Event Operations	Peak Summer	●		None, on a daily basis	Does not affect VMT in peak day (with event). VMT over the summer or year is not a traffic standard.
Prohibit large scale events on days when Harvey's outdoor concerts are held	Event Operations	Peak Summer	●		Potentially large reduction if double peak events avoided	Already assumed in the traffic analysis
Prohibit large scale events on peak winter ski weekends	Event Operations	Peak Winter	●			Could also consider prohibiting only on the peak exiting day (typically Sunday, except on 3-day weekend) when traffic conditions are worse
Increase microtransit shuttle service during	Transit	Peak Event Days	●	●	Potentially Moderate	Depends on the scale of the microtransit program. Potentially strong shift for visitors/employees within the immediate area

peak loading or unloading periods						that can be effectively served by convenient microtransit
Prepare marketing materials for event attendees and south shore lodging guests – explain paid parking and microtransit shuttle info	Other	Year Round	●	●	Low	A strong transit marketing program can increase use by around 5 percent, but that is an increase on a small number
Provide secured bike parking	Bike/Ped	Year Round	●		Low	Beneficial, but biking is a relatively small mode split
Provide employee lockers and shower facilities	Bike/Ped	Year Round	●		Low	Employees are only 6% of total 2,500-attendee event trip generation, and this only slightly increases non-auto commute mode
Utilize parking revenues from paid parking program to provide free transit to employees	Transit	Year Round	●	●	Low	Employees are only 6% of total 2,500-attendee event trip generation and 11% of existing casino core trips, though free transit tends to increase transit use by 40-50%
Employer sponsored vanpool/shuttle	Transit	Year Round	●	●	Low	Employees are only 6% of total 2,500-attendee event trip generation and 11% of existing casino core trips
Implement single rideshare matching program for employees of casino core	Employee TDM	Year Round	●	●	Low	Employees are only 6% of total 2,500-attendee event trip generation and 11% of existing casino core trips
Designate employee transportation coordinator to educate casino core employees of options	Employee TDM	Year Round	●	●	Low	Good idea, but limited benefit without other non-auto incentives

Event Center subsidy to expand TTD fixed route or other for cost of regional transit services	Transit	Peak Summer or Year-Round	●	●	Probably Moderate	To provide useful public transit service, any expansion would need to be provided on a consistent basis. But event trip generation is sporadic. As a result, this would not be as cost-effective as special transit services for event attendees.
Preferential carpool/vanpool parking	Parking	Year Round	●	●	Low	As more than adequate nearby parking available, would provide only a small overall improvement in the convenience of carpooling/vanpooling
Improve pedestrian/bike trails in the project vicinity	Bike/Ped	Year Round	●	●	Low	Already good pedestrian access from lodging within reasonable walk distance. Proportion cycling relatively low.
Overall Casino/City core parking management plan	Parking Management	Peak Event Days or Year-Round	●	●	Unknown, but potentially high	Expanding paid parking area. Parking fees on public parking within ½ mile of Core?
Offsite satellite parking with bus service	Transit / Parking	Peak Event Days	●		Potentially high	Should focus on day visitors (though commuting employees could also be required to use it) as it is difficult for overnight visitors to shift luggage to a shuttle, delivering overnight visitors to their lodging would be difficult, and day visitors generate roughly 2/3 of event VMT for a maximum event. Key Basin entrances to focus on are Spooner Summit and Echo Summit. Long travel times to Basin entrances will result in high operating costs. Will require restriction on availability of, or higher cost for, Stateline parking to be effective.

<p>Provide transit to key tourist destinations such as Emerald Bay and Sand Harbor.</p>	<p>Transit</p>	<p>Peak</p>	<p>●</p>		<p>Unknown</p>	
<p>Increase rate of Airport shuttles</p>	<p>Transit</p>		<p>●</p>		<p>Unknown</p>	

Attachment C

Project Plans (site plan, floor plans, building elevations, landscaping, etc.)

TAHOE SOUTH EVENTS CENTER

TAHOE DOUGLAS VISITORS AUTHORITY
Stateline, Nevada 89449

APN 1318-27-002-006
APN 1318-27-001-007

TRPA PERMIT APPLICATION

ISSUED: JANUARY 17, 2018
REVISED: OCTOBER 9, 2019
REVISED: JANUARY 2, 2020

Property Owner:

EDGEWOOD COMPANIES
PO Box 2249
Lake Tahoe, NV 89449
Tel: (775) 588-5900

Project Applicant:

TAHOE-DOUGLAS VISITORS AUTHORITY
169 US Highway 50
Stateline, NV 89449
Tel: (775) 588-5900

Sheet Index

Sheet No. Sheet Title

GENERAL INFORMATION:
G0-0 Cover Sheet

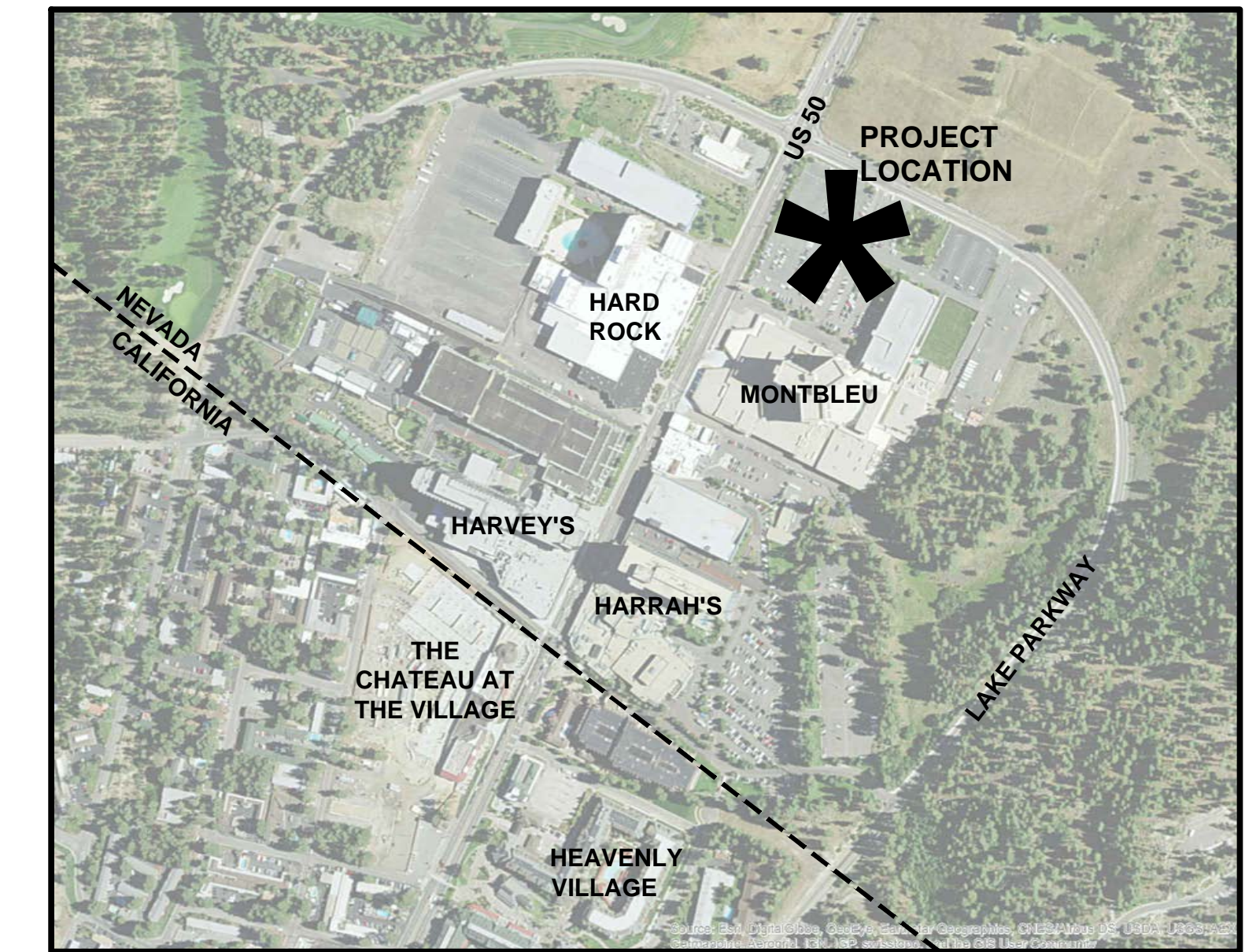
SITE SERIES:
G1-00 Design Criteria
G1-01 Design Criteria
G2-00 Existing Conditions
G3-00 Existing Coverage Plan
L1-00 Site Plan
L1-01 Illustrative Site Plan
L1-02 Illustrative Site Plan-US Hwy 50 Community Revitalization Project
L2-00 Proposed Coverage Plan
L3-00 Tree Removal and Protection Plan
L4-00 Circulation Diagram
L4-01 Circulation Diagram-Emergency Services
L5-00 Snow Management Plan
L6-00 Exterior Lighting Plan
L6-01 Lighting Details
L7-00 Planting Plan

