

3.4 INDIVIDUALS

From: Sally Anderson [<mailto:salanderson@earthlink.net>]
Sent: Thursday, August 11, 2016 8:08 PM
To: jenmonten@placer.ca.gov
Cc: planning@placer.ca.gov; Lucia Maloney <lmaloney@trpa.org>
Subject: 8096 Brockway Vista

Letter 18

Re: Response to Tahoe Basin Area Plan (King's Beach)

To whom it may concern:

I am one of the family members who share ownership in a cabin at 8096 Brockway Vista, off of Secline Street at the west entry to King's Beach. This portion of Brockway Vista Ave is a narrow road which ends at the property line of the Ferrari Crown Hotel. There currently are 8 private residences on this road, four of those homes are on the lake, the other four are on the opposite side of the road. Our home was built in 1929 and has been in the family since its construction. Our grandparents built it, My mom spent every summer there as a girl, as did my brothers and I. It is a cherished, beloved home for me and my extended family, of brothers, cousins and their children.

We are very concerned with the proposed vote to change zoning in this area. Although we are currently zoned as Special Area #2, I believe, the proposed zoning as part of the new Area Plan calls for this area to be put into a Town Center Core Area. Also made part of this Area Plan is the intent to create a new pedestrian/bike pathway on the lakeside of the four homes.

With respect to the inclusion of this area into the town center, there seems to be little to no advantage, and in fact seems quite counterproductive. There is genuine basis for desiring the reconstitution of existing commercial and tourist operations already present on both sides of 89, but to enlarge the area in which land use intensifies is completely against the desires of multiple agencies involved.

In particular, the SEZ, historically measured at 500ft. from a creek, places six residences and all but a few feet of the last two residences on our stretch of Brockway Vista in a critical area. Short of no development in this area, the next best and least dense use of the land is single family homes.

There is no need to make this area part of the "Core Commercial Area." Increased density of any nature seems to be in direct opposition to what is required here. As stated above there is more than enough area in which to improve use and efficiency of existing commercial and tourist areas without inviting more volume to the area. This will in fact help all existing residents and promote reasonable economic gain without overstimulating the geographic givens. Traffic alone from additional/increased retail, commercial, and tourist housing density will add to the burden of the area, not improve it.

There are two separated portions of Brockway Vista. At the east end of the other section of Brockway Vista at the east end of the public beach, the Town Center area moves north of the residential area. In essence there is finger of residential use along the lake which appears to be two houses deep. It seems perfectly logical for that exact use to be applied to our west end of Brockway Vista. At the west end of the Ferrari Crown Hotel property line, let the Town Center line be moved to the rear (north) of the residences. It would seem logical to include those businesses which front 89 behind the residences in a different zoning area, but leave the existing residences at the lowest possible density zoning.

With regard to a boardwalk/bike path along the beach on the lakeside of our residences, there seems to be no need. I have observed for the last forty years, when the lake is low as it is currently, people walk quite comfortably and without problem below the high water mark. The foot traffic is not significant and in proportion to the parking available for the small Secline public beach. However when the lake is full, or even at higher levels, a walkway built in that area will be under water. With any mild to moderate wind, waves will add to the functional water level and create additional problems as water will break onto private property.

At this point we would like the County/TRPA and others involved to do several things:

1. 1) Modify the Town Center Core Area to specifically NOT include any Residences along Brockway Vista off of Secline.
2. 2) Eliminate the proposed walkway/bike path across the lakefront residences at Brockway Vista and terminate it or reroute it at the Ferrari Crown Hotel property line.
3. 3) Decrease density and demand by keeping all lakeside properties west of the Crown Ferrari Hotel along 89 as single family or existing tourist zoning.

Thank you.

Respectfully,

Sarah Anderson and daughter Linnet Vacha

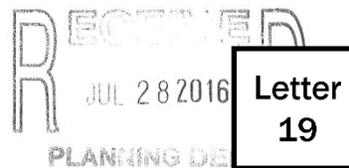
**Letter
18**

Sally Anderson
 August 11, 2016

18-1

18-1

The comment expresses opposition to adjustment of the Kings Beach Town Center boundary and the shared-use path along Brockway Vista Avenue. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.



July 26, 2016

Dear Placer County Community Development Resource Agency,

My husband and I own Unit #23 at Tahoe Marina Lakefront. We have owned property at TML for ten years. My husband was on the board for several years and I have been on the board for four years. For the last three years I have served as the board president. We are writing to oppose the Draft Environmental Impact Report regarding the proposed bike path on the Tahoe Marina Lakefront Property and the Tahoe City Lodge project across the street.

Regarding the bike path:

The adverse effects of the bike path were not analyzed in the DEIR. Specifically:

- The unsafe condition the path would create with more than 1600 people using the path on a peak day. This would especially be true for young children that would need to go across the path from the grassy area to the beach.
- It would create greater security issues for TML owners. This path would be feet from some owner's bedrooms.
- A fence would be necessary to create the security needed. This fence would deny owners the beach front access they originally purchased with their property. This would result in a decrease in property values.
- Noise impacts to our residential community could not be mitigated from this bike path.
- Unlike other areas by the marina, which has the lakeside trail and benefits existing businesses with customers, TML is residential and the path will result in reduced privacy and noise.
- The proposed path will trigger eminent domain, which would likely be a lengthy and expensive process.

I am asking the County of Placer to return to the September 2015 Area Plan shared-use path that shows the path along the commercial corridor and set back from the road.

Regarding the Tahoe City Lodge project. The DEIR has not addressed the following:

- The location of an open bar, hot tubs (pool) and social space on the third story will produce appreciable noise to our residential community. This noise impact has not been analyzed in the DEIR. I would ask that this area be re-located to the center of the property, away from the street in an effort to mitigate the noise to TML homeowners.
- The parking proposed is inadequate and has also not been analyzed in the DEIR. Many of these spaces will be shared with the golf course and will be a considerable distance from the lodge entrance. This will cause Lodge visitors to use on-street parking or use parking spaces on TML property since they may be the only spaces available or are much closer to the entrance and much more convenient.

Thank you for your consideration.

Sincerely,
Jamie Arno

Jamie Arno, Association President & Property Owner

19-1

19-2

19-3

**Letter
19**

Jamie Arno
July 26, 2016

- 19-1 The comment expresses opposition to and concern regarding the potential environmental effects of the shared-use path along the Tahoe Marina Lakefront property. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.
- 19-2 The comment states that the location of the rooftop open bar, hot tubs and pool, and social space will produce appreciable noise for the Tahoe Marina Lakefront property owners, and suggests that these features be re-located to the center of the lodge property. The comment is correct with respect to potential noise effects related to the rooftop features of the lodge. These effects would be similar to those contemplated for clubhouse-related event noise in Impact 13-5 of the Draft EIR/EIS. Impact 13-5 is revised in this Final EIR/EIS to further address the concerns raised in this comment. These changes are presented in Chapter 2, "Corrections and Revisions to the Draft EIR/EIS," of this Final EIR/EIS and below.

Impact 13-5, which begins on page 13-36, is revised to read as follows:

Impact 13-5: Outdoor event noise generated during operation of the Tahoe City Lodge and related to the relocated golf course clubhouse

For all the Area Plan alternatives, the change in land uses would not result in any new land uses that would include noise-generating activities on building rooftops in the Plan area. Also, the change in land uses would not result in any new land uses that host outdoor events or an increase in the frequency of noise-generating outdoor events at existing land uses in the Plan area. Therefore, there would be no impact at the program level related to noise-generating outdoor events-activities with Area Plan Alternatives 1, 2, 3, and 4.

With Lodge Alternatives 1 and 2, a rooftop terrace with a swimming pool, bar, and food and beverage deck would be included in the design of the Tahoe City Lodge. Noise generated by activity on the rooftop terrace would not exceed applicable TRPA land use-based CNEL standards at off-site noise-sensitive receptors; however, noise generated by activity on the rooftop terrace could exceed applicable noise standards established by the Placer County Noise Ordinance at residences on the Tahoe Marina Lakefront property across the street. At the project level, the frequency and effects of noise-generating outdoor events at the golf course clubhouse would increase with Alternatives 1 and 3. Noise generated by outdoor events at the new golf clubhouse with Alternatives 1 and 3 would not exceed applicable TRPA land use-based CNEL standards at off-site noise-sensitive receptors; however, noise generated by outdoor events could exceed applicable noise standards established by the Placer County Noise Ordinance at such that existing nearby off-site residential receptors could be exposed to noise exterior levels that exceed the noise level standards for sensitive receptors established in the Placer County Noise Ordinance.

In summary, county noise standards could be exceeded by noise-generating activities on the rooftop terrace under Alternatives 1 and 2, and by noise generated by outdoor events at the golf course under Alternatives 1 and 3. These is exceedances of county noise standards would be a significant impact under Alternatives 1, 2, and 3. Implementation of Mitigation Measure 13-5 would ensure that noise levels generated by the rooftop terrace (under Alternatives 1 and 2) and by outdoor events near the expanded, relocated golf course clubhouse (under Alternatives 1 and 3) would not

exceed Placer County Noise Ordinance Standards at nearby residential land uses. Therefore, this impact would be reduced to a **less-than-significant** level.

With Lodge Alternatives ~~2 and 4~~, no changes to the lodge would occur. Also, the location of outdoor events at the golf course would not change and there would be no change in event-related noise levels. Thus, there would be resulting in no impact with Alternative 4.

Placer County Tahoe Basin Area Plan Program-Level Analysis

The program-level analysis of noise land use compatibility that would occur under the Area Plan alternatives tiers from the program-level analysis in the RPU EIS. Separate analyses are provided for each Area Plan alternative below.

Alternative 1: Proposed Area Plan

With Area Plan Alternative 1 the change in land uses would not result in any new land uses that would include outdoor noise-generating activities on building rooftops or terraces or that would host outdoor events or an increase in the frequency of noise-generating outdoor events at existing land uses in the Plan area. Therefore, there would be **no impact** at the program level related to noise-generating outdoor events.

Alternative 2: Area Plan with No Substitute Standards

With Area Plan Alternative 2 the change in land uses would not result in any new land uses that would include outdoor noise-generating activities on building rooftops or terraces or that would host outdoor events or an increase in the frequency of noise-generating outdoor events at existing land uses in the Plan area. Therefore, there would be **no impact** at the program level related to noise-generating outdoor events.

Alternative 3: Reduced Intensity Area Plan

With Area Plan Alternative 3 the change in land uses would not result in any new land uses that would include outdoor noise-generating activities on building rooftops or terraces or that would host outdoor events or an increase in the frequency of noise-generating outdoor events at existing land uses in the Plan area. Therefore, there would be **no impact** at the program level related to noise-generating outdoor events.

Alternative 4: No Project

With Area Plan Alternative 4 the change in land uses would not result in any new land uses that would include outdoor noise-generating activities on building rooftops or terraces or that would host outdoor events or an increase in the frequency of noise-generating outdoor events at existing land uses in the Plan area. Therefore, there would be **no impact** at the program level related to noise-generating outdoor events.

Tahoe City Lodge Project-Level Analysis

Alternative 1: Proposed Lodge

With Alternative 1, a rooftop terrace with a swimming pool, bar, and food and beverage deck would be included on the fourth story of the Tahoe City Lodge. Noise generated on the terrace may consist of kids and adults playing in the pool, people socializing over food, and occasional performances with amplified music. The nearest off-site receptors would be the existing residential and tourist accommodation units at the Tahoe Marina Lakefront property, which is across the street (i.e., SR 28) from the Tahoe City Lodge. The rooftop terrace would be located approximately 225 feet from the nearest building at the Tahoe Marina Lakefront Property, which is part of Special

Area #4 of the Tahoe City Community Plan under existing conditions and Alternative 4 and the MU-NT zoning district under Area Plan Alternatives 1 through 3. The applicable TRPA land use-based CNEL standard for this area is 55 CNEL (TRPA 1994:II-14 and II-15; Draft Area Plan page 115) in both the Tahoe City Community Plan and Area Plan.

As described in Section 13.3, “Environmental Setting,” a noise analysis recently conducted for a proposed wintertime ice rink at the golf course used reference noise levels of 70 dB L_{eq} and 65 dB CNEL at a distance of 50 feet for music and skating activity at the proposed ice rink (J.C. Brennan & Associates 2016:12). Based on noise analyses of other outdoor events (Bollard Acoustic Consultants 2015:13 and 15.), it is estimated that the L_{max} would be approximately 5 dB greater than the hourly L_{eq} noise level, or 75 dB L_{max} . This analysis assumes that noise generated by people and music on the rooftop terrace would generate similar noise levels. Thus, it is estimated that the nearest building at the Tahoe Marina Lakefront property could be exposed to noise levels of 52 CNEL, 57 dB L_{eq} , and 62 dB L_{max} . This estimate includes no ground attenuation due to the acoustically hard surfaces in the area. See Appendix J for calculations of noise attenuation. This level of noise exposure would not exceed the 55 CNEL noise threshold established by TRPA in the Tahoe City Community Plan (TRPA 1994:II-14 and II-15) or the Area Plan (page 115).

Placer County’s L_{eq} and L_{max} standards are used to make a significance determination for the purpose of conducting CEQA environmental review. As shown in Table 13-7, the Placer County Noise Ordinance establishes daytime noise standards of 55 dB L_{eq} and 70 dB L_{max} and nighttime noise standards of 45 dB L_{eq} and 65 dB L_{max} for noise-sensitive receptors. However, the Placer County Noise Ordinance includes two separate considerations relevant to this analysis. First, the sound level standards specified in Table 13-7 shall be lowered by 5 dB for noise that consists of speech or music. Second, in no case shall the sound level standard be lower than the ambient sound level plus 5 dB. Therefore, this analysis takes into account the existing noise levels at the Tahoe Marina Lakefront community. As explained in Impact 13-4 on page 13-14, the predominant noise source near the Tahoe City Lodge site is traffic traveling on SR 28. As shown by the modeled existing traffic noise levels in Table 13-8, the 55 CNEL traffic noise contour along the segment of SR 28 between the Tahoe City Lodge and the Tahoe Marina Lakefront property (i.e., the segment of SR 28 between the Wye and Grove Street) extends approximately 200 feet from the highway’s edge. Three of the buildings at Tahoe Marina Lakefront property are located within this 55 CNEL traffic noise contour. This means that, under existing conditions, the buildings at the Tahoe Marina Lakefront property that are closest to the Tahoe City Lodge already experience ambient noise levels of 55 CNEL or higher. Thus, noise levels generated by activity on the rooftop terrace, when expressed using the CNEL metric, would not be noticeable at the Tahoe Marina Lakefront, because they would not result in an increase of 3 dB CNEL or greater.

Traffic volumes traveling on SR 28 and their resultant noise levels can fluctuate throughout the day, hour by hour. This means that hourly L_{eq} traffic noise levels at the Tahoe Marina Lakefront property may be as low as 50 dB L_{eq} during evening and nighttime hours when traffic is light. This suggests that, to be conservative, no adjustment should be made to the Noise Ordinance standards to account for existing traffic noise levels and, because noise-generating activity on the terrace would include speech and music, the standards applied in this analysis should be an hourly L_{eq} of 50 dB and an L_{max} of 65 dB during daytime and nighttime hours. Based on the noise levels for similar types of activity, the hourly noise level of 57 dB L_{eq} from activity on the rooftop terrace could exceed the hourly L_{eq} standard of 50 dB at the Tahoe Marina Lakefront property.

Also ~~With~~ Alternative 1, the existing clubhouse at the golf course would be demolished and a new, expanded clubhouse would be constructed at the site of the existing putting green just west of the sixth tee. Accordingly, the location of outdoor events would be moved as well and, hence, be closer to nearest off-site residences than under existing conditions. Though the types of noise-generating outdoor events would not change, the frequency of such events may increase.

The new location of outdoor events could be as close as 150 feet from the nearest off-site residence, which ~~is~~would be about 50 feet closer than the current location of outdoor events and is part of the Fairway Tract Plan Area Statement (PAS 002) (TRPA 2002). As described in ~~Section 13.3, "Environmental Setting,"~~ above, a noise analysis recently conducted for a proposed wintertime ice rink at the golf course used reference noise levels of 70 dB L_{eq} and 65 dB CNEL at a distance of 50 feet for music and skating activity at the proposed ice rink (J.C. Brennan & Associates 2016:12). Based on noise analyses of other outdoor events (Bollard Acoustic Consultants 2015:13 and 15.), it is estimated that the L_{max} generated by such events would be approximately 5 dB greater than the hourly L_{eq} noise level, or 75 dB L_{max} . Assuming that summertime outdoor events near the new clubhouse would produce similar sound levels, it is estimated that the nearest residence would be exposed to noise levels of 53 CNEL, 58 dB L_{eq} , and 63 dB L_{max} during outdoor events near the new clubhouse. See Appendix J for calculations of noise attenuation. This level of noise exposure would not exceed the 55 CNEL noise threshold established by TRPA in the Fairway Tract PAS (002) (TRPA 2002:3). ~~As a result, this impact would be less than significant for the purposes of TRPA environmental review.~~ Noise generated by outdoor events near the new clubhouse would exceed the daytime noise standards of 50 dB L_{eq} and 65 dB L_{max} and the nighttime noise standards of 40 dB L_{eq} and 60 dB L_{max} for noise-sensitive receptors established in the Placer County Noise Ordinance (Table 13-7).

In summary, noise generated on the rooftop terrace at the lodge and by outdoor events near the relocated golf course clubhouse would not exceed applicable TRPA CNEL thresholds at off-site noise-sensitive receptors. As a result, this impact would be less than significant for the purposes of TRPA environmental review.

Activity on the rooftop terrace at the lodge could expose nearby off-site residences at the Tahoe Marina Lakefront property to noise levels of 57 dB L_{eq} , which would exceed the daytime hourly noise standard of 50 dB L_{eq} and the nighttime hourly noise standard of 45 dB L_{eq} established by the Placer County Noise Ordinance. In addition, noise generated by outdoor events near the new golf course clubhouse would exceed the daytime noise standards of 50 dB L_{eq} and 65 dB L_{max} and the nighttime noise standards of 40 dB L_{eq} and 60 dB established in the Placer County Noise Ordinance L_{max} for noise-sensitive receptors. As a result, this would be a significant impact for the purposes of CEQA environmental review.

Alternative 2: Reduced Scale Lodge

With Alternative 2, the clubhouse at the golf course would not be relocated and special outdoor events at the golf course would take place at the same location that they do now. Thus, the level of noise exposure from outdoor events at nearby residential land uses would not change. ~~Thus, there would be no impact related to outdoor event noise.~~ A rooftop terrace with a swimming pool, bar, and food and beverage deck would be included on the third story of the Tahoe City Lodge with Alternative 2. The potential impact of noise generated by activity on the rooftop terrace would be the same as for Alternative 1. As described in the above analysis for Alternative 1, this impact would be less than significant for the purposes of TRPA environmental review, and this impact would be significant for the purposes of CEQA environmental review.

Alternative 3: Reduced Height Lodge

With Alternative 3, a rooftop terrace would not be included in the design of the Tahoe City Lodge. Thus, nearby off-site noise-sensitive receptors would not be exposed to increased noise levels associated with operation of the Tahoe City Lodge. However, ~~W~~with Alternative 3, as with Alternative 1, the existing clubhouse at the golf course would be demolished and a new clubhouse would be constructed at the site of the existing putting green just west of the sixth tee. The levels of noise exposure at nearby residential land uses would be the same with Alternative 3 as with Alternative 1. Noise levels from outdoor events would not exceed the 55 CNEL noise threshold established by TRPA in the Fairway Tract PAS (002) (TRPA 2002:3). As a result, this impact would be **less than significant** for the purposes of TRPA environmental review. However, noise generated by outdoor events near the new clubhouse would exceed the daytime noise standards of 50 dB L_{eq} and 65 dB L_{max} and the nighttime noise standards of 40 dB L_{eq} and 60 dB L_{max} for noise-sensitive receptors established in the Placer County Noise Ordinance (Table 13-7). As a result, this would be a **significant** impact for the purposes of CEQA environmental review.

Alternative 4: No Project

With Alternative 4, no rooftop terrace would be added to the Tahoe City Lodge. Thus, nearby off-site noise-sensitive receptors would not be exposed to increased noise levels associated with operation of the Tahoe City Lodge. Also, the clubhouse at the golf course would not be relocated and special outdoor events at the golf course would continue to take place at the same location that they do now. Thus, the level of noise exposure from outdoor events at nearby residential land uses would not change. Thus, there would be **no impact** related to outdoor event noise for the purposes of both TRPA and CEQA environmental review.

Mitigation Measure 13-5, which begins on page 13-38, is also revised to read as follows:

Mitigation Measure 13-5a: Implement measures to ensure compliance of rooftop terrace activities with Placer County Noise Ordinance standards at the Tahoe Marina Lakefront Property

The following mitigation measure applies to Lodge Alternatives 1 and 2.

The applicant for the Tahoe City Lodge project shall ensure that noise generated by activity on the rooftop terrace will not expose off-site noise-sensitive receptors, including the Tahoe Marina Lakefront property, to noise levels that exceed standards established by the Placer County Noise Ordinance (Table 13-7). Noise reduction measures that can be implemented to ensure compliance with Placer County Noise Ordinance daytime noise standards of 50 dB L_{eq} and 65 dB L_{max} and nighttime noise standards of 40 dB L_{eq} and 60 dB L_{max} include but are not limited to the following:

- ▲ Adjust volume settings and orient speakers away from the Tahoe Marina Lakefront property.
- ▲ Install a noise-reduction barrier along the edge of the rooftop terrace. This barrier may consist of a transparent material to maintain views of the lake. This barrier may also serve to limit the level of traffic noise on the rooftop terrace.
- ▲ Outdoor generators shall not be operated on the rooftop terrace.
- ▲ Orient or relocate the rooftop terrace activity area on the Tahoe City Lodge project site such that other buildings serve as a sound barrier to project off-site noise-sensitive receptors.

- ▲ Prohibit music after 10:00 p.m., if necessary to ensure compliance with Placer County Noise Ordinance nighttime noise standards of 40 dB L_{eq} and 60 dB L_{max} .
- ▲ Prohibit music at all times, if necessary.

Prior to groundbreaking for the Tahoe City Lodge project, a qualified acoustic specialist shall be selected by the county hired at the project applicant's expense to verify the effectiveness of all selected noise reduction measures. The qualified acoustic specialist shall also provide the findings to the county.

Mitigation Measure 13-5b: Implement measures to ensure compliance by outdoor events at the golf course clubhouse with exceedance of Placer County Noise Ordinance Standards at nearby residential land uses

The following mitigation measure applies to Lodge Alternatives 1 and 3.

The Tahoe City Public Utility District shall ensure that noise generated by the clubhouse will not expose off-site sensitive receptors, such as nearby residences, to noise levels that exceed the nighttime noise standards of 40 dB L_{eq} and 60 dB L_{max} established by the Placer County Noise Ordinance between the hours of 10:00 p.m. and 7:00 a.m. The Tahoe City Public Utility District shall prohibit outdoor events near the clubhouse or on the golf course between the hours of 10:00 p.m. and 7:00 a.m. The Tahoe City Public Utility District shall also ensure that Placer County Noise Ordinance standards of 50 dB L_{eq} and 65 dB L_{max} are not exceeded at the property line of nearby residences between the hours of 7:00 a.m. and 10:00 p.m. Subwoofers shall not be used in amplified sound systems at outdoor events.

Sound level measurements shall be conducted at the property line of the closest residential land use during the sound testing of the amplified sound system prior to each outdoor event. The sound level meter used for the sound level measurements should meet a minimum Type 2 compliance and be fitted with the manufacturer's windscreen and calibrated before use.

Noise reduction measures that can be implemented to ensure compliance with Placer County Noise Ordinance daytime noise standards of 50 dB L_{eq} and 65 dB L_{max} include but are not limited to the following:

- ▲ Locate outdoor events as far as possible from nearby off-site residences along Fairway Drive. If feasible, orient outdoor events such that the new clubhouse serves as a sound barrier between the noise-generating outdoor activity and the nearest off-site residence.
- ▲ Any outdoor generators used during outdoor events shall be located as far as possible from nearby off-site residences along Fairway Drive.
- ▲ Adjust volume settings and orient speakers away from off-site residences.
- ▲ If agreed to by nearby homeowners, install a permanent sound barrier (e.g., a wall, earthen berm, or berm-wall combination) near the property line of off-site residential land uses.
- ▲ If agreed to by nearby homeowners, install a temporary sound barrier during outdoor events near the property line of the affected off-site residential land uses.

Significance after Mitigation

Implementation of Mitigation Measure 13-5a would ensure that noise levels generated by activity on the rooftop terrace at the Tahoe City Lodge under Alternatives 1 and 2 would not exceed Placer County Noise Ordinance Standards at the Tahoe Marina Lakefront Property. Implementation of Mitigation Measure 13-5b would ensure that noise levels generated by outdoor events near the expanded, relocated golf course clubhouse associated with Lodge Alternatives 1 and 3 would not exceed Placer County Noise Ordinance Standards at nearby residential land uses. Therefore, this impact would be reduced to a **less-than-significant** level.

The following source is added to the list of noise references under the heading, “Chapter 13, Noise,” which begins on page 22-12 in Chapter 22, “References”.

Tahoe Regional Planning Agency. 1994 (February). Tahoe City Community Plan. Stateline, NV.

The following noise attenuation calculations sheet is added to Appendix J.

Attenuation Calculations for Stationary Noise Sources									
<p>KEY: Orange cells are for input. Grey cells are intermediate calculations performed by the model. Green cells are data to present in a written analysis (output).</p>									
<p>STEP 1: Identify the noise source and enter the reference noise level (dBA and distance).</p>			<p>STEP 2: Select the ground type (hard or soft), and enter the source and receiver heights.</p>				<p>STEP 3: Select the distance to the receiver.</p>		
Noise Source/ID	Reference Noise Level		Attenuation Characteristics				Attenuated Noise Level at Receptor		
	noise level (dBA)	distance @ (ft)	Ground Type (soft/hard)	Source Height (ft)	Receiver Height (ft)	Ground Factor	noise level (dBA)	@	distance (ft)
Amplified outdoor music and crowd noise at rooftop terrace, pool, and bar on Level 4 under Alternative 1 and									
hourly Leq	70	@ 50	hard	40	5	0.00	57	@	225
Lmax	75	@ 50	hard	40	5	0.00	62	@	225
CNEL	65	@ 50	hard	40	5	0.00	52	@	225
Applicable Standards at Residences at Tahoe Marina Lodge									
hourly Leq, daytime	50								
hourly Leq, nighttime	40								
Lmax, daytime	65								
Lmax, nighttime	60								
TRPA CNEL threshold	55								
Notes:									
The reference noise levels are from j.c. brennan & associates 2016, p. 12.									
Based on other noise analyses of outdoor events, it is estimated that the Lmax noise levels would be approximately 5 dB greater than hourly Leq noise levels. See Bollard Acoustic Consultants 2015, p.13, 15.									
Estimates of attenuated noise levels do not account for reductions from intervening barriers, including walls, trees, vegetation, or structures of any type.									
Computation of the attenuated noise level is based on the equation presented on pg. 12-3 and 12-4 of FTA 2006.									
Computation of the ground factor is based on the equation presented in Figure 6-23 on pg. 6-23 of FTA 2006, where the distance of the reference noise level can be adjusted and the usage factor is not applied (i.e., the usage factor is equal to 1).									
Sources:									
Bollard Acoustic Consultants. 2015 (February 5). Environmental Noise Assessment for Saint James Park Outdoor Music Events. Available at https://www.sanjoseca.gov/DocumentCenter/View/55581 . Accessed May 26, 2016.									
Federal Transit Association (FTA). 2006 (May). Transit Noise and Vibration Impact Assessment. FTA-VA-90-1003-06. Washington, D.C. Available: < http://www.fta.dot.gov/documents/FTA_Noise_and_Vibration_Manual.pdf >. Accessed: September 24, 2010.									
J.C. Brennan & Associates. 2016 (May) 17. Tahoe Public Utility District Winter Sports Park Ice Skating Rink Environmental Noise Assessment. Available as Appendix D at https://tcicerink.files.wordpress.com/2016/05/3-wsp-ice-rink_-is.pdf . Accessed May 27, 2016.									

- 19-3 The comment suggests that parking for the Tahoe City Lodge has not been analyzed. This is incorrect. Pages 10-48 through 10-55 of the Draft EIR/EIS include a detailed analysis of parking demand and supply for the Tahoe City Lodge. A portion of the parking on the golf course property would be immediately adjacent to the northwest side of the lodge. Overall, approximately 53 percent of the lodge peak parking demand can be accommodated on spaces that are more convenient or equally convenient as on-street spaces. Some of the shared lodge/golf course parking would require a longer walk to the lodge (up to approximately 600 feet) than would use of existing on-street parking (or parking in the public lot on the southwest corner of SR 28 and Commons Beach Road). While it is possible that some lodge guests or employees could choose to park in these existing public spaces (even though parking spaces are available near the golf course clubhouse), parking spaces along SR 28 are limited to 2-hours only during the day, in winter overnight parking on SR 28 is prohibited, and Tahoe Marina Lakefront parking is already signed and chained to prohibit parking by others. See also response to comment 12-42.

From: Walter Auerbach <Wauerbach@auerbachengineering.com>
Sent: Friday, August 12, 2016 9:37 AM
To: Placer County Environmental Coordination Services
Subject: Comments on Draft Area Plan EIR/EIS
Attachments: 081216 Images.pdf; TC Area Plan Team.pdf

<p>Letter 20</p>

I am attaching a package of information relating to the Placer County Area Plan land use designations of the following parcels:

094-171-04, 05, 09, 10, 11 (5 parcels)
 094-140-66, 67, 68 (3 parcels)

The properties listed above are currently zoned residential by Placer County, yet the Area Plan proposes to designate them as Mixed Use. The current Placer County GIS data correctly shows all property within this area to have existing residential uses, not mixed use. Therefore the existing land use diagrams and discussion in the EIR/EIS as it relates to this property are incorrect.

The designation in the Placer County Area Plan of the affected property as mixed use is inconsistent with the appropriate planning direction for the property, inconsistent with the existing uses on the property, and absolutely inconsistent with the character of the neighborhood. It amounts to commercial spot-zoning of property in the middle of a residential neighborhood. The Placer County Area Plan should retain the designation of this area as residential. This was the recommendation of the Tahoe City Plan Area Team.

The following excerpt is from the Introduction to the Placer County Tahoe Basin Area Plan:
“As specified by the Regional Plan, the focus of the Area Plan is to “Promote environmentally beneficial redevelopment and revitalization within Centers” and “preserve the character of established residential areas outside centers, while seeking opportunities for environmental improvements”. (TRPA Regional Plan, 2012).”

20-1

I submit that by approving the Area Plan with these parcels designated as Mixed Use, the County will be taking an action completely inconsistent with the stated focus of the Area Plan. This is an expansion of the mixed use “center” in Lake Forest that is not properly analyzed as such in the EIR/EIS.

I have also included a package of information that was originally submitted in response to the DRAFT policy document in June 2014, but never acknowledged by the County. That includes a package of comments made to the TRPA RPU Committee in 2012, also never acknowledged. This data provides a history of how these parcels came to even be considered by TRPA for mixed uses, and the failure of the project proponent to perfect the TRPA mixed use designation through Placer County. It also includes an explanation of the error TRPA made when they promulgated the mixed use designation in their 2012 Regional Plan. Note that the assessor’s parcels numbers have changed from 2012 to today, but the limits of the property in question are the same.

With great hope and expectation that at some point this matter will receive a response, I am once again submitting these materials for consideration.

Wally Auerbach
 PO Box 7571
 Tahoe City, CA. 96145
 530-448-1231

**Letter
20****Wally Auerbach**
August 12, 2016

- 20-1 The comment expresses concern related to parcels located in the Lake Forest area, including Assessor's Parcel Numbers 094-171-004, -005, -009, -010, and -011, and 094-140-066, -067, and -068. These parcels are classified as Mixed-Use on the TRPA Regional Plan Land Use Classification map and the intent of the Area Plan is to adopt the Regional Plan Land Use Map with limited modifications. Accordingly, Area Plan Figure 4-5 has classified these parcels as Mixed-Use consistent with the TRPA Regional Plan Land Use Classification map. However, it is also the intent of the Area Plan to carry forward existing plan area statement (PAS) regulatory provisions outside of town centers. Parcels noted in this area are contained within the existing Special Area #1 of PAS 008 (Lake Forest) and have been designated as the Lake Forest Subdistrict Special Area #1 in the proposed Area Plan (Area Plan Implementing Regulations Chapter 2.03.Q). Under this subdistrict, the current regulatory provisions of PAS 008 Special Area #1 (i.e., permissible uses and development standards) are being carried forward in the Area Plan. This area is recognized as a residential subdistrict, is not designated as a Mixed-Use zoning district, and is intended to serve as residential neighborhood of the existing type and character as specified in the Area Plan. Because this comment is related to the Area Plan and not the Draft EIR/EIS, it does not raise any issue to the adequacy, accuracy, or completeness of the EIR/EIS. The comment is noted for consideration during project review.

July 16, 2016

**Letter
21**

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

I am sending this letter as a response to the proposed shared use path connecting Commons Beach to Fanny Bridge in Tahoe City.

As current property owners at the Tahoe Marina Lodge, my family and I strongly object to the current "preferred alternative" that runs directly through our property. We purchased our condo specifically because it offered the unique combination of proximity to the main strip, along with safety and privacy so our son could run around the compound and go to the beach/pier freely without adult supervision.

The "preferred alternative" proposed in the Area Plan would severely impact not just the safety and free movement of our children, it would also seriously diminish our privacy, beach access, and property value. In addition, this would pose unacceptable security issues for us, with hundreds (if not thousands) of people passing through our property every day, with the only solution being a security fence that would block our own access to the lake.

We feel very strongly that the County should go with the path alignment shown in the September 2015 Area Plan. This would not only be the happiest solution for all concerned parties, it would also be implemented quicker and less expensively.

Thank you for your consideration.



Somy Augenstein

45 Glengarry Way
Hillsborough, CA 94010

270 N. Lakeshore Blvd, #7
Tahoe City, CA 96145

21-1

**Letter
21**

Somy Augenstein
July 16, 2016

21-1

The comment references the preferred alignment for the shared-use path connecting Commons Beach to Fanny Bridge in Tahoe City, as well as other concerns regarding potential adverse impacts associated with this shared-use path alignment. The comment also suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Placer County Environmental Coordination Services
Subject: Truckee River Bicycle Trail

**Letter
22**

----- Forwarded message -----

From: Jeffrey Brekas <brekas.jeffrey@gmail.com>
To: <cdraess@placer.ca.gov>, Mary Anne Semrau <masemrau76@gmail.com>
Cc:
Date: Mon, 15 Aug 2016 13:47:45 -0700
Subject: Truckee River Bicycle Trail
To whom it may concern,

I here write in very strong opposition to the senseless ill proposed section of Truckee River Bicycle Trail threatening seriously the environmentally sensitive shoreline at Tahoe Marina Lakefront between historic Fanny Bridge and Commons Beach in Tahoe City.

I have lodged on occasion with the respected Semrau Family, since 1968 the original and only owners of prized Unit 36. This particular condominium is located the closest to the very narrow and tranquil Lake Tahoe shoreline.

Using only the current and expanding figures I read on the internet, an average of 1,500 riders per day (50 per hour on weekdays and 170 per hour on weekends) would now come within 10 feet of the nice master bedroom where there are often vacationing sleepers both day and night. Therefore, a bicycle path here would create a gross invasion of private property. The figures I found may not include folks such as pedestrians, runners, skate boarders, dog walkers, loud juveniles, smokers, litter bugs, vagrants and thieves.

Only well secured property could now be left unattended on unit porches. Lewd trespassers such as the couple recently discovered engaging in a sex act on the patio of a nearby unit would pose even a stronger threat. The issue of "stranger danger" would balloon here for the innocent children of lodgers just out to play on "private property".

In this most sincere letter I am not even going to pen much about the obvious threat of environmental damage to the river outlet and the lake shoreline. When the drought cycle ends in overpopulated California, a path at the proposed location would certainly be flooded and more toxic chemicals would end up in the water. Spoiled by all who use this trail would be a pristine and peaceful view of the Lake Tahoe treasure. Less important but very important would be a loss of the respectful renters not only at Unit 36, but throughout the longtime lodge.

If this section of bicycle path is really so necessary then the Macinaw Road proposed route, I thought until very recently was in place, would make much more common sense. I understand the people of the lodge even agreed to raze-and-move the office to please the money hungry developers who ever continue to chip away at the beautiful basin of the largest alpine lake in the United States of America.

