

October 25, 2020

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Stateline, NV 89449  
*Submitted via email*

**Re: 2020 Linking Tahoe: Regional Transportation Plan & Sustainable Communities Strategy: Plan and Initial Study – Mitigated Negative Declaration/ Initial Environmental Checklist – Mitigated Finding of No Significant Effect**

Dear Ms. Cremeen, Ms. Glickert, TRPA staff and Governing Board –

**Introduction**

The League to Save Lake Tahoe (League) appreciates the opportunity to provide input on the draft 2020 Linking Tahoe: Regional Transportation Plan (RTP or Plan) prepared by the Tahoe Regional Planning Agency (TRPA). We support and recognize the RTP as an essential step in implementing sustainable, long-term transportation solutions in the Lake Tahoe Basin. The Plan demonstrates TRPA's commitment to adopting forward-thinking policies, endorsing critical transit improvements, and collaborating with local jurisdictions and stakeholders. This is reflected in the approach to further implement the goals and policies laid out in the 2017 RTP by focusing on four critical areas (trails, transit, technology, and communities) with a more realistic funding plan. The constrained projects accurately reflect the needs and shortfalls of Tahoe's current transportation climate and anticipated future demand. The League appreciates the flexibility built into the plan which may allow for accelerated implementation of some priority projects, at least as pilots or proof-of-concept.

The League agrees that it will take a combination of public and private players, and changes to how Tahoe approaches both existing and future development, to implement the ambitious and achievable 2020 RTP. As the Plan states (page 115), "Addressing demand for travel begins at the project level with private development helping to improve mobility in Tahoe, reduce regional VMT to attain and maintain TRPA's VMT threshold, reduce mobile source GHG emissions, and reduce roadway congestion. TRPA and its many partners will further reduce demand on Tahoe's roadways by creating travel options that are more attractive than the personal automobile." If carried out successfully, this 2020 Plan will represent real, tangible progress for the entire Tahoe region. We support the general concepts presented in the RTP but suggest bolstering certain policies and including additional solutions to further strengthen the Plan and ensure its successful implementation. While we support the RTP and understand that the VMT threshold update is a separate process, they are inextricably linked and we need to be comfortable with the VMT update before we can support adopting the RTP.

## **Performance Measures and Adaptive Management**

The League was involved with the development of the 2017 RTP and we would like to see an analysis or summary of how we performed as a region in terms of implementation. We are envisioning a high-level summary that is not the performance measures required by the State and Federal governments, but one that identifies the number or percentage of projects completed in each category and progress toward plan goals. Beyond the absolute number or percentage, metrics like transit ridership, miles of trails built and roads rehabilitated, amount of money actually raised for each category, etc. can be used by partners and decision makers to help identify where we thrived and where we struggled as a region. It would be ideal to have this the year before each RTP update, or along with TRPA's threshold update schedule, and used as a basis for an ongoing performance evaluation that is part of adaptive management, allowing us to achieve even more success with the 2020 RTP and future updates.

## **Overview**

We have three high-level concerns with the RTP and corresponding environmental documents.

- **Plan alignment.** TRPA relies on local governments and agencies to implement the RTP, with the Tahoe Transportation District (TTD) and Tahoe Truckee Area Regional Transit (TART) responsible for transit. TRPA staff did a great job working with transit implementers to create the constrained project list and funding plan. In order to align goals, policies, projects, and timelines, the transit providers will need to update their respective plans – Transit Master Plan (TMP), Short Range Transit Plan (SRTP), and Corridor Connection Plan. The League would like to see a schedule for transit providers to bring their plans into alignment included in the final adopted RTP.
- **Revenue projections and project prioritization.** While we believe that the 2020 RTP is a reasonably fundable plan, this year's pandemic and associated challenges are a reminder that even well-laid plans can be derailed. We also understand that project prioritization is not always explicit in an RTP. In line with a theme of the 2020 RTP, we would like to see options and flexibility in funding. This could be a subjective discussion of a worst-case scenario such as no additional local funding becoming available.

The League would also like the Plan to prioritize within the unconstrained project list. For example, it is concerning that the cross-lake ferry and intercept lots appear to be considered at the same level of importance or necessity, as we believe that intercept lots achieve more RTP goals than ferries. The prioritization could start with the tradeoffs between vehicle miles traveled (VMT) reduction and non-auto mode increase based on cost effectiveness.