ARCHITECTURE SERIES:
A1-00 General Notes
A1-01 Level 1 Floor Plan
A1-02 Level 2 Floor Plan
A1-03 Roof Plan
A2-00 Elevations
A2-01 Elevations
A2-02 Enlarged Elevations
A2-03 Enlarged Elevations
A2-04 Exterior Lighting Elevations
A2-05 Exterior Lighting Elevations
A2-06 Parking Garage Elevations
A3-00 Overall Site Sections
A3-01 Enlarged Sections

CIVIL SERIES:
C1-00 Proposed Site Plan, Ownership and Easements
C2-00 BMP Plan
C3-00 Demolition Plan
C4-00 Overall Utility Plan
C4-01 Electrical Plan
C5-00 Overall Grading Plan
C5-01 HWY 50 Entrance Enlargement
C5-02 Lake Parkway Entrance Enlargement
C6-00 BMP Details
C6-01 Ramp Details
C6-02 Water Details
C6-03 Sewer and Storm Drain Details
C6-04 Standard Details



Location Map



Project Description:

The proposed Tahoe South Events Center (Events Center) will be a publicly owned assembly event and entertainment venue located in Stateline, Douglas County, Nevada. The project area consists of two properties (APN's 1318-27-002-006 and 1318-27-001-007) owned by Edgewood Companies. APN: 1318-27-001-007 is currently the site of the MontBleu Resort Casino and Spa and APN: 1318-27-002-006 is an adjacent undeveloped parcel. The project applicant is the Tahoe Douglas Visitors Authority (TDVA). TDVA will be responsible for the planning, construction and eventual operation of the Events Center.

The proposed Events Center building consists of two levels: an event floor level and a suites and offices level. The building footprint is approximately 88,420 square feet and the total floor area is approximately 138,550 square feet. Overall seating capacity is approximately 6,000, which includes floor seating for a concert or performing arts event. On the ground level fixed, telescopic seating is arranged in a horseshoe pattern around the event floor with the event stage at one end. This ground level concourse also includes restrooms, concessions, ticketing, first aid and entry vestibules. Support and storage facilities are also located at ground level and are directly accessed via the exterior loading and service bays. The loading and service area is located behind the building and below Lake Parkway's elevation, screening it from view. The second level includes fixed loge seating, 13 suites, press boxes, spectator concourse, support facilities, meeting rooms, conference space, offices and restrooms.

The area surrounding the Events Center will be converted from surface parking into an event lawn, public plaza and pedestrian paths connecting the Events Center with the adjacent streetscape. A new transit pull-off with shelters will be located along U.S. Highway 50. The remaining surface parking and driveways will be redesigned to County standards. The existing parking garage will be slightly modified to create a new ingress/egress that works with the overall site grading concept. Subsurface waterquality treatment facilities will capture runoff from the building and paved areas for treatment prior to being discharged to the Stateline Stormwater Treatment System.

LAND USE ATTORNEY:
FELDMAN McLAUGHLIN THIEL LLP
PO Box 1309
178 US Highway 50, Suite B
Zephyr Cove, NV 89448
Tel: (775) 580-7431

LANDSCAPE ARCHITECT:
DESIGNWORKSHOP
PO Box 5666
128 Market Street, Suite 3E
Stateline, NV 89449
Tel: (775) 588-5929

ARCHITECT:
SINK COMBS DETHLEFS
475 Lincoln Street, Suite 100
Denver, CO 80203
Tel: (303) 303-0200

CIVIL ENGINEER:
WELSH HAGEN ASSOCIATES
250 S Rock Boulevard, Suite 118
Reno, NV 89502
Tel: (775) 853-7776

GEOTECHNICAL ENGINEER:
BLACK EAGLE CONSULTING, INC.
1345 Capital Boulevard, Suite A
Reno, NV 89502
Tel: (775) 359-6600

SOILS HYDROLOGIST:
McGINLEY & ASSOCIATES, INC.
815 Maestro Drive
Reno, NV 89511
Tel: (775) 829-2245

PLRM:
NORTHWEST HYDRAULIC CONSULTANTS
3351 Lake Tahoe Blvd., Suite 4
South Lake Tahoe, CA 96150
Tel: (530) 544-3788

EXISTING LAND COVERAGE CALCULATIONS SUMMARY

Parcel APN	Land Capability District (LCD)	Percent Allowable Coverage	Total Area Within LCD	Base Allowable Coverage	Physical Existing Coverage	Undeveloped Area
1318-27-001-007	B	1%	175,977.8	1,759.8	15,889.4	15,246.5
	Z	1%	21,963.4	219.6	1,752.2	15,246.2
	S	25%	1,989.8	497.4	1,176.2	15,497.7
	R	30%	716,729.2	215,018.8	145,939.2	
TOTALS			964,510.2	232,027.6	707,616.5	196,899.6
1318-27-002-006	B	1%	221,286.1	2,212.9	0.0	221,286.1
	Z	1%	43,566.8	435.7	0.0	43,566.8
	S	25%	41,523.8	10,381.0	0.0	41,523.8
	R	30%	15,467.7	4,640.3	0.0	15,467.7
TOTALS			421,844.4	17,670.0	0.0	421,844.4