Most Sincerely,

Jeffrey Douglas Brekas
6178 Aspen Way N.E.
Salem, Oregon 97317-3317

1-503-302-6424

22-1

**Letter
22** | **Jeffrey Brekas**
August 15, 2016

22-1 The comment expresses opposition to and references potential adverse impacts related to the development of the shared-use path between Commons Beach and Fanny Bridge through the Tahoe Marina Lakefront property. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Dana Bridgman
16930 Majestic View Drive
Reno, NV 89521

Letter
23

August 14, 2016

Placer County Community Dev. Res. Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn CA 95603

Re: Tahoe City Area Plan / EIR

Attn: Placer County Community Dev. Res. Agency

My name is Dana Bridgman, and I am the part owner of unit 17 in the Tahoe Marina Lakefront (“TML”) community. I would like to take this opportunity to appeal to the Agency regarding the proposed bike path connecting Commons Beach to Fanny Bridge. I am strongly opposed to the lakeside bike path for many reasons primarily for safety and privacy concerns and also due to the financial implications to the owners in Tahoe Marina Lakefront.

I recently enjoyed the bike path between Fanny Bridge and Sunnyside Resort and Restaurant. The path meanders close to the lake and farther away from the lake and through residential areas. However, nowhere in that area or any other bike path I have utilized does the path go as close to a resident’s front or back door as this proposed path section does to the back doors of some of the units in TML. The proximity of the proposed path to the existing units **compromises the safety of TML residents and bicyclists**. I appeal to the Agency to visit the site and see how close the proposed path is to existing units. At that time, please just envision your sixteen year old daughter taking a nap or asleep at night in the bedroom with a sliding glass door steps away from where hundreds of bicyclists would pass every day. I would ask you to imagine your three year old playing in the yard and worrying about the child getting too close to the path or a bicyclist riding off the path, putting the child in danger.

As residents of Tahoe Marina Lodge, we utilize out back porches to leave various water “toys” and have umbrella’s on our tables, etc. I am concerned that the volume of traffic from the bike path would also **significantly increase theft** in the area. Again, the path is mere steps from the back porches of many of the units and easily accessible to all other units in the community. I believe in the goodness of humanity and don’t believe that everyone is a criminal lurking the shadows, but we have to be realistic and recognize that there are, unfortunately the bad apples out there.

If you look at the existing bike path through the Commons Beach area, you will note that the path does not interfere with the visitors’ enjoyment of the beach. The bike path is located behind the beach, grass area and children’s playground. It’s the perfect location for the path, allowing for maximum enjoyment by beach-goers, playground visitors and bicyclists alike with limited interference with one another. Conversely, the proposed beachside location of the proposed path goes right on the beach of Tahoe Marina Lakefront, impairing residents’ enjoyment of the lake, imposing on the view, causing disruption from noise and decreasing the enjoyment for all. I’m not sure about you, but as a user of the bike path I wouldn’t feel particularly comfortable if I felt I was in someone’s back yard. I would be shushing my

23-1

kids and stopping my conversations. I would feel that I was imposing on someone if they were in the middle of a barbeque on their back deck! ☺ I would submit that if the path location for Commons Beach is deemed appropriate for the city/PUD, then the same should be applied to the proposed path: **The location for maximum enjoyment would be on the street side of TML.** Since the proposed path needs to connect with the existing path at Commons Beach, having the new section enter the Commons Beach area toward the street side rather than the beach side would be most appropriate.

As an owner in TML, naturally, like all property owners anywhere, I am concerned about items impacting the **property value or other financial implications.** I see various aspects of the Area Plan having detrimental financial implications for TML owners, including:

- Proposed bike path will present security and privacy issues as discussed above which ultimately decrease property values.
- To mitigate the security and privacy issues TML may need to construct barriers or hire security to protect its residents.
- The TML homeowners may find themselves in lengthy eminent domain litigation.
- Views and enjoyment of the lake would be decreased, also negatively impacting property values.
- The proposed Tahoe City Lodge across the street will negatively impact occupancy rates at TML, decreasing rental income and also decreasing property values (which are partially derived from income potential).
- The proposed growth in the Squaw Valley Project would have the same effect – decreased occupancy, decreased value.

23-1
cont

Additionally, in the area of the proposed path on the lake side, there are no businesses, only residential areas. The businesses including the Visitor Center, Willard’s Sport Shop and Swigard’s Hardware store would benefit from additional traffic, while the residential areas would have the detrimental impacts described above. Therefore, locating the path on the street side rather than the beach side would be a win-win situation for businesses and TML residents alike.

Thank you so very much for your thoughtful consideration of these factors while you finalize the Area Plan. It is apparent that the folks who have worked on this plan have done a tremendous amount of work to get the Plan to this point and have considered many alternatives. I know at this point in a gigantic project it’s quite natural to just want to get to the finish line. I would just ask that you take a look at the immediate and long term implications to this decision and thoughtfully consider the feedback of the Tahoe Marina Lakefront community and bike path visitors. In consideration of the above, I would like to appeal to the County to remove the water-side, shared-use path from the Area Plan. If you would like clarification or care to discuss, I may be reached at 775-771-1696.

Kindest regards,

Dana Bridgman

Dana Bridgman
Tahoe Marina Lakefront Unit 17
775-771-1696

**Letter
23**

**Dana Bridgman
August 14, 2016**

23-1

The comment expresses opposition to and references potential adverse impacts related to the development of the shared-use path between Commons Beach and Fanny Bridge through the Tahoe Marina Lakefront property. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.



Letter
24

Wayne Bunker, President/CEO

August 9, 2016

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

To Whom It May Concern:

This letter is in reference to the proposed shared-use path that is being planned to connect Commons Beach to Fanny Bridge in Tahoe City, CA. I strongly object that this path would be placed on the water directly through Tahoe Marina Lodge property.

Our unit was specifically chosen and purchased for the mere fact of a private and quiet lakefront location. Never was it anticipated that a public bike path would cross our "front lawn" so-to- speak.

It is unacceptable that an estimated 1,600 people may be permitted to walk through our property on any given day. By placing this bike path through the property will change the privacy and safety of the property owners, not to mention the safety of young children who have to move between the grassy play area and the beach. All things considered, and speaking as a parent, it would be worthy to note that by adding public access, the safety of our children would be compromised in all aspects from injury to child abduction/abuse.

I implore you to support the request that the County exclude the "preferred alternative" of a water-side, shared-use path in front of Tahoe Marina Lodge from the Area Plan, as it would adversely impact the privacy, safety, property value and a severe encroachment on private property.

I and all the other property owners of Tahoe Marina Lodge, greatly appreciate your consideration of this very important issue.

Sincerely,

Wayne Bunker
President/CEO

WB/cd

24-1

303 Twin Dolphin Drive, Redwood City, CA 94065-1497 toll free (800) 632-4600 fax (650) 508-0309 wbunker@providentcu.org

Letter
24

Wayne Bunker
August 9, 2016

24-1

The comment expresses opposition to and references potential adverse impacts related to the development of the shared-use path between Commons Beach and Fanny Bridge through the Tahoe Marina Lakefront property. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Letter
25

Thomas and Sherry Campbell
4001 Errante Drive
El Dorado Hills, CA 95762
925.998.7273

August 12, 2016

Ms. Jennifer Montgomery
Placer County Supervisor, District 5
Placer County
175 Fulweiler Avenue
Auburn, CA 95603

Dear Ms. Montgomery:

Both my wife and I attended the meeting on August 11th in Kings Beach, and as a result of time for public comments running out, I wanted to share my thoughts in this letter. My comments that I had planned to make were regarding the proposed shared-use path that is being planned to connect Commons Beach to Fanny Bridge in Tahoe City, CA. We like our other neighbors that spoke on the issue, strongly object that this path would be placed on the water or directly through Tahoe Marina Lakefront property.

After years of renting at Tahoe Marina Lakefront, we purchased the property, TML Unit #39 in September 2005 when it came on the market and made our offer on the first day. We purchased at the high point of the real estate market surge and have as expected, paid the higher tax rate plus improvements associated with the remodel to the benefit all in Placer County. We gutted the 1972 Condo and did a full renovation that started a remodeling frenzy and increased investment at TML that continues today. At the time of our investment, we never dreamed that a potential pathway would cross in front of the property. Our lakefront unit has the safety, security, privacy, and serenity, that attracted us to the Unit, and we sit approximately 30 feet from the high water line where our Master bedroom and bath are located on the first floor. We feel that the security, privacy, safety and serenity would be totally jeopardized if the proposed path, with an estimated 1600 people using it on a peak day, were to be built as shown in Map 5.5 of the current Area Plan. This is totally unacceptable, and as mentioned we never dreamed of losing this view or privacy and security with our substantial investment.

With the drought, we have experienced what the future state of a pathway in the lake in front of TML might be like. Currently with the low lake levels, visitors and locals use the extended beach area which I totally understand. If the lake was full as it has been prior to the drought, this would not be an issue as the high water would not allow for visitors to walk in front of the property. This is consistent with the Public Trust Doctrine. However, with the path alignment as



25-1

shown in the current Area Plan, the issue is that visitors come onto private property and use the lawn and peer into the windows of our unit without regard to the privacy of the property owners.

We have walked and rode our bicycles on the pathway and have noticed that even at Commons Beach the trail goes behind the restroom facility and is not on the water. Most of the trail from Dollar Point to Homewood is either across the street from the lake and for the most part not in view of the lake. At no location that I am aware of, does the trail cross in front of or through private residential property.

This is to request that the County remove the water-side, shared-use path alignment from the Area Plan as it would adversely impact our privacy, safety and property value and is a severe encroachment on private property.

It is my opinion that the County should immediately return to the September 2015 Area Plan for the shared-use path that goes behind Tahoe Marina Lakefront (TML) and is set back from the road. This alignment is much more practicable and feasible for all stakeholders.

I appreciate your consideration of this request.

Sincerely,

Thomas and Sherry Campbell
270 N. Lake Blvd., #39
Tahoe City, CA 96145

25-1
cont

**Letter
25**

Thomas and Sherry Campbell
August 12, 2016

25-1

The comment expresses options to and references potential adverse impacts related to the development of the shared-use path between Commons Beach and Fanny Bridge through the Tahoe Marina Lakefront property. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Letter
26

Lauren Casparis
1472 Filbert Street, #105
San Francisco, CA 94109

August 15, 2016

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

RE: Placer County Tahoe Basin Area Plan, Public Review Draft, June 2016 and
Draft Environmental Impact Report/Environmental Impact Statement

I am an owner at Tahoe Marina Lakefront (TML).

I am writing this letter in opposition to the water-side shared-use path alternative set forth in the above Area Plan. The path as depicted in the Area Plan runs directly through our property along the Lake.

The County should remove the water-side alternative from the Area Plan as it is not adequately analyzed in the DEIR.

- A water-side path would create an unsafe condition for residents and guests.
- It would create a major security issue as the path, which would be open 24 hours a day, would pass within feet of some of our units.
- The noise impact cannot be mitigated.
- It would interfere with the use and enjoyment of our property, not to mention an invasion of our privacy rights.
- It would impact the Lake and efforts to maintain Lake clarity.
- It would severely encroach on private property which would require a lengthy eminent domain process.

The County should return to the September 2015 Area Plan shared-use path alignment that goes behind TML. This is a viable alternative and could be implemented quickly and less expensively.

26-1

Thank you for your consideration.

Sincerely,

Lauren Casparis
Tahoe Marina Lakefront #11
270 North Lake Boulevard
Tahoe City CA 96145

Cc: Each Member, Placer County Board of Supervisors

Mr. Jack Duran, Supervisor, District 1
Mr. Robert Weygandt, Supervisor, District 2
Mr. Jim Homes, Supervisor, District 3
Mr. Kirk Uhler, Supervisor, District 4
Ms. Jennifer Montgomery, Supervisor, District 5

**Letter
26**

Lauren Casparis
August 15, 2016

- 26-1 The comment expresses options to and references potential adverse impacts related to the development of the shared-use path between Commons Beach and Fanny Bridge through the Tahoe Marina Lakefront property. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Doug Cole <dougcole@me.com>
Sent: Sunday, August 14, 2016 6:04 PM
To: Placer County Environmental Coordination Services
Cc: Corinne Cole; Doug Cole
Subject: Tahoe Lodge Proposed Project

<p>Letter 27</p>

August 14, 2016

To Whom it may concern,

My name is Doug Cole and my wife Corinne and I live at 255 Pineland Drive, Tahoe City, CA. 96145

We have been coming to Tahoe for 50 plus years.

We do agree something needs to be done to improve the downtown area of Tahoe

City today, which is a **3 on a 10** scale.

However we have some major concerns which we are hoping, you will be addressing.

1. **Safety**, cars running in an out, pedestrian walkways right in the middle of the busiest section? Will the “round about” be near it? That is a crazy area almost every day during the busy seasons. Will there be a light to get to **people across the street safely**?
2. What happens with all the **neighbor’s** on every side? Are we **respecting the current easements**? Or because they have a bigger checkbook, you are overlooking the neighbors and business people who have paid their taxes and kept the area pristine during our down time? **Please don’t forget the people who have got us here.**
3. **Just because they want to pay to improve the golf course** and related parking does not mean they should be able to put a huge lodge in place. 56 feet tall, 118 rooms plus? How tall are the other buildings? Is there a design that I haven’t seen that shows the finished project?
4. **Traffic-** of course there will be increased traffic and a construction mess which will make the 89 gutter project look simple. How do we move the flow through with out 2 hour delays from 89 on either end? Can you imagine the after skiing back up? Or the back up from south 89 coming into Fanny Bridge in the summer and busy winter months? It will get backed up to Hurricane Bay. Wait, it already is on busy days now.
5. Size, 118 rooms or nothing according to the developer? How does that work? Again, they are writing a check, and you need to take it at what ever cost? **Sounds like we need developer who is a little more creative and not trying to blackmail everyone.** What is the developers exit plan? **What restrictions are you putting on the developer if any?**

Our town does need cleaning up! We just can’t do it in a way that hurts them.

Thanks for your time.

Please call me with any questions:

Best
 Doug Cole
 255 Pineland Drive
 Tahoe City, CA 96145
 925 989 9900

27-1

<p>Letter 27</p>

<p>Doug Cole August 14, 2016</p>

27-1

The comment expresses general concerns and questions regarding pedestrian safety, traffic congestion, and the Placer County permitting process related to the Tahoe City Lodge. Please see Chapter 5, “Land Use,” Chapter 9, “Scenic Resources,” and Chapter 10, “Transportation,” of the Draft EIR/EIS, which address in detail the concerns raised in this comment. This comment does not raise environmental issues regarding the adequacy, accuracy, or completeness of the Draft EIR/EIS. The comment is noted for consideration during project review.

Letter
28

RECEIVED
JUL 20 2016
PLCA

July 12, 2016

Crystal Jacobsen
Placer County Community Development
3091 Country Center Drive
Auburn, CA
95603

TRPA
P.O. Box 5310
Stateline, Nevada
89440

RE: Comments on the Tahoe Basin Area Plan/EIR/EIS (Kings Beach)

Greetings,

It has come to my attention that zoning changes are planned for my residence at 7720 N. Lake Blvd, Kings Beach (APN 117-140-016). My family has owned this property since 1938. I am against this change from Residential to "Mixed Use" for my residence and my neighborhood.

The document describes the change as allowing mixed commercial, residential and light industrial on the lakefront properties from the Ferrari Motel west to Agatam Avenue.

Historically, this strip of lakefront has always been a mix of lakefront residences and motels. The trend has been toward residential away from commercial as all the motels have been converted to time-share ownership, split ownership, condominium or private residences.

The Draft Tahoe Basin Area Plan, June 2016, (Plan) planning document states in Part 4, page 73, that commercial development is the focus of the plan.

Considering the above, it appears that the intent of the change is to allow the commercialization of the remaining residential, lightly developed lakefront in Kings Beach and to spread high density commercial urban sprawl to mimic South Lake Tahoe.

I also note that this area between the Ferrari motel and Agatam Avenue is the only lakefront residential area targeted for this change. What is the pressure to do this in this one area?

The Plan states that a goal is to allow residential in commercial areas to reduce vehicle miles but this change would have the opposite affect by spreading commercial and light industrial sites throughout an existing linear residential neighborhood creating multiple destinations for the public to conduct commerce.

These properties are currently available to the public via ownership, membership or vacation rental- including many of the residences. Changing from Residential to Commercial may decrease the public's access.

28-1

While residential, public access along the entire stretch is currently freely available to the public as water levels permit. Activities such as commercial development and light industrial would have a negative effect on the residents and and general public.

We urge you to consider the historic character of the neighborhood along with the scenic, transportation, public access and environmental goals of the TRPA and reject this change of zoning.

Thank you,



Richard and Alexandra Cooper
7720 N Lake Blvd
Kings Beach, CA 96143

Mailing address:
285 Flicker Circle
Washoe Valley, NV 89704

email: randa1@charter.net

28-1
cont

**Letter
28**

Richard and Alexandra Cooper
July 12, 2016

28-1

The comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

July 18, 2016

Jennifer Montgomery
175 Fulweiler Ave
Auburn, CA, 95603

RECEIVED
BOARD OF SUPERVISORS
5BOS TL ALL AIDES _____ (ma)

JUL 20 2016

SUP _____ COB Corr. CoCo _____
AIDE _____ CEO _____ Other

Paul Thompson

Letter
29

RE: Comments on the Tahoe Basin Area Plan/EIR/EIS (Kings Beach)

Dear Ms Montgomery,

It has come to my attention that zoning changes are planned for my residence at 7720 N. Lake Blvd, Kings Beach (APN 117-140-016). My family has owned this property since 1938. I am against this change from Residential to "Mixed Use" for my residence and my neighborhood.

The document describes the change as allowing mixed commercial, residential and light industrial on the lakefront properties from the Ferrari Motel west to Agatam Avenue.

Historically, this strip of lakefront has always been a mix of lakefront residences and motels. The trend has been toward residential away from commercial as all the motels have been converted to time-share ownership, split ownership, condominium or private residences.

The Draft Tahoe Basin Area Plan, June 2016, (Plan) planning document states in Part 4, page 73, that commercial development is the focus of the plan.

Considering the above, it appears that the intent of the change is to allow the commercialization of the remaining residential, lightly developed lakefront in Kings Beach and to spread high density commercial urban sprawl to mimic South Lake Tahoe.

I also note that this area between the Ferrari motel and Agatam Avenue is the only lakefront residential area targeted for this change. What is the pressure to do this in this one area?

The Plan states that a goal is to allow residential in commercial areas to reduce vehicle miles but this change would have the opposite affect by spreading commercial and light industrial sites throughout an existing linear residential neighborhood creating multiple destinations for the public to conduct commerce.

29-1

These properties are currently available to the public via ownership, membership or vacation rental- including many of the residences. Changing from Residential to Commercial may decrease the public’s access.

While residential, public access along the entire stretch is currently freely available to the public as water levels permit. Activities such as commercial development and light industrial would have a negative effect on the residents and and general public.

We urge you to consider the historic character of the neighborhood along with the scenic, transportation, public access and environmental goals of the TRPA and reject this change of zoning.

29-1
cont

Thank you,



Richard and Alexandra Cooper
7720 N Lake Blvd
Kings Beach, CA 96143

Mailing address:
285 Flicker Circle
Washoe Valley, NV 89704

email: randa1@charter.net

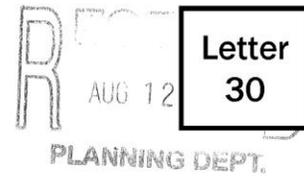
**Letter
29**

Richard and Alexandra Cooper
July 18, 2016

29-1

The comment is a duplicate of comment letter 28 above. It expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

August 6, 2016



Crystal Jacobsen
Placer County Community Development
3091 County Center Dr. Ste. 140
Auburn, Ca 95603

TRPA
128 Market Street
P.O. Box 5310
Stateline, NV 89440
ATTN: Tiffany

League to Save Lake Tahoe
2608 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150
ATTN: Shannon

Tahoe Lakefront Owner's Association
P.O, Box 7073
Tahoe City, CA 96145
ATTN: Jan Brisco

RE: Tahoe Basin Area Plan/Zoning

Our family has owned property on North Lake Blvd. Kings Beach, (Tahoe Vista) since 1938. Our address is 7708 No. Lake Blvd.

We are concerned about and opposed to the Mixed Use Residential, (MU-R) zoning for our area that is being considered by the Draft Area Plan and we are urging that this intensified zoning designation be reconsidered and changed to residential.

30-1

As many of our neighbors, we have a unique enclave along the lakefront in the area westward from the Ferrari Crown Motel to the Edgelake Resort property. We and many of our neighbors are in agreement that we want this area to be zoned residential, and keep it reflecting the predominant existing use.

We are grateful that TRPA and the League to Save Lake Tahoe are, and have been dedicated to maintaining and preserving the visual beauty of the beachfront as viewed from the lake. We are also very grateful to Tahoe Lakefront Owners Association for all of their dedicated support over the years. This kind of possible MU-R zoning development we're afraid could be adverse to what the homeowners and these organizations have worked so hard to achieve and preserve. It is also a concern to us that this could possibly be a "stepping stone" to an even worse zoning in the future.

We have been informed that "the Regional Plan Update wanted to bring zoning uses "up to date."

And that "This does not allow for changes in height or density in the area." For clarification; we neighbors, would very much like to see that in writing.

Thank you in advance for your kind consideration for our concerns and for our R zoning designation.

COOPER
Post Office Box 22585
Sacramento, California 95822

William Cooper



Jeanne Cooper



**Letter
30**

William and Jeanne Cooper
August 6, 2016

30-1
cont

30-1

The comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

Letter
31

James P. Cornell, M.D.

1266 Oak Circle Drive
Glendale, CA 91208
(818) 489-8204
jcorndoc@gmail.com

July 23, 2016

Mr. Jim Holmes
Placer County Supervisor, District 3
Placer County
175 Fulweiler Ave.
Auburn, CA 95603

RECEIVED
BOARD OF SUPERVISORS
5BOS ✓ TI ✓ ALL AIDES ✓ (mail person) LK
JUL 27 2016
SUP _____ COB Corr. ✓ CoCo _____
AIDE _____ CEO _____ Other _____

Dear Mr. Holmes,

I am writing in opposition to the Water Side alternative in the matter of the routing of a shared-use walk/run/bike path between Fanny Bridge and Commons Beach in Tahoe City, CA. I have been informed that the Commercial Side alternative was recently removed from consideration (“tabled”), leaving only the Water Side option.

There are many deficiencies in the Water Side option. I would like to focus attention on just one: the hazard to public safety.

I understand the dream of creating a multi-purpose route around Lake Tahoe for individuals and families of all ages to enjoy. I even concede that such a dream may sometimes rightly encroach on the individual rights of citizens such as myself for the greater common good. My contention here, however, is that **the greater common good is not being served** in this proposal due to predictable hazards of the Water Side route.

Before going on, I want to point out that the diagram I am looking at, showing the Water Side route as a swooping blue line, is misleading in this discussion because it fails to show the acute curves necessary to navigate the tight spaces between the edge of the lake at high water levels and the existing structures of Tahoe Marina Lakefront.

In short, there are three acute, blind curves in this proposed route that will be difficult, if not impossible, to mitigate in this plan, prompting me to create the following playful entry in a fictitious “2025 Trail Guide”. (Assuming a decision to build this Water Side route were carried to completion in spite of warnings such as mine)

Fanny Bridge to Commons Beach

0.4 miles. Easy but treacherous.

This segment of the trail offers close-up views of the water’s edge and the blue expanse of the lake’s majestic reach to the far shores. But beware of distracted

31-1

gazing out at the lake! This route starts out with a long straight section, but then becomes tortuous at the edge of the Tahoe Marina Lakefront resort complex. Three blind curves await the inattentive traveler, the first going left around the pool buildings, then around condo units at the entrance to the pier (do NOT be distracted by the pier), then again on a long curve approaching Commons Beach.

Be sure to ding away on your bike’s handlebar bell as you approach each of these blind curves. Better loud than sorry! Be sure to keep your family’s littlest riders (with the training wheels, oh so cute!) on the proper side of the multipurpose pathway and fervently hope that oncoming folks are doing the same. (I know it’s narrow – do your best!) And if someone from your pack launches off into the big sharp black rocks at the lake edge, they will probably be OK. The good news is that the Tahoe City PUD has recently erected trailside kiosks at each of these blind curves supplied with first aid kits, 911 direct line phones, and Poopy Pet bags for your convenience.

It is also true that there are fewer distractions along this path than there were years ago when there were regular beaver and cottontail bunny sightings. This asphalt thoroughfare has not discouraged the geese, though, so do watch out for them crossing the route between the lake and their grassy meal destinations (note the cute “Goose Crossing” signs erected here). Enjoy!! And Be Safe!!

Full disclosure: I am a Family Medicine physician, the owner (with my wife) of Tahoe Marina Lodge Unit #35. Ownership of this condo unit has been in our family for 2 generations now, with decades of family vacations enjoyed here. Our condo is at the proposed curve next to the pier, and facing the curve at the pool. If this route is installed, I will be ethically compelled as a physician to respond to injuries occurring at my “front door” when I am there on vacations. My selfish self would like to be spared that eventuality.

Thank you for your kind attention.

Sincerely,

James P. Cornell, M.D.

31-1
cont

**Letter
31**

James Cornell
July 23, 2016

31-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Letter
32

Laurie A. D. Cornell
1266 Oak Circle Drive
Glendale, CA 91208
818-438-4382
revmomladc@gmail.com

July 22, 2016

RECEIVED
BOARD OF SUPERVISORS
5BOS TML ALL AIDES CK
(mail person)
JUL 27 2016
SUP _____ COB Corr CoCo _____
AIDE _____ CEO _____ Other _____

Mr. Jim Holmes
Placer County Supervisor, District 3
Placer County
175 Fulweiler Way
Auburn, CA 95603

Dear Mr. Holmes,

I am a Homeowner at Tahoe Marina Lakefront. My parents first introduced me to Tahoe City when I was nine years old, and for the past 50 years I have spent almost every summer vacation in Tahoe City, 35 of those years at TML. Our children have spent nearly every summer of their lives at TML, as well.

I am writing to you with a strong request related to the segment of the shared-use path project in Tahoe City which will connect Commons Beach to Fanny Bridge. Specifically, **I want to ask that the water-side option which would run through TML property, be removed from consideration.** I understand that this option is now designated as the "preferred alternative" and I am extremely disappointed to learn this fact. I also ask that the Country return to the September 2015 Area Plan shared-use path alignment that goes behind TML and is set back from the road.

The water-side shared-use option, in essence, asks each of the 48 homeowners at TML to hand over shared lakefront private property and receive back from the proposal, a different type of property. **Philosophically and functionally, all 48 TML homeowners are being asked to exchange our shared lakefront private property for property along a public beach/park.** Some homes at TML, including ours (#35) which are within 6 to 8 feet of the proposed future path, would likely experience the greatest change, yet all units benefit from unblocked access to the gorgeous views of the lake; access to clear, safe, private walking paths to the dock and beach; and safe, private areas for children playing. **The nature of the property would be radically and permanently altered with the water-side option.**

32-1

I find this request so extreme in its character. Certainly, I want all residents of Tahoe City as well as vacationers and visitors to enjoy Lake Tahoe for the extraordinary treasure it is. The construction of the multi-use path is a wonderful gift to all. Yet, it is obvious that there are many existing or proposed sections of the shared-use path around the lake, which have been created **without requiring lakefront private property owners to give away the water edge section of their property for the public multi-use path.**

How is it that this loss of safety, privacy and also of course, property values, is being pressed upon 48 homeowners at TML??

I realize that the multi-use path is a complex project and there are many competing issues, values and realities which must be held together in tension. Yet, I strongly believe that the “commercial side” option is the only reasonable one to explore in this section of the construction of the path.

Thank you in the sacrificial, generous time being given to address this section of the project.

Sincerely,



Rev. Laurie Ann Danielson Cornell

32-1
cont

**Letter
32**

Laurie Cornell
July 22, 2016

32-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential negative impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

**Letter
33**

*Kerry Dantzig
(415) 720-7563
kerrydantzig@hotmail.com*

July 17, 2016

Placer County Community Development Resource Agency
Environmental Coordination Services
3091 County Center Dr., Ste 190
Auburn, CA 95603

To whom it may concern:

I am an owner in Tahoe Marina Lakefront (aka: Tahoe Marina Lodge/TML) with a lake front condo. I am also someone that uses the bike path in Tahoe and many of the hiking trails in the area. My family has been visiting Tahoe City since 1980. I bought in TML in 2013. My parents own a house in Cedar flats.

I write to provide my grave concerns for creating a shared-use path connecting commons Beach to Fanny Bridge through the water-side of our property.

Safety/Noise:

- q) My safety a unit owner on the waterside on the property and also the safety of my guest. The master bedrooms are on the ground floor leading out onto the decks, grass and the beach. Placing a path right outside our bedroom, with an estimated 1,600 folks using the shared-use path at all hours of the day/night, puts my safety at risk. People would be within 20 feet of my sliding glass door leading to the bedroom.
- r) People going home to the West Shore from restaurants and bars in Tahoe City would use the path late into the night and early hours of the morning. The noise would be a problem and calls to the police for disturbances would increase dramatically.
- s) Children staying in the unit use the grass and beach to play. Their safety of getting to the water without being injured by a cyclist is of great concern. Also, they play ball and other games out there. I would also be afraid a ball would hit/injury a cyclist or a toy left close to the path would also cause injury to a cyclist. There is currently no lighting on the grass area.
- t) The decks are furnished with chairs, tables, bikes and beach items. Theft would increase do to use of a path so close to our decks. Break-ins could also increase with such close proximity to the sliding glass doors. Again, calls into the police and reports being filed would increase.

Environment:

- e) The wildlife – there are geese, ducks and birds that would be impacted by the path being so close to the water and where they live

33-1

Cost:

- i) I purchased my condo in 2013. I intentionally research and bought a condo on the lake. The property value on my place would dramatically decrease. My understanding is the TML owns the grass and beach area in from of our condos. I would expect to be compensated for the large loss of value to the property and perhaps help in relocating a similar property with lake front access.
- j) To maintain safety, TML would consider installing a fence. The property would no longer be Lake front/access. I would expect to be additionally compensated for this loss.

This path is inconsistent with the Commons Beach location of the shared-use path, which is behind the grassy area and the beach and does not interfere with lake access. The county should remove the water-side, shared-use path from the Area Plan because it is not adequately analyzed in the DEIR.

The county should return to the Sept. 2015 Area Plan shared-used path alignment that goes behind TML and is set back from the road. This alignment could be implemented more quickly and less expensively. TML has offered to work with the County to expedite implementation of this type of alignment. The public would retain current access provided by TML, which is approximately 650 feet on the southerly boundary of the TML property.

Thank you for your consideration.



Kerry Dantzig

Tahoe Marina Lakefront, unit 41

33-1
cont

**Letter
33**

Kerry Dantzig
July 17, 2016

33-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Rachel Lopez **On Behalf Of** Placer County Planning
Sent: Wednesday, July 13, 2016 9:17 AM
To: Crystal Jacobsen; Kathi Heckert
Subject: Comments on the Tahoe Basin Area Plan/EIR/EIS (Kings Beach)

**Letter
34**

13 July 2016

Crystal Jacobsen
Placer County Community Development
3901 Country Center Drive
Auburn CA 95603 (hand-delivery and email on 13 July 2016)

TRPA
P.O. Box 5310
Stateline Nevada 89440

Re: comments on the Tahoe Basin Area Plan/EIR/EIS (Kings Beach)

To Whom This Does Concern:

Many of the homeowners on the North Shore are very concerned regarding the proposed zoning changes planned for our residences in the area between the Ferrari motel and Agatam Avenue. It's not the first time extreme legislation that is non-friendly to homeowners in the Kings Beach/Tahoe Vista has been proposed, making us feel like the stepchild of the lake! We are watching closely how the votes come in on the proposed zoning change, of that you can be certain.

The bottom line seems like the Town Center boundary is too big and we would like to know why you didn't listen to the people on that team who wanted less height, etc.? There also seems to be no design standards that accompany the area plan - it worries us that this may give the potential for every building to be 56 feet tall, for example. There are many unanswered questions and flawed analysis and the proposed zoning change should be denied.

Me and my partner have owned 7780 N. Lake Boulevard since 2000, in May it has been 16 years. Getting sidewalks in town was a positive direction for the town, in our opinion, and has welcomed foot traffic, cafe style outside dining, etc. (although we do need a better plan for parking and/or mass transit to be better incorporated around the lake). But this plan appears to allow commercialization above and beyond what makes sense in our area, forever changing the face of the North Shore from lightly developed to high density commercial urban sprawl.

We urge you to consider the historic character of the neighborhood along with the scenic, transportation, public access and environmental goals of the TRPA and reject this change in zoning.

Sincerely,

Christine Davis
10652 Boulder Street
Nevada City, CA 95959

C. Geoffrey Davis
5190 Bell Road
Auburn CA 95602

34-1

**Letter
34**

Christine Davis
July 13, 2016

34-1

The comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

GARY DAVIS GROUP DESIGN AND ENGINEERING

Letter
35

Subject Line: Comment on Draft EIS/EIR Area Plan + Tahoe City Lodge Project.

To Whom it May Concern

GOOD MORNING PLACER COUNTY SUPERVISORS AND STAFF. I AM GARY DAVIS, CIVIL ENGINEER IN TAHOE CITY. I AM A 30 YEAR RESIDENT, PROPERTY AND BUSINESS OWNER IN TAHOE CITY. MY PERSPECTIVE ON THIS PROJECT IS FORMED BY MY LONG TIME INVOLVEMENT IN THE COMMUNITY: AS PAST PRESIDENT OF THE TAHOE CITY DOWNTOWN ASSOCIATION; MEMBER OF THE CHAMBER OF COMMERCE IN BOTH NORTH LAKE TAHOE AND TRUCKEE; MEMBER OF THE PLACER COUNTY AREA PLAN TEAM. LONG TIME MEMBER OF THE NLTRA INFRASTRUCTURE COMMITTEE; LONG TIME MEMBER OF THE PLACER COUNTY TAHOE CITY DESIGN REVIEW COMMITTEE. AS WELL OUR COMPANY DOES LAND DEVELOPMENT PROJECTS IN ALL THE TAHOE COUNTIES AND I FULLY UNDERSTAND THE ZONING AND PLANNING PROCESS.

I have reviewed the Draft EIR/EIS for the Placer County Tahoe Basin Area Plan and the Tahoe City Lodge Project, and would like to have you include my comments for both the Plan and the Lodge Project. I believe that the EIS/EIR process has adequately addressed my concerns about any potential environmental impacts that could occur for the various alternatives outlined for both the Area Plan and Lodge Project.

35-1

Here is why I support Alternative **1 for Proposed Area Plan:**

post office box 7409 tahoe city, ca 96145 530.583.9222 fax 583.9294 garydavisgroup.com rce 34540

- I believe we need to support walkable downtown centers and the new area plan policies focus on this by allowing for increased density and height. This in turn offers environmental benefits such as better water quality management and lower VMT's. This has been approved in the TRPA RPU.
- I support the policy focus on preservation lands for recreation such as demonstrated with the deed restriction on the Tahoe City Golf Course. Not only will this be good for locals and visitors because it improves a recreational amenity close to downtown but it also triggers great stream area restoration work, which again, is good for Lake Tahoe clarity goals.
- I really, really like the policy concept that is looking at allowing for a secondary dwelling unit program. This is very forward thinking and actually makes sense for workers and locals who would appreciate a way to offset expensive living costs. We currently have a housing crisis here at the lake. Businesses cannot find workers because workers cannot find housing. We might discourage people from leaving the area when they retire if they could build a rental unit to augment their income. I see this as a win- win for lots of locals. It's not a total solution but it offers one tool in a toolbox of solutions to our housing issues.

35-1
cont

I also strongly support the Tahoe City Lodge Project, Alternative 1, which allows for the full project to move forward because of the following reasons:

- **Height:** I understand the need and support the four-story concept. After reviewing the EIS/EIR sections on the height of the hotel, looking at renderings, reading about traffic generation compared to the current site, and looking at the plans for stream zone improvements – I learned that the four stories is only for the SR 28 section and really the 4th floor will be the roof top bar area. Most of the rest of the hotel is more along the two-story level.
- **Way Better Than Current:** The property, as it exists now is ugly, bad for the lake and the environment, and not beneficial to the community as it affects visitors perception of the town and is largely vacant, rather than housing businesses that could contribute to our

35-2

economy. The way things are today on that property isn't acceptable, and the proposed hotel is exactly what our community needs.

- **Streamzone Improvements:** The stream zone improvements that would come with this project are critical – everything we can do to maintain and improve Lake Tahoe's clarity is key to maintaining why we live here and why visitors come here.
- **Parking:** After reviewing the draft EIR/EIS, I'm satisfied that the parking arrangement will work between the hotel and golf course. It won't cure all of Tahoe City's parking problems, but sufficiently addresses its own impacts to parking.

35-2
cont

I appreciate the opportunity to review these documents and give my input.

Gary Davis PE
gary@jkaedesign.com



**Letter
35**

Gary Davis
No date

- 35-1 The comment offers support for the project and states that Alternative 1 for the Area Plan should be approved because it offers environmental benefits, and provides beneficial policy guidance. The comment also states that the Draft EIR/EIS adequately addresses concerns regarding any potential environment effects related to the Area Plan. The comment is noted for consideration during the review of the merits of the Area Plan and alternatives.
- 35-2 The comment states that Alternative 1 for the Tahoe City Lodge Project should be approved. The comment also states that the Draft EIR/EIS adequately addresses concerns regarding any potential environment effects related to the Tahoe City Lodge Project. The comment is noted for consideration during the review of the merits of the lodge project and alternatives.