Finally, we recommend more consistency in language around transit project prioritization. The Plan can be more consistent by describing a flexible approach to reflect the statement on page 43 that "The plan and its phases are built to flex and adapt, such as for the accelerated implementation envisioned in the Bi-State Consultation or to accommodate pilot projects that advance the plan to its goals" instead of the more prescriptive language on page 45 calling for local and community routes and then recreation and seasonal services.

- Levels of significance, thresholds, and mitigation measures in the Initial Study – Mitigated Negative Declaration/ Initial Environmental Checklist – Mitigated Finding of No Significant Effect (IS/IEC). The League is very concerned about the use of the currently-under-development VMT threshold update, project-level guidance, and air quality mitigation fee (VMT Workplan) as mitigation for the RTP. The League continues to support intelligent, collaborative transportation planning within the Lake Tahoe Basin, and it is certainly not our intention to take any action which might interfere with federal funding. However, the RTP policy and implementation relies on other documents that have yet to be released even though they are repeatedly referenced throughout the RTP. Specifically, the RTP is contingent upon the completion of the VMT Workplan which still has some contentious issues to address – the removal of the “absolute” regional VMT threshold and replacement with an “efficiency” standard for the Basin in particular. It is also unclear how the Transportation Technical Advisory Committee’s (TTAC) work and RTP are connected. It is safe to assume that with the exact same December 2020 RTP and VMT Workplan package approval date, there is no opportunity to incorporate the TTAC’s important efforts to evaluate VMT and other metrics for traffic impacts into the RTP.

We provide detailed comments in the Environmental Analysis section of this letter, but the timing of the release of the RTP in relation to other referenced documents, as well as the metric review processes mentioned above, has made it difficult for the League to adequately review and comment on the RTP as it stands today. We don’t want to change the threshold to *adopt* the RTP, we need to change it to *implement* the RTP. The League needs to be comfortable that the VMT threshold update fulfills that intent before we can support the RTP.

We also have issues with the analysis around water quality and population and housing impacts. The League must hold its full support of the RTP until consideration of the below recommendations.

### **Plan Details**

Our comments provide additional detail on the big picture issues raised above, request additional information, and provide more detailed recommendations in the following areas:

1. Overarching Comments on Projects
2. Transit Projects
3. Trails Projects
4. Technology Projects
5. Community Projects
6. Funding the Plan
7. Measuring and Managing for Success
8. Moving Forward/Implementation
9. Comments on Appendices
10. Environmental Analysis
11. Conclusion

## **1. Overarching Comments on Projects**

### *Constrained Versus Unconstrained Projects*

The narrative and the project list in Appendix B are difficult to track in some cases. We recommend improving consistency by creating separate lists for constrained and unconstrained projects. For example, some projects are listed as both constrained and unconstrained (e.g. Appendix B “Regional Bicycle and Pedestrian Improvements from the Active Transportation Plan 2026-2035” is both constrained and unconstrained for 2035). This is further confused by the “Summary of all Projects by Strategy” table in Appendix B which indicates that there are not any unconstrained active transportation projects projected for 2035 or beyond. League staff also noted some inconsistencies in the narrative sections regarding unconstrained projects and between the narrative and the project lists. The Plan states that additional unconstrained project funding will result in mobility hubs and transit centers coupled with park and ride and intercept lots, and a cross lake passenger ferry. The mobility hubs and cross-lake ferry are on the project list but the intercept lots are not on the list, even though intercept lots are planned for implementation in 2045 on page 49. We believe intercept lots are an integral piece of the RTP and encourage TRPA to include them on the project list – either constrained (potentially by replacing some Operations & Maintenance funding) or unconstrained.

### *Employer-Based Trip Reduction Program*

On page 41, the Plan asserts that the Commute Tahoe employee trip reduction program “will be widely launched throughout the Region in 2021 and monitored annually by TRPA.” This was identified as an implementation measure for the 1992 RTP, is codified in TRPA’s ordinances, and it has never been enforced. The League sits on the Board of the South Shore Transportation Management Association (SS/TMA) and we are excited to help bring awareness to and provide resources for this program. Education and outreach only go so far - does this mean that TRPA will begin enforcing its Code of Ordinances Section 65.5? We would like to see a schedule and workplan for that enforcement and look forward to annual status reports on progress including Level 2 employers’ designated Employee Transportation Coordinator and Employer Transportation Plan.

