



October 2, 2008

Tahoe Regional Planning Agency

PO Box 5310

Stateline, Nevada 89449

*Sent via email to Project Contact: David L. Landry (dlandry@trpa.org)*

County of Placer, Community Development Resource Agency

Environmental Coordination Services

3091 County Center Drive, Suite 190

Auburn, CA 95603

*Sent via email to Project Contact: Maywan Krach (cdraecs@placer.ca.gov)*

Re: Scoping Comments re: Homewood Mountain Resort Master Plan Project, APN 097-130-05/TRPA File Number CEPP097130005.

Dear Governing Board Members and TRPA Staff,

The League to Save Lake Tahoe (League) is a nonprofit, membership based organization dedicated to protecting and restoring the environmental quality, scenic beauty, and low-impact recreational opportunities of the Lake Tahoe Basin. The League recognizes the importance of programs that accelerate the attainment of the environmental thresholds.

Thank you for the opportunity to provide comments and concerns for the proposed Homewood Mountain Resort Community Enhancement Program (CEP) project. The League recognizes and applauds the current involvement of Homewood Mountain Resort on implementing environmental improvements on the mountain of the ski resort. We also support the concept of rewarding redevelopment projects that go farther than other projects to offer substantial environmental benefits. Incentive-based planning gives the potential for project planners to design and implement truly exceptional projects, and is commendable. However, we are

concerned that the CEP process does not go far enough to define or demand “substantial environmental benefits” as tied to incentives, and that the Homewood Mountain Resort Project needs to show real “substantial environmental benefits” in excess to justify this project’s developmental magnitude and classification as a CEP project (please refer to the attachment A for the League’s position on the CEP).

In relation to the required joint Environmental Impact Report (EIR) that is required for this project; we have reviewed the proposed project and NOP and the League recommends that the following issues and concerns be included:

- Address the cumulative basin-wide impacts of the following project elements :
  - The Plan Area Statement (PAS) amendments for height and allowed uses (fractional ownership of residential units) in relation to this project’s ability to set a precedent for allowing Basin-wide amendments to both PAS and Community Plans.
  - The transfer and/or trading of Tourist Accommodation Units including the bedroom ratio of transferred TAUs (for example, transferring a one bedroom TAU from Crystal Bay to a three bedroom TAU on the West Shore of Lake Tahoe) as well as what type of land capability each TAU is from.
  - The construction and year-round operation and maintenance (i.e. winter deicing of parking areas, snowmaking, commercial operations, etc.) of the Resort including impacts to water quality, air quality, noise, scenic, and vegetation environmental thresholds.
  - Lighting impacts of the project.
  - Transportation (including Vehicle Miles Traveled (VMTs), level of service, and emissions per person per mile) impacts.
  - Increasing the overnight population density of Homewood substantially by adding over 320 tourist accommodation and residential units to the project area. This substantial increase has the potential to increase the overnight population of Homewood by 400 – 500 percent.
- Address the following in relation to the projects classification under the CEP:
  - All environmental benefits and impacts should be disclosed, including the substantial environmental improvements and mitigation in excess that are being asserted for the project’s classification as a CEP special project.

- The EIR should disclose the exact amount of land coverage that will be restored and permanently retired by the project in addition to any SEZ restoration; as the CEP requires a project to go above and beyond to reduce impervious surfaces.
  - Quantify the mitigation requirements for environmental improvements under the existing permit for Homewood Mountain Resort with that which would be required for the proposed project. The mitigation for the proposed project should be “in excess” of what the existing permit requires in order for the project to be considered a CEP project.
  - The EIR should quantify the projects contributions to EIP projects and determine if the project’s contributions are substantial enough and go “above and beyond” for the projects classification as a CEP project.
  - The required affordable/moderate income housing requirements for multi-residential housing units under the CEP has yet to be fully disclosed in the NOP project description. The EIR needs to include all impacts that are associated with these housing units, and should also analyze the positive and negative impacts associated with all alternative locations for the housing requirements.
- Address the following transportation impacts and mitigation measures:
    - The EIR needs to include a detailed description and analysis of the transportation linkages and traffic solutions that the project proposes such as the dial-a-ride, shuttle services, water-taxi services, and bike path connections; including an analysis of potential impacts to air and water quality that each service may contribute.
    - The project should include in the analysis of transportation impacts and mitigation measures that this project will create on both the West and North Shores. Specifically, address the traffic associated impacts that the project will produce on weekends and during holiday periods. As the project currently stands, no shuttle services will be provided to the North Shore, which will also be expected to see an increase in transportation demands due to this project.
    - The NOP does not estimate changes in VMTs; however, this project can realistically be assumed to create additional VMTs. The EIR needs to fully analyze the increases in VMTs that this project will create using the “best available data” and current trends.
    - Include environmental impacts (such as VMTs, and air quality) associated with the increases of visitor transportation trips into and out of the Basin due to the

