



## League to Save Lake Tahoe

October 16, 2009

City of South Lake Tahoe  
Community Development  
1052 Tata Lane  
South Lake Tahoe, CA 96150

**RE: Scoping comments on the City of South Lake Tahoe General Plan Update Policy Document Revised Public Review Draft**

Dear Mr. Angelocci,

The League to Save Lake Tahoe has numerous concerns about the City of South Lake Tahoe General Plan Update (SLTGPU). The foremost of our concerns rests in the inappropriate sequencing of the General Plan Update with the Tahoe Regional Planning Agency (TRPA) Regional Plan Update, as well as with associated Community Plan Updates. The correct sequence of updates should be:

- 1) TRPA Regional Plan Update
- 2) Associated Community Plan adoptions and updates
- 3) City of South Lake Tahoe General Plan Update

This ordering is imperative in order to protect Lake Tahoe. TRPA is required to adopt a Regional Plan that will achieve threshold standards. The City then needs to adopt a General Plan that falls within the framework and limitations set by the Regional Plan and fulfills all CEQA requirements for analysis. This ensures that City policies do not conflict with the TRPA regional goals of achieving the thresholds. By allowing the adoption of the SLTGPU prior to the adoption of the Regional Plan Update there is no assurance that City policies will be consistent with the larger regional framework which in turn may conflict with the larger regional goal of threshold attainment. The Regional Plan is designed to inform the SLTGPU, not visa versa.

A number of inconsistencies currently exist between the SLTGPU Draft Document and the TRPA June 19, 2009 Draft Alternatives Summary Report (Matrix). The SLTGPU allows for a building maximum of 6 stories within Town Centers while the Regional Plan Matrix limits the number of stories within Town Centers to be within one to four. The SLTGPU allows for a Tourist centers to have a density of up 60 units per acre while the Regional Plan Matrix only allows for 40. The heights and densities as proposed in the Regional Plan alternatives are already highly questionable in their consistency with threshold achievement and maintenance. The SLTGPU allows for a maximum coverage of up to 75% which exceeds the amount allowed by TRPA and is not proposed to be changed in the Regional Plan Update.

The League has a number of other concerns and questions regarding the details of the SLTGPU including those pertaining to impacts of expanding airport services and the cursory and inadequate analysis of impacts to threshold standards. These concerns are listed below.

## Questions and Concerns

- 1) As referred to above, why is the City proposing height, density, and coverage limits that exceed those limits in both the current Regional Plan and in the proposed Regional Plan Update?
- 2) As referred to above, there is concern that the General Plan is being updated before the adoption of the Tahoe Valley Community Plan and the other three Community Plan Updates. What will the City do to rectify the situation if the Community Plans that are developed by the communities are not consistent with the General Plan?
- 3) In regards to Future Commercial Floor Area (CFA) Commodities, the City states it will plan to pursue 386,600 additional square feet above 2009 levels. How did the City arrive at this number? Is this number consistent with the amount of CFA available from the TRPA? How much existing CFA in the City is currently vacant? Why does the City believe additional CFA is needed if existing CFA is vacant? What will be the environmental impacts of allowing an additional 10,000 square feet of CFA to be located outside of Community Plans areas? Will locating additional CFA outside of Community Plans be consistent with the proposed Regional Plan Update and the TRPA Compact as well as other policies within the SLTGPU?
- 4) Regarding TAUs, the Draft Document states that Tourist Accommodation Units (TAUs) transfers will not be allowed unless the financial impacts are adequately mitigated. Please explain how the City will determine whether or not the financial impacts will be adequately mitigated?
- 5) How will the City use future Residential Development Rights to incentivize revitalization?
- 6) Regarding land coverage, the document states that the “City shall encourage transfers of existing land coverage within identified hydrologic areas to community plan areas within the city in order to provide an incentive for larger mixed-use, commercial, and tourist projects that serve the needs of residents and visitors.” Please clarify if this statement is intending to allow transfer from one hydrologic area to another hydrologic unit and if it is consistent with TRPA policy. Please clarify whether coverage transferred into Community Plans will still have to be consistent with the TRPA Bailey coverage limits.
- 7) The DEIR must examine the environmental impacts of new land annexations
- 8) The City is proposing to expand commercial and tourist accommodations within three of the community plans. What environmental impacts will occur as a result of this expansion?
- 9) The SLTGPU states that incentives in Nodes will include exemptions from coverage limitations for affordable and moderate housing. The DEIS should examine how this increase in coverage will affect water quality and soil conservation impacts.
- 10) The SLTGPU states that incentives will be used “to facilitate the relocation of commercial uses into Nodes and Community Plan areas to reduce the strip commercial character of Highway 50 and State Route 89. What will become of existing buildings in which the CFA will be transferred from? Will they be converted to timeshares, TAUs, and residential units or will they be restored to a natural state? Furthermore, considering the majority of Highway 50 and State Route 89 fall within a Community Plan or node, how will moving commercial development into these areas actually reduce the strip character when these CPs and node are already centered on a strip area?