From: Tray DeGuire <traydeguire@hotmail.com>
Sent: Friday, August 12, 2016 9:18 AM
To: Placer County Environmental Coordination Services
Cc: Tray DeGuire
Subject: Don't rezone

**Letter
36**

I'm emailing you in concern to the proposed rezone of deer st. to beech st.

My name is Tray, I live in Kings Beach, and I lived in Tahoe for 13 years. During this time, I've kept a little secret from my friends: I'm in favor of redevelopment in certain circumstances around the Tahoe basin. That being said, this new rezone idea is not one of those circumstances. Nothing commercial like a town center should be developed on the lake. Ever.

I think this beach has been hugely successful as is for 90 years now. Why would we want to break that streak and take it from the people to enjoy? Please don't consider rezoning this area.

Thank you for your time.

Regards,

Tray DeGuire
traydeguire@hotmail.com

36-1

**Letter
36**

Tray DeGuire
 August 12, 2016

- 36-1 The comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center between Deer Street and Beach Street. The comment is brief and presumably is referring to the zoning concerns raised in other comment letters related to the area south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

Letter
37

Jeanne S. Eber
7 Mann Drive
Kentfield, CA 94904

August 14, 2016

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

RE: Placer County Tahoe Basin Area Plan, Public Review Draft, June 2016 and
Draft Environmental Impact Report/Environmental Impact Statement

I have been an owner of Tahoe Marina Lakefront (TML) (previously known as Tahoe Marina Lodge) for over thirty (30) years. I have been spending my summers here since the 1950s. My father commuted to the Bay Area on a commuter seaplane out of Homewood. I am invested in Lake Tahoe and in our community and understand how difficult it is for our local merchants to be successful in light of all the competing developments in the Area.

I therefore, spent time in the review of the above-described Draft EIR/EIS. Upon that review, it became apparent that this document was not only providing specific project-level information on the development of the Tahoe City Lodge and Kings Beach Center, but was also incorporating the Placer County Area Plan.

The Placer County Area Plan indicates a “preferred alternative” for a water-side shared-use path that runs directly through Tahoe Marina Lakefront separating our homes and grass area from the Lake. I do not know how this alternative was designated “preferred”. As a stakeholder, participation from those of us impacted by this trail should have been sought. While the County touts its outreach, I was never contacted. Not by email nor in writing. And I am not alone.

In addition, the Draft EIR/EIS is totally silent regarding the impact of either lakeside alternatives. The purpose of an Environmental Impact Report is to assess the environmental impacts. It is impossible for the TCPUD or the Board of Supervisors to make an informed decision with respect to a lakeside trail without an extensive environmental review. To designate a preferred alternative at this point appears totally political in nature. It becomes a reality in the eyes of the community even before its feasibility has been sufficiently analyzed and reviewed.

37-1

What is so disheartening, is that TML has been working cooperatively, and in good faith with the TCPUD staff for many years on viable, safe non-waterside options for the shared-use path. We have been working diligently as partners, not as adversaries. This “preferred” alternative was totally unexpected as there was no preference indicated in prior versions of the Area Plan. The prior Plan showed the path going behind TML, not along the lakeside of our property.

Both Lakeside plans would have significant adverse effects on not only TML residents and renters but on the Lake itself.

Improving Lake quality is of critical concern. Property owners are investing large amounts of money in BMPs to protect the Lake. As a property owner in South Lake Tahoe, I can attest to this. Furthermore, TML is located in an environmentally sensitive area called a Stream Environmental Zone (SEZ Zone) because of its close proximity to the Truckee River Outlet. If the intent is to improve water quality and restore and protect sensitive landscapes, a hard-scaped, shared-use path that changes run-off patterns, removes beaches, requires in-lake construction and adds pollutants and trash to the Lake is clearly inconsistent with this goal. How is it that as homeowners at TML, we cannot cut a bush or remove a tree without TRPA approval as it would change the scenic view from the Lake. Yet a lakeside trail is designated “preferred” even though there are viable, safe street-side alternatives.

In addition to its negative impacts on the Lake, a lakeside path creates an unsafe condition for TML owners, renters and guests and the more than 1,600 people using the path on a peak day. Children would have to cross the path to get to the lake creating a seriously dangerous condition. It presents major security issues, noise issues, privacy issues, not to mention a severe encroachment of private property which would require a lengthy and expensive legal process. It is a waste of resources which would be better directed at existing, viable street-side alternatives that come within the purview of the Draft EIR/EIS.

The County should return to the September 2015 Area Plan shared-use alignment that goes behind TML and remove the water-side alternatives from the Area Plan. TML has offered to work with the county to implement this alignment. We have tried very hard to be good stewards of our property. The public would retain current access provided by TML.

My final comment is with reference to the Tahoe Lodge project. I am concerned about the open-air bar, potentially with music, on the 4th floor of the Tahoe Lodge. We rent our condominium units to the public and the potential noise from the bar could have a negative effect on our renters and owners alike. It was not too long ago that the “Naughty Dog” restaurant and bar occupied that site. It is my understanding that they eventually had to shut down due to the excessive noise issue. While I welcome a new restaurant and bar in Tahoe City, I think an open-air bar facing directly towards TML should require additional scrutiny and mitigation measures in the Draft EIR/EIS.

37-1
cont

37-2

I thank you for your consideration.

Sincerely,

Jeanne S. Eber
Tahoe Marina Lakefront #29
270 North Lake Boulevard
Tahoe City CA 96145

Cc: Each Member, Placer County Board of Supervisors

Mr. Jack Duran, Supervisor, District 1
Mr. Robert Weygandt, Supervisor, District 2
Mr. Jim Homes, Supervisor, District 3
Mr. Kirk Uhler, Supervisor, District 4
Ms. Jennifer Montgomery, Supervisor, District 5

**Letter
37**

Jeanne Eber
August 14, 2016

- 37-1 The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.
- 37-2 The comment expresses concern about the open-air bar, potentially with music, on the 4th floor of the Tahoe City Lodge. This comment raises the same issue as comment 19-2. Please see the response to comment 19-2 regarding outdoor noise sources related to the Tahoe City Lodge.

Dave and Diane Edwards – homeowners
 Tahoe Marina Lakefront – A Condominium Community
 270 North Lake Blvd, Tahoe City, Ca Unit #32

Ms. Jennifer Montgomery
 Placer County Supervisor, District 5
 Placer County
 175 Fulweiler Ave
 Auburn, CA 95603

Subject: Area Plan and Draft EIR

RECEIVED
 BOARD OF SUPERVISORS

5BOS TI ALL AIDES (mail person)

JUL 27 2016

SUP _____ COB Corr CoCo _____
 AIDE _____ CEO _____ Other _____

**Letter
38**

Placer County needs to remove the water-side, shared-use path from the Area Plan adjacent to Tahoe Marina Lakefront because it is not adequately analyzed in the Draft EIR.

There is not a single word about the effects of noise, safety, security, privacy or negative affects to the lake or the surrounding private property for a lake side share use trail. There is no EIR for this bike path.

At Commons Beach, the bike path does not bisect the lawn and beach area, it is located at the back of the park. The Lake side alternative at Tahoe Marina is not consistent with what the County and PUD have already done on either side or our property.

Over 90% of the bike path near Tahoe City and down the West shore is not on the lake. The taking of 600 feet of private land at TML is not consistent with any other bike path location.

That small piece of 600 feet turned into a bike path will destroy privacy, safety, and security for homeowners and renters at Tahoe Marina. It is noted that there will be an estimated 1600 people using this path on peak days during the summer. That is most weekends when TML's occupancy is at its highest with families with small children on the property.

It will destroy security and safety for children playing on the lawn with hundreds of walkers and bikers per hour passing by on peak summer weekends. It will cut off their access to the beach and lake.

For two thirds of the owners at TML this is their second home for vacation and gatherings with family and friends. While there are rentals at TML, most of the days of use per year are by owners enjoying one of the best locations on the lake. We have quiet privacy on the lake front; we do not have to get into our cars to go anywhere. We walk to many our activities and needs.

A water-side, shared-use path would create greater security issues for TML owners. The path, which would be open 24/7, would pass within 6 to 20 feet of many TML homes. The sheriff will have to patrol this area at night for control of noise and safety.

The only way TML could avoid the security impacts of a share-use path is putting up a fence, which would deny homeowners full use of their property and the lake.

38-1

The noise impacts, especially on the summer weekends, Memorial Day to Labor Day, of a shared use path on the lake side of our property cannot be mitigated and have not been adequately addressed in the Draft EIR.

The shoreline disturbance of a wide, paved path across our narrow grassy area or the beach would be a significant impact to the lake from both shore side and lakeside.

The shared-use path would cause a severe encroachment on private property which would require a lengthy and expensive eminent domain process.

The County should return to the September 2015 Area Plan shared-use path alignment that goes behind TML and is set back from the road.

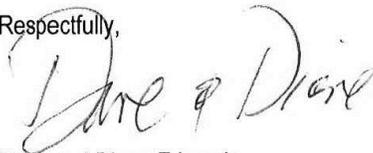
The EIR would likely be found adequate for a shared-use path with the alignment shown in the September 2015 Area Plan

This alignment could be implemented more quickly and less expensively. TML has worked with the PUD and county for over 10 years to solve the bike trail alignment. We have offered land and changing our entrance to accommodate a safe path around our private property. TML has offered to work with the County to expedite implementation of this type of alignment.

The public would retain current access provided by TML, which is approximately 650 feet on the southerly boundary of the TML property.

Again, we suggest that Placer County needs to remove the water-side, shared-use path from the Area Plan adjacent to Tahoe Marina Lakefront because it is not adequately analyzed in the Draft EIR for all of the reasons above.

Respectfully,



Dave and Diane Edwards
davidmedwards@comcast.net
cell 925-366-8400

38-1
cont

**Letter
38**

Dave and Diane Edwards
July 27, 2016

38-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

**Letter
39**

July 8, 2016

Placer County Community Development Resource Agency Environmental Services

Subject: Environmental impact report for area development plans for Tahoe City, CA.

As a homeowner at Tahoe Marina Lodge in Tahoe City, we are writing this letter to share our concerns in regards to the Lake side trail from the dam to Commons Beach.

So much has been done and large sums of money have been spent on "Keep Tahoe Blue". Preserving the beauty and clarity of Lake Tahoe has been and should continue to be the top priority of the County, Tahoe residents, and all visitors of the Lake. Constructing a 600+ foot long, 10 foot wide path on the waters edge and through TML's private lawn and beach area will have a significant negative impact on the Lake.

More than the impact of the construction, will be the continued impact of pollution of everyday traffic on the trail. So much of the dirt and trash will end up in the Lake.

All of this will be eliminated with the trail being built in between TML and North Lake Tahoe Blvd. No impact on the Lake, far less cost of construction, no impact on private property, far less liability issues with Tahoe visitors, and no eminent domain cost.

For us as TML homeowners, the water side trail causes many concerns. Difficult access to the Lake, safety issues, and security issues. We purchased units at TML for the Lake access, and the beauty and serenity of the Lake. Much of this would be taken away with a Lake side trail.

Build the trail just as it has been done at Commons beach. Close to the road, away from the Lake to limit the impact on the Lake and preserve Tahoe's beauty.

Putting the trail along the road is a benefit to local business owners because trail users have a greater visual and physical access to local business in the area.

We greatly appreciate your considerations of our concerns and respectfully request that you eliminate the water side trail option from the development plans.

Patsy and Dan Edwards

Tahoe Marina Lodge owners unit #32

39-1

**Letter
39**

Patsy and Dan Edwards
July 8, 2016

39-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment in Section 3.1 of this Final EIR/EIS.

Letter 40

From: Cornerstone Engineering [mailto:CSE-Truckee@att.net]
Sent: Friday, August 12, 2016 7:28 PM
To: Placer County Environmental Coordination Services
Cc: Crystal Jacobsen
Subject: TRPA Area Plan comments

The following are comments in regards to the Draft Implementing Regulations dated June 2016. Specifically, Chapter 3 Area-Wide Standards and Guidelines; Section B - Requirements for Secondary Residences; 3b - Allowable Garage Area.

The current standard only allows for a 240 square foot maximum on parcels less than 5 acres in size. This restriction creates a few challenges. The following is a list:

- With the allowable living area for the same parcels being either 840 or 1000 square feet, the minimum garage area of 240 square feet would almost prohibit building a two-story structure with the garage below. What would we do with the extra square footage on the lower story with the garage? Would it all be permitted as storage? What would owners do with the square footage after getting a final on the project? To better align with the limitation owners would alternatively place living space on the same story next to the garage. This would result in a 1-story structure with greater overall site coverage.
- Given our recreational and often snow packed roads, vehicles of the larger variety are more present in our area. With the additional structural shear walls at the sides of the garage door openings a minimum width of the structure would be 12-feet, this would leave only 20-feet for the deep (12 x 20 = 240). This garage would not fit most vehicles, besides a snow blower, garbage can or the ability to move around.
- Many structures in Tahoe are already built without a garage. If an owner wanted to build a secondary structure along with a garage to store their vehicles, they would be limited to a one-car garage for the whole parcel.
- Many existing structures in Placer County within the TRPA basin were constructed and permitted as secondary units without full kitchens and built a secondary structures without residency IE not having a full kitchen or a full bath. These structures were limited 640-square foot of living area and a combine total area with non-living (garage) of 1600-square foot. Which meant these structures may have a garage of 1000 square feet. Given the ordinance change they may want to re-permit the structure to be a secondary residence which is encouraged. And honestly many that may have permitted the structure without a kitchen or bathroom may have already bootlegged such conditions into the structure without permit. If they want to “come clean” or want to convert their secondary structure into a dwelling unit by adding a kitchen and full bath they could be in compliance of the drafted living restriction of 840 or 1000-square foot guidelines, yet they would have an existing garage that possibly was closer to the 576 square feet that is only allowed for five acre parcels and greater under the current draft plan.

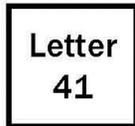
40-1

For structural, coverage and design reasons and to give the ability for people to place the garage beneath their living space, I recommend that the garage limitation of 240-square foot garage area be eliminated or reconsidered and in place limit all parcels to the maximum size of 576-square feet for garage area.

Jay Garbarino
 Cornerstone Engineering
 530-582-8522 office
 530-913-8522 cell

**Letter
40****Jay Garbarino**
August 12, 2016

- 40-1 The comment requests a change to the Area Plan secondary residential unit program, noting that the proposed standard that only allows a 240-square-foot garage for secondary residential units should be modified to provide more site design flexibility and to encourage construction of secondary units over garages, thereby reducing coverage area. In response to this comment, the Area Plan has been revised to limit secondary residential unit garages to the maximum size of 576-square feet. Because this comment is not related to the Draft EIR/EIS, it does not raise any issues as to the adequacy, accuracy, or completeness of the EIR/EIS. This Area Plan change does not alter the conclusions with respect to the significance of any environmental impact in the Draft EIR/EIS.



Aug 11, 2016

Crystal Jacobsen
Placer County Community Development
3091 Country Center Drive
Auburn, CA 95603

Lucia Maloney
TRPA
P.O. Box 5310
Stateline, NV 89440

Jennifer Montgomery
Board of Supervisors for Placer County

Re: Response to Tahoe Basin Area Plan (King’s Beach)

To whom it may concern:

We are residential homeowners who have a home at 8096 Brockway Vista Ave. off of Secline Street at the west entry to King’s Beach. This portion of Brockway Vista Ave is a narrow road which ends at the property line of the Ferrari Crown Hotel. There currently are 8 private residences on this road, four of those homes are on the lake, the other four are on the opposite side of the road. Our home was built in 1929 and has been in the family since its construction.

We are very concerned with the proposed vote to change zoning in this area. Although we are currently zoned as Special Area #2, which is commercial, the proposed zoning as part of the new Area Plan calls for this area to be put into a Town Center Core Area. Also made part of this Area Plan is the intent to create a new pedestrian/bike pathway on the lakeside of the four homes.

With respect to the inclusion of this area into the Town Center Area, there seems to be little to no advantage. In fact the change seems to be quite counterproductive. There is genuine basis for desiring the reconstitution of existing commercial and tourist operations already present on both sides of 28, but to enlarge the area in which land use intensifies is completely against the stated desires of multiple agencies involved.

In particular, the SEZ, historically measured at 500ft. from a creek, places six residences and all but a few feet of the last two residences on our stretch of Brockway Vista in a critical area. Now in fact, as I just discovered today, the 500 ft. setback may no longer be valid or be inaccurate information communicated to me at the time of a land capability evaluation at the time of new sewer connection ten to twenty years ago. In any case even with a smaller setback, all our residences are in the IB classification allowing only 1% coverage. Short of no development in this area, the next best and least dense use of the land is single family homes.

There is no need to make this area part of the “Core Commercial Area.” Increased density of any nature seems to be in direct opposition to what is required here. As stated above there is more than enough area in which to improve use and efficiency of existing commercial and tourist areas without



41-1

inviting more volume to the area. This will in fact help all existing residents and promote reasonable economic gain without overstimulating the geographic givens. Traffic alone from additional/increased retail, commercial, and tourist housing density will add to the burden of the area, not improve it.

There are two separated portions of Brockway Vista. At the east end of the other section of Brockway Vista, at the east end of the public beach, the Town Center Area line moves north of the beachfront residential area. In essence there is finger of residential use along the lake which appears to be two houses deep. It seems perfectly logical for that exact use to be applied to our west end of Brockway Vista. A simple modification would be at the west property line of the Ferrari Crown Hotel, let the Town Center line be moved to the rear (north) of the residences along Brockway Vista leaving a finger of nothing but existing lakeside residential and tourist properties all along 28, up to and including Special Area #4 which is already designated as residential and tourist. It would seem logical to include those businesses which front 28 behind the Brockway Vista residences in a different zoning area, as well as all the business and mixed use on the north side of 28 up to and across from SA #4

With regard to a boardwalk/bike path along the beach on the lakeside of our residences, there seems to be no need. I have observed for the last forty years, when the lake is low as it is currently, people walk quite comfortably and without problem below the high water mark. The foot traffic is not significant and in proportion to the parking available for the small Secline public beach. However when the lake is full, or even at higher levels, a walkway built in that area will be under water. With any mild to moderate wind, waves will add to the functional water level and create additional problems as water will break onto private property creating significant potential safety hazards in front of several of the properties.

At this point we would like the County/TRPA and others involved to do several things:

- 1) Modify the Town Center Core Area to specifically NOT include any Residences along Brockway Vista off of Secline.
- 2) Eliminate the proposed walkway/bike path across the lakefront residences at Brockway Vista and terminate it or reroute it at the Ferrari Crown Hotel property line.
- 3) Decrease density and demand by keeping all lakeside properties west of the Crown Ferrari Hotel along 28 as single family or existing tourist zoning.

Thank you.

Respectfully,

Lorraine F. Gordon

Ralph T. Gordon

41-1
cont

**Letter
41**

Lorraine and Ralph Gordon
August 11, 2016

41-1

The comment expresses opposition to adjustment of the Kings Beach Town Center boundary and the shared-use path along Brockway Vista Avenue. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

**Letter
42**

From: Lorry Gordon [mailto:lorrygordon@gmail.com]
Sent: Monday, August 15, 2016 4:53 PM
To: Placer County Environmental Coordination Services; Crystal Jacobsen
Subject: Kings Beach Bike/Pedestrian Path

As a homeowner in Kings Beach, (8096 Brockway Vista), I have several concerns regarding a bike path which would run across and through the beaches in Kings Beach and Tahoe Vista. In chapter 5 of the area proposal it is a bit challenging to discern the actual proposed location of this path.

If the proposed location is along the actual sandy beach, I have great concerns for the safety of beach goers. My greatest concern is safety of young children. In general, families go to these beaches to spend a day playing both on the beach and in the lake. Families functionally treat the beaches as playgrounds. Children run from their families encampments to and from the lake. They play tag, throw frisbees and spend their day running to and fro. If a bike path were built which ran through these family playgrounds, children would be put a great risk of physical harm. It would be easy to imagine that there would be a spike in injuries from collisions on the path. Children and families need a safe beach environment in which to play at the lake.

42-1

As well, I cannot understand beach side bike path placement when some land owners own to the high water line and there is little to no beach available for a path when the lake returns to its normal levels. As a reminder, all the properties along Brockway Vista have a land capability designation of 1B, with a maximum lot coverage of 1%. Clearly these lands are environmentally sensitive lands.

I daily witness bicyclists riding through Kings Beach along highway 28, with little difficulty. This will become even easier with time as road construction comes to an end. I believe that routing bicyclists through our upgraded town will provide the best option for both safety and accessibility.

Thank you,
Lorry Gordon

**Letter
42**

Lorry Gordon
August 15, 2016

42-1

The comment expresses opposition to the shared-use path along Brockway Vista Avenue. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

Letter
43

Subject: FW: Kings Beach Plan
From: falc4 [mailto:falc4@aol.com]
Sent: Thursday, August 11, 2016 4:32 PM
To: jenmonten@placer.ca.gov; planning@placer.ca.gov; Lucia Maloney <lmaloney@trpa.org>
Subject: Kings Beach Plan

Aug 11, 2016
Crystal Jacobsen
Placer County Community Development
3091 Country Center Drive
Auburn, CA 95603
TRPA
P.O. Box 5310
Stateline, NV 89440

Re: Response to Tahoe Basin Area Plan (King’s Beach)

To whom it may concern:

We are residential homeowners who have a home at 8096 Brockway Vista Ave. off of Secline Street at the west entry to King’s Beach. This portion of Brockway Vista Ave is a narrow road which ends at the property line of the Ferrari Crown Hotel. There currently are 8 private residences on this road, four of those homes are on the lake, the other four are on the opposite side of the road. Our home was built in 1929 and has been in the family since its construction.

We are very concerned with the proposed vote to change zoning in this area. Although we are currently zoned as Special Area #2, I believe, the proposed zoning as part of the new Area Plan calls for this area to be put into a Town Center Core Area. Also made part of this Area Plan is the intent to create a new pedestrian/bike pathway on the lakeside of the four homes.

With respect to the inclusion of this area into the town center, there seems to be little to no advantage, and in fact seems quite counterproductive. There is genuine basis for desiring the reconstitution of existing commercial and tourist operations already present on both sides of 89, but to enlarge the area in which land use intensifies is completely against the desires of multiple agencies involved.

In particular, the SEZ, historically measured at 500ft. from a creek, places six residences and all but a few feet of the last two residences on our stretch of Brockway Vista in a critical area. Short of no development in this area, the next best and least dense use of the land is single family homes.

There is no need to make this area part of the “Core Commercial Area.” Increased density of any nature seems to be in direct opposition to what is required here. As stated above there is more than enough area in which to improve use and efficiency of existing commercial and tourist areas without inviting more volume to the area. This will in fact help all existing residents and promote reasonable economic gain without overstimulating the geographic givens. Traffic alone from additional/increased retail, commercial, and tourist housing density will add to the burden of the area, not improve it.

There are two separated portions of Brockway Vista. At the east end of the other section of Brockway Vista at the east end of the public beach, the Town Center area moves north of the residential area. In essence there is finger of residential use along the lake which appears to be two houses deep. It seems perfectly logical for that exact use to be applied to our west end of Brockway Vista. At the west end of the Ferrari Crown Hotel property line, let the Town Center line be moved to the rear (north) of the residences. It would seem logical to include those businesses which front 89 behind the residences in a different zoning area, but leave the existing residences at the lowest possible density zoning.

With regard to a boardwalk/bike path along the beach on the lakeside of our residences, there seems to be no need. I have observed for the last forty years, when the lake is low as it is currently, people walk quite comfortably and without problem below the high water mark. The foot traffic is not significant and in proportion to the parking available for the small Secline public beach. However when the lake is full, or even at higher levels, a walkway built in that area will be under water. With any mild to moderate wind, waves will add to the functional water level and create additional problems as water will break onto private property.

At this point we would like the County/TRPA and others involved to do several things:

- 1) Modify the Town Center Core Area to specifically NOT include any Residences along Brockway Vista off of Secline.**
- 2) Eliminate the proposed walkway/bike path across the lakefront residences at Brockway Vista and terminate it or reroute it at the Ferrari Crown Hotel property line.**
- 3) Decrease density and demand by keeping all lakeside properties west of the Crown Ferrari Hotel along 89 as single family or existing tourist zoning.**

Thank you.
Respectfully,
Lorraine F. Gordon (resident Kings Beach)
Ralph T. Gordon (resident Kings Beach)
Robert M. Falconer (resident Kings Beach)

43-1

Letter
43

Lorraine and Ralph Gordon, and Robert Falconer
August 11, 2016

43-1

The comment expresses opposition to adjustment of the Kings Beach Town Center boundary and the shared-use path along Brockway Vista Avenue. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

Letter
44

MARSHA VARGAS HANDLEY

2164 HYDE STREET #509
SAN FRANCISCO, CA 94109
415-292-7824

July 10, 2016

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

Dear Sirs:

This letter is about the proposed shared-use path that is being planned to connect Commons Beach to Fanny Bridge in Tahoe City, CA. I strongly object that this path would be placed on the water directly through Tahoe Marina Lodge property.

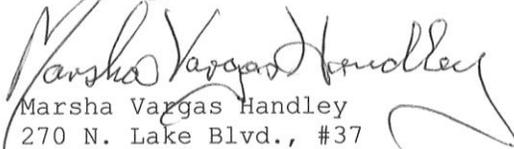
My husband and I purchased this property when it was first developed and chose a lakefront unit to have privacy and where there is only a very small distance between our corner unit and the lake. This path would be within feet of our patio and master bedroom with an estimated 1600 people using it on a peak day which is totally unacceptable.

This is to request that the County remove the water-side, shared-use path from the Area Plan as this would adversely impact my privacy, safety and property value and is a severe encroachment on private property.

It is my opinion that the County should immediately return to the September 2015 Area Plan for the shared-use path that goes behind Tahoe Marina Lodge (TML) and is set back from the road.

I appreciate and expect your consideration of this request.

Sincerely,


Marsha Vargas Handley
270 N. Lake Blvd., #37
Tahoe City, CA 96145

44-1

Letter
44

Marsha Handley
July 10, 2016

44-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Brad Hester <laketahoehester@gmail.com>
Sent: Saturday, August 13, 2016 4:24 PM
To: Placer County Environmental Coordination Services
Subject: Placer Co Tahoe Basin Area Plan and TC Lodge Project

**Letter
45**

Dear Placer County:

I am a 39 year resident of Tahoe City. I moved here in 1977 after graduating from UC Davis in Physical Sciences. I own a real estate office and a retail store in Tahoe City and have conducted business here for decades.

I have reviewed the area plan with specific attention being paid to the Tahoe City Lodge project. I fully support and am in favor of the Tahoe City Lodge project. It is an "urban infill" project and will replace the single biggest area of blight in the Tahoe City area. The former Henrikson Bldg of 2+- acres has been partially condemned, a visual pollutant/eyesore and the condemned parts are both safety and health hazards to the community. I've reviewed the project prospectus and find it to exceed modern LEEDS green and environmental standards. It will also fill the void in Tahoe City of the lacking of quality accommodations putting more visitors on the streets in a walking (not driving) capacity. It appears to me to be a well thought out plan that benefits the town and its merchants, the visitors, the environment and the county (added TOT revenue). Such a project is long overdue and I am 110% behind this development.

45-1

The 267 and Squaw Valley projects are best suited to be commented on by their residents and business owners as they are the ones that will be impacted most.

Sincerely, Brad Hester 39 year resident and business owner

**Letter
45**

Brad Hester
August 13, 2016

45-1 The comment expresses support for the Tahoe City Lodge Project. The comment is noted for consideration during project review.

**Letter
46**

From: Carol Hester <hestertahoe@gmail.com>
Sent: Monday, August 15, 2016 8:35 AM
To: Placer County Environmental Coordination Services
Subject: Comment on Draft EIR/EIS Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project

August 12, 2016

Placer County

Subject: Comment on Draft EIS/EIR Area Plan and Tahoe City Lodge Project

After my review of the Draft EIR/EIS for the Placer County Tahoe Basin Area Plan and the Tahoe City Lodge Project, I'd like to offer my support to the Tahoe City Lodge and the adequacy of the Draft EIR/EIS.

The Tahoe City Lodge Project is an appropriate in fill project that will remove current downtown blight and complement the existing business and recreational offerings in Tahoe City. An additional quality bed base will decrease VMT's to our town by reducing the number of current day trips by those who only come to shop, dine or recreate for the day. The Tahoe City Lodge is in a perfect downtown location to allow guests to park and walk.

The Tahoe City Lodge Project will also have significant environmental benefits. Such as mitigation of nearby stream zone environments and preservation of lands for recreational purposes.

I offer my full support for the Tahoe City Lodge Project and encourage Placer County to approve this proposal in an expeditious timeframe.

I also support the policy concept for allowing a secondary dwelling unit. Work force housing is desperately needed. As a business owner it is getting harder to find and keep employees due to the extreme housing shortage for locals.

Sincerely,

Carol Hester
Geared for Games, Retail Business owner for 19 years
Tahoe City Resident for 32 years
575 Rawhide Drive, PO Box 6748 Tahoe City
hestertahoe@gmail.com

46-1

**Letter
46**

Carol Hester
August 12, 2016

46-1

This comment expresses support for the Tahoe City Lodge Project. The comment is noted for consideration during project review.

Letter
47

Donald and Adrienne Hillebrandt
Unit Numbers 13 & 30 @ Tahoe Marina Lakefront (TML)
Tahoe City, California

July 19, 2016

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

RE: Comments Concerning the Draft Environment Impact Report (DEIR)
Placer County Tahoe Area Basin Plan and Tahoe City Lodge Project
June 2016 Report Prepared by Ascent Environmental, Inc.

Ladies & Gentlemen:

My wife and I own two units at Tahoe Marina Lakefront with our ownership of Unit No. 30 dating back to 1983 (33 years ago). I have been a Board member for nearly 18 years and was President of the Board for 9 years. I am presently Vice President of the Board. My wife and I have reviewed the subject DEIR in detail and we have the following comments:

- (1) The County should remove the water-side, shared-use path from the Area Plan because it is **not** adequately analyzed in the DEIR. The “preferred alternative” of a water-side shared-use path from Commons Beach to Fanny Bridge would create an unsafe condition with more than 1,600 people using the path on a peak day. This creates an unsafe condition for both TML owners and guests, particularly for young children / older adults, who would have to cross the path to move between the grassy play area and the beach. This is totally inconsistent with the Commons Beach location of the shared-use path which is behind the grassy area and beach and does **not** interfere with lake access.
- (2) The water-side shared-use path would create significant security issues for TML owners and guests. The path, which would be open 24 hours a day / 7 days a week, would pass within a few feet of some of TML units. The only way TML could avoid the security impacts of a shared-use path would be to construct a fence. Such a fence would deny owners full use of their property and their access to the lake.
- (3) The shoreline disturbance of a wide, paved shared-use path across TML’s narrow grassy area and beach would be a significant impact on the lake.
- (4) There is no way that the noise impacts of large numbers of people using the shared-use path across TML property (24 hours a day / 7 days a week) can be properly mitigated.

47-1

July 19, 2016 Letter to Placer County Community Development Resource Agency – Page 2

- (5) The shared-use path by the Tahoe City Marina benefits adjacent businesses such as restaurants / bars because their owners profit from the increased pedestrian and bicycle traffic. Such is **not** the case at TML which is totally residential.
- (6) The shared-use path would cause a severe encroachment on TML’s private property which would result in a lengthy and expensive eminent domain process.
- (7) The County should return to the **September 2015 Area Plan** which shows a shared-use path alignment going behind TML (i.e., along the commercial side of TML). The final EIR would be adequate for a shared-use path on the commercial side of TML, as depicted on the September 2015 Area Plan. This alignment would definitely be implemented much more quickly and far less expensively without environmental impacts.
- (8) On a number of occasions dating back many years, TML has offered to work with the County, TCPUD and TRPA to expedite the implementation of an alignment of the shared-use path on the commercial side of TML. If the agencies are willing to work with TML, the implementation of the shared-use path can happen relatively quickly.
- (9) Existing public access to the TML pier would **not** be compromised with the alignment of the shared-use path on the commercial side of TML.
- (10) With respect to the proposed Tahoe City Lodge, the presence of a bar at the third level of the building that is directly adjacent to North Tahoe Blvd. will create appreciable noise late into the night. This has **not** been properly evaluated in the DEIR. In addition, the proposed parking areas at the Tahoe City Lodge, portions of which will be shared with the golf course, have **not** been properly evaluated in the DEIR. The guests at Tahoe City Lodge will be encouraged to use public transportation during their site visits which means there will be very few parking spaces during the day for patrons of the golf course.

47-1
cont

47-2

Thank you for taking the time to read our comments. If you have any questions, please call Don at 510-612-1105 or e-mail Don at dhillassoc@aol.com.

Very truly yours,



Donald H. Hillebrandt



Adrienne Hillebrandt

Copies:

- Addressee (1 by regular mail)
- Mr. Jack Duran – Placer County Supervisor, District 1 (1 by regular mail)
- Mr. Robert Weygandt – Placer County Supervisor, District 2 (1 by regular mail)
- Mr. Jim Holmes – Placer County Supervisor, District 3 (1 by regular mail)
- Mr. Kirk Uhler – Placer County Supervisor, District 4 (1 by regular mail)
- Ms. Jennifer Montgomery – Placer County Supervisor, District 5 (1 by regular mail)

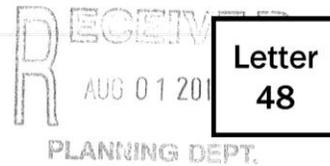
**Letter
47**

Donald and Adrienne Hildebrandt
July 19, 2016

- 47-1 The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.
- 47-2 This comment expresses concern that the presence of a bar at the third level of the Tahoe City Lodge will create appreciable noise late into the night. The comment also states that the noise concern and the proposed parking areas at the Tahoe City Lodge have not been adequately evaluated in the Draft EIR/EIS. These comments are similar to comments 12-42 and 19-2 related to parking and rooftop noise, respectively. See responses to comments 12-42 and 19-2.

July 27, 2016

Crystal Jacobsen
Placer County Community Development
3091 County Center Drive, Ste 140
Auburn, California 95603



RE: Comments on the Tahoe Basin Area Plan/EIR/EIS

To Whom it May Concern,

We are joint owners of a lovely single-family home at 7750 North Lake Blvd, Tahoe Vista, CA that has been in our family for several generations and which we enjoy together every summer.

It has come to our attention that a change in zoning from "Residential" to "Mixed-Use Residential" in a small area including this dwelling is included in a Tahoe Basin Area Plan that was recently proposed. This part of the Area Plan would affect a small number of lakefront homes that have been maintained as single-family dwellings for many years and which currently present minimal impact to the lake.

We are concerned about the potential long-term consequences of such a change, which we believe can only be detrimental to these properties and their owners and to the lake itself.

The proposed change would permit additional and in our opinion, undesirable uses of the land in this small district. Developers would be enabled to purchase adjacent lots and build high-density structures where there are currently only single-family homes. This would run counter to preserving the historical beauty, sight lines and quietude of this area. It would lead to increased utilization of what will always be a narrow strip of beach, at best, in years of high water levels. It will inevitably produce more litter in this area of the beach, and it will reduce the freedom and comfort that are presently afforded to the public while walking through this area, as is and will remain permissible. It will increase noise levels and reduce the comfort and enjoyment of the nearby properties to their owners and guests. It will represent a departure from the long-preserved appeal of this special area. Finally, it will increase the impacts of activity and pollution on the lake itself.

48-1

However, none of the above results will occur if the zoning in this area of the North Tahoe Basin is kept as "Residential".

We urge you to work towards maintaining this special area as "Residential" to prevent such consequences.

Sincerely,

Martin Hirsch

Suzanne Hirsch

Letter
48

Martin and Suzanne Hirsch
July 27, 2016

48-1

The comment expresses opposition to adjustment of the Kings Beach Town Center boundary and the shared-use path along Brockway Vista Avenue. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

From: Debbie Hogan <dhogan@ierstahoe.com>
Sent: Friday, August 05, 2016 12:53 PM
To: Placer County Environmental Coordination Services
Subject: Tahoe City Lodge

Letter
49

Dear Placer County,

I am writing this email to show my support for the new Tahoe City Lodge project. I am fully in support of this sorely needed property in Tahoe City for the following reasons:

- 1) The current building is an eye sore and parts of it seem dangerous. I believe it should never have been allowed to stand as long as it has. It is a shame to our community and town.
- 2) Tahoe City needs lodging – especially higher end lodging.
- 3) The Tahoe City Lodge developers seem to be making a huge effort to make sure they communicate with the community and all agencies involved, have worked on making sure they are in environmental compliance and have designed a building with the look, feel and needs of our community.

|
49-1
|

Please allow this project to proceed without delays!