population increase of the West Shore that this project will create including impacts associated with increased levels of green house gases (GHGs).

- Include an analysis of traffic impacts to response time for emergency vehicles and emergency evacuations along the West Shore, which is an area currently impacted by traffic congestion during the summer and winter periods of high use.
- Address impacts to environmental thresholds including the following:
  - The EIR should establish a baseline of the existing environmental conditions of the project site and the West Shore to accurately analyze the impacts of the project.
  - Any additional hard coverage, including roads, needs to be analyzed in the EIR including the environmental and community impacts associated with the additional hard coverage.
  - Analyze and quantify any short-term and long-term impacts and mitigation measures to the natural hydrologic patterns, including impacts to groundwater that the proposed project will have.
  - The EIR must include the most up-to-date and accurate data pertaining to the land capability classifications within the project area.
  - Impacts to scenic resources from the highway corridor and the Lake need to be analyzed.
  - Include in the EIR a thorough wildlife analysis component including potential impacts to sensitive avian species, fishery resources, and other species of concern.
  - Include a historical analysis of the loss of wetland function of the graveled parking lot on Fawn and Sacramento Streets.
  - In the event that a portion of the North Base Area is an SEZ, the EIR should include any alternative site locations and the associated impacts to each location.
- Address the following infrastructure issues and concerns:
  - The EIR should include an analysis of the sewage collection and treatment facilities in relation to their current capacities and the projected demand that the Homewood Mountain Resort will have on the sewage systems.

- Include an analysis of the existing power supply infrastructure and the demands that the Homewood Mountain Resort project will have on the existing infrastructure.
  - The EIR must determine what the water demand will be from this project compared to existing conditions, as well as analyze the cumulative impacts of the project's water demand Basin-wide.
  - The EIR needs to include a detailed analysis on the impacts to the Tahoe City Public Utility District's water supply and infrastructure, in relation to the currently degraded state of the PUD's water system and the high demand for water that the Homewood Mountain Resort project will have.
  - The EIR should also analyze the impacts to Basin-wide Lake Tahoe water allocations that the Homewood Mountain Resort project will be subject to under the new Truckee River Operations Agreement (TROA), and **prove** that there will be enough water long-term to sustain the maintenance and operations of the Resort. Under the new agreement, California is allotted up 23,000 acre feet of water per year. According to data from the California State Water Board's website existing water appropriations from Lake Tahoe total 37,237 acre-feet/year, which is above the TROA California allocation.
  - The impacts (local and Basin-wide) of the high water demanding snow-making operations that the Homewood Mountain Resort will need for successful winter operations needs to be addressed in this EIR.
- Address the following Homewood community issues:
    - The potential impacts to the "Community Character" of the West Shore of Lake Tahoe including the potential transportation, environmental, scenic, and recreational impacts that the Homewood Mountain Resort will have on the surrounding West Shore communities.
    - Lack of a Community Plan; according the TRPA Staff "white paper" on community character and scale in the August 2008 Governing Board Packet "Each community must define community character, identify its specific issues, the context and area to which such regulations would apply, and resources availability to manage such programs." (p 229). Without such a community plan the Homewood Mountain Resort Project has no means in which to adhere to the actual community character as defined by the Homewood community itself. The League purposes that a community plan is implemented before this project is approved.