- 11) The document states that “the City shall enter a Memorandum of Understanding with the TRPA to delegate permit and land-use authority for all projects that are not regionally significant, meet TRPA’s Environmental Thresholds, and are consistent with the Regional Plan.” Which agency will determine which projects fit within these criteria? What criteria will be used to determine if a project is regionally significant? If projects get approved by the City and then during the annual review TRPA finds the City’s project review standards are not meeting the Environmental Thresholds will those project permits be rescinded?
- 12) The League is concerned with the City’s proposed Vacant Open Space Parcel Exchange which intends “to exchange publicly-owned vacant open space parcels in existing residential subdivisions for vacant parcels in other parts of the Lake Tahoe Basin as a means of consolidating open space and developing underused sites in existing neighborhoods.” The DEIS needs to examine the value of open space in neighborhoods. What impacts will occur to biological resources, water quality, and scenic character of the community by infilling all open space within residential neighborhoods?
- 13) The League is concerned with allowing 70% coverage on properties within community plan areas. Will the Bailey limits not apply to these properties? In order to receive this increase in coverage will coverage be removed and restored in areas outside the community plan? What impacts to water quality will occur with this dramatic increase in coverage? Is this consistent with the Regional Plan and TRPA Compact?
- 14) The draft document states that the City will “seek incentives to facilitate Commercial Floor Area (CFA) transfers from other parts of the city to redevelopment project areas.” What will type of incentives will the City seek?
- 15) The environmental impacts from the Lake Tahoe Airport are significant as detailed in the 2006 League to Save Lake Tahoe report entitled *Lake Tahoe Airport Impacts Report Draft* (<http://www.keeptahoeblue.org/campaigns/other.php>) . The League hereby incorporates this report, in its entirety, into official SLTGPU comments. The League is extremely concerned with the additional environmental impacts that will occur by the City’s plan to expand services at the airport including future regional jet service. The document states, “The City shall support continued improvement of the Lake Tahoe Airport to improve accessibility to year-round visitors and convention attendees that can take advantage of scheduled regional air carrier service.” What will be the impacts from scheduled regional air carrier service to air and noise quality? Additionally the document states “The City shall examine, develop, and pursue programs and activities to locate new businesses at the Lake Tahoe Airport to improve the local economy and to make the airport financially self sufficient.” What VMT and air quality impacts will occur by expanding businesses at the airport? The airport is not located in either a node or community plan so this policy seems contradictory to other policies that support the expansion of businesses in areas that support a compact-mixed use approach.
- 16) The document states, “The City shall develop programs to expand business wanted and needed by residents to help reduce vehicle miles traveled (VMT) outside the Lake Tahoe Basin for these services.” Furthermore, the document states, “The City shall seek to attract one or more large-scale retail business to South Lake Tahoe, particularly in the Tahoe Valley Community Plan area, in order to serve the shopping needs of its residents.” It is imperative that the City focuses its efforts not on reducing VMT outside the Basin, but on reducing VMT **inside** the Basin. Also the City must examine how increasing businesses will increase VMTs within the Basin as well as the

need for additional parking. For example, if a large store such as Home Depot was developed in South Lake Tahoe would residents in Tahoe City who normally drive to Reno for these purchases choose to drive to South Lake instead, thereby increasing VMT within the Basin?