### *Parking Management*

As with our comments on the 2017 RTP, we would like to see more of a focus on regional parking management. As a region, we need to get ahead of potential opposition to the change and explain to the public what it is and why it is good for Tahoe. The 2020 RTP could help start this paradigm shift. There are no parking management projects or programs specified in the RTP beyond the existing SR 28 pilot program and already-planned efforts in Tahoe City-Resort Triangle and potentially Meeks Bay. Local jurisdictions and specific projects are already beginning to implement parking management but a regional approach is needed, as recommended in ICF’s 2019 report “Exploring Emerging and Innovative Transportation Solutions for Tahoe” (White Paper) and TDM workshop (Appendix D) and by the Bi-State Consultation (page ES-4). Additionally, as per our 2017 RTP comments, TRPA can implement parking management strategies such as replacing parking minimums with parking maximums and creating regional consistency through minor changes to its Code of Ordinances (Section 34.2).

## **2. Transit Projects**

Reiterating our overarching comments on revenue projections and project prioritization, we would like to see more general language throughout the Plan that explains how flexible timing and phasing can be used to achieve performance measures through an adaptive management approach to decide which projects to pursue over the 25 year planning horizon. We are especially fond of the Bi-state Consultation’s goal for transit enhancements “to double transit ridership in town centers and at popular recreation areas” (page ES-4) and would like that to be one of the specific goals of the 2020 RTP, using adaptive management and project prioritization to achieve it. This is a realistic priority focus. We also expect that this performance measure and approach will be reflected in partner agencies’ updated TMPs and SRTPs. This performance measure- based adaptive management structure can be implemented by TRPA for transit with their authority under TDA Public Utilities Code (PUC) Section 99244.

Based on initial successes and lessons learned from microtransit in Tahoe, the League would like a stronger emphasis on early implementation of microtransit and private service providers in line with the Bi-state Consultation’s priorities. We were encouraged to see some indication of early microtransit implementation on page 51 – “Private transit operators will provide service every 20-30 minutes along the SR-89 recreation corridor between Pope Beach and Emerald Bay for South Shore Riders” by 2025. The League is very supportive of this aspect of the SR 89 Corridor Plan and this RTP, but we were disheartened to see the Emerald Bay pilot project from the 2017 RTP not implemented and not carried forward to the 2020 RTP. To help accelerate implementation of transit service between Camp Richardson and Emerald Bay, it would be helpful if this were a standalone project or separate sub-project of SR 89 Corridor Plan implementation in the RTP.

Finally, we have one very specific recommendation that we hope is in the purview of the RTP. We would like the bus stop on eastbound Lake Tahoe Boulevard between Julie Lane and Tata Lane in South Lake Tahoe moved. With the completion of a “complete streets” project for this section of Lake Tahoe Blvd. in 2021 – which will reduce the vehicle lanes to one in each direction – and the anticipated construction of the 240-unit Sugar Pine Village, this bus stop will see more use and will create more user conflicts. We recommend moving the bus stop from the soon to be busy and narrow road to Julie Ln or Tata Ln, where the bus route circles the block anyway.

## **3. Trails Projects**

Creation and rehabilitation of trails has been a great success in Tahoe over recent years and we are encouraged that the trend will continue with 2020 RTP implementation. The League supports the focus on completing the South Shore Greenway and the Tahoe Trail around the Lake - especially the bike path connections along the North Shore. We encourage TRPA to play a regional role in outreach and education to help local implementers build their trail projects. TRPA’s leadership and resources can help proactively address issues like visitor management (e.g. trash and graffiti, enforcement) and public misconceptions (e.g. effects of bike paths on residential neighborhoods).

#### **4. Technology Projects**

The League strongly supports “Making Travel Options More Attractive with Technology” and encourages TRPA to provide more discussion and improvement recommendations. As with regional leadership and support for trails projects, TRPA can support and provide resources and collaboration to accelerate technology improvements which improve our regional transportation system - such as coordinating message feedback signs. TRPA can also provide resources for, and/or require as a condition of funding to transit providers, automatic rider counting and stop number boarding, which the League believes is one of the most important and incomplete datasets. Technology is one area where TRPA does not have to rely on implementing partners. TRPA can directly implement technology improvements like a regional trip planning tool and regional parking management. Even though this is a new RTP focus for 2020, the League encourages TRPA to accelerate the technology goals and actions as possible, and queue the rest of them up to be a priority in the next RTP update. For the 2020 RTP, the League’s priorities for accelerated projects are a regional trip planning tool in place by 2025 and other “technology for the user” improvements as near-term priorities.

#### **5. Community Projects**

This is another new focus area for the 2020 RTP that the League strongly supports, especially the mobility hubs, Community Priority Zones, and detailed Corridor Plan discussions.