- The EIR needs to analyze the project's proposed substantial commercial floor area (CFA) allocations and development outside of a community plan area in relation to the fact that the TRPA's Goals and Policies states that increased development should occur through the adoption of Community Plans. This project is not in compliance with current TRPA Goals and Policies.
- Include an avalanche risk assessment of the proposed project site in the EIR.
- The EIR should provide accurate demographic data pertaining to the annual, weekly, weekday/weekend day and holiday average users of the Resort's existing conditions and of the proposed project; including data on where users are from, Basin entry points, number of non-local day users, number of local day users, income status of users, etc.
- The EIR should analyze the current environmental trends of the Lake Tahoe Basin (State of the Lake Report, UC Davis) in relation to the environmental impacts that the project will have on water quality, water demand, and erosion (including more frequent major flood events), and climate change should also be addressed in relation to environmental impacts, snow-making needs, and potential economic impacts.
- Address this projects' ability to reach and maintain the Total Maximum Daily Loads (TMDLs) as will be set and required by the Lahontan Regional Water Quality Control Board.
- All project alternatives listed in the EIR should be specific on the projects quantifiable aspects (i.e. up to 75 units should be concrete and specific; 75 units). This will allow the project alternatives to be accurately analyzed to the baseline environmental conditions.
- Once the scoping period is completed new information on the project may become available, such as land capability classifications, and being such should be allowed public commenting for inclusion into the joint EIR.
- Present a realistic economic analysis in the EIR that takes into account the current economic situation and the likely housing market trends (based on the currently accepted and analyzed market trend forecasts) for at least the next 20 years to determine if the proposed size and mass of the proposed units is appropriate.
- Include a conservation alternative that includes restoration of disturbed sites (including mountain maintenance roads, ski lifts, paved surfaces, and current structures) and allows for low impact recreation.

The Homewood Mountain Resort project is being classified as a CEP project, which allows these "special projects" certain commodities such as additional TAUs, height, and commercial floor

area (CFA) to be allotted for “above and beyond” environmental improvements. The CEP criteria set forth for special projects under TRPA Code Section 33.3D item 3c, states that inclusion as a special project must meet the following criteria: assist in the attainment of the environmental thresholds by constructing projects listed in the TRPA Environmental Improvement Program; provide substantial environmental benefits or mitigation in excess; and transfer development out of sensitive lands. Following this criteria, projects of a large scale and density, such as the Homewood Mountain Resort project, are not needed in order to provide for substantial environmental benefits. And being so, the League would strongly support a project that is reduced in scale and overall density while providing measureable and quantifiable significant benefits in environmental improvements. The League would like to see a project alternative of this nature included in the EIR for the Homewood Mountain Resort project.

In light of the new Regional Plan update, the League recommends that the TRPA should first and foremost focus its energies on updating the Regional Plan in order to reflect existing conditions and science, rather than permit large redevelopment projects, such as the currently proposed CEP projects, that may promise “substantial environmental benefits” in the Basin under flawed and inadequate regulations.

Thank you for this opportunity to comment on the scope of the upcoming joint EIR/EIS for the Homewood Mountain Resort CEP project. If you have any questions pertaining to the League’s recommendations for the environmental document please contact Flavia Sordelet at (530) 541-5388 or [flavia@keptahoeblue.org](mailto:flavia@keptahoeblue.org).

Thank you,

Flavia Sordelet  
Environmental Program Advocate  
League to Save Lake Tahoe  
(530) 541-5388

# *Attachment A*



November 9, 2007

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

Regional Planning Partners  
P.O. Box 1803  
Truckee, CA 96160

**RE: Comments regarding the Community Enhancement Program (CEP)**

Dear Brenda Hunt and Darin Dinsmore,

The League to Save Lake Tahoe (League) is a nonprofit, membership based organization dedicated to protecting and restoring the environmental quality, scenic beauty, and low-impact recreational opportunities of the Lake Tahoe Basin. The League recognizes the importance of programs that accelerate the attainment of the environmental thresholds.

The League to Save Lake Tahoe appreciates the opportunity to provide comments with regards to the Community Enhancement Program (CEP), which has been previously known as the “demonstration program”.