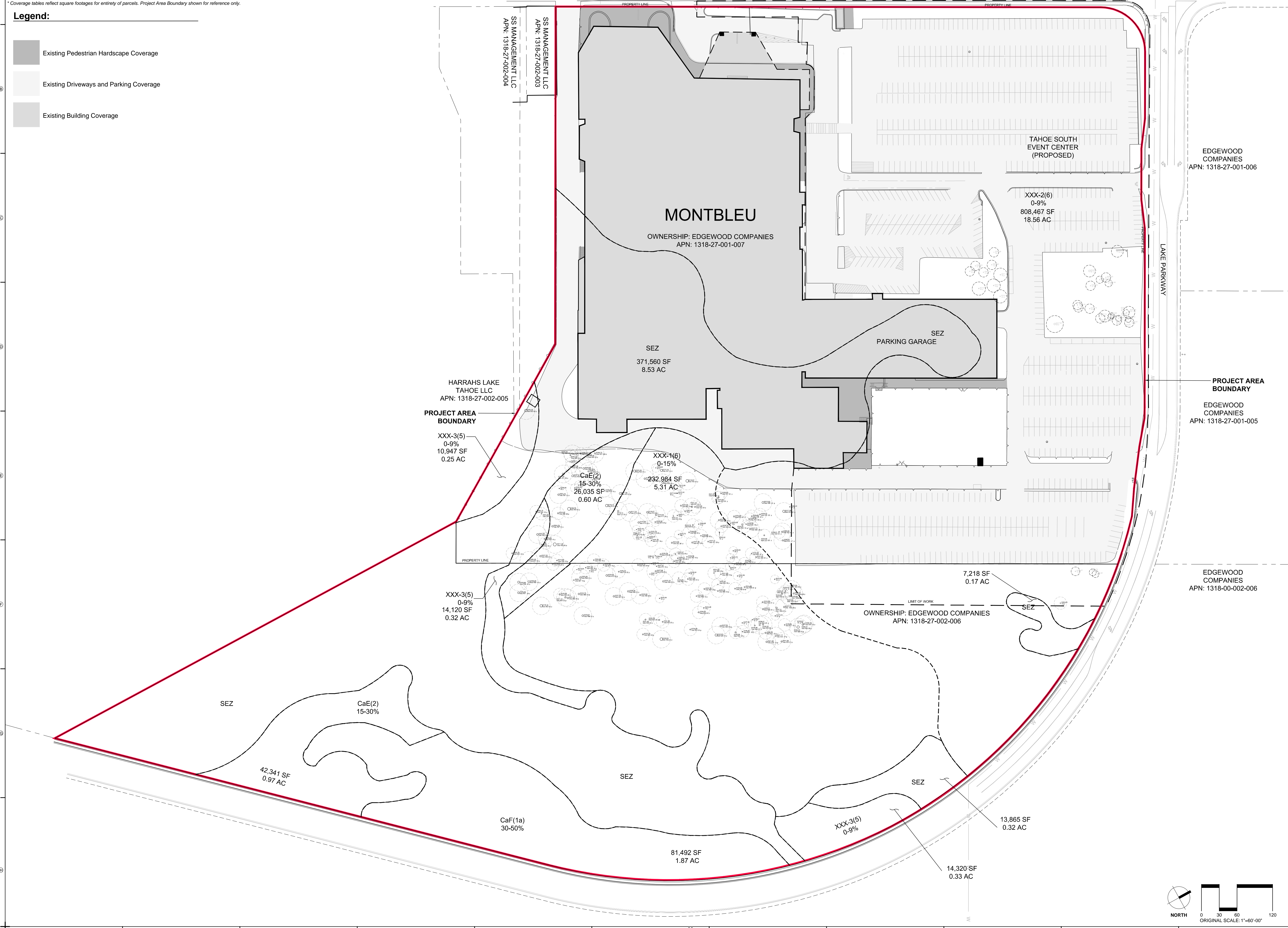
EXISTING LAND COVERAGE CALCULATIONS BREAKDOWN

Features	APN 1318-27-001-007				APN 1318-27-002-006			
	1	2	3	Totals	1	2	3	Totals
Building	117,526.2			117,526.2	10,000.0			10,000.0
Driveways and Parking	30,341.1	1,725.2	2,176.2	34,242.5	445,689.7			445,689.7
Pedestrian Hardscape	1,072.1			1,072.1	16,931.3	21,445.4		38,376.7
Total	152,939.4	1,725.2	2,176.2	156,840.8	462,621.0	21,445.4		484,066.4

* Coverage tables reflect square footages for entirety of parcels. Project Area Boundary shown for reference only.

Legend:

- Existing Pedestrian Hardscape Coverage
- Existing Driveways and Parking Coverage
- Existing Building Coverage



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TAHOE SOUTH EVENT CENTER
TAHOE DOUGLAS VISITORS AUTHORITY
 STATELINE, NEVADA

ISSUE DATE: JANUARY 17, 2018

REVISIONS #	DATE	DESCRIPTION

DRAWN: ER/RK REVIEWED: RS/SG

TRPA PERMIT APPLICATION

PROJECT NUMBER: 5797

EXISTING COVERAGE PLAN

SHEET NUMBER
G3-00

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- LEGEND:**
- A. Existing Montbleu Sign
 - B. Main Entry Path
 - C. Streetscape Park
 - D. Event Lawn and Aspen Grove
 - E. Granite Art Blocks and Pavers in Lawn
 - F. Ticket Lobby
 - G. Event Center Main Entrance
 - H. Transit Stop
 - I. Event Center Gateway Entrance
 - J. North Accessible Route
 - K. Valet and Accessible Parking Lot
 - L. Event Center Service Access
 - M. New Parking Garage Entry
 - N. New Surface Parking Lot
 - O. Relocated Montbleu Sign

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TAHOE SOUTH EVENT CENTER
TAHOE DOUGLAS VISITORS AUTHORITY
 STATELINE, NEVADA

EDGEWOOD COMPANIES
 APN: 1318-27-001-006

PROJECT AREA BOUNDARY
 EDGEWOOD COMPANIES
 APN: 1318-27-001-005

EDGEWOOD COMPANIES
 APN: 1318-00-002-006

ISSUE DATE: JANUARY 17, 2018

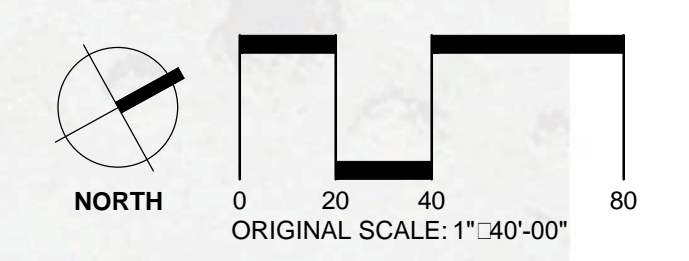
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PROJECT NUMBER: 5797
ILLUSTRATIVE SITE PLAN

SHEET NUMBER
L1-01
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HARRAHS LAKE
 TAHOE LLC
 APN: 1318-27-002-005

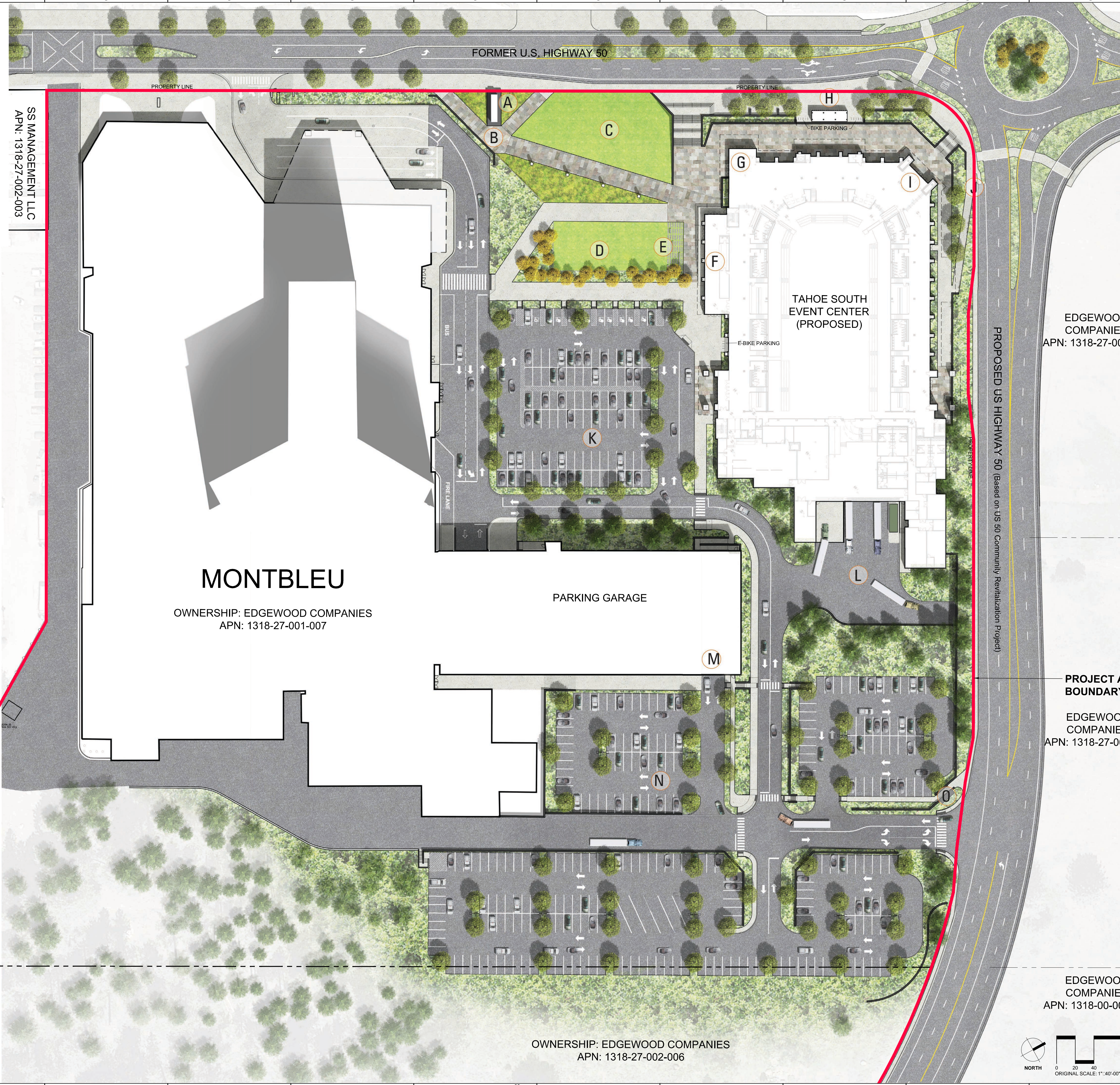
PROJECT AREA BOUNDARY

MONTBLEU
 OWNERSHIP: EDGEWOOD COMPANIES
 APN: 1318-27-001-007

OWNERSHIP: EDGEWOOD COMPANIES
 APN: 1318-27-002-006

- LEGEND:**
- A. Existing Montbleu Sign
 - B. Main Entry Path
 - C. Streetscape Park
 - D. Event Lawn and Aspen Grove
 - E. Granite Art Blocks and Pavers in Lawn
 - F. Ticket Lobby
 - G. Event Center Main Entrance
 - H. Transit Stop
 - I. Event Center Gateway Entrance
 - J. North Accessible Route
 - K. Valet and Accessible Parking Lot
 - L. Event Center Service Access
 - M. New Parking Garage Entry
 - N. New Surface Parking Lot
 - O. Relocated Montbleu Sign