Debbie Kelly-Hogan

*Integrated Environmental Restoration Services, Inc.
 PO Box 7359
 2780 Lake Forest Road
 Tahoe City, CA 96143
 530-581-IERS (4377)*



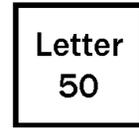
Common Ground, Uncommon Solutions

**Letter
49**

**Debbie Kelly-Hogan
August 5, 2016**

49-1 The comment expresses support for the Tahoe City Lodge Project. The comment is noted for consideration during project review.

From: June Johnsen <jjohnsen@telstarinc.com>
Sent: Tuesday, August 16, 2016 3:26 PM
To: Placer County Environmental Coordination Services
Subject: Placer County Tahoe Basic Area Plan and EIR



I am oppose to the water side trail alignment as it will invite a very large amount of people on a peak day and it will be an unsafe situation. I am concerned about our security at Tahoe Marina Lodge. We have spent a very large amount of money on our condo there and I am now concerned about our security if this is allowed.

50-1

Please vote NO on this!

June Johnsen
General Manager
 Telstar Instruments

Ph: (925) 671-2888
 Fax: (925) 671-9507

Please consider the environment before printing this email.

**Letter
50**

June Johnsen
 August 16, 2016

- 50-1 The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

July 23, 2016

Letter
51

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

As a property owner at Tahoe Marina Lodge, I respectfully request that my views be considered as you move towards implementing a plan to construct a shared-use path between Fanny Bridge and Commons Beach.

I am requesting that the original plan, referred to as the September 2015 Area Plan, be the one that is recommended. If the path is placed in front of Tahoe Marina Lodge, it will immediately decrease our property values and increase noise, litter, privacy and safety concerns for residents.

The narrow area between our units and the shore of Lake Tahoe is not conducive for a pathway. We already provide 650 feet on the southern boundary of our property for public use. Having a public path just a few feet away from our units and our open patios and porches would take away our privacy and our ability to monitor and keep the area of the shore line clean of debris and litter left behind by people with no vested interest in upkeep of the property.

If the pathway is placed in front of Tahoe Marina Lodge and is constructed with pilings, it would also block access to the shoreline for us as property owners.

If a pathway is to be constructed, please recommend that the pathway be placed behind Tahoe Marina Lodge to complete the access between Fanny Bridge and the Commons Beach area. I believe the commercial properties in that area will also enjoy increased business as they will then be more visible and accessible to foot and bicycle traffic on the proposed pathway.

Thank you for your kind consideration of this request.

Sincerely,



Ross Kaiser, Owner, Unit 47
Tahoe Marina Lodge
Mailing address:
4295 Marble Mt. Road
El Dorado Hills, Ca. 95762

51-1

Letter
51

Ross Kaiser
July 23, 2016

51-1 The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Renee Kojane <rkoijane@sbcglobal.net>
Sent: Sunday, August 14, 2016 2:02 PM
To: Placer County Environmental Coordination Services
Subject: Comment on Tahoe City Lodge Project

Letter 52

Dear Board of Supervisors,

I'm a long time resident (15 years now) of Tahoe City. My husband has lived here 30 years. I am raising my two boys here and am actually a transplant of San Francisco. One thing I know for certain is that Tahoe City is suffering from extreme blight, particularly on the site of the Hendrickson Building. We walk past, shaking our heads, knowing that Lake Tahoe and Tahoe City warrants so much more. It's my understanding that there are concerns with the height, but given the aesthetic sensibility and the environmental forethought placed into this structure, I do see it blending in quite nicely.

I can see this hotel being a hub for activity in our town, and having lived in San Francisco, I am very fond of the work Joie De Vivre has done there. (I see that one of the project leads on the Tahoe City Lodge team hails from this organization, which has created exceptional hotel experiences all over the region). And, I can tell you from first hand experiences and conversations, that the full time residents and business owners of Tahoe City will flourish given an entity such as this in our town.

With the implementation of the given plan showcased on www.tahoecitylodge.com I envision a wonderful welcoming vibe, with thought towards community, environment and aesthetic all taken into consideration.

Meanwhile, I appreciate YOUR time and consideration. I hope to be toasting you all from their rooftop bar, enjoying what I imagine will be a spectacular vista of one of the most amazing alpine lakes in the world.

Best,

Renee Kojane
 Homewood, CA
 c. 530-363-2091

52-1

**Letter
52**

Renee Kojane
 August 14, 2016

52-1

This comment expresses support for the Tahoe City Lodge Project. The comment is noted for consideration during project review.

August 15, 2016

**Letter
53**

Subject: Comment on Tahoe City Lodge Project

Dear Placer County:

My wife and I have lived in the Tahoe City & West Shore area year round since 2000. I am a small business owner in the area and my wife works at a local Tahoe City business.

Upon entering our lovely Tahoe City, one of the first impressions visitors and locals alike are brought to is the old Henrickson building. Built back in the 50's and never been brought to code, the building sits as an eyesore and an embarrassment to our community.

Having reviewed the various site plans, both my wife and I are in complete favor of the initial Site Plan 1 of the Tahoe City Lodge project. As proposed, it will provide a much-needed facelift to the area as well as jobs, county funds, local lodging, and a relaxation destination for locals and visitors alike.

In closing, I, my wife, and many of our friends and neighbors implore your support and approval of the Tahoe City Lodge project.

53-1

Kindest regards,

Bryan Kreul
PO Box 1552
Tahoe City, CA 96145
bryan_kreul@hotmail.com

**Letter
53**

Bryan Kreul
August 15, 2016

53-1

This comment expresses support for the Tahoe City Lodge Project, specifically Alternative 1. The comment is noted for consideration during project review.

(530) 583-8500
(530) 583-7203 fax
lakelaw@sierratahoe.net

LAW OFFICE OF
GREGG R. LIEN

Post Office Box 7412

**Letter
54**

August 15, 2016

Placer County Community Development Resources Agency
Environmental Coordination Services
3091 County Center Drive
Auburn, CA 95603

Re: Draft EIR/EIS, Tahoe Basin Plan, Tahoe City Lodge

To Whom It May Concern,

The purpose of this letter is to provide comment on behalf of Sam Rudnick, the owner of the property (also referred to as the Bechdolt property) immediately adjacent to proposed Tahoe City Lodge ("TCL") project on the westerly side. The comments in this letter are intended to supplement and amplify on comments previously provided by Sam Rudnick, and Antionette Rudnick.

There Are No Rights Granted By Easement Or Otherwise That Would Enable Use Of The Rudnick Properties In the Manner Contemplated by the TCL Project Or The Public

As has been noted in the comments previously provided, the main entrance to the Tahoe City Lodge is proposed to be on lands owned in fee by my clients. Simply stated, the scope of the claimed easement rights which encumber the easterly portion of my client's property are insufficient to allow the proposed uses. There are only two grants of easement, a 20' one, and a 50' one, neither of which can come close to providing the access envisioned in the EIR/EIS.

Specifically, as to the 20' claimed easement, it is a *Private Easement* which is appurtenant to and for the benefit of the Golf Course Property. The easement has not been dedicated to the County for public use and access. The Tahoe Basin Plan proposes a Community Center to be located on the Golf Course parcel. This extended purpose was not within the scope of the Easement as created by Parcel Map No. 72174. This is a Non-Exclusive 20' Easement for ingress, egress and utility purposes appurtenant to the Bechdolt property and the Golf Course. It is not appurtenant to nor for the benefit of the parcel proposed to be developed by Kila for the Tahoe City Lodge. The proposal for public access by the County or the TCPUD taxes the Easement and overburdens the Bechdolt parcel.



54-1

As to the 50' easement, it is a Non-Exclusive Easement for right of way, road and utility purposes, which burdens the Bechdolt parcel. The term "non-exclusive" simply means that the owner of the Bechdolt parcel has the legal right to all uses of the parcel (including parking) so long as such uses are exercised so as not to unreasonably interfere with the use of the Easement by the owner of the appurtenant parcel, which is benefitted thereby. Initial research demonstrates that the 50' Easement is neither appurtenant to nor for the benefit of the Tahoe City Lodge parcel. There is no dedication of the 50' Easement for public use or access, whatsoever. It is a *Private Easement*. Expanding the use of this Easement for the Tahoe City Lodge project causes loss of parking by the owner of the burdened parcel. Further, it represents an expanded use not intended by the original grant, which was not for the benefit of the public. This improperly taxes and overburdens the Easement as a matter of law.

54-1
cont

Most glaringly, there is no evidence the TCL project site has any beneficial interest in either of the recorded easements at all. Since there appears to be no right of access to the Tahoe City Lodge parcel over the Bechdolt property, access should be required from the North East portion of the Tahoe City Lodge Parcel, where existing legal access is available. Further, there is no right of the project proponent to build an entrance facility or other improvements on the Bechdolt property. Any such improvements must be built on the project parcel and must conform to applicable setbacks. The Project Boundary should not include the Easement as part of the Project Description.

Because Of The Lack Of Easement Rights, Any Attempt To Use The Bechtolt Property As Envisioned In The EIR/EIS Would Amount To A Taking

The lack of easement rights should be central to the evaluation of the project alternatives in the EIR/EIS. Instead, the EIS/EIR is based upon *assumptions* that are legally questionable. The TCL project has no right to use the westerly side of the TCL project area as the main entrance as a matter of law. Similarly, it is not possible to convert the private parking currently designated for the sole use of my client's property to the public's use.

In spite of these glaring problems, there are numerous places in the proposed Area Plan which seem to refer to and designate in various forms the contested 50-foot easement area as a part of the project area, and as providing parking that appears to be part of the project. The easement area is variously labeled as "Access or Easement Areas" in some Exhibits (For example Exhibit 3-11) and as a part of the "Tahoe City Opportunity Site" (Figure 4-10) in others. Together, the weight of the Area Plan seems to have come to a foregone conclusion that the community as a whole, and the TCL public/private venture specifically may claim expansive and sweeping rights in my client's property.

It is even more troubling that this seems to even be reflected in the proposed Implementing Regulations. The Public Review Draft of those Regulations, at page 285, talks about parking facility design standards. Paragraph 9(a) states:

“All off-street parking shall be located on the same property as the major land use it is intended to serve, unless located within a community parking district or a shared parking arrangement has been established, **which is preferred.**” (emphasis supplied, as this wording is apparently new)

With the Area Plan effectively dedicating the easement area to the benefit of the TCL project and the Special Planning Area adjacent to it, when coupled with the new proposed Implementing Regulations it appears that use by the TCL project of the claimed easement area is “preferred” over providing parking on-site. As you are fully aware, virtually every other project that has come down the pike in the last few decades has been required to provide as much parking as possible on site. Instead of business as usual in this case, however, apparently no one is asking for reduced units, on-site parking, a traffic study, or anything else from the developer in this case. On the contrary, the Area Plan appears to be going out of its way to subsidize the TCL project.

While we understand that this may be a laudable goal in some senses, given the fact that investment in our community has been rare since the imposition of the sweeping regulations that have been implemented at Tahoe since the 1970’s. Developers have largely evacuated Tahoe in search of greener pastures ever since. Attracting investment in our community makes sense on many levels. In point of fact, we are not objecting to the project or the economic goals of the community or the developer.

Nonetheless, the Area Plan goes beyond what can legally be done. The Area Plan crosses the line in essentially designating my client’s property for public and private benefit. To the extent that the rights impliedly claimed by the County or TRPA do not exist, it is clear that there will have been a “taking”, as that term has been used in a constitutional sense. If the County wishes such rights, it may of course use its eminent domain power to acquire them. To the extent it fails to, my client would be forced to evaluate his remedies, including an action in inverse condemnation and injunctive relief. In that context, the Area Plan smacks of pre-condemnation downzoning as to the easement area.

To illustrate the point, let’s assume my client had proposed a project on his own land several years ago that included an expansion. At that time, he could no doubt use a portion of the easement area for parking of vehicles for the sole use of his property, provided it didn’t unreasonably interfere with the ingress and egress rights associated with the easement. If the Area Plan is adopted as drafted however, it appears that the easement area has been claimed for other purposes, which purposes are “preferred” as opposed to sole individual use.

Further, to the extent any meaningful analysis at all has been done in the EIS/EIR of parking and traffic requirements relating to the TCL project and the proposed community parking areas, it does not appear that the easement area owned by my client can be used in the manner described. There is no additional parking at all available for public or other private uses on the Bechdolt property. The TCL project may not access the easement area at all. We do not see how an EIR/EIS can be based upon alternatives that appear to be wishful thinking at best, and

54-2
cont

at worst, an out and out plan to take private land for public purposes in a way that is blatantly unconstitutional.

54-2
cont

The EIR/EIS Fails To Address Significant Impacts, Individually Or Cumulatively

Of more general concern is the lack of a full analysis of traffic, and the associated impacts to air quality and on the VMT Thresholds enforced by TRPA. It also seems patently obvious that the cumulative impacts of the TCL project need to be discussed in the context of other new anticipated projects, both inside and outside the Tahoe Basin.

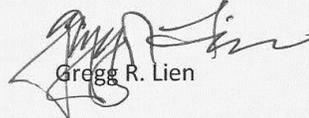
Although some improvements to traffic circulation patterns are introduced, any significant increase in VMT will have impacts that should be quantified and measured in a coordinated region-wide analysis of cumulative impacts. Other major projects in the immediate area include the Homewood Mountain Resort, the Brockway Campground, and the Squaw Valley Specific Plan. The law requires that these cumulative impacts be considered.

54-3

It seems self-evident that Tahoe City faces almost insurmountable challenges with even the existing levels of traffic. Although the analysis is incomplete, it appears the TLC project will absorb most, if not all, of whatever "headroom" may be created by other elements of the Plan. When the cumulative impacts are added, there seems to be a significant risk that the ability to meet the Thresholds will be impaired, and that other unaddressed impacts will occur.

In summary, the EIR/EIS is flawed in its assumptions because of its inclusion of the easement area within the project boundary. It is also flawed by failure to address cumulative impacts. It should be modified accordingly, and recirculated. Thank you for the opportunity to comment at this time, and for your kind attention to our serious concerns.

Very Truly Yours,



Gregg R. Lien

Cc: Mr. Sam Rudnick
Mr. Tom Archer

**Letter
54****Gregg Lien**
August 15, 2016

- 54-1 These comments express a legal conclusion that the 50-foot easement providing access to the Tahoe City Lodge Project is not appurtenant to the project applicant's property. This claim has been withdrawn by the commenter in a subsequent letter dated August 22, 2016 (see letter 54A below). The comment further expresses a legal conclusion that use of the easements as part of the project would result in an overburden of the easements. The project applicant has provided the county with all documentation necessary for the county to process the application, including evidence of recorded access rights. Further, the county has reviewed pertinent legal authority and disagrees with the legal conclusion expressed in this comment. Because this comment does not raise significant environmental issues and is unrelated to the Draft EIR/EIS environmental analysis, no further response is required.
- 54-2 This comment further articulates concerns about use of the easement across the Bechdolt property, describing that this would be a taking. Please see response to comment 54-1 above. The comment also addresses parking, and appears to claim that no on-site parking is proposed. Potential parking impacts are analyzed on pages 10-48 through 10-58 of the Draft EIR/EIS, which concludes that the project's on-site parking supply would meet or exceed the parking demand, and the parking impacts would be less than significant.
- 54-3 The comment relates to the adequacy of the VMT analysis in the Draft EIR/EIS. The TRPA TransCAD model forecasts for buildout conditions includes traffic volume and VMT forecasts based on land uses that include all potential development within the Tahoe Basin, including those projects that have been approved but not yet developed (such as Boulder Bay and Homewood Mountain Resort), and other reasonably foreseeable projects, such those listed in Table 19-2 in Chapter 19, "Cumulative Impacts," of the Draft EIR/EIS. As described in Appendix G-2 of the Draft EIR/EIS, the TRPA TransCAD model was found to not fully account for the traffic growth entering/exiting the study area via SR 267 and SR 89. Accordingly, the greater traffic forecasts reflecting the buildout of potential land uses in the Town of Truckee (such as Joerger Ranch and the Railyard Project) and Martis Valley (including the Martis Valley West project) contained in the Truckee/Martis model were used to increase the volumes and VMT within the Tahoe Region. Absent an existing model in the Squaw Valley/Alpine Meadows area, the Draft EIR/EIS analysis used the most-recent available forecasts for four proposed developments in the Squaw Valley and Alpine Meadows areas, including the Village at Squaw Valley Draft EIR, assuming full development within a 20-year period.
- While the regional VMT issue is a textbook example of cumulative impacts, it is useful to consider the relatively small impact of the Tahoe City Lodge proposal on the attainment of the region-wide VMT threshold. The Tahoe City Lodge project would generate 8,570 VMT (see Table 10-13 of the Draft EIR/EIS), while the existing uses on the site (absent any additional use of existing floor space) would generate 5,879 VMT, a net increase of 2,691 VMT. The available VMT capacity under the proposed Area Plan (Alternative 1) would be 99,304 (see Table 10-12 of the Draft EIR/EIS). The Tahoe City Lodge would therefore reflect 2.7 percent of the available capacity. See also Master Response 1, VMT and LOS Analysis, in Section 3.1 of this Final EIR/EIS.

(530) 583-8500
(530) 583-7203 fax
lakelaw@sierratahoe.net

LAW OFFICE OF
GREGG R. LIEN

Letter
54A

August 22, 2016

Mr. Steve Buelna
Supervising Planner
Placer County Planning Services
775 North Lake Boulevard
Tahoe City, CA 96145

Re: Comments on Tahoe Basin Plan EIS/EIR; Tahoe City Lodge Project

Dear Steve,

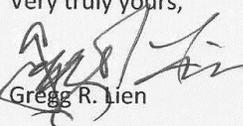
It was good to discuss this with you earlier today. As I told you at that time, we have been provided with sufficient information from representatives of the Tahoe City Lodge Project to resolve one of our concerns. Specifically, it appears that the 50-foot easement is indeed appurtenant to the Tahoe City Lodge parcel, something that we were skeptical of at the time our comment letter. We acknowledge our error in that regard.

Nonetheless, all of the rest of our concerns remain. The Tahoe City Lodge may not construct improvements in the easement area. They may not use the parking area to the exclusion of parking by the tenants of the Bechdolt property.

More importantly, Placer County may not zone, or designate in any way, the Bechdolt property in a manner that proposes public access to expanded areas, with the consequential increased traffic and increased parking demand. The use of the easement area of the Bechtolt property by the public, and to the exclusion of designated private parking, continues to raise the serious concerns detailed in my comment letter.

I understand that you will be reviewing all of the comment letters shortly, and we look forward to continuing to be involved in the process going forward. Thank you for your attention to this matter.

54A-1

Very truly yours,

Gregg R. Lien

Cc: clients

Letter
54A

Gregg Lien
August 15, 2016

54A-1 This comment expresses that one of the concerns raised in a previous comment letter dated August 15, 2016 (see letter 54) about the 50-foot easement providing access to the Tahoe City Lodge project, has been allayed. However, the comment notes continued concern about use of

the easement across the Bechdolt property. Please see the response to comment 54-1. Also, note that the project applicant has revised the project to meet the on-site parking demand without using any parking spaces within the easement area (see revised Exhibit 3-12 included in Chapter 2, "Corrections and Revisions to the Draft EIR/EIS," or Appendix A of this Final EIR/EIS).

Amy Loebel
1010 Overlook Road
Berkeley, CA 94708
Loebel@yahoo.com
510-364-0027

Letter
55

Placer County North-County Regional Advisory Council CC:
TRPA; League to Save Lake Tahoe; Keep Tahoe Blue

RE: Appeal of the Proposed Kings Beach Vision Plan

Dear NTRAC Members,

I am the co-owner of 7750 North Lake Blvd. My grandfather purchased our property over 63 years ago. Our property is one of 11 single-family residences from North Tahoe Beach at running west to Beach Street.

We have only just learned of the rezoning and planning for Kings Beach Core Improvement Project from a concerned neighbor a couple of weeks ago. We are confused and upset that we have not received any notification about the changes to our community from TRPA or Placer County. **My first question is why have we never been formally notified that our home was included in the rezoning plan?**

55-1

Our research revealed that we are not zoned as single-family residences. We have always understood that our residences were zoned as single-family residences so this is news to us. Apparently, the zoning changes go back some years. We have unknowingly been changed from residential zoning to mixed-use residential zoning. **My second and most important question is why are we being included in the mixed use zoning of the downtown plan?**

We are very unhappy with the current proposals to our small downtown community. We are appalled that the NTRAC members and consultants are even considering increasing population density by approving larger and taller new buildings. How will these changes affect the health of the lake? We are concerned about additional pollution of water, trash, noise, traffic and sightlines. We value the small beach town and do not want to see Kings Beach becoming a new South Lake Tahoe.

55-2

Our emergency services are stressed in normal times. Given the history of fires in California, it is truly frightening to think of the how emergency response would be able to keep our population safe and/or how evacuation routes would be able to handle crises.

55-3

Specifically, we are demanding that our residence, and the area that includes the 11 single-family residences from North Tahoe Beach running west to Beach Street on the lakeside, be zoned as residential.

In the future, we want to be notified of meetings and changes to the plan and sit at the table with the other stakeholders.

55-4

We have other questions and concerns and would like to request that the deadline for public comments be extended another 30 days.

Sincerely,

Amy Loebel

**Letter
55**

Amy Loebel
August 14, 2016

- 55-1 This comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.
- 55-2 This comment expresses concern with the effect of increased height and density in the Kings Beach Town Center on water quality, scenic resources, and transportation. These comments are acknowledged. The comment offers no specific information about the analysis presented in the Draft EIR/EIS so no further response can be provided. The commenter is encouraged to review the appropriate chapters of the Draft EIR/EIS pertaining to these specific resources.
- 55-3 This comment expresses concern with the response time of emergency vehicles and the ability of communities to evacuate in the event of a natural disaster. Please see Master Response 6, Emergency Access and Evacuation, of this Final EIR/EIS for a discussion of emergency response and evacuation within the Plan area.
- 55-4 The comment requests that the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street be excluded from Mixed-Use zoning. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS. The commenter also requests notification of any plan changes and public meetings and to have additional time for public comment submittal.

Letter
56

Fred and Amy Loebel
1010 Overlook Road
Berkeley, CA 94708

Placer County North-County Regional Advisory Council

August 11, 2016

Dear Council Members,

Along with my family we are co-owners of the residential property at 7750 North Lake Blvd. We have only recently learned about the various zoning changes and development projects being planned or proposed for Kings Beach. The planning and development concerns and issues came to our attention from neighbors and not by Placer County or TRPA. Subsequently to being informed, we have invested a great deal of time and energy discovering the history and present status of this project, and we have attempted to engage and inform other property owners in the area who are affected.

We have seen that the design team which first conceived the Kings Beach Commercial Core Improvement Project had designated that the 11 private residences on the Lake side of highway 28 east of Beach Street and west of the North Tahoe Beach would be a residential zone. This can be seen on the map on page 63 of the document titled "Proposed Kings Beach Vision plan", dated August 2013.

We have recently been led to believe that the county planners are now contemplating changing the zoning to a **Town Center Zoning**. We believe that such a designation in zoning could be extremely damaging to the character and quality of our homes in Kings Beach, and could lead to significant negative impact on the usability and esthetic values of our properties.

The vastly increased density allowances and height concessions to 56 feet would allow builders to erect monstrous edifices and complexes on what has historically been a quiet and pastoral section of beach. The existing small and visually non-intrusive private residences could be replaced by large 3, 4, or 5 story structures, which would have enormous negative aesthetic impact when viewed from the lake and/or neighboring structures.

Similar zoning designations have occurred in former residential zones in the Tahoe City area and small residential structures were transformed into commercial establishments. Some are now operated as luxury Beach houses and day-Spas for off-lake property owners and Hotel guests.

56-1

In addition to additional residential usage, one would expect additional boating usage, along with its concomitant, chemical pollution, noise pollution, lakeside traffic problems, and perhaps additional mooring or pier construction. This vision is not in alignment with the objectives of TRPA, nor the League to Save Lake Tahoe, and I would urge these organizations to vehemently oppose the proposed change.

To address these concerns we would therefore like to formally propose and submit to this body that a single family residential designation be given to the residential section between Beach street and the west border of North Tahoe Beach. This will help ensure that the residential character and low impact usage of this area be maintained as it has been since the 1940's.

In addition because many of the concerned owners like ourselves, are not full time residents, we would like to request a 30 day extension to the public comment period. This will help the owners to more fully understand the proposal input to the planning process.

Yours truly,

Fred LoebI
Amy LoebI

CC:
TRPA
League to Save Lake Tahoe

56-1
cont

**Letter
56**

Fred and Amy LoebI
August 11, 2016

56-1 The comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

Robert Loebel
519 Henry Street
Oakland, CA 94607

Letter
57

August 11, 2016

Placer County North-County Regional Advisory Council
CC: TRPA, League to Save Lake Tahoe, Keep Tahoe Blue

RE: Appeal of the Proposed Kings Beach Vision Plan

Dear Council Members:

My family owns the home located at 7750 North Lake Boulevard and we are proud to have been stakeholders in the Kings Beach and Lake Tahoe community for over four generations. Several weeks ago we were made aware of the "Proposed Kings Beach Vision Plan" as a result of a discussion with the owner of another home located within the strip of residential dwellings where our family's property is situated. Since learning of the proposed changes, we have worked diligently to gather information so that we are able to participate as informed and concerned parties in the process.

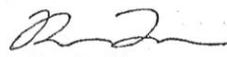
Our small section of the beach represents a valuable piece of the Lake's history, and we believe that the zoning change from "Residential" to "Mixed Use" is likely not only to irreversibly erode the historic character of our portion of the North Shore, but also to create unwelcome pollution, noise, traffic and other damaging effects which are in direct conflict with the goals of the League to Save Lake Tahoe, Keep Tahoe Blue, and those of us who care deeply about the future of the Lake.

As a result of the Council's failure to meet its duty to sufficiently inform us and our allies of the proposed plan, we have been left without ample opportunity until now to actively participate in this supposedly public process. Therefore, **I am writing to request that the Council allow a 30-day extension to the public comment period**, which will give us more time to continue informing other property owners along the beachfront about the proposed plans, and which will allow them sufficient time to perform their own due diligence before coming to the table.

I hope that with this letter and others like it, the Council can see without any doubt that they have real opposition to the rezoning and redevelopment of the Kings Beach lakefront area, particularly in that portion of the beachfront West of the public park located across Highway 28 from Brassie Avenue. Although we take issue with major lakefront development of any sort, we believe **it is inappropriate for Beach Street to become a promoted ingress and egress corridor to and from the Lake, and we request that the Council leave our small residential beachfront area West of Brassie Avenue out of the rezoning and redevelopment process.**

I thank the Council for taking our active opposition into account as it decides how to move forward.

Sincerely,


Robert Loebel

57-1

Letter
57

Robert Loebel
August 11, 2016

57-1

The comment expresses opposition to the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street. This comment also requests an extension of the public comment period. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

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

August 9, 2016

**Letter
58**

Re: Tahoe Marina Lakefront

Attn: Placer County Board of Supervisors

I am one of forty-eight homeowners in the Tahoe Marina Lakefront condominium complex, which is located at the west end of Tahoe City, California. A number of years back, the TML homeowners secured the opportunity to purchase the land that was formerly leased from the Lands of Sierra. Following a vote of all TML homeowners, it was unanimously agreed that collectively we would purchase the lakefront property that supports TML. In addition, as a condition of purchase, we accepted the laborious task of fulfilling the EPA clean-up requirements.

Today, it is my understanding that Placer County and the Tahoe City PUD have expressed an interest in a "shared-use" path between the Commons Beach and Fanny Bridge. As sole owners of this property, any use rights (other than those enjoyed by the TML homeowners) would necessitate a super majority (67%) approval by the TML-HOA. I personally doubt that the TML homeowners would be interested in the prospect of allowing random public use of this private property.

The possibility of introducing a "shared-use" path would involve a review of the proposed plan, and an objective appraisal of the property market value. At best, I believe the TML-HOA would impose a one-year "Use-Limit" with an annual lease rate to be predetermined and subject to the TML-HOA annual CPI increase and renewal. Based on an objective cost analysis, I would guess that the yearly lease charge for this property usage along the lakefront of TML would be close to prohibitive.

In addition, I believe the TML-HOA and the State of California would mandate that Placer County and the Tahoe City PUD, collectively secure a blanket liability insurance policy. The possibility of a serious accident or death on waterfront property is a serious concern.

In summary, I see this request to secure an annual right-of-way land lease as being time consuming and unnecessarily costly to our HOA, Placer County, and the Tahoe City PUD. I for one, would hope that a more rationale option would prevail, such as the "Commercial Side Route" which utilizes the Mackinaw Service Road that runs behind Swigards Hardware and joins highway #89 just a bit north of Fanny Bridge.

If the Tahoe City PUD, Placer County and the Placer County Supervisors are sincerely interested in the possibility of pursuing this economic venture, it must start with approval of the TML-HOA.

RL/s

- cc: Mr. Jack Duran
Placer County Supervisor, District 1
- Mr. Robert Weygandt
Placer County Supervisor, District 2
- Mr. Jim Holmes
Placer County Supervisor, District 3
- Mr. Kirk Uhler
Placer County Supervisor, District 4
- Ms. Jennifer Montgomery
Placer County Supervisor, District 5
- Ms. Jamie Arno, President
Tahoe Marina Lakefront

Sincerely,

Ridge Lundwall - TML #15
17 Woodside Court
San Anselmo, CA 94960

58-1

**Letter
58**

Ridge Lundwall
August 9, 2016

58-1

The comment expresses opposition to and concern regarding the potential environmental effects of the shared-use path along the Tahoe Marina Lakefront property. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Kevin Madigan <kevin.r.madigan@gmail.com>
Sent: Thursday, August 11, 2016 1:08 PM
To: Placer County Environmental Coordination Services
Subject: TAHOE CITY LODGE EIS COMMENT

**Letter
59**

To Whom It May Concern:

I am writing to comment on the EIS for the proposed Tahoe City Lodge. I am not an environmental scientist so do not feel qualified to comment on the details of that EIS. I will point out, however, that there is a significant negative environmental impact associated with NOT approving construction of the new facility ... having to deal with the environmental aftermath of a blighted facility that failed to receive required government approvals over 50 years ago, and that did not have an environmental impact assessment completed before it was constructed. Those negative impacts will remain with us if the Tahoe City Lodge is NOT built.

59-1

Also, while most people think of "environmental impact" in terms of "green" considerations, I believe it's important to note that not building the lodge will have a very significant adverse ECONOMIC environmental impact on Tahoe City in particular and on the Lake Tahoe Region in general. The lake is a place that everyone should enjoy and right now the paucity of decent lodging in TC makes doing so more difficult than it should be. My understanding as a relatively new resident of the area is that there hasn't been a new hotel/motel built in TC in almost 50 years. And it shows.

Finally, before I moved here permanently, when I visited I tried to stay somewhere in TC but there was nothing available that I thought was suitable for my family. So I rented houses that were typically heated with wood, something that causes a great deal of harm to the environment. Had the Tahoe City Lodge been available, I would have stayed there and not burned all that wood. So please factor that fact into your calculations of what the environmental impact of the lodge will be (i.e. SUBTRACT IT).

59-2

Thanks for the opportunity to comment.

Kevin and Faye Madigan
 PO Box 842
 Homewood, CA 96141-0842

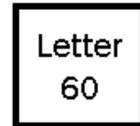
--
 434-465-5727 Cell
 530-686-6045 Home

Letter
59 | **Kevin and Faye Madigan**
August 11, 2016

- 59-1 The comment expresses support for the Tahoe City Lodge project and discusses the deterioration of the existing structure on the site. The comment is noted for consideration during project review.

- 59-2 The comment expresses support for the Tahoe City Lodge project and suggests that visitors staying at the Tahoe City Lodge would generate lower greenhouse gas (GHG) emissions than if they were to stay at other, existing accommodations where wood burning fireplaces are the primary source of space heating. The comment suggests that the GHG analysis accounts for this beneficial effect of building the Tahoe City Lodge. The comment provides no evidence, however, that operation of the Tahoe City Lodge would result in lower visitor occupancy at other accommodations that rely solely on wood burning for space heating.

From: Todd Mather <todd@tgmarchitect.com>
Sent: Monday, August 15, 2016 4:19 PM
To: Placer County Environmental Coordination Services
Subject: Tahoe City Lodge



To Whom It May Concern:

I have reservation about the design intent of this project with regard to ingress/egress and parking. It appears the developer intends to use an easement on the west side of the said property rather than creating a driveway internal and direct to this substantial project. While I'm entirely in favor of the project as it relates to Tahoe City's future and economic growth, there are many site design issues that need to be carefully considered and addressed.

60-1

I would be pleased to speak to you directly or by email to this end.

Sincerely,
 Todd Mather, AIA
 530.414.4662



**Letter
60**

Todd Mather
 August 15, 2016

60-1 This comment expresses overall support for the Tahoe City Lodge, but concern with the locations of access and parking. The comment is noted for consideration during project review.

Letter
61

August 7, 2016

John and Janet McClave
Tahoe Marina Lakefront #16
270 No. Lake Blvd.
PO Box 92
Tahoe City, CA 96145

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

Re: Comments on June 2016 Draft Environmental Impact Report prepared by Ascent Environmental, Inc. for Placer County Area Plan

As homeowners in the Tahoe Marina Lakefront community in Tahoe City for 10 years, we are writing to express our concern about the proposal for a shared-use path, running from the Truckee River Dam to Commons Beach, that appears in the recent Placer County Tahoe Area Basin Plan (June 2016 Review Draft) and in the subject DEIR referenced above. We urge the County to remove the so-called "preferred alternative" of a water-side shared-use path from the Area Plan. We further urge the Placer County Supervisors not to certify the DEIR, as it does not adequately address a number of issues associated with the proposal.

First, the water-side route alternative shown in the Area Plan would encroach directly upon private property owned by our homeowners' association. Thus, the only way this plan could be achieved is through a hostile eminent domain claim, which would only lead to a costly, protracted and bitter legal battle for all parties concerned.

Moreover, with unrestricted 24/7 access by bicycles, skateboards and foot traffic, such a path would create significant safety, security and noise issues for our residents and guests. No other stretch of the existing multi-use trails around Tahoe City runs in such close proximity to privately owned homes.

The current drought has shown us that our shoreline is extremely fragile. Construction of a paved pathway along this very narrow stretch of shoreline and beach would cause a serious environmental disturbance and have a detrimental visual impact when viewed from either the land or the water. Note that the existing path through the Commons Beach area is set back from the park and the beach and does not impact the shoreline.

We understand the interest in connecting the Truckee River, West Shore and Commons Beach segments of the multi-use trail. Our association has, in fact, put forth a plan for a connecting path to run between our property and North Lake Blvd. The County's September 2015 Area Plan also shows this "commercial-side" path alignment. We urge the County to return to this

61-1

version of the plan. Our association has repeatedly expressed that we are ready and willing to work with the relevant agencies to pursue this alternative. We are confident it could be initiated and completed more quickly and at far less cost than the water-side route, which in contrast could be delayed indefinitely for the reasons cited earlier.

We purchased our second home in Tahoe City for the benefit of our entire family, and it enjoys nearly constant, four-season use by our three generations. We take part in community events and are proud to shop with local merchants and support the local economy. We hope to enjoy our small piece of this treasured area for many years to come. Thank you for giving our views your most serious consideration as you deliberate this matter.

61-1
cont

Sincerely,



John McClave



Janet McClave

cc:

- Mr. Jack Duran, Placer County Supervisor, District 1
- Mr. Robert Weygandt, Placer County Supervisor, District 2
- Mr. Jim Holmes, Placer County Supervisor, District 3
- Mr. Kirk Uhler, Placer County Supervisor, District 4
- Ms. Jennifer Montgomery, Placer County Supervisor, District 5

**Letter
61**

John and Janet McClave
August 7, 2016

61-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. In addition, the comment suggests using the existing sides of the road as an alternative. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Letter 62

*Robert and Brady McClintock
PO Box 1852
Tahoe City, CA 96145*

We are 30 year residents of Tahoe City, and whole-heartedly support the Tahoe City Lodge as presently drafted. After reviewing in detail the plans for the Tahoe City Lodge, and attending community outreach meetings and carefully listening to criticism and the proponent's points of view, we conclude that this project, as presently configured, is of critical importance to Tahoe City.

My wife and I have reviewed the Draft EIR/EIS for the Placer County Tahoe Basin Area Plan and the Tahoe City Lodge Project, and would like to have you include my comments for both the Plan and the Lodge Project. I believe that the EIS/EIR process has adequately addressed my concerns about any potential environmental impacts that could occur for the various alternatives outlined for both the Area Plan and Lodge Project.

Here is why we support **Alternative 1 for Proposed Area Plan:**

- I believe we need to support walkable downtown centers and the new area plan policies focus on this by allowing for increased density and height. This in turn offers environmental benefits such as better water quality management and lower vehicle miles travelled.
- I support the policy focus on preservation lands for recreation such as demonstrated with the deed restriction on the Tahoe City Golf Course. Not only will this be good for locals and visitors because it improves a recreational amenity close to downtown but it also triggers great stream area restoration work, which again, is good for Lake Tahoe clarity goals.
- I really, really like the policy concept that is looking at allowing for a secondary dwelling unit program. This is very forward thinking and actually makes sense for workers and locals who would appreciate a way to offset expensive living costs. We might discourage people from leaving the area when they retire if they could build a rental unit to augment their income. I see this as a win-win for lots of locals. It's not a total solution but it offers one tool in a toolbox of solutions to our housing issues.