**Transportation related Concerns**

There proposed CEP projects have not addressed a variety of additional parking and transportation related concerns. Many CEP projects are seeking to reduce parking and/or coverage in some capacity, while increasing density, residential units, and commercial floor area (CFA) at the same time. We strongly support the effort to reduce coverage and minimize resources devoted to parking. However, the potential is high for the increased density of commercial, tourist accommodation, and/or residential units to actually result in more vehicle miles traveled, traffic congestion, and pressure for more parking spaces (on site and/or off-site)

to accommodate the demand. More people may be visiting these Special Project sites. The transportation related issues and environmental impacts need to be fully analyzed for VMT, air quality, land coverage, soil conservation, and water quality protection. This also emphasizes the need for a firm commitment to implement an effective mass transit system that attains the expected use by the public. Without an adequate mass transit system and the assurance that it will actually be utilized, the demand on the auto transportation infrastructure could be intensified locally.

For additional tourist accommodations, what would be the net increase of VMTs within and from outside the Basin?

### **Height Concerns**

There is an inconsistency between the proposed height of projects in the CEP and TRPA's scenic threshold. Higher buildings as proposed by the CEP will be visible from the Lake and/or obstruct views of the Lake and surrounding mountains. The scenic threshold would therefore be compromised, especially within the Shorezone and Lake itself. The height of the proposed structures should be evaluated from multiple positions, such as surrounding neighborhoods, side streets, and any vistas, not just from the major roadway units, as these plans are intended to improve the community itself. Thus, the quality of the community experience could be affected by higher structures blocking views and affecting daylight exposure.

If any structure compromises the TRPA's scenic threshold, what mitigations would be required to regain compliance? If trees or other native vegetation needs to be planted, how much will this cost and how long will it take for these mitigation measures to accomplish the goal? For example, how long will it take newly planted trees to break the view of a three story building?

Potential habitat fragmentation is a cumulative impact associated with increased height allowances. Higher buildings located within the Pacific Fly Way may jeopardize the integrity of migratory bird patterns and should be analyzed carefully with regards to the wildlife habitat threshold.

Smart growth principles should not be universally applied in the Lake Tahoe Basin; instead the appropriate principles should be selected based upon the setting of the community consistent with its size and community vision. Since Tahoe is not a major metropolitan area, such as Portland, limited growth must be considered first. Nonetheless, creating walkable zones where people do not have to rely on fossil fuel based modes of transport, and therefore reducing existing sprawl, may foster a more livable community, providing it is supported by effectively funded and effectively operated mass transit opportunities.

### **Coverage Issues**

One of the specific goals of the Special Projects as described in the TRPA Code of Ordinances, section 33.3 D (a) is "...to promote major projects that... promote transfer of development that results in substantial environmental benefits". Environmentally sensitive land parcels (whether on site or off site) should be retired and deed restricted from further development. Special emphasis should be given to beach and SEZ restoration, thereby enhancing the applicable thresholds. The feasibility of creating a funding mechanism to acquire and retire sensitive lots and parcels from private ownership should be investigated.

Additionally, there is a great need to aspire for more than just a reduction in coverage. Restoring natural habitat functions to disturbed ecosystems should be pursued rather than implementing expensive engineered solutions. For example, recent Total Maximum Daily Load (TMDL) research has concluded that most of the fine sediments that are affecting lake clarity stem from urban runoff and the most cost-effective remedy is to restore natural stream and wetland function.

The TMDL has reported the lack to date of existing offsets for SEZ and fragile land development. Currently required offsets are less than those recognized nationally as effective. Prior to approval of new projects, nationally recognized standards should be incorporated in the CEP projects.

### **Threshold Attainment**

Achieving substantial environmental net gains must be a primary objective of the CEP process and as stated in section 33.3 D (c) "that address a Threshold standard found not to be in attainment per the 2001 Threshold Evaluation." Threshold attainment needs to be more of a top priority consistent with the purpose of the TRPA Code of Ordinances, Chapter 33: Allocation of Development: "...through issuance of allocations, distributes, in an orderly fashion, growth and development *within the confines of attainment and maintenance of the environmental thresholds.*"

An analysis of how increased VMTs associated with higher density-focused development might impact air quality as well as other thresholds needs to be examined.