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TAHOE SOUTH EVENT CENTER
TAHOE DOUGLAS VISITORS AUTHORITY
 STATELINE, NEVADA

EDGEWOOD COMPANIES
 APN: 1318-27-001-006

PROJECT AREA BOUNDARY
 EDGEWOOD COMPANIES
 APN: 1318-27-001-005

EDGEWOOD COMPANIES
 APN: 1318-27-001-005

EDGEWOOD COMPANIES
 APN: 1318-00-002-006

OWNERSHIP: EDGEWOOD COMPANIES
 APN: 1318-27-002-006

ISSUE DATE: JANUARY 17, 2018

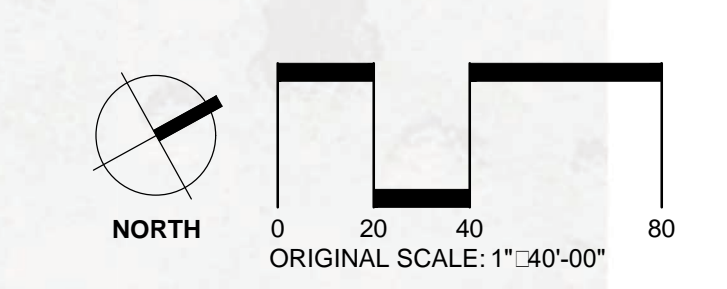
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TRPA PERMIT APPLICATION

PROJECT NUMBER: 5797
 ILLUSTRATIVE SITE PLAN
 FUTURE CONDITION

SHEET NUMBER
L1-02



LAND COVERAGE CALCULATIONS SUMMARY

Parcel APN	Land Capability District (LCD)	Percent Allowable Coverage	Total Area Within LCD	Base Allowable Coverage	Existing Coverage	Proposed Total Coverage	Increase or Reduction in Coverage
1318-27-001-007	1b	1%	17,197.9	1,719.8	1,719.8	1,719.8	0.0
	2	1%	20,965.4	2,096.5	1,719.8	1,719.8	0.0
	5	25%	18,989.9	4,747.5	3,165.2	3,165.2	0.0
	6	30%	156,719.4	47,015.8	40,151.6	40,151.6	-7,864.2
TOTALS			213,672.6	65,579.6	60,756.4	60,756.4	-4,823.2

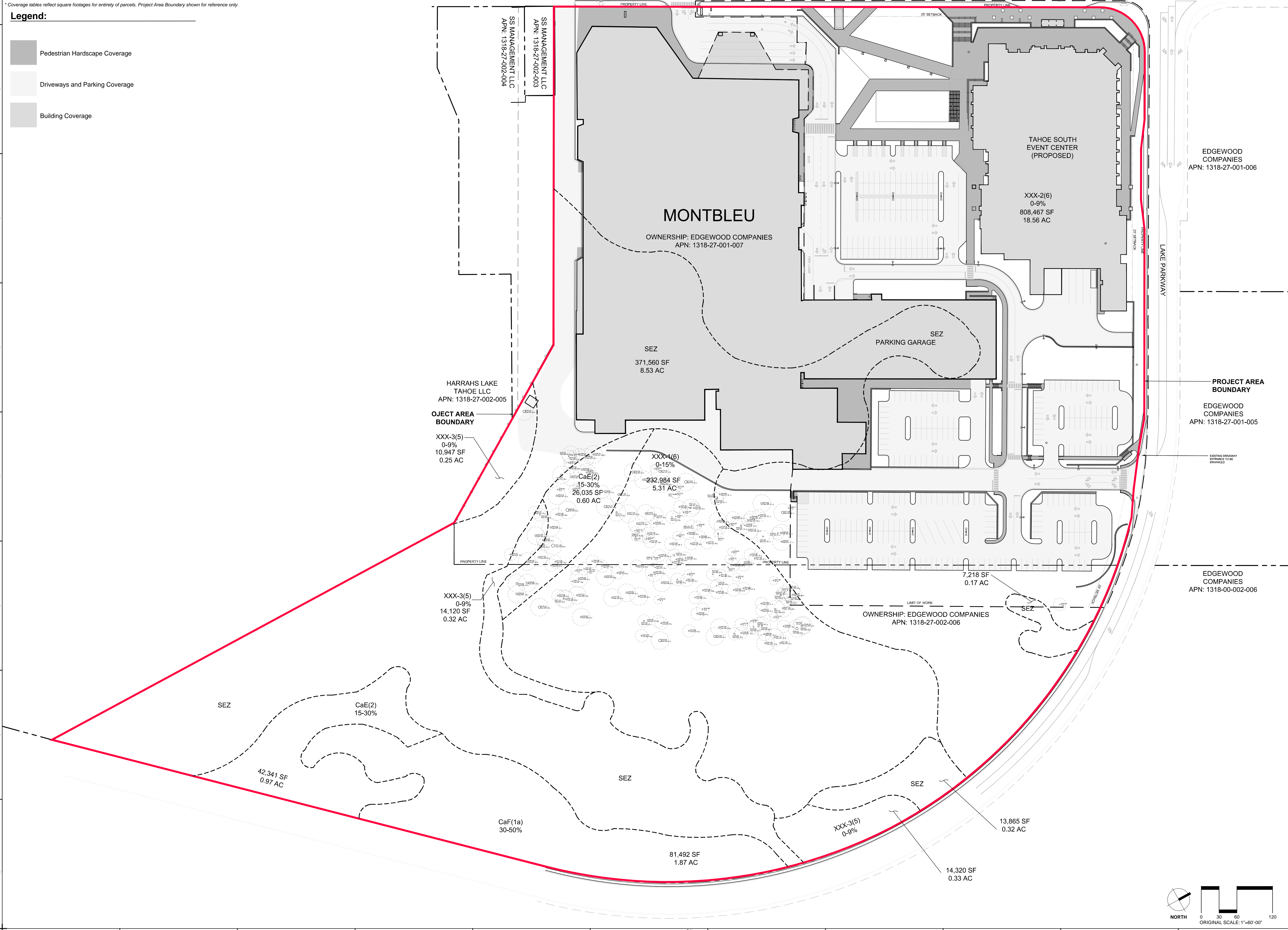
PROPOSED LAND COVERAGE CALCULATIONS BREAKDOWN

Features	APN 1318-27-001-007				Totals	APN 1318-27-002-006				Totals
	1b	2	5	6		1b	2	5	6	
Buildings	117,328.0				117,328.0	395,954.5				395,954.5
Decorative Land Treatment	33,541.8	1,719.2	3,176.2		38,437.2	38,437.2				38,437.2
Pedestrian Hardscape	5,075.1				5,075.1	81,945.1				81,945.1
Totals	155,944.9	1,719.2	3,176.2	0.0	160,840.3	415,776.8	0.0	0.0	0.0	415,776.8

*Coverage tables reflect square footages for entirety of parcels. Project Area Boundary shown for reference only.