62-1

I also strongly support the Tahoe City Lodge Project, Alternative 1, which allows for the full project to move forward because of the following reasons:

- **Height:** After reviewing the EIS/EIR sections on the height of the hotel, looking at renderings, reading about traffic generation compared to the current site, and looking at the plans for stream zone improvements, I believe that the height of the project is appropriate. The building on SR 28 looks more like a 3 story building, with a roof top deck, and is lower than the Blue Agave building. By going 4 stories, as contemplated by the TRPA Regional Plan Update, we get significant coverage reduction.
- **Way Better Than Current:** The property, as it exists now, is ugly, bad for the lake and the environment, and not beneficial to the community as it affects visitors perception of the town. The way things are today on that property isn't acceptable, and the proposed hotel is exactly what our community needs.
- **Streamzone Improvements:** The stream zone improvements that would come with this project are critical – everything we can do to maintain and improve Lake Tahoe's clarity is key to maintaining why we live here and why visitors come here.
- **Parking:** I was concerned about parking, but after reviewing the draft EIR/EIS, I'm satisfied that the arrangement will work between the hotel and golf course. It won't cure all of Tahoe City's parking problems, but sufficiently addresses its own impacts to parking.

62-1
cont

I appreciate the opportunity to review these documents and give my input.

Robert McClintock
Brady McClintock
520 Virginia Drive
305 W. Lake Blvd. (commercial property owners)
Tahoe City

**Letter
62**

Robert and Brady McClintock
No date

62-1

The comment expresses support for the Area Plan and the Tahoe City Lodge project, specifically Alternative 1. The comment is noted for consideration during project review.

7-27-16

**Letter
63**

Placer County Community Development Resource Agency
RE: Shared use path connecting Fanny Bridge to Commons Beach

We spoke at the public comment portion of the July 27 meeting in King's Beach, but wanted to follow up with a letter voicing our strong opposition to the proposed water-side shared use path in the Area Plan. As Tahoe Marina (Lodge) Lakeside original owners, our private property would be taken and converted to some preferred selective marginal use. This sets a dangerous precedent that must be nipped in the bud. This path, as conceptually proposed, would run right through our back yard. Not only does it seem environmentally unfeasible, as there is little room for such development, the problems that come with such a public pathway are well documented. To name several: increases in crime rate, trespass, loitering, trash, accidents, liability, and noise. Our view of the lake would be completely ruined, as would the view of the beautiful shoreline from the water.

It seems like a simple and relatively inexpensive alternative to use the sides of the existing roadways for all bikers, through hikers and pedestrians. This alternative would benefit existing businesses with the patronage of path users also.

63-1

Sincerely,



Billy and Aileen McDonald

**Letter
63**

Billy and Aileen McDonald
July 27, 2016

63-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. In addition, the comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

SAN JOSE
THE LETITIA BUILDING
70 S FIRST STREET
SAN JOSE CA 95113-2406
T 408.286.9800
F 408.998.4790

PALO ALTO
200 PAGE MILL ROAD
SUITE 200
PALO ALTO CA 94306-2062
T 650.804.7600
F 650.804.7630



MA
SAN JOSE
Letter
64

July 28, 2016

RICHARD O. McDONALD
rmedonald@hopkinscarley.com
408-286-9800
Fax 408-938-6245

RECEIVED
BOARD OF SUPERVISORS
5BOS_ TI_ ALL AIDES_ (mail person)

AUG - 1 2016

SUP_ COB Corr_ CoCo_
AIDE_ CEO_ Other_

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

**Re: Tahoe Basin Area Plan Proposed Shared Use Path –
Commons Beach to Fanny Bridge**

Dear Ladies and Gentlemen:

This letter concerns the proposed shared use path that would potentially connect Commons Beach to Fanny Bridge in Tahoe City, and is written on behalf of Lois McDonald, owner (“Owner”) of Unit 33 at Tahoe Marina Lodge (“TML”). On behalf of the Owner, this is to express in the strongest possible terms her objections to the proposed lakeside alignment of the path. We request that these objections be included as part of the Draft Environmental Impact Report review process.

The Owner purchased Unit 33 when TML was first developed approximately 40 years ago, and chose a lakefront unit with the expectation that its close proximity to the lake would never allow any form of development to take place between the structure and the shoreline. It is unfathomable to her now that the proposed lakeside path could possibly be considered as the “preferred alternative.” Such cannot be the case.

It is obvious to her, and all other TML owners, that the Draft EIR did not address all the environmental impacts that would require mitigation, nor does the Draft EIR provide for adequate mitigation of the adverse impacts of a pathway that would be used by up to 1,600 people per day. On its face, the path would create an unsafe condition for all TML owners and their guests, especially young children who would have to cross the path to get from the TML property to the water’s edge. A lakeside path would also create significant security issues. In the case of Unit 33, the path would encroach to within just a few feet of the Owner’s (an 87 year old widow) bedroom. The heightened risks of burglary, trespass, loitering and other crime is a major concern for Mrs. McDonald, and for all TML owners. There are also increased liability risks for all TML owners arising from so many travelers using a pathway that cuts through this private (for now) property, as the likelihood of bicycle and pedestrian accidents involving TML owners and guests is great. The noise impacts of 1600 people per day traveling right outside the TML condominiums cannot be mitigated. The physical construction of a ten foot wide path along the shoreline would result in obvious, major environmental degradation to the shoreline, to

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Palo Alto San Jose Burbank

Placer County Community Development Resource Agency
July 27, 2016
Page 2

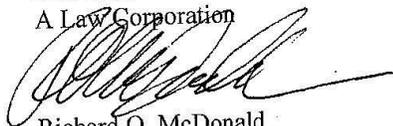
the detriment not just of the TML owners' property, but to Lake Tahoe itself based on the amount of trash, as well as human and animal waste that would inevitably find its way into the water. None of these issues have been addressed in the Draft EIR, nor have any of the countless others that come to mind, e.g., increased risk of fire, etc.

The proposed lakeside alignment for the shared use path should be rejected, and the County should revert back to the pathway alignment as shown on the September 2015 Area Plan. Such an alternative would have minimal environmental impacts, and would be far less expensive, and avoid a costly and time consuming eminent domain case, not to mention a costly and expensive legal proceeding challenging the EIR itself.

Thank you for your consideration.

Very truly yours,

HOPKINS & CARLEY
A Law Corporation



Richard O. McDonald
(On behalf of Lois McDonald)

ROM

- cc: Mr. Jack Duran
- Mr. Robert Weygandt
- Mr. Jim Holmes
- Mr. Kirk Uhler
- Ms. Jennifer Montgomery
- Jamie Arno (TML Board President)
- Lois McDonald

**Letter
64**

Richard McDonald
July 28, 2016

64-1
cont

64-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. In addition, the comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Rebecca McFadden <rebeccamcfadden65@gmail.com>
Sent: Monday, August 15, 2016 2:34 PM
To: Placer County Environmental Coordination Services
Subject: draft EIR Tahoe Area Plan

**Letter
65**

To whom it may concern,
 I wanted to express my concern about the current roundabouts in Kings Beach. I whole heartedly support the new configuration, but I see several problems.

1. The roundabouts are so tight that vehicles are often running into the barricades.
2. The cross walk configurations at the roundabouts are causing significant traffic congestion. A pedestrian activated light would be so helpful so that there is not a constant flow of pedestrians tying up traffic.
3. The landscaping is beautiful, but many of the plantings are so high that they present a visual obstruction. As a driver I often don't see people approaching the crosswalks, especially at Bear street, until I am almost right up on them. Are there other plants that would be less of a visual obstruction?

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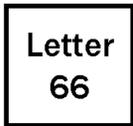
Thank you for your time,

Rebecca McFadden
 Tahoe City resident

**Letter
65**

Rebecca McFadden
 August 15, 2016

65-1 The comment pertains to the existing roundabouts recently constructed on SR 28 in Kings Beach in association with the Kings Beach Commercial Core Improvement Project. The configurations of the two roundabouts in Kings Beach were constrained by the available right-of-way, and represent the best possible use of the available land area. The location of the cross-walks is the standard recommended location for roundabouts (one car length from the yield point), which allows drivers to choose an adequate gap in the circulating traffic while pedestrians pass behind them. This comment does not pertain to the Area Plan or the Tahoe City Lodge and does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the Draft EIR/EIS.



July 24, 2016

Crystal Jacobsen, Project Planner
Placer County Community Development Resource Agency
3091 County Center Drive
Auburn, CA 95603

Dear Ms. Jacobsen,

I appreciate the opportunity to comment on the Tahoe Regional Planning Agency and Placer County Tahoe Basin Plan. Lake Tahoe’s natural beauty and strong tourism economy remind us of the need to balance environmental protection with economic development. Residents, visitors and government agencies all have a stake in the timely progress and successful completion of this lengthy planning process.

I believe one of the most important parts of the planning and public comment process is ensuring that the agencies involved take a hard look at the current state of affairs and then craft a plan that addresses all the questions that have been raised, so that the plan will survive legal challenge. After all the time and effort put into this Tahoe Basin EIS/EIR document, having to re-do the lengthy process of the past four years is not something that needs to be repeated.

Taking a hard look means addressing the problems of the region within the Tahoe Basin Plan process, rather than discovering twenty years later that there were unintended consequences to the actions and policies put forth in the plan. We need not look any further than the 1987 Regional Plan, which TRPA acknowledges had the unintended consequence of restraining development and in doing so prevented properties and facilities from being upgraded. The latest Regional Plan update addresses these problem through “environmental redevelopment”, where development incentives are provided for those projects that mitigate the environmental impacts to the extent possible through the use of Tahoe specific Best Management Practices (BMPs). As presented, these incentives will be subject to strict compliance and enforcement of the BMP requirements. As has been learned from past efforts, voluntary efforts may not be sufficient to make reasonable progress on the threshold environmental standards.

From my own research and reading supplemental documents referred to in the EIS/EIR, this document is not lacking in substantive information to support informed decision-making, but there are certain areas where the issues can be explained more clearly. Specifically the document would be improved by providing plain English summaries of the technical air quality and

66-1

traffic congestion discussions. If residents, visitors and regulatory agencies are going to use this plan for the next twenty years, the public needs to understand what points are being made. Once people understand what the problems are, what the priorities are and how they can make a difference in the achieving the solutions, then progress can be made.

The attached comments consist of an overview of two areas where specific topics are explored in more detail, with suggested solutions. This is followed by a second section of more detailed technical comments and questions that cite to specific pages and paragraphs. These comments are provided in the spirit of coordination and support for the work that TRPA and Placer County are doing. By addressing these issues in the draft EIS/EIR, my hope is that the final document will be better equipped to survive legal challenges. TRPA and Placer County have not arbitrarily changed the rules on development in the Tahoe Basin, but have acknowledged that the rules of yesterday may not all be applicable today. Changes in the tourism economy, the changes in vehicle emissions technology and the crisis confronting many mountain communities with affordable housing and the real estate market, demand that we learn and adjust.

66-1
cont

Sincerely,



Gary Mendivil

Pollution Prevention Efforts

As governmental agencies, the Tahoe Regional Planning Agency and Placer County Planning Services Division's regulatory programs are based on these fundamental elements

- Unambiguous regulatory authority
- Documented basis for concern
- Protective standards adopted by the agency
- A rational regulatory scheme
- Documented compliance that the protective standards are being followed
- Enforcement when the protective standards are not being followed

In reviewing the Placer County Tahoe Basin EIS/EIR it is not clear from the discussion how these elements function together to ensure that the TRPA threshold standards are being achieved and maintained in accordance with the Compact and the TRPA Code of Ordinances. Since the available regulations and applicable case law appear to support the argument that the first three fundamental elements are being upheld, my analysis of the Tahoe Basin EIS/EIR will address the last three fundamental elements.

Rational regulatory scheme

The Tahoe Regional Planning Agency and Placer County are responsible for adopting and enforcing land use regulations and land use plans. These regulations and plans are updated regularly to capture changing conditions, updates in technology and to reflect lessons learned from past actions and the lessons learned from the past actions of other mountain communities. In this context it is important to diligently explore any possible unintended consequences of the proposed changes. I am concerned after reading through the EIS/EIR that unless adequate safeguards are provided, specifically with regards to documented compliance and enforcement, there may be some unintended consequences from the proposed redevelopment incentives. In order to explain these unintended consequences, a little background information on the current real estate market is necessary.

As was noted on page 3.12-15, paragraph one of the 2012 TRPA Regional Plan Update EIS, recent real estate development in the Lake Tahoe region has been focused on the high end of the market. As was also noted in the 2012 Regional Plan Update EIS, the cost of meeting the strict environmental standards has had a considerable influence on this trend, because obtaining all the required permits and approvals takes time and resources. As noted on page 3.12 -15 of the Regional Plan Update EIS, pointing out the need for "environmental redevelopment", the commercial and middle income residential real estate developments have not happened as a consequence of regulatory burden. In addition, development of residential units is limited by the commodity allocations set forth by the 2012 Regional Plan. Without strong incentives to build affordable housing, the development will continue occur at the high end of the market, since there is more profit to be made on those projects. Although a large number of residential properties exist in the Lake Tahoe region, a large

66-1
cont

percentage (51% in 2010) were vacant secondary homes and not available to address the current need for housing.

In the past, some of the secondary homes were available to address housing needs. During recent economic downturns, some owners would rent them out in order to afford the mortgage and upkeep expenses. With an improvement in the economy and disruptive changes in the short-term rental business model, this secondary home landscape has changed dramatically. The development of the peer-to-peer vacation rental market through businesses such as AirBNB and VRBO has provided a way for homeowners to cover their mortgage and upkeep costs through occasional weekend and holiday rentals, effectively taking these secondary home off the rental market.

This trend compounds the lack of affordable housing for residents who are employed in the region and has created a situation where a large number of workers must commute into the Tahoe Basin to work. As noted in discussions of the population and housing on page 6-7 of the EIS/EIR, 56% of local employment consists of tourism jobs and 79% of those jobs were filled by workers from outside the region. Some of these commuting workers take advantage of Tahoe Area Regional Transit (TART), but many drive their personal vehicles which creates air emissions, traffic congestion and demand for parking.

Documented compliance that the protective standards are being followed
The proposed redevelopment incentives would allow the construction of a secondary residential unit on one lot with the assurance that these residential unit would not be converted to tourist accommodation units. It is not clear from the discussion in the EIS/EIR document that there is any documented compliance that applicable protective standards are being followed at this time. Placer County currently depends on individual homeowners to collect and remit the tourist occupancy tax. Without documented compliance, there is no guarantee that these secondary residential units will not be rented out as tourism accommodation units through services such as AirBNB and VRBO.

Enforcement when the protective standards are not being followed
Placer County has recognized the problem with these short-term vacation rentals and recently awarded a contract to a firm that will track these short-term rentals through data-mining the various short-term rental web sites. While this action will allow Place County to pursue those who are engaging in short-term rentals without collecting and remitting the tourist occupancy tax, there does not appear to be any compliance and enforcement program in place. If a compliance and enforcement program is in place or will be in place in the near future, proof of that program needs to be disclosed and discussed in the EIS/EIR, so that we can ensure that the redevelopment incentives do not have the unintended consequence of compounding the existing vehicle emissions, traffic congestion and parking problems.

66-1
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66-2

Mitigation of Environmental Impacts

The Placer County Tahoe Basin Plan EIS/EIR also notes on pages 6-18 and 6-19 that housing impacts to the region from the proposed redevelopment will be addressed by the construction of affordable housing as required by TRPA Code or by the payment of an in-lieu fee. While some affordable housing has been built, many developers choose to pay the in-lieu fee instead of building affordable housing, because, as noted earlier, they can make a better return on the dollar by focusing on the high end of the real estate market. According to the discussion in the EIS/EIR on page 6-17 paragraph two, payment of the in-lieu fee is considered to have adequately addressed the affordable housing issue. Despite the fact that payment of in-lieu fees are considered mitigation in Placer County's General Plan Policy C-2, it is not clear without additional information how payment of in-lieu fees can qualify as mitigation.

According to Merriam-Webster's dictionary, mitigation is defined as "making something less severe, harmful or painful." It is not clear how paying an in-lieu fee can be considered mitigating the impact, unless the fees are used to build affordable housing. This point was noted in *League to Save Lake Tahoe v TRPA* 739 F. Supp. 2d 1260 (2010). While an appeal to the 9th Circuit Court vacated the part of the decision regarding an appropriate baseline, it did not vacate the court's decision that TRPA cannot simply mitigate an impact by collection of a fee. The court decision pointed out that TRPA must, at a minimum, discuss the types of projects that could be funded, the benefits the projects would provide and whether the funding projected to be available would be sufficient to fund the necessary mitigation.

This last point of making sure that the funding projected to be available would be sufficient to fund the necessary mitigation appears to have been recognized and reflected in the 2011 revisions to the Homewood Mountain Resort Ski Area Master Plan EIR/EIS which noted "*In the event HMR chooses to proceed with in-lieu fees paid to the County, HMR must include a detailed accounting of the actual construction cost of each unit. This will ensure that enough fees are paid to actually build employee housing.*" The Placer County General Plan Policy Affordable Housing Policy B-6 also notes "*The County shall require affordable housing that is required as part of the project approval to be developed in a timely manner with the market rate units in the project to avoid delaying the construction of the affordable units to the end of the project.*"

The Placer County Tahoe Basin Plan and EIS/EIR can remain consistent with these policies by including a discussion in the body of the document of how and when the affordable housing will be built. At a minimum this should include a prioritized list of affordable housing projects, an estimated budget for each project on the list, and a discussion of the goals or milestones of how many affordable housing units will be built by year 5, by year 10, by year 15 and by year 20, so that it will be clear that the impacts can be mitigated during the life of the plan.

66-3

Further technical comments

1. General comment: In the discussions of air quality, vehicle miles traveled and parking there does not appear to be any discussion of the potential for mitigating vehicle air emissions through the construction of an additional boat ramp or extensions of existing boat ramps at the northern end of Lake Tahoe. Low lake level boat ramp closures during the summer of 2015 included the Coon Street boat ramp in Kings Beach and Sand Harbor near Incline Village. These closures forced boaters to travel additional travel miles to reach open boat ramps. Those vehicle emissions could have a direct impact on air quality, greenhouse gas emissions, plus there would be additional emissions from vehicle idling while waiting in line to use those few boat ramps that remained open during the low lake levels. While the Tahoe Metropolitan Planning Organization’s data does not break out statistics separately for vehicles with boat trailers, my personal observation is that Friday, Saturday and Sunday traffic counts contain a recognizable percentage of vehicles with boat trailers. While TRPA growth restrictions may restrict the construction of additional marinas and boat ramps and the TRPA Code of Ordinance at 84.6 may restrict boat ramps from extending below the 6,219 elevation, these boat ramp alternatives should be noted as potential mitigation alternatives and determined to be infeasible at this time. Both NEPA and CEQA require decision makers to take a hard look at potential alternatives. These decision makers must consider a number of competing factors to come up with a decision that balances those impacts. Given the potential for future low lake levels and the impact of boat trailers creating additional turbidity when they go past the boat ramp onto unprotected lake bottom, TRPA may decide in the future to alter or waive the restrictions on boat ramps elevations on a site specific basis. Discussion of this alternative in the Tahoe Basin Plan would provide valuable information and inclusion of this alternative in the current document would prevent the need to amend the plan in the future to reflect such changes. Given that the Tahoe Regional Planning Agency has now begun a Shoreline Planning Initiative to address Judge Karlton’s ruling in *League to Save Lake Tahoe v. Tahoe Regional Planning Agency*, 739 F Supp. 2d 1260 (E.D. Cal. 2010) this issue may be ripe for addressing in the next few years.

66-4

2. General comment: The discussions of the impacts and alternatives appear to combine environmental impacts (air pollution, lake turbidity) and aesthetic impacts (building heights, building mass), which could imply that environmental impacts and aesthetic impact are provided equal weighting in the EIS/EIR analysis. Given that the mission of the Tahoe Regional Planning Agency (TRPA) includes reporting on the degree and rate of progress on a number of key environmental threshold standards and providing recommendations on action that will promoted attainment and maintenance of those threshold standards, one would assume that those environmental standards would receive a greater weight in the EIS/EIR analysis. This should be especially true in the discussions of mitigation measures, since funding is always a challenge when instituting environmental mitigation. Would it be

66-5

possible to format the discussions so that quantitative impacts and qualitative impacts and mitigation measures are discussed separately? This would make it easier to distinguish between aspirational aesthetic goals and specific environmental requirements. This would make it easier in the future to determine whether Placer County Tahoe Basin Plan has been successful in addressing the environmental threshold standards.

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3. Executive Summary, page 2-29, Table 2-1: The discussion of Impact 12-3 in this table summarizes the impact of climate change on the project as follows *“Climate change is projected to result in a variety of effects that would influence conditions in the Plan area including increased temperatures leading to increased wildland fire risk; changes in timing and intensity of precipitation, resulting in increased stormwater runoff, flood risk and water supply impacts; and potentially changes to snowpack conditions that could be more favorable for avalanche formation.”* It is not clear what is meant by the underlined section and a more detailed explanation was not found in Chapter 12 on pages 12-31 through 12-34, although the same statement was found in that section. Would avalanche formation be more favorable due to decreased precipitation, rain events, ice layers, increased winds or increased precipitation? Please explain how climate change would result in changes to snowpack conditions that could be more favorable for avalanche formation.

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4. Chapter 1, page 1, Section 1.01: NEPA regulations at 40 C.F.R. §1502.13 recommends that an agency draft a “purpose and need” statement. This describes what the agency is trying to achieve with the proposed action and also explains why an action is necessary. This “purpose and need” statement serves as the basis for identifying the reasonable alternatives that meet the purpose and need. The current section entitled “Purpose” outlines four different purposes, so it is not clear what the actual purpose and need of the document is, which makes it difficult to determine how to measure whether the alternative meets the purpose and need. While environmental impact statements under the TRPA Bi-State Compact are not required to be compliant with NEPA regulations, those standards are instructive when courts consider whether decisions are clear and reasonable. Please provide a purpose and need statement. You may wish to consider something similar to: *“The purpose of the Placer County Tahoe Basin Area Plan and Tahoe City Lodge EIS/EIR is to explain how Placer County plans to regulate land use, new growth, redevelopment, housing needs, transportation needs for the next twenty years in order to establish a balance between the natural environment and human-made environment as required by the TRPA Bi-State Compact.”*

66-7

5. Chapter 3, page 3-19, Secondary Residences: The discussion at the bottom of this page and the discussion in Section 3.01 of the Area Plan Implementing Regulations does not appear to address the problem with secondary residential units being rented short-term through such avenues as AirBNB, or VRBO. While the Truckee Town Council and Placer County announced in June that they awarded contracts to outside firms in order to keep a closer eye on the

66-8

collection of transient occupancy tax, it is not clear whether this will result in greater enforcement to prevent secondary residences to be used as tourist accommodation units. As of July 14, 2016 AirBNB did not list Placer County as a location where they collect and remit taxes on behalf of the host.

<https://www.airbnb.com/help/article/653/in-what-areas-is-occupancy-tax-collection-and-remittance-by-airbnb-available> , although they do collect and remit taxes for other counties and municipalities in California. HomeAway /VRBO does not collect and remit taxes on behalf of the host

<https://help.homeaway.com/articles/How-to-calculate-lodging-occupancy-rental-tax> . Flip Key also does not collect or remit taxes on behalf of the host. Given that a substantial percentage of residences in the area are second-homes, increasing the availability of secondary residences without strict enforcement of short-term rental restrictions would lead to increased traffic, vehicle air emissions and lack of affordable housing.

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6. Chapter 3, page 3-26: The discussion at the bottom of this page discusses other components of the lodge project including parking. It is not clear why an alternative for underground parking was not proposed for the Tahoe City Lodge Site plan, given the existing problems with adequate parking in Tahoe City. While groundwater or geologic concerns may preclude this an option, it is not clear why this alternative was not discussed, since underground parking has been included with other developments in the Tahoe Basin.

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7. Chapter 3, page 3-39, Section 3.7.6: Bullet number two on this page discusses density modifications in Town Centers. The final sentence in the second paragraph notes that *“In response to these comments, density modifications in town centers were eliminated from further evaluation.”* It appears from the context of the discussion that the sentence was meant to read *“density decreases in town centers were eliminated from further evaluation.”*, since one of the major focuses of the Placer County Tahoe Basin Plan was to modify density in town centers to promote redevelopment.

66-10

8. Chapter 5, page 5-8 through 5-9, Section 5.3.1: This section discusses existing land use patterns in general and land in recreation use specifically on these pages. Given that the Tahoe Regional Planning Agency Regional Plan discusses the need to enhance opportunities for undeveloped recreation, it is not clear why the amount of land use in developed recreation land vs. undeveloped recreation land is not discussed. Although master plans are required for new developed recreation facilities, it would be informative to discuss the existing land use pattern in terms of developed recreation vs. undeveloped recreation, since this plan provides an overview of land use over the next twenty years in the Tahoe Basin under the authority of Placer County. Any changes in developed vs. undeveloped recreation lands could lead to impacts in traffic, air emissions and greenhouse gas emissions.

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9. Chapter 5, page 5-15, final paragraph: This paragraph discusses the reclassification of the Tahoe City Golf Course and the recognition and protection of the golf course as open space. It is not clear how this

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reclassification matches with the partnership goals of the agencies that purchased the site. The Memorandum of Understanding (MOU) signed in March 2012 provides detailed discussion of the future use of the property and should be referenced in the paragraph, so that it is clear how future uses of the site will be handled.

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10. Chapter 5, page 5-23, paragraph 4: The discussion of Secondary Dwelling Units in this paragraph does not appear to address the problem with secondary residential units being rented short-term through such avenues as AirBNB, HomeAway, VRBO or other peer to peer vacation rental platforms. Given that a substantial percentage of residences in the area are second-homes, increasing the availability of secondary residential units without enforcement of short-term rental restrictions could lead to increased traffic, vehicle air emissions and lack of affordable housing. See comments above for a detailed discussion.

66-13

11. Chapter 5, page 5-25, paragraph three: This paragraph addresses the Plan Area Statement (PAS) 002 for the Fairway Tract. The final sentence notes *“Although new tourist uses would be allowed, the deed-restriction at the golf course would limit future uses to recreation, public service and conservation uses.”* Please note the concerns outlined in comment # 13 above regarding the March 12 MOU. Please reference the MOU in this sentence so it is clear that there are uses over and above the three uses noted in the sentence. Since the MOU allows for the potential construction of an emergency heli-pad in the immediate vicinity, this should be acknowledged in this paragraph.

66-14

12. Chapter 6, page 6-4, final paragraph discusses the population of Placer County and notes *“While the county’s population continues to grow, the rate of growth has been decreasing and the population in the North Shore and West Shore have been declining.”* As discussed on page 6-7, the percentage of jobs filled by workers from outside the region was approximately 79 percent on the North Shore and West Shore. It would appear that the lack of affordable housing is forcing North Shore and West Shore employees to live outside the region and commute to their jobs. This leads to increased vehicle miles traveled due the lack of affordable housing and the impact of short-term vacation rentals on the housing market. This EIS/EIR may wish to address alternatives that address this problem in the context of existing problems with air emissions, greenhouse gas emissions and traffic congestion. As noted in *League to Save Lake Tahoe v. Tahoe Regional Planning Agency*, 735 F Supp. 2d 1260 (2010) the regional plan – and logically the area plans such as the Placer County Tahoe Basin Plan must ensure that the plans are implemented in a way that will actually achieve the thresholds. The court noted *“In particular, TRPA must ensure that “at a minimum, the [Regional Plan] and all its elements, as implemented through agency ordinances, rules and regulations, achieves and maintains” the thresholds. Compact art. V(c); see also Code § 6.5. In adopting the Amendments, TRPA concluded that this obligation was satisfied because the project included mitigation measures that would ensure that the Amendments had no significant adverse effects. As to this, the court states in part III(B) below,*

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the predicate finding that the project would not have significant impacts on air quality, water quality, recreation access and noise is arbitrary and capricious. More fundamentally, however, TRPA misunderstands the nature of the obligation to achieve and maintain the thresholds. It is not enough to show that the Amendments do not make the problem worse. TRPA must ensure that the ordinances, as amended, implement the regional plan in a way that will actually achieve the thresholds. With regards to thresholds not presently in attainment, TRPA’s finding that the Amendments will not aggravate the problem is inadequate.” While the court’s ruling in this case was vacated in part by the 9th Circuit Court of Appeals, the 9th Circuit did not vacate the determination noted above. In the Placer County Tahoe Basin Plan, the document must explain and evaluate the impacts and the choice of an appropriate baseline. That information is missing from the draft plan. Please provide further details.

13. Chapter 6, page 6-9, paragraphs two and three address affordable housing. It is noted that state law requires each community in California to address its “fair share” of the region’s housing needs and the *Tahoe Regional Housing Needs Report* produced by the Tahoe Regional Planning Agency assumes an allocation of 328 units of affordable housing for Placer County to address its fair share. It appears from the data presented in Table 6-6 that a total of 103 of actual affordable housing unit exist in Placer County, less than one third of the amount of housing needed to address the fair share. Given the problem noted in earlier comment with short-term rentals of secondary residential units through peer to peer network that effectively remove those residences from the housing market, and the problem with the vehicles miles traveled by North Shore and West Shore employees due to the lack of affordable housing in the Tahoe Basin, it would appear that addressing the short-term rental and affordable housing issue directly would help address the problems with vehicle emissions, greenhouse gas emissions, traffic congestion while also complying with California state law. Please discuss how the impacts of the proposed action would address the existing affordable housing problem over the life of the plan, since this could impact whether TRPA’s threshold standards would be achieved and maintained as noted in the purpose of the EIS/EIR, noted in Chapter 1, page 1.

14. Chapter 6, page 6-11, paragraph four: Notes that Tahoe City Lodge Alternatives 1, 3, and 4 would result in a net increase in employees. It further states that *“There is no evidence to suggest that the change in number of jobs as a result of Lodge Alternatives 1, 2, 3, and 4 would result in any physical, adverse environmental effects.”* It is not clear how this statement can be made when according to statements elsewhere in the EIS/EIR, 79% of West Shore and North Shore employees commute to their jobs from outside the Tahoe Basin. An increase in employees would create an increase in the vehicle miles traveled by these commuting employees. This document need to address whether the increase in employees combined with the fact that a substantial percentage reside outside the basin would result in any physical, adverse environmental effects.

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15. Chapter 6, page 6-13, paragraph one, sentence three: This sentence notes that “...implementation of Alternatives 1 and 3 would expend the potential locations for secondary dwelling units under Alternative 1 and 3, which could result in a greater supply of affordable or moderate-income housing since these units would not be used as tourist accommodation units.” It is not clear how this statement can be true given that increasing the availability of secondary residences without enforcement of short-term rental restrictions as noted in earlier comments, these residential units could be converted into short-term rental in the peer-to-peer network such as AirBNB or VRBO and would not improve the affordable housing situation.

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16. Chapter 6, page 6-17, paragraph two: The first sentence in this paragraph notes that “As required by Placer County General Plan Policy C-2, the lodge project would provide employee housing for 50 percent of the projects increase in FTEE when compared to the employment potential of the existing development at the site.” The final sentence in this paragraph also notes that “The applicant would be responsible for the equivalent of 2.39 employee housing units, which they have indicated would be provided via in-lieu fees paid to the county in support of moderate and low income housing programs.” It is not clear, as noted earlier, how the payment of in-lieu or mitigation fees will result in any mitigation of the employee housing impacts during the twenty year life of the plan. Please explain how in-lieu fees would mitigate the employee housing impacts during the twenty year life of the plan. If the Tahoe Vista Partners project that includes affordable housing is an example of how the housing program is working well, this information should be provided.

66-18

17. Chapter 6, page 6-19, paragraph one: This paragraph discusses the impact of an increase in commuters on vehicle miles traveled. The paragraph further notes “The effects on VMT, traffic congestion, and air quality from commuters traveling into the Basin under Area Plan Alternatives 2 and 4 would be incremental. For these reasons, none of the Area Plan alternatives would induce substantial population growth, directly or indirectly, that would create additional demand for housing such that an adverse physical effect on the environment would occur. Area Plan Alternatives 1, 2, 3, and 4 would have less-than-significant impacts.” It is not clear how this can be true given the ruling in *League to Save Lake Tahoe* 739 F. Supp. 2d 1260 (2010) as discussed in the earlier comment. Please explain how not achieving and maintaining the environmental thresholds can be considered a less-than-significant impact in the context of the TRPA Bi-State Compact.

66-19

18. Chapter 6, page 6-20, paragraph one and two: This paragraph discusses efforts to encourage the development of affordable and moderate-income housing. If the Area Plan is adopted under Alternative 1, TRPA’s secondary dwelling unit program would be expanded in the area. This would allow for the possibility of affordable housing through an expanded secondary dwelling unit program. As noted in earlier comments, it is not clear what would prevent these units from being used as tourist accommodation units through AirBNB,

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VRBO or other peer-to-peer networks, since there does not appear to be enforcement of the short-term rental restrictions. Unless the document contains details on how short-term rentals restrictions will be enforced or how in-lieu fee collection will result in the construction of affordable housing during the 20 year outlook of this planning document, it is not clear how a finding can be reached of a less-than-significant impact.

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19. Chapter 6, page 6-21, paragraph one. This paragraph discusses the forecast growth in population through the implementation of Area Plan Alternative 2. Sentence one in this paragraph notes that *“Implementation of Area Plan Alternative 2 would result in an increase in the population up to 10,083 and generate up to 5,062 jobs, an increase of approximately 1,500 jobs over existing conditions.”* This statement is confusing since according to Table 6-8, Alternative 4, the no action alternative would result in a population increase of 88. It would be clearer to state that the populations would increase by 88 without the project and implementing the project would increase the population by 287, which would yield a grand total of 375. When this grand total is added to the existing population, it yields the 10,083 population, but the growth came from two reasons, so it would not be correct to say that the implementation of Area Plan Alternative 2 would result in the larger number.

20. Chapter 6, page 6-21, paragraph two, sentence four: This sentence states that *“If this increase in the jobs-to-occupied housing ratio created additional housing demand, the residential allocations issued by TRPA would not allow additional housing to be constructed to meet this demand within the Plans area or elsewhere in the Basin.”* It is not clear how an increase in a ratio can create additional housing demand, since a ratio is simply a mathematical function that describes the relationship between to pieces of data. It might be better to say *“If an increase in population is not met by a commensurate increase in available housing, this will create a housing demand that cannot be satisfied within the Plan area or elsewhere in the Basin due to the fact that the residential allocations issued by TRPA would not allow additional housing to be constructed to meet this demand.”* Please consider changing the existing language.

66-21

21. Chapter 6, page 6-21, paragraph four, sentence three: This sentence states *“However, the potential for population growth under Area Plan Alternative 2 is identical to the potential growth projected for Alternative 4 (the no-action alternative) and future specific housing projects would be required to undergo project-level environmental review and implement mitigation to minimize potential adverse effects on the environment.”* It is not clear how the first part of this sentence can be true. According to Table 6-8, population growth under Area Plan Alternative 2 would result in a population of 10,083, while Alternative 4, the no-action alternative would result in a population of 9,796. These numbers are not identical nor is the potential growth identical as claimed in sentence three. Please explain more clearly the point that is being discussed.

22. Chapter 6, page 6-22, paragraph five, sentence five: This sentence notes *“The housing demand created by 894 jobs would be unmet in the Plan area.”* It is not clear where this 894 jobs number came from. The discussion on page 6-16, paragraph four notes that 704 more jobs would be generated. Please cite a source for the 894 jobs number noted in this sentence.

66-22

23. Chapter 10, page 10-2, paragraph one: This paragraph and the bullets that follow describe TRPA Goals and Policies for level of service (LOS) that must be maintained on various roads and intersections. While the letter grades applied to each level of service are adequately explained in other external documents, no citation to those document has been provided. This could be remedied by providing a brief explanation or a citation to an external document. It is also not clear why level of service is still being used as a criteria for evaluating transportation impacts. On January 20, 2016 the Governor’s Office of Planning and Research (OPR) released CEQA guidelines for evaluating transportation impacts and proposed the use of vehicle miles traveled (VMT) instead of level of service (LOS). The guidelines are anticipated to be officially adopted later this year or early 2017. Once adopted there will be two year phase in period where the new standards will be option, but after that phase in period the next standards will be required. It is not clear whether this change will require the Placer County Tahoe Basin Plan to be amended, but it might be worthwhile to make the changes at the initial stage rather than having to reopen the plan in the near future. If level of service should remain as a measure in the Tahoe Basin Plan this should be clearly explained.

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24. Chapter 10, page 10-24, paragraph five: This paragraph and series of bullets discusses the use of the proposed meeting space. The first bullet notes that 207 occupants are assumed for each meeting and the second bullet notes that two events per day are assumed, but nowhere in the discussion does it describe how many meeting events per year are held. While the calculations for Table 10-7 are designed to provide a peak traffic count, it is not clear how realistic these number are if conservative assumptions are multiplied by subsequent conservative assumptions. It appears that this calculation provides a worst case scenario, yet according to applicable case law NEPA does not require consideration of a worst case scenario. *See Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989).