In addition, if any projects exceed the current height scale, then soil impacts need to be addressed due to the additional excavation needs. Potential intrusion into groundwater sources (aquifers and water tables) may occur. Also, by placing structures so close to the water table, pollutant control strategies become all the more essential. In addition, any pollutant plumes in the area need to be carefully analyzed for decontamination.

The best available technology (BAT) for achieving the highest standards possible for water quality, lake clarity, and other thresholds must be utilized. Any BMPs need to have the capacity to treat all storm water runoff on site, ideally for a 100-year storm scenario.

Measures are being taken to prevent or minimize the impact to old-growth trees. If the removal of any old-growth trees is intended, these actions must be evaluated in terms of their consequences and impacts to the community and its environment. Also, it is vastly important that coverage/pavement does not interfere with or intrude within outer drip-lines of the vegetation.

In the recent Cal-Neva project, the local community and public raised concerns about noise emanating from decks and balconies. This noise intrudes on community gathering places, parks, and disturbs wildlife as well. In addition, with higher buildings and a higher altitude source for this noise, the potential to reflect and broadcast noise over a greater distance is more likely.

To insure the acceleration of the attainment of the thresholds and properly inform the Regional Plan, there must be a long-term funded monitoring and reporting mechanism included in any project plan. How will the effectiveness of BMPs designed to treat storm water runoff be monitored to ensure that they are adequately protecting water quality and the clarity of Lake Tahoe? Were they designed well-enough to treat all storm water runoff?

### **Carbon Footprint Comparisons**

The carbon footprint of any redevelopment project must be calculated, consistent with current climate change scenarios. The current carbon footprint of existing structure(s) must be compared with those of the potential project. A disproportionately large scale project, with increased carbon emissions, may be called into question because of the potential conflict with TRPA thresholds and cumulative environmental impacts. In addition, will higher buildings increase the amount of greenhouse gases expelled into the atmosphere during decommissioning, construction, and operation and maintenance? What kinds of carbon offset mechanisms will be used to achieve, at minimum, a carbon neutral designation?

The Lake Tahoe Basin has the capability to become a leader in the movement for recognition and responsiveness to global climate change. Portland, OR has recently proposed a plan to charge a "carbon tax" for projects that do not meet energy efficiency requirements and examples such as this should be investigated for construction within the Tahoe Basin.

### **Green Building**

The CEP process should strive to implement the most environmentally sound building techniques available. The importance of green building in the Lake Tahoe Basin was emphasized as a top priority during numerous public input workshops of the 56 Acre Project.

The U.S. Green Building Council (USGBC) had created the Leadership in Energy and Environmental Design (LEED) certification process that guides building projects to ensure the most environmentally responsible, sustainable, and energy efficient designs.

As communities in the Tahoe Basin should aspire to be leaders in climate change responsiveness, they should also be leaders in green building practices. In March of 2007, the City of San Jose adopted a policy that would require all buildings in excess of 10,000 sq. ft. to achieve a minimum level (silver) of LEED certification. As Tahoe is recognized for its scenic significance and receives substantial resources for environmental improvements, a higher level of LEED certification is justified. New redevelopment projects should be striving for at least Gold LEED certification. This type of responsible building promotes the Tahoe Basin as a leader in green practices, reduces carbon footprints, and increases the energy efficiency of projects.

### **Commodity Award Process**

The CEP process is allocating commodities prior to the completion of project EIR/EIS or even an adopted master or community plan. These essential actions must be taken first prior to award of any commodities, especially in consideration that the TRPA has suggested that the CEP projects are intended to inform the Regional Plan. Approval of bonus awards for projects that may adversely impact the environmental threshold carrying capacities (ETTCs) prior to the updated approval of the EIS and Regional Plan is premature and not rationally consistent with the plan adoption process.

### **Summary Conclusion**

Finally, it should be stressed that while water quality and lake clarity are of high concern and focus for our region (as evidenced by the proportion of funding for the EIP), the CEP needs to focus on an acceleration of the attainment of the all of the environmental thresholds.

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

Sincerely,

Carl Young

Program Coordinator

League to Save Lake Tahoe