Legend:

- Pedestrian Hardscape Coverage
- Driveways and Parking Coverage
- Building Coverage



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TAHOE SOUTH EVENT CENTER
TAHOE DOUGLAS VISITORS AUTHORITY
 STATELINE, NEVADA

ISSUE DATE: JANUARY 17, 2018

REVISIONS	#	DATE	DESCRIPTION

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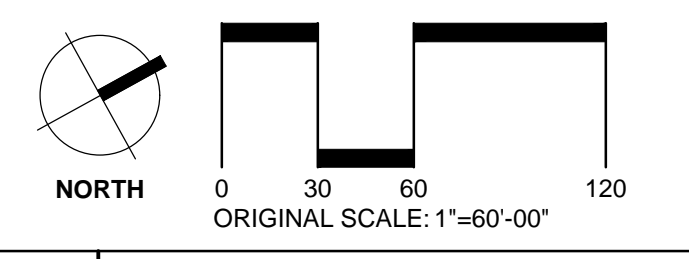
TRPA PERMIT APPLICATION

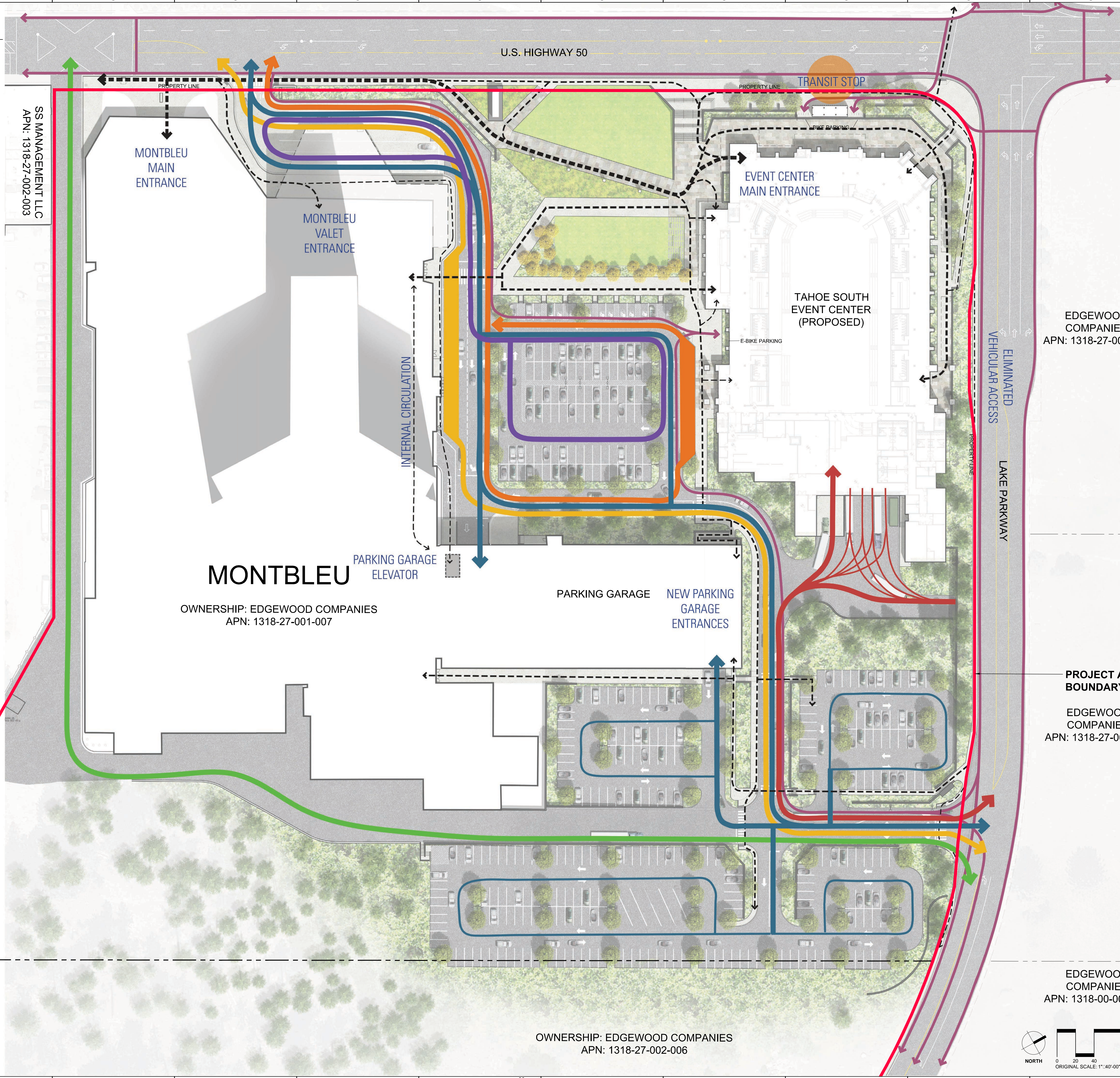
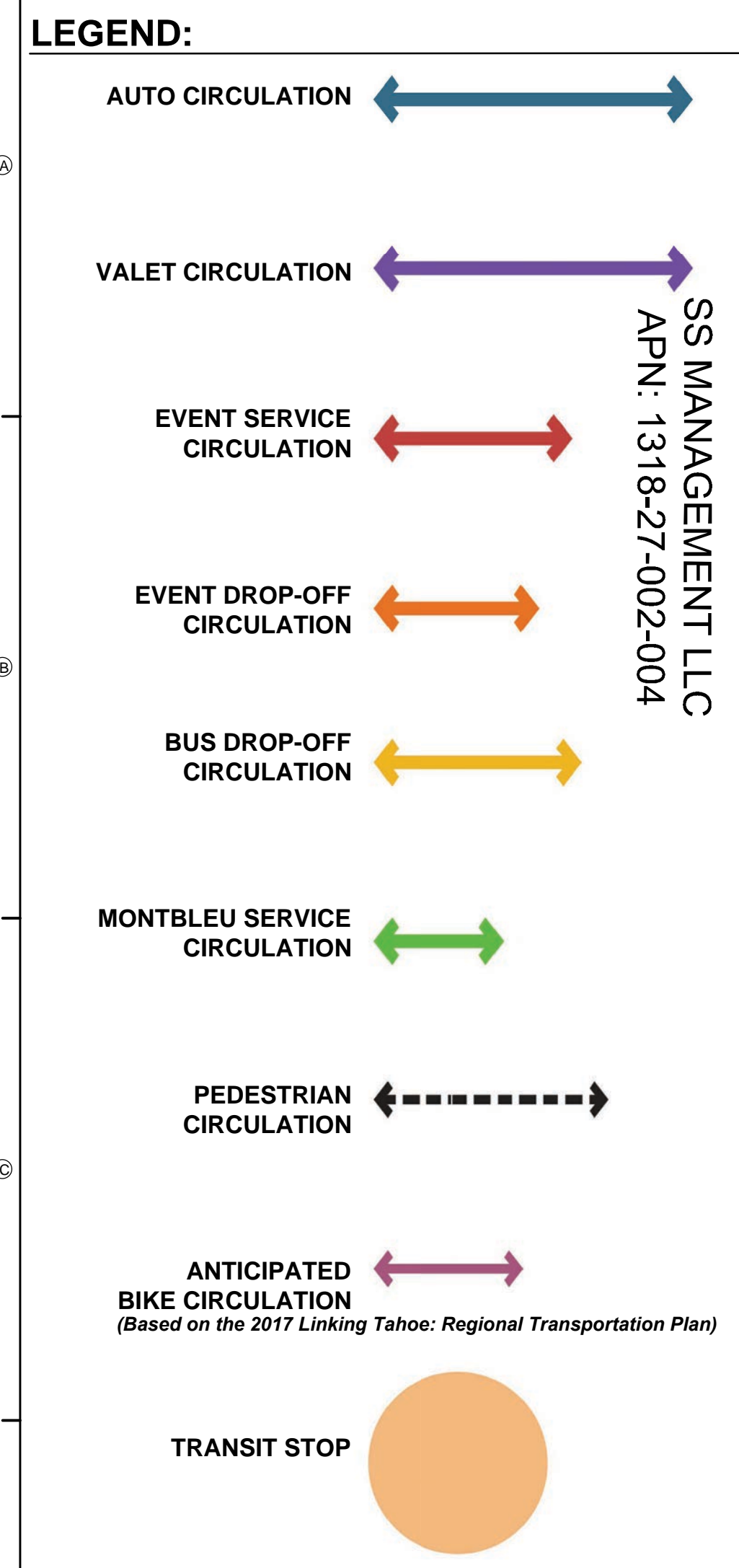
PROJECT NUMBER: 5797

PROPOSED COVERAGE PLAN

SHEET NUMBER
L2-00

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TAHOE SOUTH EVENT CENTER
TAHOE DOUGLAS VISITORS AUTHORITY
 STATELINE, NEVADA