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25. Chapter 10, page 10-30, paragraph five, final sentence: This paragraph describes a proposed mitigation measure involving pedestrian crossing improvements at the Grove Street /SR 28 intersection. The final sentence in this paragraph states *“The implementation of the hybrid beacon pedestrian crossing would consolidate pedestrian crossings, which would reduce the impacts of pedestrian crossings on LOS at the Grove Street / SR 28 intersection.”* It is not clear why other mitigation measures are not proposed for this site. From my observations, the high volume of pedestrian crossings is due to the lack of parking for beach access in this area. Since there limited parking at the Commons Beach as well as the Tahoe State Recreation area and no parking

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directly uphill of the SR28 near either beach, beach users park where the available parking is located and use the Grove Street crosswalk to reach the beach areas. Other possible mitigation measures to consider in the document would be to eliminate the pedestrian traffic at that crosswalk by providing other parking for beach access, provide a pedestrian underpass or provide a pedestrian overpass to eliminate the pedestrian traffic. It may also be that traffic congestion at the Wye backs up traffic to Grove Street, such that pedestrian traffic at Grove Street exacerbates the already existing congestion. Another possible mitigation alternative to consider would be to eliminate pedestrian and traffic congestion at the Wye. From my observation, recreational use of the Truckee River has a substantial impact during the summer season. Due to the lack of adequate parking at the Tahoe Rim Trail and Transit Center Parking lots, river floaters park at Save Mart or on the adjacent neighborhood streets and create a high volume of pedestrian traffic, complete with their tubes, rafts and coolers. This congestion appears to be exacerbated by commercial raft shuttle buses using the parking areas south of Fanny Bridge as drop off points for rafters and then attempt to make left turns onto SR 89 in order to return to the River Road to pick up more rafters to shuttle. Since the information provided on the bottom of page 10-5 does not provide information for what year the traffic count for SR89/SR28 (Tahoe City Wye) – SR 89/Fanny Bridge Community Revitalization Project EIR/EIS/EA was conducted, it is not possible to determine whether the traffic counts included Truckee River recreational use, since low lake levels precluded recreational use during some drought years. It is not clear why potential mitigation of additional parking or access to the Truckee River near the Transit Center is not discussed as an alternative in this document.

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26. Chapter 11, page 11-33, Impact 11-4, paragraph one: This paragraph discusses localized exposure to mobile-source carbon monoxide emissions. Sentence one notes that *“According to the RPU EIS, all affected intersections are anticipated to operate at acceptable LOS of D or better and would result in a less-than significant impact. However, under all the proposed project alternatives, some affected intersections may worsen operation to unacceptable LOS (i.e., LOS E or F). However, all affected intersections would operate with volumes that do not exceed 31,555 vehicles per hour, a SMAQD screening criteria adjusted to Tahoe Standards. Therefore, traffic volumes would not be heavy enough to result in a CO “hot spot.”* It is not clear how a criteria based on how many vehicles pass through an intersection per hour could predict a carbon monoxide (CO) hotspot when the highest concentrations of carbon monoxide would be found when traffic is subject to heavy congestion and stationary vehicles are emitting carbon monoxide without any of the air mixing created by moving traffic. Please explain or provide a citation to another plan or document that explains this clearly. It is also not clear in this plan or the regional plan what will happen if one county is not successful in curbing air pollution, but the others counties or municipalities are successful due to greater effort or allocation of funding. If Placer County is successful in improving attainment of the

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threshold standards due to greater efforts and allocating greater amount of funding towards “environmental redevelopment” will they be end up supporting the “free riders”? Elinor Ostrom outlined eight principles in *Governing the Commons: The Evolution of Institutions for Collective Action* to avoid free riders from profiting from the efforts of others. While TRPA’s polycentric approach allowing for key management decisions to be made locally where possible is a good start, it is not clear from the Regional Plan, the Placer County Basin Plan or other documents that these eight principles are reflected in the governance structure for the region and that Placer County will not suffer from other areas or counties free riding on their environmental improvements.

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27. Chapter 11, page 11-33, table 11-7 and paragraph three: The table and third paragraph on this page discuss carbon monoxide emissions. The table expresses maximum daily emissions for carbon monoxide in pounds per day. Paragraph three notes that “*All proposed project alternatives would be well within the North Shore CO emissions budget.*” The only emissions budget that I could find was issued by the California Environmental Protection Agency’s Air Resources Board, which published a proposed Motor Vehicle CO Emissions budget for Lake Tahoe North Shore, Eastern Placer County for 11 tons per day apparently based on winter emission. It is not clear from the discussion on page 11-33 what the current inventory is for CO emissions is for the North Shore, what the increase will be based on the net change in CO emissions based on Table 11-17 and how that final number in pounds per day compares with the Air Resources Board CO emissions budget in tons per day and how this equates with TRPA’s threshold evaluation of CO in parts per million (ppm). The information would be much clearer than a statement that no problems exist. Please provide this information or a citation where the CO emissions budget can be found.

66-27

28. Chapter 11, page 11-38 through 11-39, Mitigation Measure 11-5: This mitigation measure describes how impacts would be mitigated for toxic air contaminants (TAC) in order for them to be found as less-than-significant. Bullets two and three at the top of page 11-39 describe how project applicants would need to work with PCAPCD staff and use PCAPCD guidance to ensure that sensitive receptors are not exposed to substantial TAC concentrations. Despite the requirement for applicants to work with PCAPCD staff and use PCAPCD guidance, there does not appear to be any discussion of regulatory authority that would allow PCAPCD to enforce compliance or issue an injunction or stop work order if the emissions of toxic air contaminants were too high. It is not clear how impacts could be mitigated to less-than-significant unless there is some assurance that those who ignore or do not follow PCAPCD’s recommended BMP’s or guidance are prevented from exposing sensitive receptors to substantial TAC concentrations. This confusion is further exacerbated by the discussion of how mitigation cannot be required for Area Plan Alternative 4 because it is the no-action alternative and therefore the impact would be significant and unavoidable. If TRPA cannot regulate construction emissions now and Mitigation Measure 11-5 simply requires

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adherence to recommended BMP and guidance, how can it be assumed that imposition of Mitigation Measure 11-5 will mitigate the impacts to a less-than significant level? Without an explanation of how Mitigation Measure 11-5 would be implemented and enforced, it is not clear how the statement regarding less than significant impacts can be true. Voluntary mitigation measures, recommended BMPs and guidelines are just policies on a piece of paper. What matters is how they will be implemented on the ground. Please provide an explanation how compliance and enforcement will be addressed, so that mitigation is ensured.

66-28
cont

29. Chapter 11, page 11-39, final paragraph: This paragraph discusses the impacts of odor from the activities or facilities described in Alternative 1 through 4. Sentence three in this paragraph notes *“Diesel exhaust from the use of on-site construction equipment would be intermittent and temporary, and would dissipate rapidly from the source with an increase in distance.”* This passing mention of diesel exhaust along with mention of odors from landfills and wastewater treatment facilities is troubling because the TRPA Code of Ordinances treats odor and visibility as a proxy for diesel exhaust and emissions of PM₁₀ and PM_{2.5}. Given that these threshold standards are discussed in detail in TRPA’s annual evaluation of the environmental health of the Tahoe Basin, I would expect a more detailed discussion of diesel exhaust or a citation to a clearer explanation found elsewhere. Please provide a more detailed discussion.

66-29

30. Chapter 11, page 1-40, paragraph four: This paragraph discusses the role of nitrogen deposition from the atmosphere. Sentence two notes that *“TRPA has adopted a threshold indicator for nitrogen deposition to the Lake related to total maximum daily load (TMDL) requirements from EPA for nitrogen.”* It is unclear why this statement has been placed here since the TMDL and EPA standard are for wastewater discharge, not air deposition. Sentence four also notes that *“The TMDL also relies on TMPO and TRPA air quality and transportation to manage the load of nitrogen to the atmosphere from mobile sources.”* It is unclear what the magnitude of the impact from nitrogen from atmospheric mobile sources is, since the June 2013 Water Quality 208 report from TRPA discusses stream deposition and stormwater deposition of nitrogen in detail, but does not discuss the deposition of atmospheric nitrogen. The reader is directed to further detail related to the background of atmospheric deposition into Lake Tahoe explained in impact 3.4-7. These discussion are imprecise as they note that “we believe”, “the assumption is based upon” and “it has been estimated”. Please provide a detailed explanation of the role of atmospheric nitrogen deposition or a citation to another reliable document, rather than directions to other vague sources of information, so the reader can understand what the problem is and whether there are ways to fix the problem.

66-30

31. Chapter 19, page 19-4, paragraph three, sentences two and three: These sentences note *“The growth management system, limiting the number of development rights and allocations, concentrating development on high capability*

66-31

lands and within Centers, and implementing the land use map, community plans, and plan area statements have facilitated environmental improvements over the planning period of the 1987 Regional Plan. As such, there is no existing adverse cumulative land use condition in the region.” It is not clear what it meant by this statement, since earlier in the paragraph it was noted that environmentally damaging land use practices were in existence prior to the 1987 Regional Plan. Since many of the land uses and buildings that were deemed environmentally damaging are still in existence, it is difficult to understand how there is no existing adverse cumulative land use condition in the region. Preventing new land use impacts through the updated 2012 Regional Plan did not eliminate existing developments and pollution sources. The 2012 Regional Plan ensured that new development would be done with care in order to maintain or improve the current conditions in the Tahoe Basin. Please revise this sentence to acknowledge that existing conditions are an adverse cumulative land use condition, but Placer County and TRPA are putting forward this plan to improve the existing adverse cumulative land use condition.

66-31
cont

32. Chapter 19, page 19-6, paragraph three, final sentence: This sentence notes *“Because the residential component of these projects includes a substantial number of second homes, and employment opportunities would be limited in number and potentially seasonal, the cumulative projects would not have a substantial effect on the distribution of population, employment, and housing such that it could result in significant cumulative effects.”* Given the limited enforcement of tourism occupancy taxes for peer-to-peer short-term rentals such as AirBNB or VRBO, it is not clear how a substantial number of second homes would have a substantial effect (see earlier comments for a more detailed discussion). If those second homes were rented out on weekends and holidays that would increase traffic and congestion, as well as continue the existing problem with affordable housing.

66-32

33. Chapter 19, page 19-7, paragraph one and two: This paragraph discusses, in part, the effects of cumulative population growth on affordable housing. It is not clear how affordable housing requirements will be met over the twenty year life of the plan if in-lieu fees are collected. Without citation to a separate plan or prioritized list of affordable housing projects that will be built during the twenty year life of the plan, this could be considered aspirational mitigation, without any reasonable assurance that affordable housing would be built. Given that paragraph two notes that two of the alternatives would result in 870 employees having to find housing outside the Tahoe Basin underscores the need for a plan or other reasonable assurance that the impact are being addressed. Those 870 employees commuting from outside the Tahoe Basin would contribute to increases in traffic, vehicle miles traveled, vehicle emissions, and greenhouse gas emissions. Simply pointing to the need for building affordable housing does not mitigate the impact on affordable housing, nor does the payment of in-lieu fees. The only thing that mitigates the impact of affordable housing is the construction of affordable housing. Please provide,

66-33

plans, lists or examples of how in lieu fees have or may in the future result in the construction of affordable housing.

66-33
cont

34. Chapter 19, pages 19-28 through 19-29, Cumulative Impact 17-1 and 17-2: These two cumulative impact discussions address the cumulative demand and conflicts on recreational facilities. There is a complete discussion of impacts to undeveloped recreational facilities such as trails and beaches, as well as a summary discussion of developed recreation facilities, such as the Brockway Campground. There does not appear to be a discussion of the impacts on developed recreational facilities such as boat ramps and piers. While new developed recreational facilities cannot be built until there is an adopted Shorezone Plan, it is important that developed recreation be addressed in this section as well. Please add a short description of the cumulative impact on developed recreational facilities.

66-34

35. Chapter 19, Table 19-2, pages 19-38 through 19-39: This table includes reasonably foreseeable projects that may have an impact on the Placer County Tahoe Basin. Items 24 and 28 should be updated to reflect recent project developments. A new item should also be added near the Caltrans Highway Improvement Projects, ideally with its own category heading. The Nevada Department of Transportation has initiated the project planning for the Stateline to Stateline Bike Path Project. This is a three mile shared use path from the south end of Incline Village to Sand Harbor State Park. They anticipate the path will be built over the next two to three years. The construction emissions of this project could have a temporary impact on the air quality in the area and should be mentioned so it is clear that the EIS/EIR looked at all reasonably foreseeable projects that could have an impact on the Placer County Tahoe Basin air quality.

66-35

**Letter
66**

Gary Mendivil
July 24, 2016

- 66-1 The comment requests simplified summaries of the air, noise, GHG, and traffic sections and additional discussion of the regulatory environment. These chapters of the EIR/EIS contain analyses that are, to the extent possible, written in a manner understandable to the lay reader. For a summary of the impact conclusions described in these for these resources, please refer to Table 2-1 in Chapter 2, “Executive Summary,” of the Draft EIR/EIS.
- 66-2 The comment expresses concern regarding secondary dwellings being used as vacation rentals, specifically questioning the capability of the county to enforce a prohibition on use as tourist accommodation units. This concern is acknowledged. Given the number of residential units in the Plan area, regulating the way in which an individual owner uses his/her residence is inherently difficult. To address this concern, policies have been added to the Area Plan’s secondary residential unit program. Further, provision to allow secondary dwelling units would be implemented in conjunction with a TRPA-Certified Housing Program. With this program, the county would be required to document, monitor, and submit annual reports to TRPA and enforce the provision of the deed restrictions. All the secondary dwelling units would be deed restricted and subject to these reporting and enforcement

- requirements. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.
- 66-3 The comment expresses concern regarding the sufficiency of in-lieu fees to adequately mitigate employee housing impacts. As set forth in Master Response 3, in-lieu fees provide important support for the county's workforce housing program. In-lieu fees are held in a Housing Trust Fund and can only be used for housing. In-lieu fees are used to build affordable housing projects through partnerships (such as the Domus project in Kings Beach) as a priority, assist first time homebuyers with loans, and rehabilitate housing, among other things. Moreover, the county generally allows an applicant to satisfy the workforce housing policy by means of an in-lieu fee only if the applicant demonstrates, and the county agrees, that other means of complying with the policy are infeasible based on site-specific conditions. The comment's concern about whether in-lieu fees are sufficient is noted, and will be forwarded to county decision makers for their consideration. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.
- 66-4 The comment requests that the environmental analysis consider the effect of low lake levels on boat ramp use and related traffic congestion and suggests additional boat ramps or boat ramp extensions as a mitigation measure. The Area Plan makes no changes to shoreline regulations nor would any element of the Area Plan contribute to a change in boat ramp use. The comment has been forwarded to TRPA staff involved in the Shoreline Planning Initiative for its consideration.
- 66-5 The comment suggests that visual impacts should not be given the same weight as impacts to other natural resources (such as water and air). The comment requests that visual impacts be separated from the discussion of environmental impacts to make it easier to determine whether the Area Plan has successfully addressed the TRPA environmental thresholds. The scenic quality of the landscape and the built environment is a protected resource under both CEQA and TRPA regulations. Additionally, scenic resources are one of the resources for which TRPA has established threshold standards. The purpose of the EIR/EIS is to provide the public and decision-makers with information regarding the environmental impacts of the project. The EIR/EIS does not attempt to establish a hierarchy of resources appropriate for protection; rather, the EIR/EIS uses adopted thresholds at TRPA and the county, without regard to the particular resource at issue. The balance struck by decision-makers of the relative environmental impacts will be reflected in their findings under CEQA and the Compact.
- 66-6 The comment seeks clarity about the statement in Table 2-1 of the Executive Summary on page 2-29 that climate change is projected to potentially result in "changes to snowpack conditions that could be more favorable for avalanche formation." The potential for avalanche formation is discussed in the third full paragraph on page 12-33 of the Draft EIR/EIS. How climate change could affect avalanche risk in the Tahoe Basin is an issue that is not clearly understood. Steep terrain without dense forest cover, such as those located at ski resorts, could be more susceptible to avalanche formation because warm temperatures and rain events could create less stable snow conditions.
- 66-7 This comment states that the Draft EIR/EIS did not have a clear statement of purpose. See Section 3.3, "Project Objectives," beginning on page 3-3 of the Draft EIR/EIS and Section 1.3, "Agency Roles and Purpose of the EIR/EIS," on page 1-2 of the Draft EIR/EIS.
- 66-8 The comment restates the concern regarding secondary dwellings being used as vacation rentals. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.

- 66-9 The comment questions why underground parking was not considered for the Tahoe City Lodge project. This option was considered and rejected as infeasible due to the excessive cost to construct underground parking. Additionally, the project has proposed parking that meets the requirements as defined by the shared-parking demand analysis, while also reducing overall coverage in the project area. See Impact 10-8 and Table 10-18 in the Draft EIR/EIS.
- 66-10 This comment questions the intent of a statement in Chapter 3, Section 3.7.6, “Alternatives and Alternative Components Considered but Dismissed from Further Evaluation” at page 3-39 of the Draft EIR/EIS, related to density modifications in town centers. The statement in question addresses a specific type of density modification that was contemplated for town center areas in previous versions of the Area Plan. A policy was proposed that would allow increased density on parcels within town centers (beyond that allowed for development within town centers), provided the increase was balanced by a reduction in density in another area of the town center. In response to concerns expressed by the public, this policy was eliminated from the Area Plan released concurrently with the Draft EIR/EIS and was therefore not included in the environmental analysis.
- 66-11 The comment suggests that it would be informative to discuss changes in developed recreation and undeveloped recreation lands that could occur because of the Area Plan. As described on page 3-9 in Chapter 3, “Proposed Project and Alternatives,” of the Draft EIR/EIS and illustrated in Figure 4-5 in the Area Plan, the Area Plan includes limited changes to recreation designations. Proposed changes include: (1) those that would occur at the Tahoe City Golf Course as a result of the Tahoe City Town Center boundary changes (i.e., the land use designation of the Wetlands Basin and area adjacent to the golf course would be changed from Mixed-Use to Recreation, and the remaining portion of the golf course [outside the town center boundary] would be changed from Residential to Recreation); and (2) the change in land use classification of approximately 61 acres in PAS 174 (64-Acre Tract) from Residential to Recreation. These changes were made in the Area Plan to reflect the existing developed recreation sites in these locations. These changes would not substantially change the existing land use patterns in the Plan area. Developed and undeveloped resources within the Plan area are discussed in detail and mapped in Exhibit 17-1 in Chapter 17, “Recreation.” In responses to this comment, a cross-reference to Chapter 17 has been added to the setting discussion in Chapter 5, “Land Use.” This change is presented in Chapter 2, “Corrections and Revisions to the Draft EIR/EIS.” The addition does not alter the EIR/EIS conclusions or the significance of any impact.
- A sentence has been added following the first sentence on page 5-10 of the Draft EIR/EIS:
- In Tahoe City tourist accommodations are located along SR 28, clustered near the “Wye” and Granlibakken Resort. More detailed information on recreation resources, including developed and undeveloped recreation sites, is included in Chapter 17, “Recreation.”
- 66-12 The comment questions how the reclassification of the golf course as open space would align with the partnership goal of the purchasing agencies. As described in Chapter 3, page 3-28 the deed restriction for the portions of the golf course outside of the proposed town center boundary would prevent further expansion of the town center boundary but would not hinder public service, recreation, and conservation uses. The goals of the Tahoe City Golf Course MOU align with these land uses.
- 66-13 The comment reiterates concern regarding use of secondary dwellings as vacation rentals. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.

66-14 The comment expresses concern that deed restriction of the golf course to allow only recreation, public service (e.g., local public health and safety facilities, pipelines and power transmission facilities, and transportation routes), and conservation uses would conflict with the Tahoe City Golf Course MOU. Heliports or Helipads (emergency use only) are classified as public service uses and would not be eliminated by the adoption of the proposed deed restriction. A complete list of permissible uses is included in Table 2.07.I-1 of the Area Plan Implementing Regulations.

66-15 The comment posits that a lack of affordable housing on the North Shore and West Shore of Lake Tahoe and the effect of short-term vacation rentals forces in-Basin employees to live outside the region and commute to their jobs, which increases VMT. While availability of affordable housing is an issue in the Plan area and in the Tahoe Basin generally, implementation of any of the action alternatives would reduce VMT relative to the no project alternative, and Alternatives 1 and 3 would reduce VMT below existing levels. Moreover, as set forth in the EIR/EIS, TRPA is currently in compliance with the VMT threshold.

The comment also points out that the Tahoe Basin portion of Placer County was assigned 328 units of affordable housing by the Tahoe Regional Housing Needs Report, however, as reported in the Draft EIR/EIS, only 103 units current exist within the Plan area. This comment identifies an error in the Draft EIR/EIS. The 328 housing units cited in the Draft EIR/EIS are the total number of units across all income levels. Approximately 64.8%, or 213, of these units would be very-low-income, low-income, or moderate-income units (Placer County 2013, page 49). State law requires that Placer County identify sites that can be developed for housing for each income category within the planning period (2013 to 2021). As described in the Placer County General Plan Housing Element (Placer County 2013), the county has identified an inventory of vacant land suitable for residential development and demonstrated that the county has residential capacity in excess of the “Fair Share” assigned in the Tahoe Regional Housing Needs Report.

In response to this comment, the third paragraph on page 6-9 of the Draft EIR/EIS is modified as follows:

State law requires each community in California to address its “fair share” of the region’s housing needs through its Housing Element. Sacramento Area Council of Governments (SACOG) is responsible for allocating the “fair share” of this total to the counties and cities in the Sacramento region, including Placer County. In allocating each jurisdiction’s share of housing, SACOG assessed factors such as job growth, water and sewer capacity, land availability, proximity to transit, and market demand. According to SACOG, between 2013 and 2021, Placer County must provide enough land for a total of 5,031 housing units to be built that are affordable at very-low, low, moderate, and above-moderate income levels (Placer County 2013c:62). (Although there is not a specific allocation identified for eastern Placer County or the Sierra specifically, the Housing Background Report assumes 328 of the 5,031 ~~affordable~~ total housing units for the Tahoe Basin.) The Plan area currently contains 15 extremely low, 39 very-low income units, 21 low-income units, and 2 moderate-income/manager’s units (see Table 6-6).

66-16 The comment questions the conclusion that the change in the number of jobs resulting from the lodge alternatives would not result in any physical, adverse environmental effects considering the high percentage of employees that reside outside the Tahoe Basin. The comment states that an increase in employees would create an increase in vehicle miles traveled. Full-time equivalent employee (FTEE) numbers are provided for each of the lodge alternatives in Table 6-9 of the Draft EIR/EIS. Relative to existing conditions, Lodge Alternative 1 would generate an additional 33 FTEEs, Lodge Alternative 2 would generate five

fewer FTEEs, Lodge Alternative 3 would generate an additional 21 FTEEs, and Lodge Alternative 4 (No Project) would generate an additional 25 FTEEs. Relative to the No Project condition (Alternative 4), Lodge Alternative 1 would generate eight additional FTEEs. The increase in FTEEs relative to existing conditions under any of the alternatives is not substantial and would not contribute substantially to any physical, adverse environmental effects.

The analysis in Impact 10-1 characterizes the types of trips that would be generated by a lodge project and recognizes on page 10-24 of the Draft EIR/EIS that, “much of the trip generation of a lodge consists of employee trips, or guest trips made while the guest is staying at the lodge.” The analysis also explains on page 10-25 of the Draft EIR/EIS that the traffic analysis considered project traffic, including employee trips, that traveled on SR 89 north of Tahoe City and, therefore, trips between the project site and the Truckee area. Impact 10-4 contemplates the vehicle miles traveled (VMT) associated with trips generated by the lodge that travel on SR 89 north of Tahoe City as shown in Table 10-13 on page 10-40 of the Draft EIR/EIS. Because the analyses in the air quality, noise, and GHG resource chapters relied on traffic volume data developed for the transportation analysis (see pages 11-12, 12-12, and 13-16 of the Draft EIR/EIS), the effects of new employee trips that travel outside of the Tahoe Basin generated by the lodge are considered in the Draft EIR/EIS for these resources as well. To clarify that the increase in jobs would not contribute substantially to physical, adverse effects, the discussion is revised in the Final EIR/EIS. These changes are presented in Chapter 2, “Corrections and Revisions to the Draft EIR/EIS,” and below. The correction does not alter the conclusions with respect to the significance of any impact.

The last sentence on page 6-17 is revised to read as follows:

There is no evidence to suggest that the increase in number of jobs as a result of Lodge Alternative 1 would result in substantial ~~any~~ physical, adverse environmental effects.

The second to last sentence of the second full paragraph on page 6-18 is revised to read as follows:

There is no evidence to suggest that the loss of businesses and number of jobs would result in substantial ~~any~~ physical, adverse environmental effects.

The Draft EIR/EIS describes the Tahoe Lodge projects’ workforce housing proposal as follows:

As required by Placer County General Plan Policy C-2, the lodge project would provide for employee housing for 50 percent of the projects increase in FTEE when compared to the employment potential of the existing development at the site. Although FTEE at the project site is 36.94 under existing conditions, the FTEE of the site under full occupancy is 61.41 (see Alternative 4 in Table 6-9 below). The Alternative 1 lodge would increase FTEE by 4.78 over the employment potential of the project site under full occupancy. The applicant would be responsible for the equivalent of 2.39 employee housing units, which they have indicated would be provided via in-lieu fees paid to the county in support of moderate and low income housing programs. The fee amount would be determined by the county and paid by the applicant prior to final permit approval.

(Draft EIR/EIS, page 6-17.)

The lodge project proposes to pay an in-lieu fee, rather than provide on-site workforce housing, in view of the small number of units required for the project, and the difficulty of

accommodating them on-site in view of other restrictions imposed on redevelopment of the site (e.g., restrictions on coverage, height limitations, set-backs from SR 28). These restrictions make it infeasible to provide on-site work-force housing. With respect to how in-lieu fees are used to satisfy workforce housing needs, please see Master Response 3.

66-17 The comment reiterates concern regarding use of secondary dwellings as vacation rentals, specifically questioning the capability of the county to enforce a prohibition on use as tourist accommodation units. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.

66-18 The comment questions how the in-lieu fee program used to meet the employee housing requirement will mitigate employee housing impacts over time. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.

The comment cites the Tahoe Vista Partners project. The Tahoe Vista project has not been constructed, and therefore has not provided on-site workforce housing, although such housing is required. It should be noted that the Tahoe Vista site is a larger property, and is not subject to the same development constraints as the lodge location.

66-19 The comment questions the conclusion that none the Area Plan alternatives would induce substantial demand for housing such that an adverse physical effect on the environment would occur. As described in Chapter 6, because overall development is capped through TRPA's system of marketable rights for residential, commercial, and tourist units, only modest growth in population, jobs, and tourist uses can be accommodated, along with environmental improvements, increases in walkability, and transit and bicycle usage. The Tahoe Basin is very nearly built out to the extent allowable. Moreover, because the marketable rights system is already in place through the Regional Plan, and the Area Plan is proposed to implement with the Regional Plan, the Area Plan cannot be characterized as inducing substantial population growth. Regarding VMT specifically, see response to comment 66-15.

66-20 The comment reiterates concern regarding secondary dwellings being used as vacation rentals. Please see the responses to comments 66-2 and 66-3, and Master Response 3, Affordable Housing, of this Final EIR/EIS.

66-21 The comment offers clarification about population growth and the jobs-to-occupied-housing ratio associated with Alternative 2. Based on this suggestion, this section is revised in this Final EIR/EIS. These changes are presented in Chapter 2, "Corrections and Revisions to the Draft EIR/EIS." The correction does not alter the conclusions with respect to the significance of any impact.

The first sentence of the second paragraph on page 16-21 is revised to read as follows:

Implementation of Area Plan Alternative 2 would result in ~~an increase in the a~~ buildout (2035) population up to 10,083, an increase of 375 people over existing conditions, and generate up to 5,062 jobs, an increase of approximately 1,500 jobs over existing conditions.

The fourth sentence of the third paragraph on page 16-21 is revised to read as follows:

If this increase in ~~the jobs-to-occupied-housing ratio created were to create~~ additional housing demand (e.g., not be filled by in-Basin residents), the residential allocations issued by TRPA would not allow additional housing to be constructed to meet this demand within the Plan area or elsewhere in the Basin.

The third sentence of the fifth paragraph on page 16-21 is revised to read as follows:

However, the ~~potential for population growth jobs-to-occupied housing ratio projected for under~~ Area Plan Alternative 2 is identical to the ~~potential growth jobs-to-occupied housing ratio~~ projected for Alternative 4 (the no-action alternative) and future specific housing projects would be required to undergo project-level environmental review and implement mitigation to minimize potential adverse effects on the environment.

- 66-22 The comment requests clarification of the difference between the additional 894 jobs described for Alternative 4 on page 6-22 of the draft EIR/EIS and the discussion on page 6-16, which notes that 704 more jobs would be generated. The 704 more jobs referenced on page 6-16 pertains to the number of jobs created by Alternative 4 over those created by Alternative 1. The comment is correct and clarification about the number of jobs associated with Alternative 4 has been revised in this final environmental document. This change is presented in Chapter 4, "Corrections and Revisions to the Draft EIR/EIS." The correction does not alter the conclusions with respect to the significance of any impact.

The second to last sentence of the sixth paragraph on page 16-22 is revised to read as follows:

Because there would be an estimated 5,062 jobs and 4,168 occupied housing units associated with Alternative 4, tThe housing demand created by 894 jobs would be unmet in the Plan area.

- 66-23 This comment discusses potential future changes to the CEQA Guidelines currently being considered by the Governor's Office of Planning and Research (OPR) that would recommend use of VMT as a measure of transportation impacts rather than LOS. Chapter 10, "Transportation and Circulation," of the Draft EIR/EIS addresses both roadway LOS (Impacts 10-1 and 10-3) and VMT impacts (10-4). TRPA LOS standards are defined in the TRPA Code of Ordinances. As the OPR guidelines to implement the shift from LOS to VMT standards are currently in the draft stage, it would be speculative to apply potential future guidelines to a current CEQA analysis. Whether LOS will be prohibited from inclusion in CEQA analyses in the future is still uncertain. Moreover, absent changes in TRPA policies, LOS would remain a standard of significance for evaluating transportation and circulation impacts with respect to TRPA regulations, regardless of whether it is prohibited from consideration under CEQA. The comment's recommendation that the county and TRPA shift from a significance threshold focused on LOS, to a threshold focused on VMT, in advance of the shift anticipated under SB 743, will be forwarded to decision-makers for their consideration.
- 66-24 The comment is requesting an analysis of the total annual use of the meeting space, and posits that the parking analysis may be overly conservative. The question as to the number of meetings per year is not meaningful, as there are no applicable standards regarding traffic generation on a yearly basis. The assumptions were identified to yield a reasonably conservative worst-case on a peak day of site activity.
- 66-25 The comment provides anecdotal perceptions of the various sources of traffic delays in the Tahoe City area. The comment's observations may be correct in that they may help explain the congestion that has been noted at the SR 28 / Grove Street intersection reported in the EIR/EIS. The lack of beach parking on the south side of SR 28 in Tahoe City may be one factor in the overall pedestrian crossing activity at SR 28/Grove Street. Another, larger factor appears to be the fact that there is a concentration of commercial attractions on the north side of the highway to the west of Grove Street and on the south side of the highway to the east; those traveling from one attraction to another in this area are likely to attempt to cross SR 28 at Grove Street.

Increasing public parking on the lake side of SR 28 east of the Wye to any substantial degree would require a parking structure. Whenever such a proposal has been made in the past, the proposal has encountered wide-spread criticism, likely because of the extent to which a structure could block lake views or degrade the visual character of the area. Over- or underpasses in this setting would not be effective (as it is not possible to physically prohibit at-grade crossings due to the presence of cross-streets and on-street parking) and would have visual impacts and require land acquisition.

Other means of addressing pedestrian crossing impacts were considered as part of the recently-complete Tahoe City Mobility Plan, which identified the Pedestrian Hybrid Beacon as the preferred strategy. In addition, the approved SR 89/Fanny Bridge Community Revitalization Project will address traffic and pedestrian conditions in the Wye area, through roundabouts and improvements to pedestrian facilities.

66-26

The comment asks how the criterion of 35,111 vehicles per hour passing through an intersection can serve as the basis for concluding that emissions of carbon monoxide (CO) from motor vehicles using the intersection would not result in localized concentrations of CO that exceed applicable ambient air quality standards (i.e., a CO “hot spot”). As explained on pages 11-33 and 11-34 of the Draft EIR/EIS, the criterion of 35,111 vehicles per hour that is used to evaluate the potential for CO hot spots in the Lake Tahoe Air Basin is based on a similar criterion developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD) in its CEQA Guidance for evaluating the potential for CO hot spots in the Sacramento Valley Air Basin (SMAQMD 2009:4-7 to 4-9). SMAQMD’s screening criterion of 31,600 vehicles per hour is based on the *Transportation Project-Level Carbon Monoxide Protocol* published by UC Davis (Garza et al. 1997)—this is stated in SMAQMD’s CO dispersion modeling guidance (SMAQMD 2014:1). In brief, the more vehicles that idle near and pass through a congested intersection, the more likely the levels of CO emitted by those vehicles would result in a CO hot spot. Some adjustments were made to this vehicles-per-hour screening criterion for use in the Lake Tahoe Air Basin that account for the different vehicle fleet mix and different meteorological conditions in the Lake Tahoe Air Basin, as well as the fact that the 8-hour California Ambient Air Quality Standard (CAAQS) in the Lake Tahoe Air Basin of 6 parts per million (ppm) is more stringent than the CAAQS of 9 ppm for the Sacramento Valley Air Basin and the rest of California. The same vehicle-per-hour screening criterion was also used to analyze RPU Alternative 4 in the *RPU Draft EIS* (TRPA 2012:3.4-37 to 3.4-38) and in the *Edgewood Lodge and Golf Course Improvement Project Draft EIS* (TRPA 2012:5.15-32 to 5.15-33).

The comment also asks what will happen if one county is not successful in curbing air pollution but other counties and municipalities are. The comment also states that it is unclear whether the Area Plan incorporates eight principals outlined in a book written by political economist Elinor Ostrom. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

66-27

The comment refers to “Chapter 11, page 11-33, table 11-7 and paragraph 3.” Table 11-7 does not appear on page 11-33 of the Draft EIR/EIS; it is assumed that the comment refers to Table 11-17, which appears on page 11-33. The comment expresses confusion about the pounds-per-day carbon monoxide (CO) emission level presented in Table 11-17 and the statement in a subsequent paragraph on the same page that “All proposed project alternatives would be well within the North Shore CO emissions budget.”

To address the confusion expressed in the comment, paragraph 4 on page 11-3-3 is revised to read as follows:

As described above under Impact 11-1 ~~3.4.1~~ regarding transportation conformity for regional CO, mobile-source CO emissions would be reduced substantially over the plan implementation period and through the 2035 build-out year. All proposed project alternatives would be well within the North Shore CO emissions budget. None of the project alternatives would conflict with CO maintenance planning efforts.

The pounds-per-day emission levels presented in Table 11-17 above Impact 11-4 are part of the analysis under Impact 11-3, which examines long-term operational daily emissions of criteria air pollutants and precursors using the pounds-per-day thresholds of significance recommended by the Placer County Air Pollution Control District (PCAPCD). PCAPCD recommends pounds-per-day thresholds for evaluating CO (PCAPCD 2012:23); however, as noted in Note 1 of Table 11-17 (as well as Tables 11-14, 11-15, and 11-16) maximum daily CO levels are shown for informational purposes only.

The tons-per-day level of CO emissions associated with implementation of the Area Plan is discussed under Impact 11-1, which begins on page 11-14 of the Draft EIR/EIS. The comment also requests that a citation be included indicating where the CO emissions budget can be found. In the fourth paragraph on page 11-14 the Draft EIR/EIS states, "The 2018 motor vehicle emissions budget for the Lake Tahoe Eastern Placer County (North Shore) maintenance areas is 11 tons of CO per day (TMPO 2011:2)." The citation at the end of this sentence refers to the following source, which is also listed in Chapter 22, "References," of the Draft EIR/EIS: "Tahoe Metropolitan Planning Organization. 2011 (December). 2012 RTP Conformity Analysis Interagency Consultation Memorandum from Keith Norberg to Interested Parties." This document explains the origin of the CO emissions budget of 11 tons per day for the Lake Tahoe Eastern Placer County (North Shore) maintenance area.

The comment also requests how the CO emissions budget of 11 tons per day equates to the TRPA threshold evaluation of CO in parts per million (ppm). Simply put, through ambient air quality measurements and basin-wide modeling, the California Air Resources Board has determined that ambient concentrations of CO will not exceed the California Ambient Air Quality Standard of 6 ppm if the daily mass emissions of CO in the Lake Tahoe Air Basin do not exceed 11 tons per day.