- 17) The analysis needs to evaluate all the cumulative impacts (not just per capita analysis) on greenhouse gases contributions from all elements of the SLTGPU, with special emphasis on additional use associated with increased densities, greater height and building stories, increased coverage, and more vehicles.
- 18) The SLTGPU proposes to measure the Level of Service (LOS) not on a peak traffic day, but on a busy traffic day. The DEIR needs to examine measuring LOS on both a peak traffic day and on a busy traffic day, in order to gain an understanding of the environmental impacts caused by traffic.
- 19) The League supports the SLTGPU proposal to seek the use of roundabouts at key intersections that do not compromise pedestrian safety.
- 20) The SLTGPU document states that “The City recognizes that there are some areas and some uses where access by transit is not viable. Therefore, the City shall require adequate parking for all current and anticipated future uses.” Allowing future development to occur in places that are not served by transit seems contradictory to the other city policies designed to place new development in a compact-mixed use area that is served by transit.
- 21) Regarding recreation at Bijou Golf course, how will allowing motorized winter recreational activities at this location impact noise and air quality?
- 22) Regarding the proposal to retrofit the El Dorado Beach boat ramp to be used at both low and high lake levels, will this retrofit involve the expansion of the boat ramp farther out into the lake and if so by how much?
- 23) The League is concerned with the City’s plan to turn publically vacant parcels in residential neighborhoods into parks. Although parks are an important part of a neighborhood, it is also important to have undeveloped natural open spaces. The DEIR needs to examine how this conversion will affect biological resources as well as water quality. The League is also concerned with the proposal to increase access to open space through hiking and biking trails. While the League supports public access to open spaces, it is also important to ensure that some amount of open space is protected from recreational impacts such as those impacts to biological resources and water quality.
- 24) While it is important that neighborhoods be safely lighted as proposed by the plan, it is important that they are lighted in a way to prevent light pollution and avoid impacts to dark skies. The DEIR should explore different options to light neighborhoods and the different degrees of impact each option will have on light pollution.
- 25) The SLTGPU proposes to “minimize impacts to Stream Environment Zones (SEZ) and sensitive habitat areas from adjacent new large-scale developments.” How does the city intend to minimize these impacts?

- 26) The SLTGPU states that “The City shall limit the extent of construction to provide a natural growth zone for vegetation.” Please clarify what is meant by “limit the extent of construction.”
- 27) The League strongly opposes the SLTGPU implementation program to seek a Winter Olympic bid. The devastating environmental impacts of the 1960 Olympics are still present today. Hosting a second winter Olympics in the Tahoe area would have severe environmental consequences. The DEIR should examine these impacts.
- 28) The League is very concerned with the cursory and inadequate analysis of the environmental thresholds presented in Appendix A of the May 21, 2009 Public Review Draft. Based on many of the analyses it appears that the consultants preparing the report lack an understanding of many of the issues and programs existing within the Basin. For example, the consultants’ analysis of water clarity for alternatives 2 and 3 states that because new development will occur as infill it will not increase pollutants to the Lake. This is a false assumption. Infilling on undisturbed lots within developed areas will still cause an increase in pollutant loading. Furthermore, these alternatives do not restrict development from occurring on undisturbed lands outside of concentration and infill areas so pollutant loading will still occur from these additional developments as well. Another example is primary productivity. The consultants’ report that the Alternatives 2 and 3 have a neutral impact because it is unclear whether the threshold is attainable – this is clearly flawed logic. Also, throughout this report, the consultants continually states that, “The TRPA also ensures that new development helps attain thresholds through EIPs.” The consultant uses this statement in regards to Lahontan Cutthroat Trout, Community Noise, and other thresholds in which the EIP programs are not focused. Additionally, the analysis of Air Quality, one of the thresholds most likely to be impacted by additional development, is filled with unknowns. It is imperative that in the DEIR a comprehensive and adequate examination of threshold attainment is conducted.
- 29) The SLTGPU NOP document states that a “Stormwater Management Program” will be developed to “minimize increased flows and pollutant loads in urban runoff, improve area-wide stormwater runoffs quality, and promote retention and reuse of stormwater runoff.” (Public/Quasi-Public Facilities and Services Element, p. 5-6). Additionally, TMDL goals clearly require reduction of pollutant loading, and not just “minimizing increased flows.” The EIR needs to examine an alternative which relies on SEZ restoration for stormwater treatment, including the efficacy of this method (vs. engineered solutions) at removing fine sediments and nutrients and the initial plus ongoing costs of operating each type of system. The League hereby incorporates all applicable comments from the September 15<sup>th</sup>, 2009 document: *Comments on the TMDL Supplemental Project Description Scoping*.

We appreciate the opportunity to provide comments and if you are in need of any further information please contact Nicole Gergans at 530-541-5388.

Thank you,

Nicole Gergans  
Environmental Program Advocate  
League to Save Lake Tahoe