EDGEWOOD COMPANIES
 APN: 1318-27-001-006

PROJECT AREA BOUNDARY

EDGEWOOD COMPANIES
 APN: 1318-27-001-005

EDGEWOOD COMPANIES
 APN: 1318-00-002-006

ISSUE DATE: JANUARY 17, 2018

REVISIONS	DATE	DESCRIPTION

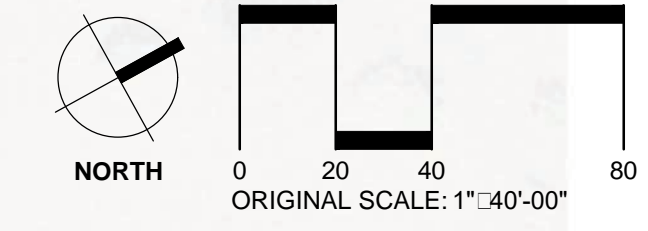
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TRPA PERMIT APPLICATION

PROJECT NUMBER: 5797

CIRCULATION DIAGRAM

SHEET NUMBER
L4-00






HARRAHS LAKE
 TAHOE LLC
 APN: 1318-27-002-005

PROJECT AREA BOUNDARY

OWNERSHIP: EDGEWOOD COMPANIES
 APN: 1318-27-001-007

OWNERSHIP: EDGEWOOD COMPANIES
 APN: 1318-27-002-006

LEGEND

-  SNOWMELT = 18,670 sqft
-  SNOW STORAGE = 78,400 sqft
-  SNOW REMOVAL = 259,600 sqft

SNOW MANAGEMENT NOTES

1. ANY SNOW PUSHED ON TO SITE FROM SURROUNDING ROADS WILL BE BLOWN FROM SIDEWALK AREAS INTO LANDSCAPE AREAS.
2. NO SNOW STORAGE ALLOWED IN OR AROUND UTILITIES THAT REQUIRE ACCESS.
3. NO SNOW STORAGE ALLOWED AROUND FIRE HYDRANTS.
4. SNOW REMOVED FROM PARKING LOTS AND DRIVEWAYS SHALL BE LOCATED ON AN IMPERVIOUS SURFACE THAT DRAINS TO A STORMWATER TREATMENT BMP ACCORDING TO THE TRPA BMP HANDBOOK, 4.2-C.
5. IF AN ADEQUATE ON-SITE SNOW STORAGE CANNOT BE ACCOMMODATED ON-SITE, ARRANGEMENTS SHALL BE MADE FOR REMOVAL OF SNOW AND OFF-SITE STORAGE.

SS MANAGEMENT LLC
APN: 1318-27-002-003

U.S. HIGHWAY 50

PROPERTY LINE

PROPERTY LINE

MONTBLEU

OWNERSHIP: EDGEWOOD COMPANIES
APN: 1318-27-001-007

TAHOE SOUTH EVENT CENTER (PROPOSED)

EDGEWOOD COMPANIES
APN: 1318-27-001-006

PARKING GARAGE

LAKE PARKWAY

HARRAHS LAKE
TAHOE LLC
APN: 1318-27-002-005

PROJECT AREA BOUNDARY

PROJECT AREA BOUNDARY

EDGEWOOD COMPANIES
APN: 1318-27-001-005

PROPERTY LINE

LIMIT OF WORK

OWNERSHIP: EDGEWOOD COMPANIES
APN: 1318-27-002-006

EDGEWOOD COMPANIES
APN: 1318-00-002-006

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**TAHOE SOUTH EVENT CENTER
TAHOE DOUGLAS VISITORS AUTHORITY
STATELINE, NEVADA**

ISSUE DATE: JANUARY 17, 2018

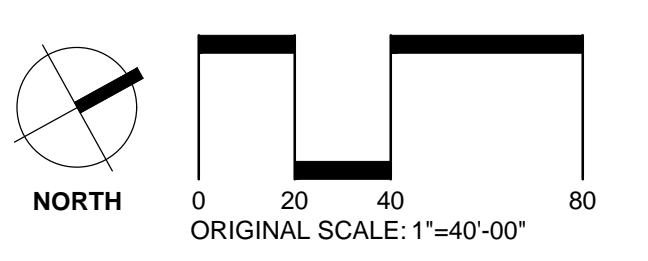
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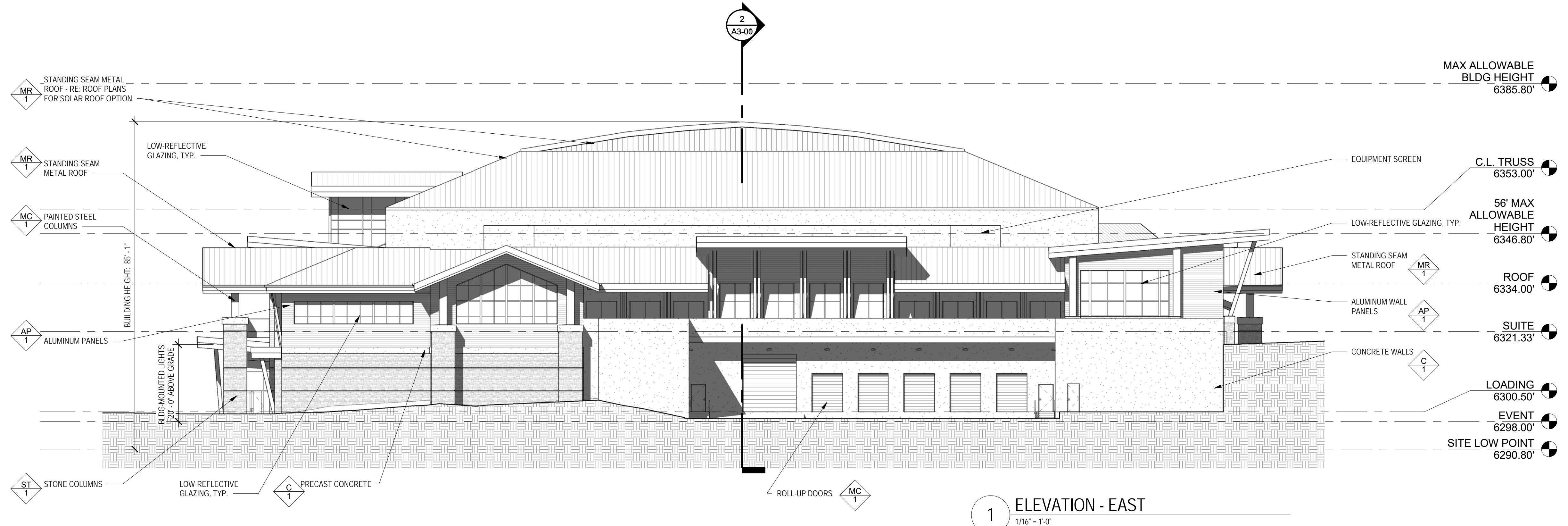
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SNOW MANAGEMENT PLAN