66-28

The comment expresses concern about the implementation of Mitigation Measure 11-5, which begins on page 11-38 of the Draft EIR/EIS. Mitigation Measure 11-5 requires proponents of individual development and redevelopment projects to work with PCAPCD staff to determine if project-related construction would result in excessive exposure of nearby sensitive receptors to toxic air contaminants (TACs), particularly diesel exhaust. It also requires a determination using PCAPCD's published guidance about whether a health risk assessment should be performed to evaluate the level of health risk exposure from construction-generated diesel exhaust. The comment expresses concern that individual proponents of individual projects under the Area Plan will ignore or not follow these requirements. It is important to note that the requirements outlined in Mitigation Measure 11-5 would be conditions of approval for all projects in the Plan area if TRPA and the Placer County Board of Supervisors approve one of Area Plan Alternatives 1, 2, or 3 and certify this EIR/EIS. Also, Mitigation Measure 11-5 is a program-level mitigation measure that is part of a plan-level environmental impact analysis. This means that individual projects proposed under the Area Plan would be subject to project-level environmental review by TRPA and Placer County in which project-specific measures will be identified for fulfilling the requirements Mitigation Measure 11-5. Detailed measures cannot be identified at the plan-level at this time because the design, layout, and location of individual projects is not known.

The comment also expresses confusion about why mitigation is not required of Area Plan Alternative 4, the no project alternative. Under CEQA and TRPA regulations, the no project

alternative is evaluated to provide decision makers and the public with the information necessary to understand the consequences of doing nothing. In other words, under the no project alternative, Placer County would not approve an Area Plan, there would be no discretionary action, and without such an action, there would be no mechanism to require conditions of approval. There would be no nexus for requiring the implementation of mitigation measures.

The comment also asks how implementation of Mitigation Measure 11-5 would reduce the level of construction-related TAC exposure to a less-than-significant level. The comment points out that Mitigation Measure 11-5 should require that a particular performance standard be met.

Mitigation Measure 11-5, which begins on page 11-38, is revised to read as follows to include a performance standard that must be achieved by the mitigation:

Mitigation Measure 11-5: Reduce short-term construction-generated TAC emissions

Mitigation Measure 11-5 is required for Area Plan Alternatives 1, 2, and 3.

TRPA shall require proponents of every individual land use development project proposed in the Plan area to demonstrate that its construction activities would follow PCAPCD's recommended BMPs and to ensure that construction-generated TAC emissions would not expose nearby sensitive receptors to TAC emissions that would exceed 10 in 1 million for the carcinogenic risk (i.e., the risk of contracting cancer) or a non-carcinogenic Hazard Index of 1 for the maximally exposed individual. ~~To ensure sensitive receptors are not exposed to substantial TAC concentrations,~~ Every project applicant shall require its prime construction contractor to implement the following measures prior to project approval:

- ▲ Work with PCAPCD staff to determine if project construction would result in release of diesel emissions in areas with potential for human exposure, even if overall emissions would be low. Factors considered by PCAPCD when determining significance of a project include the expected emissions from diesel equipment including operation time, location of the project, and distance to sensitive receptors. (PCAPCD 2012:2-6).
- ▲ Use PCAPCD's guidance to determine whether construction of an individual project would require detailed evaluation with a health risk assessment (HRA) (PCAPCD 2012: Appendix E). If an HRA is required, model emissions, determine exposures, and calculate risk associated with health impacts, per PCAPCD guidance. Coordinate with PCAPCD to determine the significance of the estimated health risks.

66-29

The comment concerns the discussion of odor impacts under Impact 11-6 on page 11-39 of the Draft EIR/EIS, specifically the sentence that states, "Diesel exhaust from the use of on-site construction equipment would be intermittent and temporary, and would dissipate rapidly from the source with an increase in distance." The comment refers to this sentence as "a passing mention of diesel exhaust" and states that the TRPA Code treats odor and visibility as a proxy for diesel exhaust and emissions of PM₁₀ and PM_{2.5}. However, the comment does not specify where the TRPA Code of Ordinances refers to odor and visibility as a proxy for diesel exhaust. The comment's reference to the TRPA Code is confusing because the word "diesel" occurs in two parts of the TRPA Code of Ordinances and neither part refers to odor and visibility as a proxy for diesel exhaust. The sole occurrence of the word "visibility" in the TRPA Code lists visibility as one of the threshold-related elements that should be

analyzed upon approval of a community plan. Moreover, the words “odor” and “proxy” are not used anywhere in the TRPA Code of Ordinances.

The impact of diesel exhaust is discussed in greater detail as the primary toxic air contaminant (TAC) of concern under Impact 11-5, which begins on page 11-35 of the Draft EIR/EIS.

Adverse effects to visibility are discussed under Impact 11-3, which begins on page 11-23 of the Draft EIR/EIS. Emissions from long-term operation of the Area Plan Alternatives 1, 2, 3, and 4 is discussed on pages 11-27 through 11-30.

66-30 The comment purports that some of the statements in the discussion of atmospheric nitrogen deposition into Lake Tahoe are unclear under Impact 11-7, which begins on page 11-40 of the Draft EIR/EIS.

The comment requests clarity about why the discussion states, “TRPA adopted a threshold indicator for nitrogen deposition to the Lake related to total maximum daily load (TMDL) requirements from EPA for nitrogen (LRWQCB 2011).” This sentence is included to convey that TRPA is concerned about the quantity of nitrogen in Lake Tahoe.

The comment also requests clarity about the magnitude of atmospheric deposition of mobile-source nitrogen into Lake Tahoe. According to the *2013 State of the Lake Report* 55 percent of nitrogen deposition into the lake is atmospheric deposition (TERC 2014:9.1).

The comment offers no specific information or evidence that the analysis regarding nitrogen deposition presented under Impact 11-7 EIR/EIS is inadequate; therefore, no further response can be provided.

66-31 While environmental improvement efforts are still ongoing in the Tahoe Basin to attain and maintain TRPA’s environmental threshold carrying capacities, TRPA has determined that from a *land use* perspective (e.g., controlling growth through limiting the number of development rights and allocations, concentration of development on high-capability land, and environmental improvements [e.g., SEZ restoration, sensitive land acquisition]), there is no existing adverse cumulative land use condition in the region. (See TRPA, Regional Plan Update EIS [2012], page 4-11 and 4-12)

66-32 The comment states that high numbers of second homes combined with the county’s limited enforcement of the tourism occupancy tax for peer-to-peer vacation rentals would increase traffic and congestion and continue the existing problem with affordable housing. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS that addresses affordable housing and peer-to-peer short-term vacation rentals.

66-33 The comment questions the efficacy of in-lieu fees to provide a sufficient amount of affordable housing. Please see Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS that addresses affordable housing and in-lieu fees. The Placer County 2013 Housing Element identifies goals, policies and programs geared at addressing affordable housing in the Tahoe Basin. Policy C-2 outlines how land development projects in the Tahoe area are required to mitigate potential impacts to employee housing. This policy applies to the Tahoe Basin and allows options for how land development projects meet their employee housing obligation and one option is payment of an in-lieu fee. However, the policy also outlines three other options that include construction of on-site employee housing, construction of off-site employee housing, and dedication of land to construct units. Accordingly, as new development occurs within the Tahoe area, the county requires compliance with this policy and the county has seen projects in the Tahoe area opt for

construction onsite and offsite, as well as payment of lieu fees. Table A-1 of the Placer County Housing Element includes a list of affordable housing projects in Tahoe that have been constructed. In addition, Table A-3 in the Placer County Housing Element identifies vacant parcels within the Tahoe area that would allow multi-family residential development that could accommodate future affordable housing sites.

- 66-34 The comment requests additional discussion of potential cumulative effects on developed recreation facilities, including boat ramps and piers. A brief discussion of public boat ramps is added to Cumulative Impact 17-1. These changes are presented in Chapter 2, "Corrections and Revisions to the Draft EIR/EIS," and below. The corrections do not alter the conclusions with respect to the significance of any impact.

The first full sentence on page 19-29 is revised to read as follows:

These resources include, but are not limited to, the Tahoe Rim Trail, Burton Creek State Recreation Area, Tahoe National Forest, Lake Tahoe Basin Management Unit, Fibreboard Freeway, Martis Creek Lake Recreation Area, Tahoe State Recreation Area, and Kings Beach State Recreation Area, as well as public boat ramps and piers along the shores of Lake Tahoe.

The following sentence is added before the last sentence in the second paragraph on page 19-29:

Any new public boat ramps or piers could not be permitted or constructed until that time that updated shorezone ordinances are adopted.

- 66-35 The comment requests that the Nevada Stateline-to-Stateline Bike Path project be included in the cumulative projects list, specifically to address potential air quality impacts of the project. The Nevada Stateline-to-Stateline Bike Path is located approximately 4 miles from the Placer County boundary, and not within the cumulative project range for localized pollutant emissions (defined as the immediate project vicinity in Table 19-1). Additionally, the Environmental Assessment completed for the Nevada Stateline-to-Stateline Bike Path found that the project would not have a potentially significant short-term or long-term impact on air quality (FHWA and TRPA 2014).

Letter 67



August 15

RE: EIS/EIR Comment on Area Plan + Tahoe Vista Community Plan – Plan Area Boundary related to MLR 12 Acre Parcel APN 112-050-001.

Dear Placer County]

I am the General Partner of the Mourelatos Family Limited Partnership, DBA Mourelatos Lakeshore Resort located in Tahoe Vista, CA within Eastern Placer County. I am also a resident of Tahoe Vista and I served on the Tahoe Vista Community Plan review committee and provided input on the development of the Tahoe Vista Community plan. The Mourelatos Lakeshore Resort consists of three parcels which my family has owned since 1978. The parcels consist of a 3.2 acre lake front parcel containing 32 lake front TAUs, a 6 acre parcel across highway 28 consisting of 30 units with a mix of residential and TAUs on an old RV park and a 12 acre parcel of open space, APN 112-050-001. The Community Plan review did not address the question whether Area Plan parcels should be included in the Community plans. Our family would like to take the opportunity of the EIR review to raise the concern that our 12 acre parcel should be in the Tahoe Vista Community Plan boundary and receive the entitlement benefits of parcels within that community plan.

We believe our 12 acre parcel, APN 112-050-001 should be part of the Tahoe Vista Community plan. We ask the county to respond to our concern that the parcel should have been considered and part of the EIR for the following reasons:

1. APN 112-050-01 had been part of the older version of the Tahoe Vista Community Plan before 1986 when it was removed from the community plan and placed in the area plan by the TRPA.
2. This APN is part of three contiguous parcels owned by our family and is part of the Resort and therefore should receive zoning similar to its adjacent parcels.
3. The parcel sits adjacent to the other MLR parcel to the South, the Estates subdivision to the West, the streets of Toyan and Grey Lane containing residential and business including day care, fiberglass repair and a mobile home park and to the North is the Tahoe Vista Regional Park. The parcel is located in an area adjacent to Community plan parcels on three sides sitting in the middle.

67-1

4. From 2002 through 2007, the parcel had been considered a site for affordable housing with a protracted entitlement process which demonstrated acceptable environmental impact for up to 140 units (80 mixed used affordable and moderate, for sale were proposed in the final EIR) but local concerns about affordable housing influenced decision makers to delay approval and after five years and \$750,000 of Placer County redevelopment funds and private developer funds were spent, the project was withdrawn but proving mitigating impacts.
5. We believe, because we own the three contiguous parcels, we could propose a plan to both address work force housing and allow us to develop the open space for resort lodging and open space resort recreation amenities that would add significant public benefit, increase property values and celebrate the open space the 12 acre parcel affords the community and guests of the resort as well as visitors to the neighboring regional park. Basically, the parcel is in a prime location to enhance the community without a considerable cost to the environment, if we are to believe the previous science.

This EIR/EIS document offers a very thorough study of any potential harmful environmental impacts of the community plans. I am sure there are those who have valid concerns about this request but we believe through collaboration and open dialogue, we can achieve a use of this land that many will support. We have been open to all in our community of Tahoe Vista for the last 38 years and will continue to be. My Father worked successfully, before the affordable housing project, to rebuild our lake front parcel replacing the previous structures with some of the most modern TAU housing in the basin from 1994 through 2001. This successful collaboration between our family, Placer County, the TRPA and the community resulted in the elimination of our main residence on the lake side, opening up a view corridor down the center of our property. It is our families desire to continue to invest in our land and our community and we are committed to sound plans that protect the lake and our sensitive environment.

In closing, we want to express our sincere appreciation of County staff and we are committed as good community members to build a destination where visitors and residents will arrive here, stay and walk, ride and taxi(water) to other destination in the basin. A place were they will relax, enjoy and cherish their time in Lake Tahoe. Isn't that what Tahoe should be like?

Thank you,

Alexander A. Mourelatos
 General Partner
 Mourelatos Lakeshore Resort

67-1
 cont

**Letter
 67**

Alexander Mourelatos
 August 15, 2016

67-1

The comment is related to Assessor's Parcel Number 112-050-001 and a request to re-designate the parcel to allow for multi-family/workforce housing and resort lodging and recreational facilities. Under the TRPA Regional Plan Land Use Classification Map, this parcel is currently classified as Residential and is included in PAS 021 (Tahoe Estates Residential).

Accordingly, Area Plan Figure 4-5 has classified this parcel as Residential, consistent with the TRPA Regional Plan Land Use Classification Map. It is the intent of the Area Plan to carry forward existing PAS regulatory provisions outside of town centers and therefore this parcel is contained with the Area Plan's Tahoe Estates residential subdistrict and all existing regulatory provisions remain unchanged for this site. The comment is noted for consideration during project review.

July 8, 2016

Crystal Jacobsen
Placer County Community Development
3091 Country Center Drive
Auburn, CA
95603

TRPA
P.O. Box 5310
Stateline, Nevada
89440

RE: Comments on the Tahoe Basin Area Plan/EIR/EIS (Kings Beach)

To Whom it May Concern at Placer County and TRPA:

We are concerned residential homeowners who live on Brockway Vista Ave off of Secline Street at the west entry to Kings Beach, CA. Our home is located at 8144 Brockway Vista Ave.

Current zoning is Special Area #2 (West Entry) of the Kings Beach Community Plan which is currently a entrance/entry to the downtown. There are approximately eight residential homes located between Secline Street and the Ferrari Crown Hotel on both sides of Brockway Vista Road. Four homes are located on the Lake. (Please refer to Figure 4-2 Kings Beach Existing Land Use).

The proposed zoning as part of the proposed Area Plan is to intensify the existing uses by placing the residential homes into a Town Center Core Area. (Please refer to Figure 4-6 of the Tahoe Basin Area Plan). Also proposed is a shared use path or boardwalk along the lake side between Secline Beach to the West and Chipmunk Street to the east. (Page 162 of the Placer County Tahoe Basin Area Plan).

Town Center incentives as part of this plan will allow increased height, (up to four stories) density (40 units per acre with kitchens), and uses that are not currently allowed. The Town Center boundary is too wide a swath and is not appropriate in any way for our residential area. We are not part of the "commercial core" as there is very limited access off Secline Ave on a narrow dirt road. We are surrounded by residential uses, and have no orientation towards a Town Center.

Many of the homes in this area were built in the 1930's long before the Ferrari Crown or other commercial uses in Kings Beach. The Town Center boundary should be shortened to exclude our residences and start at the Ferrari Crown property heading east along Brockway Vista Ave.

Letter
68

RECEIVED
JUL 20 2016
TAHOE REGIONAL
PLANNING AGENCY

68-1

In 2013, a Kings Beach Vision Plan was prepared by Design Workshop without thought or consideration as to our historical use of our property or the fact that we are currently private residences. (Please refer to Kings Beach Vision Plan –Vision Diagram). We were not part of the planning process of this visioning workshop nor were we contacted as to our opinion or input. The Vision Plan shows a “Beach Promenade” along the road however the current Area Plan document (Page 162) describes a “promenade/boardwalk/path” along the beach lake ward of our residences.

As there is currently no lake access in this area the promenade/boardwalk should also end at the Ferrari Crown property. The boardwalk lake ward of our residences would have to go over NTPUD sewer lines and would be in the water at high lake levels or at our property line. Under current conditions the public freely passes along the beach without any scenic or other high intensity impacts a boardwalk would create.

We would like the County/TRPA to:

- Reduce the boundaries of the Town Center Core to exclude the residential homes along Brockway Vista Ave from Secline Street to the Ferrari Crown Hotel property.
- Eliminate the promenade/boardwalk/ formal path/ along the frontage of the lake in this area and a bike path along Brockway Vista Ave on the street due to the topography, site constraints, etc.

All improvements should start at the Ferrari Crown and head to the east.

Sincerely,

Carolyn Myrmel



Robert Myrmel



68-1
cont

**Letter
68**

Carolyn Myrmel
July 8, 2016

68-1

The comment expresses opposition to adjustment of the Mixed-Use zoning of the portion of the Kings Beach Town Center south of SR 28 and west of Secline Street and the shared-use path along Brockway Vista Avenue. Please see Master Response 4, Kings Beach Zoning and Shared-Use Path along Brockway Vista Avenue, in Section 3.1 of this Final EIR/EIS.

Vicki B. O’Gara
Post Office Box 1633
Carlsbad, CA 92018

Letter
69

Placer County Board of Supervisors
175 Fulweiler Ave.
Auburn, California 95603
bos@placer.ca.gov

Governing Board of Directors
Tahoe Regional Planning Agency
Post Office Box 5310
Stateline, Nevada 89449
trpa@trpa.org

2 August 2016

Subject: 2980 North Lake Blvd., Tahoe City, CA (APN 093-130-015)

RECEIVED
BOARD OF SUPERVISORS
5BOS X TI V ALL AIDES (mail person) LK/hp

AUG - 8 2016

SUP AIDE [scribble] COB Corr _____ CoCo _____ ce! Kristen Speers
CEO _____ Other X

To: Paul Thompson
Jen Merchant
Crystal Jacobson
Shawna Brekken-Read

For review & response

Dear Honorable Members,

This letter is written to request a correction to a long-standing Placer County and TRPA mistake that was made on 2980 NLB. We request that you “reinstate” the subject property to conform with other like properties on North Lake Blvd. in Lake Forest Glen of the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project. Included in this document are a number of attachments that clarify and justify our reasons.

Site History - Our property has only been occupied and used for commercial, office and construction businesses - *Leeder Motors, LeVigne Motors, Marshall Ruhkala Masonry, Amburg-Better Homes Realty, Bertagnolli Paving Contractor, Fritsch Construction, Cal Trans Sweeper staging area, Artistic Gardens, Inc. staging area for unloading trees and plants, Diamond K Corporation - pipeline contractor’s yard, Cal Trans contractor’s storage for equipment, storage of boat trailers and cars.*

Other Validations -

- *Attachment #1* - Placer County Assessor’s Book number 93, page number 13. Subject property is included because all properties are similar in size and use.
- *Attachment #2* - Assessor’s information indicates the Property Type as Office General. The small 192 sq.ft. office building was built in 1958; it has enough room for two desks with only a ½ bath (sink and toilet).
- *Attachment #3* - A **USGS** image dated December 31, 1968 clearly showing vehicles on the property.

69-1

vogara@sbcglobal.net Office 760-519-1004

1

Vicki B. O’Gara
Post Office Box 1633
Carlsbad, CA 92018

- *Attachment #4 (Pgs. 1-13)* - My family and I have been paying water and sewer bills for commercial rates to the Tahoe City Public Utility District (TCPUD) and Tahoe Truckee Sanitation Agency (TTSA) since July, 1995!
- *Attachment #5* - Current EIR/EIS Exhibit 3-6 and the existing Tahoe City General Plan show a yellow mark on the property line. This property should be in the Mixed-Use Neighborhood Lake Forest Glen (MUN-LFG) plan.
- *Attachment #6* - Our parcel is included in the old Tahoe City General Plan, where the down zoning mistake first occurred.

We have been working on this planning issue starting with the public advisory committee for several years and our realtors have attended several meetings during the planning process. Please note the document (*Attachment #7*) written on February 10, 2014.

Reinstating the commercial designation would allow this busy corner to better serve the surrounding community, cyclists using the adjoining bike path, and boaters accessing the Coast Guard Station or the nearby TCPUD boat ramp.

Thank you in advance for your review. Please correct the designation of our land to conform with its historic use.

Respectively yours,

Vicki Bertagnolli O’Gara
Trustee, Lake Forest Trust

vogara@sbcglobal.net Office 760-519-1004

2

69-1
cont

**Letter
69**

Vicki O’Gara
August 2, 2016

69-1

The comment is related to Assessor’s Parcel Number 093-130-015 and a request to re-designate the parcel to allow for commercial uses, similar to neighboring parcels in the Lake Forest Glen area, which are designated Mixed-Use on the TRPA Regional Plan Land Use Classification Map and allow for commercial uses. While the comment notes that this parcel is located directly next to a Mixed-Use district and that it has historically been designated and used as commercial, under the TRPA Regional Plan Land Use Classification Map, this parcel is currently classified as Residential and is included in the PAS 007 (Lake Forest Glen). Accordingly, Area Plan Figure 4-5 has classified this parcel as Residential, consistent with the TRPA Regional Plan Land Use Classification Map. It is the intent of the Area Plan to carry forward existing PAS regulatory provisions outside of town centers and therefore this parcel is contained with the Area Plan’s Lake Forest Glen residential subdistrict and all existing

regulatory provisions remain unchanged for this site. The comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness or the Draft EIR/EIS. The comment is noted for consideration during project review.

From: Mitch Packard <mitch@chinquapin.com>
Sent: Sunday, August 14, 2016 3:22 PM
To: Placer County Environmental Coordination Services
Subject: Tahoe Marina Lakefront

**Letter
70**

Placer County Community Dev. Res. Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn CA 95603

I am an owner in Tahoe Marina Lakefront in Tahoe City. Although I own a unit in the back of the development, I find the idea of Placer County/TCPUD considering putting in a bike/multi-use trail on our property in front of our lakefront units appalling. This is a small private lakefront condo development – the idea of having bicyclists cruising by while kids are walking to the beach or the water’s edge is potentially very dangerous. Not to mention the fact that it would allow the public on our property, impacting our security and allowing virtually anyone on our property at any time. This would severely impact our property values and virtually destroy our privacy. This is private property! The Homeowners Association has put forth a plan for the bike path that runs around the back of the property and connect with the path at the Commons beach, which is a much more reasonable and viable alternative.

70-1

Mitch Packard

PACKARD REALTY
CHINQUAPIN
(530) 583-6991
(530) 412-2672 Cell

**Letter
70**

Mitch Packard
August 14, 2016

70-1 The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. In addition, the comment suggests an alternative location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Recd 8/17/16

**Letter
71**

Eleanor Perazzo
Unit Number 44 at Tahoe Marina Lakefront (TML)
Tahoe City, California

August 11, 2016

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

Re: Draft Environmental Impact Report (DEIR) Placer County Area Basin and Tahoe City Lodge Project
June 2016 Report Prepared by Ascent Environmental, Inc.

To Whom It May Concern,

I purchased Unit 44 at Tahoe Marina Lakefront three years ago. My husband was born in Reno and we have enjoyed the Lake for over 65 years. I walk the paths and look forward to a connection between The Old Fire Station with the Visitors Center Path.

I would like to express my deep concern that the path alternative that is on the water side, shared-use path be removed for the following reasons.

1. It would divide the beach that is currently open at the Commons Park from the beach at Tahoe Marina Lodge. Instead of a lovely continuous beach there would be a beach at the Commons and a path across a beach at Tahoe Marina Lodge (TML).
2. It would hinder beach access to Tourist that stay at the lodge and require Adults, Children and Animals to cross a path used by bikes, skateboards and rollerblades creating a hazard for all.
3. Tahoe Marina Lodge has in the September 2015 Area Plan shared-use path alignment agreed with a path that goes behind the lodge and is set back from the road.
 - a. It is adequate for share-use
 - b. It could be implemented quickly and less expensively. TML has offered to work with the County to expedite this.
 - c. The public would retain the current access provided by TML.
 - d. It would eliminate severe encroachment on private property which would require an expensive eminent domain process.
4. Putting in a path across the beach on the waterside would give the public access to private homes, unlike the path in other areas that restrict access to homes but provide access to businesses.

71-1

5. Security, noise and trash now become a problem for private residences. I regularly walk the path and clean up after other people’s dogs. Currently the beach is kept perfectly clean by TML.

In keeping with the spirit of preserving Lake Tahoe and allowing all kinds of people to enjoy its beauty why would we put a path across a beach?

Thank you for your time and consideration, I sincerely hope you will save a beach while still giving the shared-use path its connection to the Visitors Center.

Sincerely,

Eleanor Perazzo

Copies Sent To:

- Mr. Jack Duran, Placer County Supervisor, District 1
- Mr. Robert Weygandt, Placer County Supervisor, District 2
- Mr. Jim Holmes, Placer County Supervisor, District 3
- Mr. Kirk Uhler, Placer County Supervisor, District 4
- Ms. Jennifer Montgomery, Placer County Supervisor, District 5

71-1
cont

**Letter
71**

**Eleanor Perazzo
August 11, 2016**

71-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Gary G. Peterson, Ph.D.
PO Box 3441
Sun Valley, ID 83353

**Letter
72**

August 13, 2016

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

I am writing to strongly object to the proposed bike path under consideration that is directly in front of our property and bedroom at 270 N. Lake Blvd., Tahoe City, CA. (Tahoe Marina Lakefront)). The property was purchased in September 2005 for my parents Living Trust as we had stayed in the unit numerous times due to the unobstructed lake views, privacy and solitude. Placer County benefited from an increased property tax of over 750% and even today still benefits from a 450% plus property tax increase. The proposed bike path is within 30 feet of our bedroom and diminishes the privacy, safety and lake views that were the basis for the sales price paid in 2005. In addition, none of the impacts have been analyzed in the EIR.

The proposal to align the bike path across our property for the “public’s view of the lake” is totally inconsistent with 12 miles of bike trail from Dollar Point to Homewood. In this twelve (12) mile stretch there is not one foot of private land used to provide for the “public’s view” of the lake. In fact over 50% of the trail, the lake cannot be seen. So the precedent that the bike path must be along the water is not established anywhere along this twelve mile stretch of bike path. Further the ownership of Tahoe Marina Lakefront already pays 100% of the maintenance costs for the public’s access to the pier in front of the property. The ownership has personally paid more money to enhance “public access” than any other privately owned enterprise in the region.

The current bike path along N. Lake Shore Blvd and around Tahoe Marina Lakefront has sustained the public for over 45 years. I believe that the County should protect our investments and property rights by eliminating the proposed bike path directly in front of our property and utilize the existing bike path alignment that has been functional for decades.

Yours truly,
Gary G. Peterson, Ph.D.
Gary G. Peterson, Ph.D.
Cell: 415-990-6005

72-1

**Letter
72**

Gary Peterson
August 13, 2016

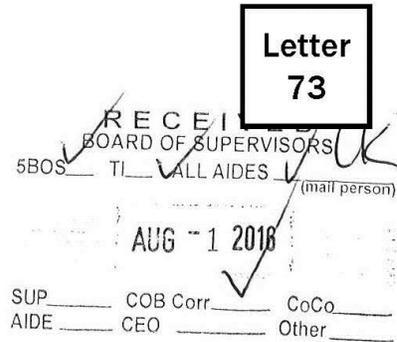
72-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Robert and Orriette Quandt
270 N. Lake Blvd #6
Tahoe City, CA 96145

July 28, 2016

Mr. Jack Duran
Placer County Supervisor, District 1
175 Fulweiler Ave #206
Auburn, CA 95603



*RE: Comments Concerning the Draft Environment Impact Report (DEIR)
Placer County Tahoe Area Basin Plan and Tahoe City Lodge Project
June 2016 Report*

Dear Supervisor Duran;

My wife and I have owned Unit #6 at Tahoe Marina Lakefront Condominiums (TML) since 1992. We have now been owners for almost 24 years. I have been an active TML board member for the past 7 years, serving as Treasurer of our Homeowners Association. We are writing this letter because we are very concerned about certain recommendations we found in the above referenced DEIR. My wife and I would like to express our concerns and recommendations regarding this Report as outlined below:

- a) Unfortunately, the Plan favors a routing for the path right through the lakefront portion of our property. We feel that the County should reject the water-side, shared-use path shown in the Area Plan because it has been inadequately analyzed in the DEIR. The "preferred alternative" of a water-side shared-use path from Commons Beach to Fanny Bridge would create an unsafe condition with many 100's of people using the path daily, especially during high season.. This also would create an unsafe condition for both TML owners and guests, particularly for young children and older adults, who would have to cross the path to access the beach, pier, and the lakeshore. This is totally inconsistent with the Commons Beach location of the shared-use path which is behind the grassy area and beach and does interfere with lake access.
- b) The water-side shared-use path would create significant security issues for TML owners and guests. The path, which would be open 24 hours a day, 7 days a week, would pass within a few feet of some TML units. The only way TML could avoid the security impacts of a shared-use path would be to construct a fence. Such a fence would deny owners full use of their property and their access to the lake.
- c) The shoreline disturbance of a wide, paved shared-use path across TML's narrow grassy area and beach would have a significant impact on the lake.
- d) The noise impact of large numbers of people using the shared-use path through TML property (24 hours a day / 7 days a week) would be very intrusive on all TML residences and we cannot foresee how it could ever be properly mitigated.
- e) Any lakeside path option would cause a severe encroachment on TML's property which could ultimately require a lengthy and protracted eminent domain process.

73-1

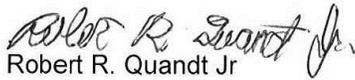
f) We recommend that the County re-adopt the September 2015 Area Plan which shows a shared-use path alignment going behind TML (i.e., along the commercial side of TML). The final EIR would be adequate for a shared-use path on the commercial side of TML, as depicted on the September 2015 Area Plan. This alignment would definitely be implemented much more quickly and far less expensively without environmental impacts.

g) We would also like to reemphasize that - on a number of occasions dating back many years, TML has offered to work with the County, TCPUD and TRPA to expedite the implementation of an alignment of the shared-use path on the commercial side of TML. If the agencies are willing to work with TML, the implementation of the shared-use path can happen relatively quickly.

73-1
cont

Thank you for reading and considering our comments;

Sincerely;

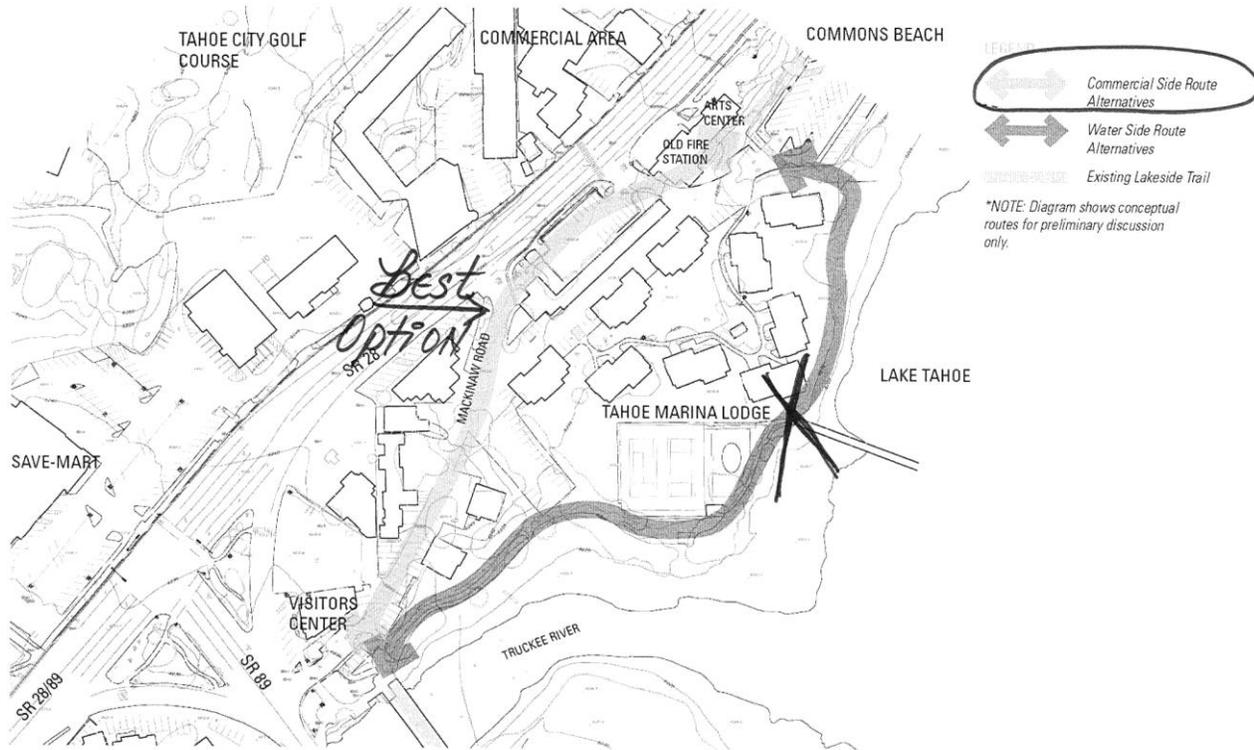

Robert R. Quandt Jr


Orriette Quandt

phone: (415) 328-1681 ; email: rrqjr2@outlook.com

Copies also mailed to:

- Mr. Jack Duran - Placer County Supervisor, District 1 (1 by regular mail)
- Mr. Robert Weygandt - Placer County Supervisor, District 2 (1 by regular mail)
- Mr. Jim Holmes - Placer County Supervisor, District 3 (1 by regular mail)
- Mr. Kirk Uhler - Placer County Supervisor, District 4 (1 by regular mail)
- Ms. Jennifer Montgomery - Placer County Supervisor, District 5 (1 by regdar mail)



**Letter
73**

Robert Quandt
July 28, 2016

73-1 The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Letter
74

Mr. & Mrs. Arthur W. Ronat
1044 Via Roble
Lafayette, CA 94549
August 10, 2016

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

Dear Placer County Community Development Resource Agency:

We are Patsy and Art Ronat, the owners of Tahoe Marina Lodge Lakefront, Unit #34. We have provided upscale rental facilities at Tahoe for over 30 years.

Construction and usage of the so-called Water-Side-shared-use path within a few feet of our bedroom and deck will most certainly prove deleterious to the value of the property. Such routing of the path would cause an exponential increase in traffic through private property and make the viability of existing trees, amenities, grassy spaces, lake views and homeowner/renter privacy questionable.

The aim of constructing a new path over the property to connect Commons Beach with Fanny Bridge could be favorably attained through the use of other plans that were submitted by Tahoe Marina Lodge Lakefront Board in previous meetings; such plans would not have the deleterious effects of the water-side path.

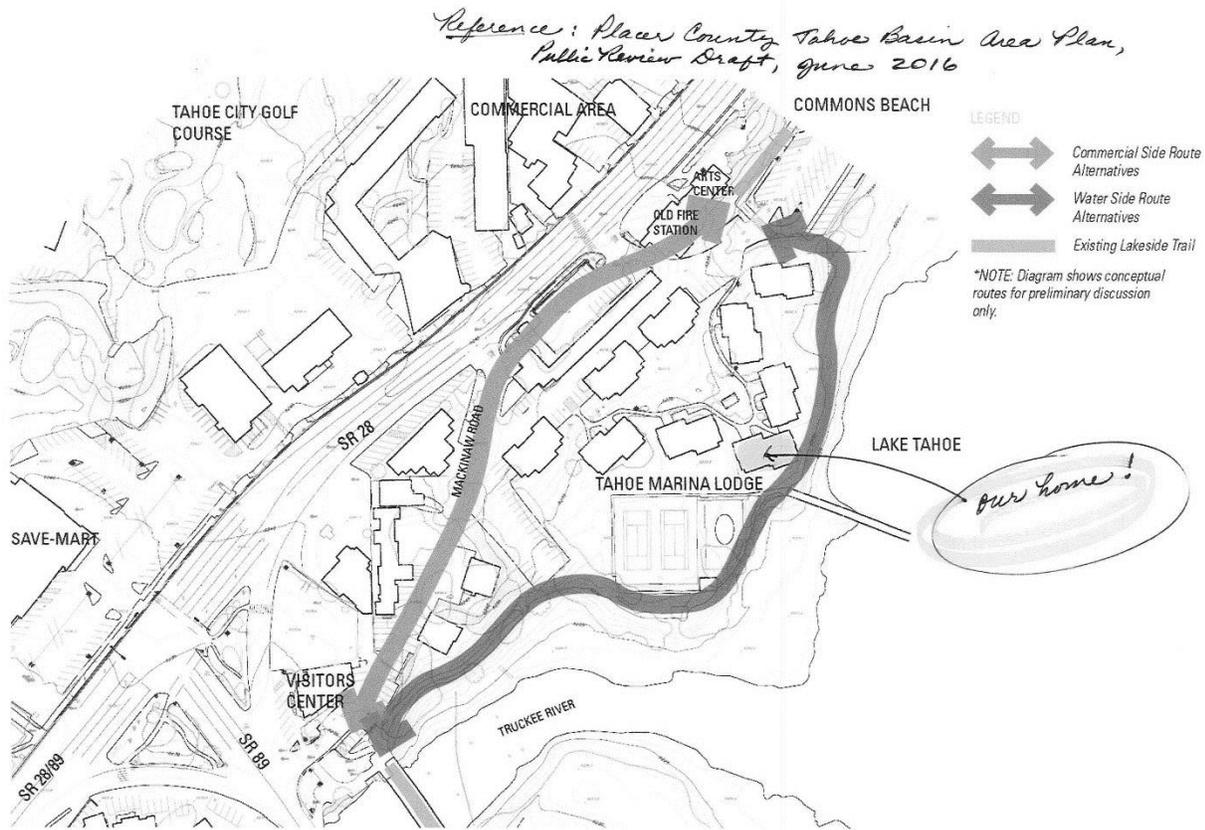
We request and recommend that the County return to the September 2015 Area Plan shared-use path alignment that goes between TML and the street. This path has broad support and could be readily available for public use, whereas the Water-Side path might be available only after long delay and litigation.

Sincerely,

Arthur W. Ronat
Patsy R. Ronat

Mr. & Mrs. Arthur W. Ronat

74-1



**Letter
74**

Arthur Ronat
August 10, 2016

74-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Jonny Roscher <turtlesoupp@yahoo.com>
Sent: Monday, August 15, 2016 4:51 PM
To: Placer County Environmental Coordination Services
Subject: Fw:Tahoe City Lodge

**Letter
75**

--- On Mon, 8/15/16, Jonny Roscher <turtlesoupp@yahoo.com> wrote:
From: Jonny Roscher <turtlesoupp@yahoo.com>
Subject: Fw:
To: crdaecs@placer.ca.gov
Date: Monday, August 15, 2016, 4:41 PM

--- On Mon, 8/15/16, Jonny Roscher <turtlesoupp@yahoo.com> wrote:
From: Jonny Roscher <turtlesoupp@yahoo.com>
Subject:
To: cdraecs@placer.gov.com
Date: Monday, August 15, 2016, 4:39 PM To Placer County

This letter is in regards to the Tahoe City Lodge Proposal. As a business owner and 35-year resident of Tahoe City, I strongly agree with this project.

It is time to get rid of the Hendrickson building. It is time to do something nice for Tahoe City. I feel that we must approach our community as a village. We cannot contend with Squaw Valley and Northstar without improvements in our town. We need to be more of a destination resort area. We have someone that wants to make a substantial investment in our community. By adding an upscale lodging facility, it will only enhance the downtown area. I know there is talk of more traffic, but I feel that once people are at the Tahoe City Lodge that they will be walking to many of the shops and restaurants. We probably had more traffic coming into and leaving Tahoe City before Truckee, Squaw and Northstar were built out.

If this project does not get approved how long will we have to wait for someone else to step up with a plan. Why would anyone want to do something in town if they don't feel they could get approval? Does that mean the Hendrickson building is just an eyesore across from one of the most beautiful places in the world? Back in the 80's and 90's nobody even thought about Truckee now they have lapped us.

We have the lake and everyone wants to use it: Reno Tahoe, Truckee Tahoe, Northstar at Tahoe. Let's make a good decision and move forward with the Tahoe City Lodge Project. This will help everyone in town from the shops to the restaurants to many other small businesses. We have a lot of people who love this town and I think we all want to get Tahoe City back on track. This is a great first step to revitalizing a small mountain town of Tahoe City.

Jonny Roscher
 Chef Owner Za's
 395 North Lake Blvd.
 Tahoe City Ca 96145
 530-583-9292

75-1

**Letter
75**

Jonny Roscher
 August 15, 2016

75-1

This comment expresses support for the Tahoe City Lodge project. The comment is noted for consideration during project review.

Letter
76

July 24, 2016

Placer County
175 Fulweiler Ave.
Auburn, CA 95603

Mr. Robert Weygandt:

My name is Alan Rosenberg and my parents purchased #27 TML back in 1979 when I was 18 years old. I am now 54 and have enjoyed this property for 35 years. I am now a partial owner of #27 TML. During these 35 years I have had the opportunity to ride my road bike around the entire 72 miles of the lake no fewer 17 times.

At no time during any of these many rides around the 72 mile lake did the ride take me on or through any private property. So why, in 2016 has Placer County decided that now is the right time to infringe upon the homeowners rights of Tahoe Marina Lodge to change the rules?

The #1 goal of all who enjoy the Lake Tahoe basin and the lake should be to maintain and try to improve upon the lakes diminishing clarity. With that premise in mind, all efforts to mitigate the run off of nutrients into the lake should be pursued. Thus, development of all kinds should first pass this test. The routing of the Tahoe PUC's "preferred bike path" violates this fundamental environmental goal. By routing the proposed bike route through Mackinaw Road you create a more fluid flow of travel for those (both traveling through the Tahoe City "Y" and those doing longer rides – like around the lake). Additionally, the Mackinaw Road routing will position this non-permeable bike path in further from the fragile lake ecosystem. Thus diminishing the negative effects of run-off and lake clarity.

If you check with the UC Davis research facility located (just outside of Tahoe City) heading towards Dollar point, which is regarded one of the preeminent research facilities around the lake you will learn about the detrimental effect of hard surfaces (such as a concrete bike path) placed in such close proximity to the physical lake.

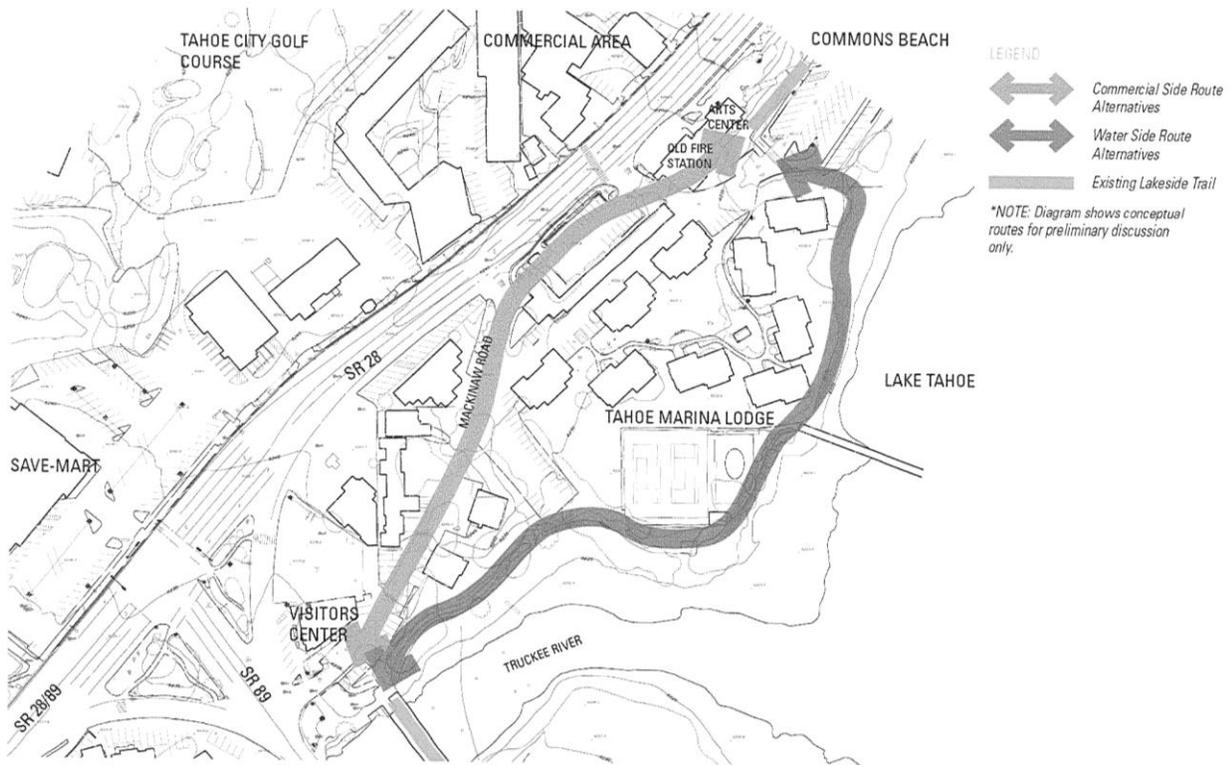
A newly implemented bike path will have implications for the quality and clarity of the lake for years and generations to come. The "preferred path" choice from the Tahoe City PUC is short sighted, environmentally irresponsible, and shows a total and complete disregard for the homeowners of Tahoe Marina Lodge.

If the goal of the Tahoe City PUC is truly to enhance the user experience of a bike path then the quickest and easiest way to (fast-track) this new bike path would be to pursue the Mackinaw Road option, which is the better option for all involved. I welcome your feedback.

Thank you,
Alan Rosenberg
#27 Tahoe Marina Lodge
408.640.6002 cell
Alan.rosenberg@transpak.com

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5BOS ✓ TL ✓ ALL AIDES ✓ (mail person) ✓
JUL 27 2016
SUP _____ COB Corr _____ CoCo _____
AIDE _____ CEO _____ Other _____

76-1



**Letter
76**

Alan Rosenberg
July 24, 2016

76-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

**Letter
77**

July 22,2016

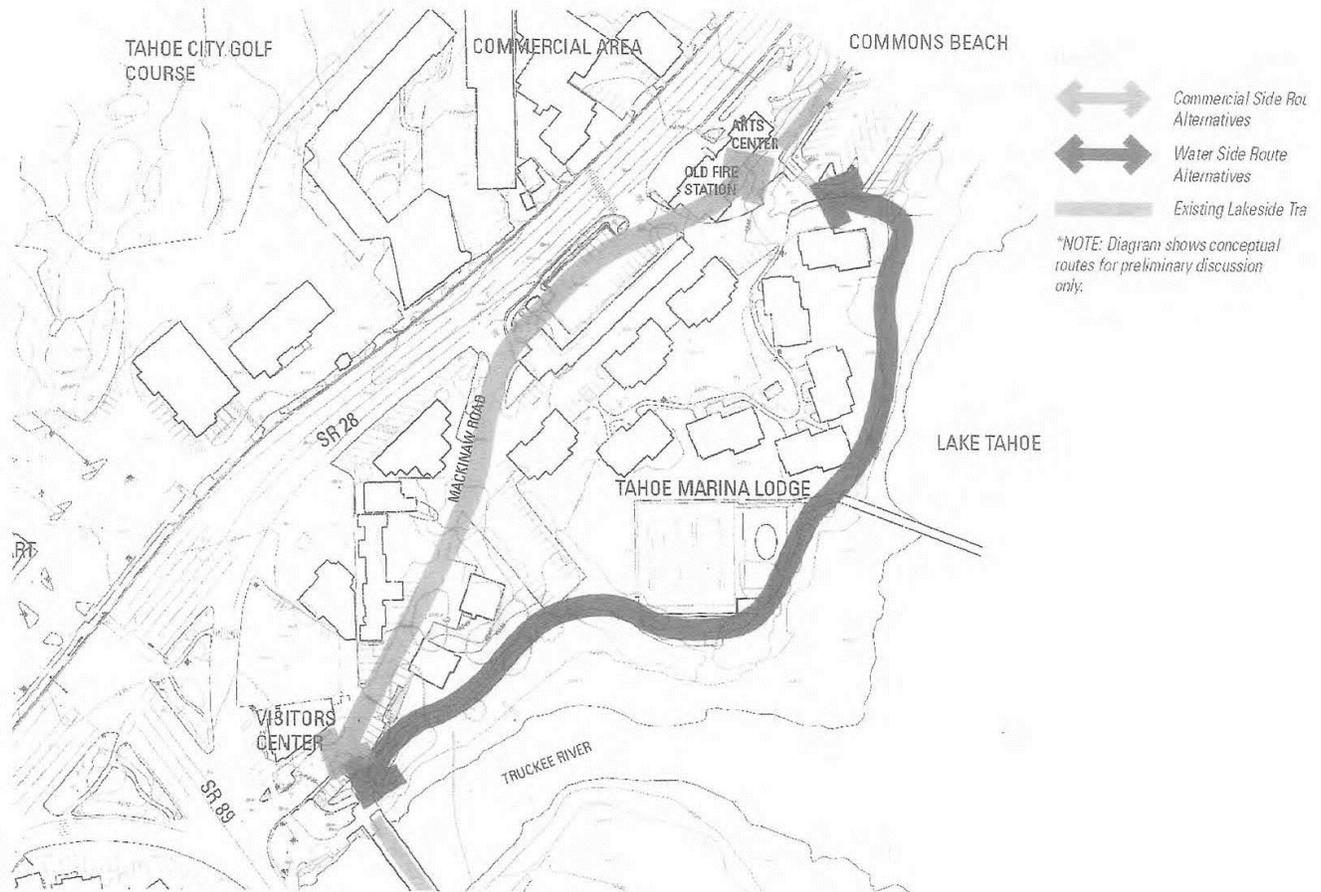
Placer County Community Development Resource Agency
Environmental Coordination Services
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: Environmental Impact Statement (DEIR)

I am a owner at TML and would like to address the path that Is in review, I would request that a staff member walk the Path in question. The bike path to be built is 10 feet wide With one foot of soil on each side, starting from the parking lot The path would be at the U.S. weather station for north Lake Tahoe, then at the pool, the distance from the pool to the high Water of Lake Tahoe is 3feet 3 inches (bike path 10 feet), next The path be directly in front of #36 at their patio, the edge of The building is 6 feet 3 inches from the Lake. The path would Then directly in front of units 37 to 48 leaving all their patios Exposed to the bike path which could have up to 1600 people Using it. It then would cross our beach, with the problem Of small children having to cross the bike path to reach the Beach. Since this is private property it would require a long Legal eminent domain process since it will reduce the value Of the property greatly. It makes much better sense to use The path on the upper side, since the cost would be much lower And safer for all parties.

77-1

Thank You,
Ron Rosenberg #27
P.O. Box 92
Tahoe City, CA 96145



**Letter
77**

Ron Rosenberg
July 22, 2016

77-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

Sue & Alan Rosenberg
Unit Number 27 at Tahoe Marina Lakefront (TML)
Tahoe City, CA

July 23, 2016

Mr. Jack Duran, Placer County Supervisor District 1
Placer County
175 Fulweiler Avenue
Auburn, CA 95603

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5BOS ✓ TL ✓ ALL AIDES ✓ (mail person)
JUL 27 2016
SUP _____ COB Corr _____ CoCo _____
AIDE _____ CEO _____ Other _____

Letter
78

Re: Comments regarding the Draft Environmental Impact Report (DEIR) for Tahoe City Lakefront
Project June 2016 Report, prepared by Ascent Environmental, Inc.

Dear Ladies and Gentlemen,

I am writing in regards to the proposed shared-use path connecting Fanny Bridge to Commons Beach.

As one of the owners of unit 27 at TML, who has been coming to Tahoe City for the past 30 years, I am literally stunned by the proposed "preferred alternative" of a water-side shared-use path from Fanny Bridge to Commons Beach. Looking at this from a practical standpoint, I don't see how the proposed path, measuring 10 feet 6 inches, would even fit between some of the existing property sites and the high water mark of Lake Tahoe.

The proposed water-side path would barely clear the patio of unit # 36 creating a potentially dangerous situation any time children or adults exited this unit to walk to the pool, tennis court, pier or beach area. I'm not sure if anyone has actually measured this area, but the space between #36 and the lake's high water mark is 6 feet 3 inches, so clearly a 10 foot 6 inch path including extra space on either side will not work.

As the League to Save Lake Tahoe has noted for years, construction of any type near the water's edge endangers the clarity of Lake Tahoe because of the pollutants that run off into the lake. Having a more natural landscape, as exists now close to the lake, avoids the introduction or debris and petroleum based products into Lake Tahoe- helping to preserve the clarity of one of the most beautiful lakes in California. It is with this concern in mind that my husband and I joined the League to Save Lake Tahoe several years ago.

Because the proposed path also cuts directly in front of units 37-48, anyone staying in these units will have the same issues as #36, including a substantial increase in noise and activity. I am not sure how the County will address the safety concerns of residents and/or renters. In summer months, hundreds of people will have 24/7 access to this shared-use path. While most will use the path for recreation, abiding by all laws and restrictions, how will the County guarantee that a few won't use this increased access for criminal activity?

The proposed water-side path would cut right next to TML's pool, increasing access and creating an attractive nuisance requiring additional staff and expense to prevent unauthorized pool use and avoid potential accidents and lawsuits, the liability of which would be incurred by TML owners.

78-1

The existing bike path heading towards Homewood, which I have ridden many times, crosses Highway 89, an extremely busy road, in more than one location. Comparatively, the September 2015 Area Plan shared-use path alignment that runs behind TML and is set back from the road offers a significantly safer shared-use path option. Not only is Mackinaw Road a lightly used street, but this alignment could be implemented more quickly and less expensively with no negative runoff effects to Lake Tahoe.

My husband and a number of friends, who have ridden their bicycles around the lake numerous times, have commented that at no point does a bike path or road going around Lake Tahoe have lake access that encroaches on private property. Why does the County want to opt for a choice that results in a severe encroachment on TML’s property, taking what many would agree is the most valuable land portion of this privately owned property, when there is no precedence for it at any other point on the lake and a suitable, potentially safer and more environmentally friendly option is available? Building a path along existing property where adults and children can exit unexpectedly will no doubt create a hazardous situation for both bikers and TML owners and guests. The water-side shared use path also creates an attractive nuisance on TML property while depriving owner & guests of expected privacy.

I ask that the County return to the September 2015 Area Plan shared-use path alignment that goes behind TML and is set back from the road. The final EIR would be adequate for a shared-use path on the commercial side of TML. Opting for this choice would also benefit Tahoe City businesses and restaurants because of the increased pedestrian and bicycle traffic.

Thank you for letting me voice my opinion and taking my comments into consideration when making your final decision. I would also ask that you put yourself in my shoes, and truly consider how you would feel after owning a property for a number of years, only to be presented with a plan that takes the most valuable portion of your property, reduces your privacy and personal safety significantly, increases the chance of liability, significantly increases noise and activity and poses long lasting detrimental environmental effects to Lake Tahoe- a jewel of nature that we should all do our best to protect and preserve. My point is there is a more viable option with less negative environmental impact. Please vote for the September 2015 Area Plan Shared-use path alignment that goes behind TML, using Mackinaw Road that is set back from State Route 28.

Sincerely,



Sue Rosenberg

Copies:

Addressee (1 by regular mail)

Mr. Jack Duran – Placer County Supervisor, District 1 (1 by regular mail)

Mr. Robert Weygandt, Placer County Supervisor, District 2 (1 by regular mail)

Mr. Jim Holmes, Placer County Supervisor, District 3 (1 by regular mail)

Mr. Kirk Uhler, Placer County Supervisor, District 4 (1 by regular mail)

Ms. Jennifer Montgomery, Placer County Supervisor, District 5 (1 by regular mail)

78-1
cont

**Letter
78**

Sue Rosenberg
July 23, 2016

78-1

The comment expresses opposition to the lake side alignment of the shared-use path between Commons Beach and Fanny Bridge, and concern regarding the potential adverse impacts associated with this shared-use path alignment. The comment suggests maintaining the existing location for the shared-use path alignment. See Master Response 5, Tahoe Marina Lakefront Shared-Use Path Alignment, in Section 3.1 of this Final EIR/EIS.

From: Frank Rosman [mailto:frankrosman@sbcglobal.net]
Sent: Tuesday, July 26, 2016 3:40 PM
To: cdraecs@placer.ca.gov; Lucia Maloney <lmaloney@trpa.org>
Subject: Placer County Tahoe Basin Area Plan-TC Lodge Project - Draft EIR comments



RE: Draft EIR/EIS – Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project - Comment

I have been a full time Tahoe City resident for 44 years. I am a retired Community Association Manager and currently a Realtor with Coldwell Banker Residential Brokerage in Tahoe City. I believe implementation of the Area Plan and approval of the TC Lodge alternative 1, that allows 4 story height and 118 unit density, will cause significant negative environmental, health, public safety and town character impacts.

1. The scope of alternative 1's height and density will ruin the character of Tahoe City. 4 stories and 118 units will dwarf neighboring buildings. The building design is not consistent with old Tahoe, and Tahoe City, architectural theme. Due to proposed height, views will be negatively impacted from residential neighborhoods, the Tahoe City Golf Course, and from North Lake Blvd.
2. The approval of the maximum height and density for the Tahoe City Lodge will create a precedence for other properties in town centers to also take advantage of softened height and density requirements. I disagree with the EIS conclusion that there is insignificant impact. In reality it would be a huge impact to the aesthetic character and safety of North Lake Tahoe town centers.
3. During the recession town center economic revitalization was a big issue. The Tahoe City vision plans envisioned a "boutique style hotel" as a means to entice more patronage of the town. We all want to see the blighted Henrickson two story building removed and something nice built in its place. Should it not be of similar height and density? How did a reasonably sized boutique hotel turn away from a similar to existing height and density concept to an over-zealous concept of cramming too much on too small of a parcel? Not only is it too high and too dense, it is not just a hotel, but largely a condo project. This concept shoots Tahoe City's revitalization in the foot by exacerbating existing problems and issues to the point it will no longer a positive experience for locals and visitors.
4. How is it allowable for the private developer of the TC Lodge to calculate extra density capability by using land owned by TCPUD and other public entities? Is there a precedence created in which others can do this too?
5. Increased vehicular traffic and parking bring on huge environmental, health and safety impacts. There is no viable mitigation proposed for this.
 - a. Tahoe City Lodge shared parking with the TC Golf Course will not work. Common sense dictates that one cannot reasonably expect peak season golf course patronage coupled with peak season condo/hotel patronage be compatible. It is already difficult to find a peak season place to park. Lack of parking puts more people in their vehicles wandering about. More vehicles wandering about has obvious environmental and safety impacts.
 - b. Tahoe City already has extraordinary peak season traffic gridlock, congestion, and parking issues. Adding more than existing density is a serious negative environmental impact.
 - c. More vehicles and more people equals more conflict, health and safety issues.
 - d. Highway congestion causes significant negative impacts to emergency first responders being able to help in a timely manner.
 - e. Mass transit does not work because buses are stuck in traffic too.
 - f. Town Center congestion and gridlock causes vehicles to look for alternative routes. Those alternative routes are residential neighborhoods. It is common for some drivers to be careless and unruly in racing

79-1

79-2

through what used to be quiet and peaceful neighborhoods. This jeopardizes health and safety of families and pets who live in such areas.

- g. My wife Diane works at the North Tahoe Visitors Center. People come in to get advice on what to do and where to go while visiting North Lake Tahoe. Top complaints regarding the area are traffic gridlock, inability to find a parking spot, and crowds. Some have stated that visiting the area is such a hassle and inconvenient that they will not come back.

79-2
cont

TRPA used to strike fear and give nightmares to developers. This was good towards keeping a world class treasure pristine. Many of us moved to North Lake Tahoe to get away from height and density. I sense that development requirements are softening. It certainly looks that way with regard to town centers and the proposed Area Plan. Enjoyment of the peace, quiet, safety of a healthy environment that we come to the area for is in jeopardy. If this keeps up, more people will continue to be driven away. Revitalizing blight is a good thing. However, excessive over-redevelopment of existing properties is not. Please fix the existing issues that are complicating town character, health and safety before permitting additional density that will only make things worse.

79-3

Respectfully Submitted by Frank Rosman, Tahoe City

Frank Rosman
Coldwell Banker Residential Brokerage
North Lake Tahoe & Truckee
530-581-8879
530-386-1205
www.NorthTahoeHouses.com

Letter
79

Frank Rosman
July 26, 2016

79-1 The comment expresses concern that the proposed Tahoe City Lodge would be inconsistent with the community character of Tahoe City and would create impacts to scenic resources. Please see the response to comment 15-3 related to community character and impacts to scenic resources.

79-2 The comment raises a series of concerns related to transportation. Each concern is addressed below:

- ▲ Practicality of Shared Parking at the Tahoe City Lodge: Please see response to comment 12-42, which addresses shared parking at the Tahoe City Lodge.
- ▲ Effect of Increased Density on Traffic Congestion: Future development, regardless of the Draft EIR/EIS alternative, is projected to increase traffic volumes relative to existing conditions (Draft EIR/EIS Impact 10-1, pages 10-16 through 10-32). However, the overall traffic volumes are projected to be lower under the proposed Area Plan (Alternative 1) than if the Area Plan were not approved and the existing community plans were to remain in place (Alternative 4).
- ▲ Effect of Traffic Congestion on Emergency Response: Please see Master Response 6, Emergency Access and Evacuation, in Section 3.1 of this Final EIR/EIS for a discussion of emergency response and evacuation with the Plan area.
- ▲ Effectiveness of Transit in Reducing Congestion: An increase in transit services and transit ridership would reduce traffic volumes and improve vehicle delay conditions on SR 28 in Tahoe City. During peak hours, both personal vehicles and transit busses would be effected by congestion.

79-3 The comment expresses opinion regarding the historical role of TRPA in development in the Basin, and suggests that existing issues of blight should be remedied before considering additional height and density. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

From: Frank Rosman [mailto:frankrosman@sbcglobal.net]
Sent: Thursday, August 11, 2016 2:34 PM
To: cdraecs@placer.ca.gov; Lucia Maloney <lmaloney@trpa.org>
Subject: Placer County Tahoe Basin Area Plan-TC Lodge Project - Draft EIR comment

Letter
80

Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project – Comment on misrepresentations discovered in Draft EIR/EIS

I moved to Tahoe City in 1972 and have owned a home on Fairway Drive for almost 30 years. I am a retired North Lake Tahoe Community Association Manager. I have been a licensed North Lake Tahoe Realtor since 1984 and am currently an active real estate professional in Tahoe City.

I have made previous comments on the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS. After further review of the document I discovered some misrepresentation, inaccuracies, and important impacts not addressed.

Exhibit 9-14 is a misrepresentation of Viewpoint 4: Alternative 1. The camera lens used for the photo did not accurately reproduce scale of the existing scene and is not a true representation. By using a wide angle lens setting, the existing lake view and Tahoe City Lodge simulation are made to look smaller and further away than they truly are. I know this because the picture was taken from the deck of my Fairway Drive residence. In July and August 2015 I met with Kila Tahoe representatives for good faith meetings at my residence to discuss concerns regarding the Tahoe City Lodge. I permitted the picture to be taken, but had no idea it would be used in a misleading manner to dismiss the value of my view of Lake Tahoe. Exhibit 9-14 is cited on page 9-28 of the DEIR to conclude that the blocking of my view by “the new building does not appear substantial.” That statement is ludicrous and simply not true. The blocking of my view of lake surface would be significant and substantial if a 4 story 56-foot-tall building was constructed to replace the existing 2 story Henrickson building. I can provide a photo that depicts a more accurate representation of the view from my deck. It should also be noted that there are many poplar trees with full seasonal leaves that block views of lake surface. For at least half of the year the lake surface view is much greater after the leaves seasonally fall. Additionally, Exhibit 9-7 depicts an incorrect location of Viewpoint 4. I object to the inaccuracy of the use of my viewpoint to dismiss the value of my lake view. Please correct this misrepresentation in the FEIR. Feel free to contact me to schedule an appointment to visit my home-deck to verify my claims.

80-1

Goal 1.K of the Placer County General Plan is “To protect the visual and scenic resources of Placer County as important quality-of-life amenities for county residents and a principal asset in the promotion of recreation and tourism.” Approval of a 4 story 56-foot-tall building not only will block or cause substantial degradation of my existing view of Lake Tahoe, but will also affect views from other residences and from the public Tahoe City Golf Course/Winter Sports Park. The DEIR exhibits pictures of blocked mountain and ridgeline views from North Lake Blvd. There are many residences that have views overlooking the golf course, the town center and the lake. Approval of the proposed excessive height will establish a precedent in which other town center building owners will want to do the same. This will further exacerbate scenic resources of residences and the public. 56-foot-tall 4 story buildings are not appropriate for Tahoe City.

Dark Skies are noted in the DEIR/EIS. Discussion covers exterior lighting fixtures that are claimed to address the night light emanating from the Tahoe City Lodge. However, there is no discussion about the night light escaping from the windows of the 118 units. Logic tells me that more height-windows means more negative impact to “Dark Skies”. The Tahoe City Lodge will create a new source of substantial light that would impact nighttime views in the area. The FEIR should fairly address such impact.

80-2

As the home owner of the residence of Viewpoint 4 noted in Exhibit 9-14 and as an active real estate professional, I am qualified to know and convey that every part of this view of Lake Tahoe has value. There is a high demand for a limited number of properties that have a view of the lake. Such properties have value premiums based upon the quality of such views. When you take a closer and more realistic look at the quality of my lake surface view, its value can be better appreciated. We can see the barge at the Tahoe City fireworks, the Tahoe Gal passing by, the

80-3

Tahoe Cruz sailboat, Wednesday night sailboat races and much more. The blocking of this lake view by the proposed 4 story 56-foot-tall building is substantial and should be reflected as such in the FEIR.

If local government approves the proposed project of 4 stories with 56-foot-tall buildings it will block and substantially degrade part of the lake view which existed when I purchased my home. Every part of my lake view has value. The lake view is one part of the property rights I own with my property. Such action by government would be taking away from me one of my property rights. The Fifth Amendment of the US Constitution says "No person shall be deprived of ... property without due process of law, nor shall private property be taken for public use, without just compensation." Article 1, section 19 of the California Constitution says essentially the same thing. Both are applicable in California. The Attorney General's opinion cites a case Gregory v. City of San Juan Capistrano (1983) 142 Cal.App 3d 72 which controlled the outcome of the Attorney General opinion. In Gregory at page 88, the court said that the prohibition of a taking without just compensation applies ... to every sort of interest the citizen may possess." So the US and CA Constitutions apply to a taking of my lake view. Other cases may be relevant too. The basic argument is the government action of taking away one of my property rights without compensation.

I understand the public benefits if the project is approved by Placer County. Removing a blight, Tahoe City economic revitalization, rebuilt public golf course clubhouse/event room, traffic mitigation funding and increased tax revenue for county coffers are great public benefits. It is not fair to make me pay for it by taking part of my valuable lake view and giving it to the developer for his profit. Let's not be hasty to approve this first project proposal without considering reasonable alternatives. Tahoe City Lodge Alternative 1 is over-zealous in height, mass and density. The scope of the project is excessive and must be scaled down. Is there a compromise in scope or design that can be made where Kila Tahoe can still afford to do a project?

The Tahoe City vision plan envisioned an upscale "boutique" style hotel, not 40 hotel rooms plus 78 one and two bedroom condo-hotel units. In my experience as a Realtor, condo-hotel units are a hard sell due to strict deed restrictions, costly fees and lack of available financing. Is it feasible and sustainable? There is no notation of CC&Rs being put in place to ensure enforcement of environmental impacts. The FEIR must provide more details regarding this condo-hotel style development business model.

The trip generation numbers presented on table 10-7 are misleading because they do not include restaurant, bar nor employees. The numbers for existing trip generation are based on models, not actual data from business owners.

The DEIR does not explain or illustrate to the public how it is possible to allow 118 units on 1.4 acres when only 40 units per acre are currently allowed. The FEIR should do this.

Respectfully submitted by: Frank Rosman, Tahoe City

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80-3
cont

80-4

80-5

80-6

Letter
80

Frank Rosman
August 11, 2016

80-1

The commenter is the owner of the home from which the photograph in Viewpoint 4 (Exhibit 9-14, page 9-30 of the Draft EIR/EIS) was taken. The comment claims that the photograph in Exhibit 9-14 does not accurately reflect the view from the property and that Exhibit 9-7 does not accurately reflect the location of Viewpoint 4.

In response to this comment, the viewpoint was revisited and re-photographed with a digital camera set at a 50-mm focal length, which most closely reflects the view from the naked human eye. Because the revised photograph more accurately reflects the view from the viewpoint, Exhibit 9-14 has been replaced in this Final EIR/EIS. The location of the viewpoint was also verified, and the comment is correct that Exhibit 9-7 incorrectly identified the

viewpoint as being slightly to the south of the actual viewpoint. Exhibit 9-7 has also been corrected in this Final EIR/EIS. These corrections do not alter the conclusions with respect to the significance of any environmental impact. See also the response to comment 80-3, which addresses the applicability of scenic regulations and significance criteria to views from a private residence.

Exhibit 9-7 on page 9-14 of the Draft EIR/EIS is replaced with the following exhibit.

Exhibit 9-14 on page 9-30 of the Draft EIR/EIS is replaced with the following exhibit.

80-2

The comment suggests that the Draft EIR/EIS does not analyze the effects of interior lights within the proposed Tahoe City Lodge project that could be visible through windows. The Draft EIR/EIS analyzed the effects of the Tahoe City Lodge alternatives on light and glare on in Impact 9-3, page 9-47 and 9-48 of the Draft EIR/EIS. The proposed Tahoe City Lodge project would replace existing two-story commercial buildings in downtown Tahoe City, with four-story lodging buildings of up to 56 feet in height. During certain times, when rooms are occupied and window shades are open, interior lighting could be visible through windows.

The project site is within the core area of downtown Tahoe City, and is surrounded on three sides by commercial or mixed-use development. The surrounding downtown area is completely developed (i.e., there are no vacant private developable parcels), and it includes existing buildings of up to 80 feet in height. In addition, the existing buildings on the project site were built between 1962 and 1965, and they include light sources that do not comply with existing lighting standards. The proposed Tahoe City Lodge project would be required to comply with a series of lighting standards that are specifically intended to reduce the effects of light and glare (see Area Plan Implementing Regulations Section 3.09.D). In addition to a series of exterior lighting standards, the project would be required to comply with standards that require that “no use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the lot where the use is located”, and that “no light, or combination of lights, or activity shall cast light exceeding one foot-candle onto a public street, with the illumination level measured at the centerline of the street. No light, combination of lights, or activity shall cast light exceeding 0.5 foot-candle onto a residentially zoned lot, or any lot containing residential uses” (Area Plan Implementing Regulations Section 3.09.D).

While it is possible that interior lights would be visible during certain times, these lights would be consistent with and would not be more substantial than other light sources throughout the already developed downtown Tahoe City area. With the implementation of required lighting standards, the project as a whole, including interior and exterior light sources, would not result in a new source of substantial light that would adversely affect views. Thus, the Draft EIR/EIS appropriately determined that the proposed Tahoe City Lodge project would have a less than significant impact related to light and glare.

80-3

The comment states that the proposed Tahoe City Lodge project would block a portion of the lake view from the commenter’s home, and asserts that this would result in a significant impact. The Draft EIR/EIS analyzes the effects of the proposed Tahoe City Lodge project on scenic quality, including views of Lake Tahoe, on pages 9-24 to 9-33. As described on page 4-4 of the Draft EIR/EIS, the significance criteria identified in each section “provides the criteria used in this document to define the level at which an impact would be considered significant.” The significance criteria that apply to the scenic analysis are listed on page 9-15 of the Draft EIR/EIS, and the specific significance criterion that applies to the analysis of effects on views of Lake Tahoe is whether the project would “Block or cause substantial degradation of an existing view of Lake Tahoe or other scenic vistas seen from a public area”. Consistent with this significance criterion, the proposed project would have a



Existing View Overlooking the Golf Course from Viewpoint 4



Visual Simulation Overlooking the Golf Course from Viewpoint 4



Source: Hornberger + Worstell Architects 2016

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Exhibit 9-14

Viewpoint 4: Alternative 1



significant impact if it blocked or substantially degraded a public view of Lake Tahoe. However, no significance criteria, or applicable laws or regulations guarantee the protection of lake views from private residences. While the proposed project may block a portion of the lake view from the commenter's home, this would not result in a significant impact pursuant to CEQA or TRPA regulations.

- 80-4 This comment expresses an opinion that condo-hotel units are difficult to sell for a variety of reasons. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.
- 80-5 The comment questions the trip generation estimates for existing uses on the Tahoe City Lodge site. The trip generation rates used in Table 10-7 are based on the existing land uses on-site as of the time of release of the Notice of Preparation (NOP) (June 2015), as well as the proposed land uses of the Tahoe City Lodge project (including restaurant and bar uses). The trip generation rates reflect all vehicle-trips generated by the land uses, including visitors/customers, employees, and service trips. The trip generation rates are based upon nationwide studies of actual trip generation for each specific land use type, as is standard practice for transportation impact studies.
- 80-6 The comment requests clarification regarding how the proposed 118-unit Tahoe City Lodge meets TRPA's density standards. The number of units allowed for any project is a factor of the project area and the allowed density. The proposed Tahoe City Lodge project assumes the adoption of the Alternative 1 Area Plan and the modification of the Tahoe City Town Center boundary. The portion of the project site under Alternative 1 used for the purposes of calculating density is shown in yellow on Exhibit 3-11 on page 3-24 of the Draft EIR/EIS; this area excludes the easement areas on the project site and the golf course enhancement area (Areas 3, 6, and 8 on Exhibit 3-12 on page 3-25 of the Draft EIR/EIS). The total area used for calculating density is 130,692 square feet (approximately 3 acres) (see Sheet C3.3 in Appendix D of the Draft EIR/EIS), which would allow for a maximum density of 120 units (3.0 acres x 40 units/acre = 120 units). The current proposal includes a total of 118 units.