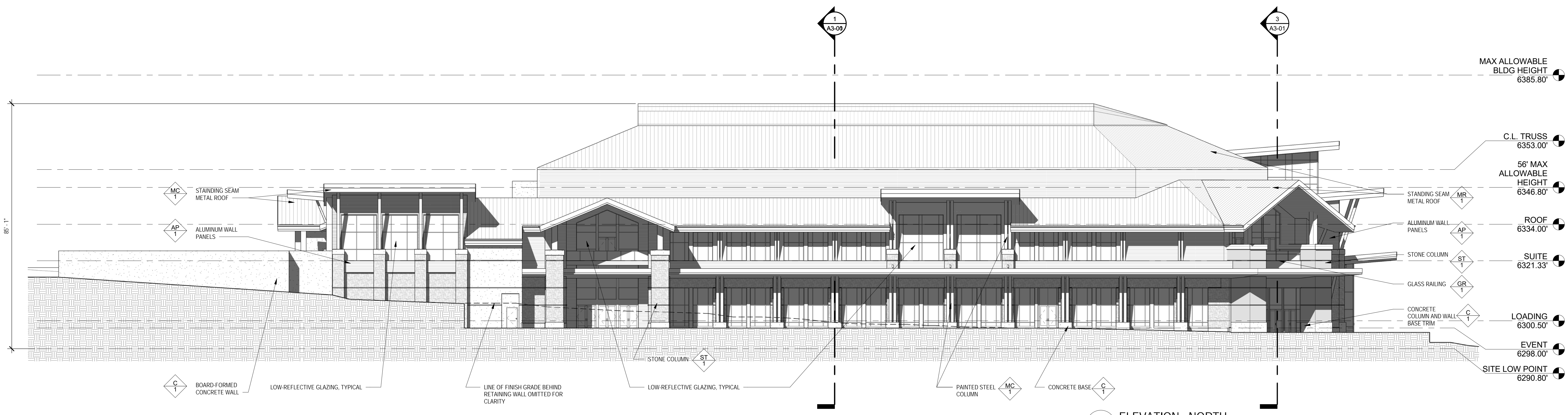
SHEET NUMBER
L5-00



TAHOE SOUTH EVENT CENTER
SOUTH TAHOE ALLIANCE OF RESORTS
STATELINE, NEVADA



1 ELEVATION - EAST
1/16" = 1'-0"



2 ELEVATION - NORTH
1/16" = 1'-0"

ISSUE DATE: JANUARY 17, 2018

REVISIONS #	DATE	DESCRIPTION

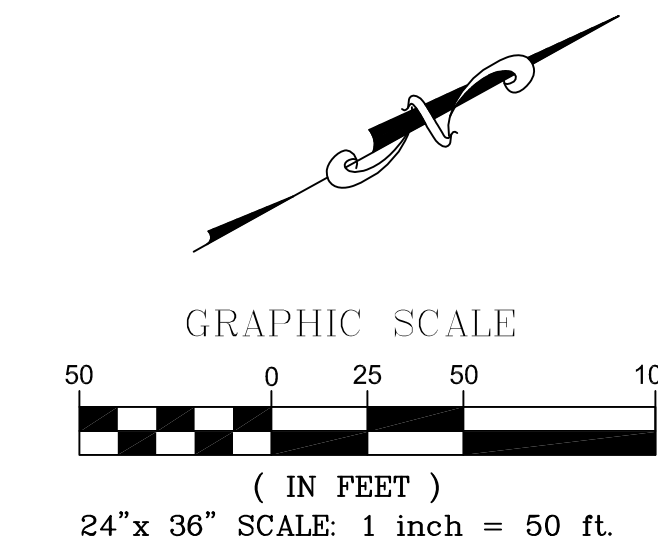
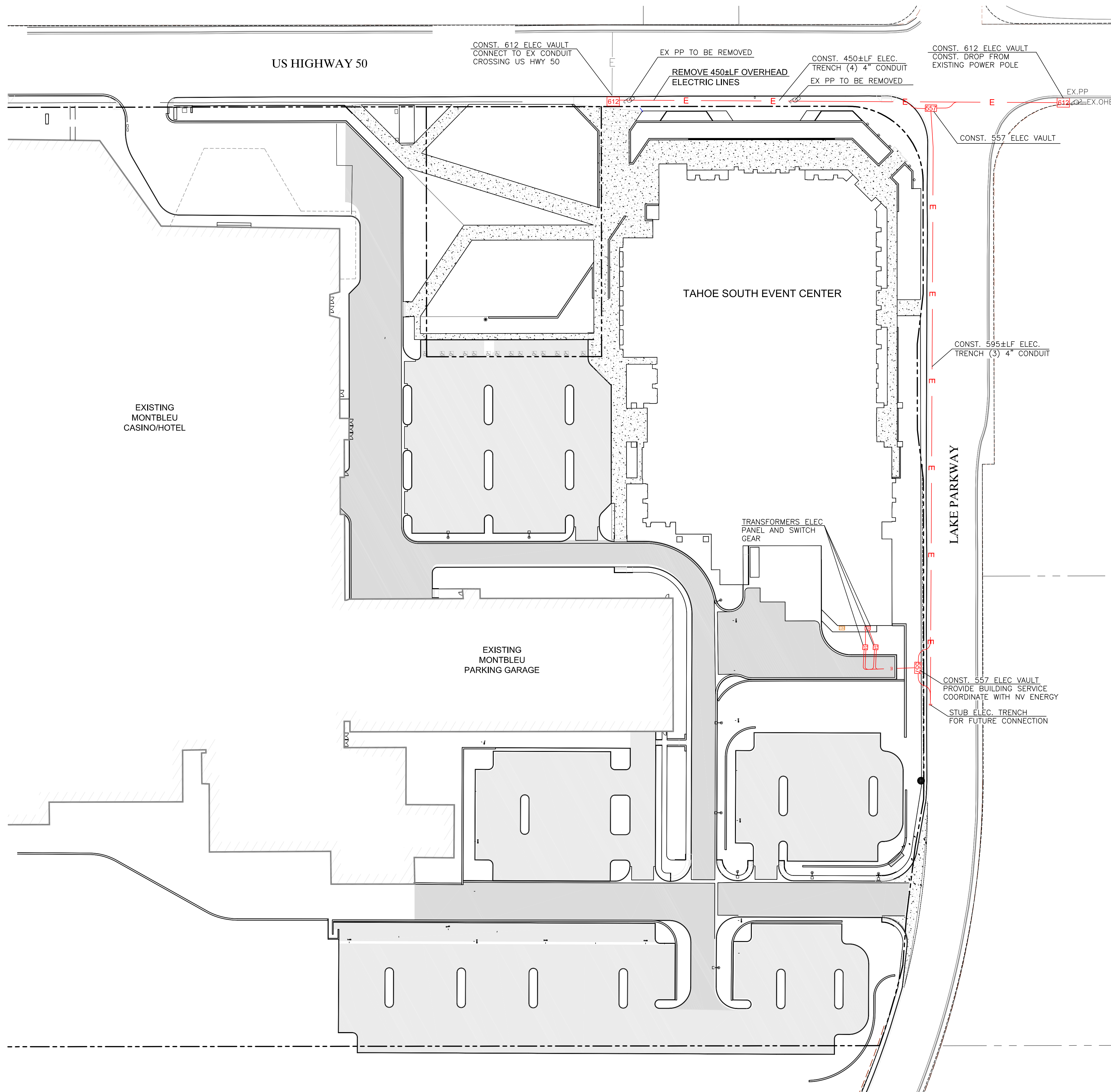
DRAWN: _____ REVIEWED: _____

TRPA PERMIT APPLICATION

PROJECT NUMBER: 5797

ELEVATIONS

SHEET NUMBER
A2-01



- NOTES:
1. CONTRACTOR TO LOCATE, POT HOLE AND VERIFY ALL CONNECTION POINTS PRIOR TO CONSTRUCTION.
 2. IF THERE IS A DISCREPANCY BETWEEN THIS SHEET AND THE NV-ENERGY PLANS CONTRACTOR TO CONTACT THE ENGINEER OF RECORD.

Perkins&Will
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475 Lincoln Street, Suite 100
Denver, CO 80203
1.303.308.0200
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CONSULTANTS

CIVIL
Welsh Hagen
250 South Rock Boulevard, #110, Reno,
Nevada 89502

STRUCTURAL
Martin/Martin Consulting Engineers
12499 West Colfax Avenue, Lakewood,
Colorado 80215

MEP
M-E Engineers
14143 Denver West Parkway, Suite 300, Golden
Colorado 80401

LANDSCAPING
Design Workshop
128 Market Street, Suite 3E, PO Box 5666,
Stateline, Nevada 89449
ARCHITECTURAL CONSULTANT
Wrightson, Johnson, Haddon & Williams, Inc.
7220 West Jefferson Avenue #410, Lakewood,
Colorado 80235

FOOD SERVICE DESIGN
Ricca Design Studios
5325 South Valerita Way, Greenwood Village,
Colorado 80111

PROJECT

Tahoe South Event Center

55 US-50
Stateline, Nevada 89449

Tahoe South

Lake Tahoe
Visitors Authority

Tahoe-Douglas Visitor's Authority

169 Highway 50 / PO Box
5878, Stateline, Nevada 89449

Sheet Package #01	ISSUE	DATE

Job Number 221940.

DOUGLAS CO.
SIP# _____

NOT FOR CONSTRUCTION

STAMP:



Sheet Title:

ELECTRICAL PLAN

Project: **EVENT CENTER**

Drawn By: **BAMF**

Checked By: **DLH**

Scale: **AS NOTED**

Date: 2/10/2020

Sheet Number:

C4.0a



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STAFF REPORT

Date: March 18, 2020

To: TRPA Governing Board

From: TRPA Staff

Subject: Update on the Main Street Management Plan and Other Components of the US 50/South Shore Community Revitalization Project

Summary and Staff Recommendation:

This staff report provides a brief update on the Main Street Management Plan and the South Shore Community Revitalization Project. This item is for informational purposes and no action is required.

Project Description/Background:

Prior to permit acknowledgement of Phase 1 of the South Shore Community Revitalization Project (SSCRP), the Main Street Management Plan (MSMP) must be developed and adopted by the TRPA Governing Board. The MSMP will provide a plan for the transition of the Main Street area after its conversion from a five lane US highway to a space which enhances the business environment, visitor experience and environmental sustainability. TRPA, as a partner agency and in coordination with the Tahoe Transportation District (TTD), is the lead in developing the MSMP. TTD is the lead in developing and completing three components of the MSMP and the remaining project conditions/components of the SSCR, as shown in the table below.

Project Condition/Component	Lead Entity
Main Street Management Plan must be approved by TRPA before proceeding with roadway realignment	TRPA
<ul style="list-style-type: none"> Main Street Design and Wayfinding 	TRPA
<ul style="list-style-type: none"> Main Street Management Plan Transit Circulator 	TTD
<ul style="list-style-type: none"> Main Street Management Plan Property and Improvements Ownership, Management, and Funding 	TTD
<ul style="list-style-type: none"> Parking Management 	TTD
Replacement Housing - 109 Transit Oriented Development (TOD) Residential Units (102 low income, 7 moderate income).	TTD
<ul style="list-style-type: none"> 76 units shall be constructed prior to displacement of any residents for any part of the SSCR. No less than 33 units shall be constructed before or concurrent with the roadway realignment. 	

Rocky Point Neighborhood Amenities Plan	TTD
US 50 Engineering and Construction Plans	TTD
Secure Project Funding	TTD

TRPA Status Report

- See the update on the Transit Circulator below.

TTD Status Report:

Main Street Management Plan Transit Circulator

- TTD and TRPA staff collaborated to prepare a recommendation to include in both the Main Street Management Plan and as a condition of approval for the South Tahoe Events Center project. It is consistent with the draft Regional Transportation Plan concepts for this area and includes both fixed route transit service along what will be the “Main Street” (a.k.a., the former US 50) and on-demand micro-transit service to the area including and surrounding the South Shore Community Revitalization Project and Main Street Management Plan. That plan will be included as part of the final version of the Main Street Management Plan.

Main Street Parking Management Plan

- TTD held a day-long parking symposium in February to kick off the Parking Management Plan. The symposium focused on the basics of parking for stakeholders and interested parties from both the north and south shores. Julie Dixon of Dixon Consulting, the subcontractor assisting with the plan, began the morning with a “Parking 101” presentation where she explained the benefits of parking management systems and how to build one from the ground up. Next, Matt Eirman with the City of Sacramento presented lessons learned on tiered level parking, on-demand parking, special event parking, and how to partner with private parking operators to provide a seamless customer service experience. The afternoon session included a “Magic Wand Exercise” where attendees were asked to list one item they would change regarding parking in their area. With about fifty attendees, this grew into a broader conversation about transportation challenges in the basin, of which parking is one component. Popular wishlist items from attendees included better parking wayfinding and technology, on demand pricing, increasing or decreasing parking inventory, putting more resources into local and regional transit, transit intercept lots, and public/private partnerships to support transit. Dixon Consulting will use the comments received as a starting point for the Parking Management Plan.

Replacement Housing

- TTD and Pacific Development Group are making progress on the amendment to the Tourist Core Area Plan. The amendment incorporates three parcels adjacent to Ski Run Blvd and Pioneer Trail into the existing area plan and allows for a 17 unit increase in multi-family residential density, allowing approximately 77 multi-family units to be built. The City’s Planning Commission recommended approval of the amendment on February 20, 2020, the City Council approved the amendment on March 10, 2020, and the TRPA Advisory Planning Commission recommended approval on March 11. The City and TRPA staff will present the draft amendment for recommendation for approval to the TRPA’s Regional Plan Implementation Committee (RPIC) on March 25, 2020 and to the full Governing Board for approval on April 22, 2020.

Contact Information:

For questions regarding this agenda item, please contact Alyssa Bettinger, Associate Planner, at (775) 589-5301 or abettinger@trpa.org.

STAFF REPORT

Date: March 18, 2020
To: TRPA Regional Plan Implementation Committee
From: TRPA Staff
Subject: VMT Threshold Update

Summary and Staff Recommendation:

The approved Vehicle Miles Traveled (VMT) threshold update workplan is intended to update the standard established in 1982 for air quality concerns to reflect the salient concerns of today including regional mobility and greenhouse gas (GHG) emissions. The workplan is in its seventh month of implementation. Based on the experience to date and the application of the adaptive management process, staff seeks direction to propose updating the VMT threshold standard from a target based on air quality to a target that addresses concerns related to mobility, mobile source GHG emissions, and other identified concerns associated with vehicle travel.

Required Motion:

In order to recommend approval of the requested action, the Regional Plan Implementation Committee should make the following motion based on the staff summary:

- 1) A motion to direct staff to revise the VMT threshold update workplan, to propose updating the VMT threshold standard from a target based on air quality to a threshold that address concerns related to mobility, mobile source GHG emissions, and other identified concerns associated with vehicle travel (e.g., the promotion of compact development in town centers, reduced reliance on the private automobile, etc.), thus defining the level of regional VMT and VMT reductions that TRPA is then committed to managing and planning for at both the regional and project level.

Background:

The current VMT threshold standard established a goal of reducing NO_x emission by 10% from 1981 levels, as measured by VMT. It was established in 1982 to improve water quality by reducing nitrogen deposition from in-basin mobile sources (e.g., emissions from cars and trucks). Nitrogen emissions from mobile sources in the Region have declined more than 66% since the standard was adopted, far in exceedance of the goal for that standard. Regional NO_x emissions have been steadily decreasing since 1989 and reductions far exceed the 10% reduction initially envisioned by the standard.

The RPIC directed staff to update the VMT threshold standard to reflect current concerns. Given that NO_x emissions were no longer the motivating concern, the update process began with the identification of two focus areas around which to orient the workplan; 1) promoting regional mobility and providing options to automobile travel, and 2) reducing mobile source greenhouse gas emissions. Achieving those

goals requires updating and aligning the complementary implementing mechanisms in the Regional Plan and Regional Transportation Plan (RTP).

California Senate Bill 743 modified CEQA requirements replacing project impact on Level of Service (LOS) with project impact on VMT as the core component of the analysis. The shift is consistent with a larger shift away from LOS. To implement best practices in transportation and regional planning and ensure regional alignment of project analysis requirements, staff is working on a project level VMT analysis tool with jurisdictions on the California side of the basin. While state policy has only recently started to focus on VMT, TRPA has focused on VMT reduction for more than forty years. The Regional Plan and Regional Transportation Plan work in concert to promote walkable, bikeable, and transit friendly communities that reduce VMT.

At the December RPIC meeting, staff presented a high-level overview of that system and reaffirmed the agency's commitment to managing VMT. To achieve the goals of the Regional Plan and ensure alignment with State policy, staff stated that VMT will continue to play a central role in project evaluation as an action-forcing mechanism to encourage better project design. The ongoing work and commitment to integrate VMT at the project level is complemented by the significant investments currently being made to update TRPA's regional travel demand model. That work will enable more accurate estimation and forecasting of regional VMT.

The additional investments in the travel demand model and the use of VMT as the primary metric for project evaluation have led staff to recommend a proposal to use VMT to establish a new threshold for reducing both the dependence on the automobile and mobile source GHG. The proposal would update the existing VMT threshold from one rooted in concerns over NOx emissions that have already been achieved, to one that reflects our communities' shared aspirations for its transportation system and development pattern. Upon completion of the TRPA model update and verification that the model is appropriately sensitive to VMT effects, TRPA can forecast the anticipated level of VMT growth associated with planned development as set forth in the Regional Plan and Regional Transportation Plan and can determine whether that level of VMT is appropriate given the revised VMT threshold and the various concerns related to vehicle use in the basin. The VMT threshold would inform further regional planning processes as well as project-level standards for VMT reductions necessary to achieve the regional threshold.

If the RPIC recommends moving forward with the proposed workplan modifications, staff will revise the workplan accordingly and bring the revised workplan back to RPIC. Staff will provide RPIC with an update on the project analysis framework work currently underway with partner jurisdictions on the California side of the Region at its April meeting. The update of the project level analysis framework will ground discussion of future goals in a common set of expectations of both the impacts and contributions of individual projects to regional mobility goals.

Contact Information:

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