##### *Mobility Hubs*

The League sees mobility hubs as a necessary piece of the transportation system and is concerned that the high price tag will be a barrier to implementation. As noted above, we are also unsure if the mobility hubs are constrained or unconstrained. Regardless, there is an opportunity to make progress by building on the existing transit centers and TTD’s recent purchase of a potential site in Incline Village. Mobility hubs do not require a large footprint or a lot of amenities to integrate multimodal services and make journeys across several modes convenient. Smaller mobility hubs may be placed behind commercial areas or integrated into mixed-use development in Town Centers. These mini mobility hubs can still include amenities such as a bike share, e-charging, PMD, TNCs, microtransit, real-time transportation info, and more - with room for full size transit as that service expands. Any number of these amenities can also be added to enhance existing transit centers. This approach could be especially effective and lower cost if large mobility hubs are on the unconstrained list.

##### *Community Priority Zones*

This was a fantastic idea to include in the 2020 RTP. Based on the narrative and data, the areas identified seem to include our most dense populations of the elderly, individuals with a disability, and those without access to a car. To ensure they are comprehensive and align with Regional plan goals, the League would like to see how the annual Unmet Transit Needs meeting results are reflected and how much overlap there is with Town Centers. We would also like to see more closely zoomed in maps of each Community Priority Zone. It is difficult to tell, for example, how much of the Rocky Point neighborhood is included, or the exact extent of the Kings Beach Priority Zone.

## **6. Funding the Plan**

Reiterating our overarching comments, the League would like the Plan to 1) at least roughly identify which funding sources go to which projects, programs and plans (i.e. what gets cut if the local share or regional revenue source projections are not realized?); 2) prioritize the unconstrained projects based on cost-effectiveness for reaching VMT and mode share goals; and 3) make the language around timing/phasing more consistent and include flexibility based on performance measures and adaptive management.

Identifying reasonably foreseeable funding and reconciling that number with the nearly endless list of potential transportation projects is one of the most difficult, and most important, pieces of the RTP. The League commends TRPA staff for performing an incredible balancing act resulting in what we believe is a more realistically fundable RTP than the 2017 RTP. After a detailed review, League staff provides the following recommendations for your consideration, and some questions we would like answered.

- The table at the beginning of Appendix B projects a revenue shortfall of \$97 million by 2025 – \$3 million for active transportation projects and \$94 million for deferred operations and maintenance. We recommend focusing on raising the \$3 million for specifically identified active transportation projects which are historically easier to fund in Tahoe and would eliminate the entire active transportation deficit, ensuring full build out of the Trails focus area.
- Free-to-the-user transit is a transformative change that has been a long time coming in Tahoe. We would like to see it highlighted as a success to continue and build upon. It would be helpful if the Plan clarified that the farebox revenue in the projections are from the ferries and regional transit, not from in-Basin transit.
- How much revenue does the rental car mitigation fee provide annually, when was the last time it was updated, and is there an opportunity there? What about fees on TNCs like Uber and Lyft to offset their well-documented congestion increasing effects?
- What is the Transportation Improvement Program (TIP) update schedule? Can it be used to incorporate Bi-state Consultation or other priorities based on performance measures and adaptive management?

## **7. Measuring and Managing for Success**

Performance tracking and monitoring is of course integral to successful plan implementation. TRPA has made great advancements over the last four years with additional bike and pedestrian counters, better tracking of transit ridership, and accessing “big data” sources. The League commends TRPA staff on this and encourages the agency to require and/or provide affordable methods of before-and-after trip and mode share tracking for all significant projects. We also provide a few specific suggestions here to enhance the monitoring protocols.

- Break out e-scooters and other private transportation providers. This would help better estimate the effects on VMT, GHG, and mode share if private providers do not become as prevalent as planned or if existing providers, such as Lime, were to leave the Tahoe market.
- We greatly support verifying non-auto mode share through real-time data and enhanced travel surveys due to its status as a primary Bi-State Compact (Compact) goal and one

of the only two overall performance measures for the RTP, the other being a threshold which rises to a similar level of importance as Compact goals.

- It is well known that accidents involving bikes and pedestrians are underreported, nationally and in Tahoe.<sup>1</sup> The League encourages TRPA staff to work with local law enforcement agencies to better track incidents, not just accidents. One method that the advocacy community made some initial progress toward is creating or activating specific incident and accident codes for bike, pedestrian, and car crashes (bike-car, bike-pedestrian, pedestrian-car, etc.). This would help better track the performance measures, prioritize or create projects and programs in response, and apply for funding to implement the RTP.
- As part of this Plan, pavement condition should be tracked to correlate with the water quality threshold impacts from Plan implementation. This could also help ensure implementation with water quality and stormwater funding sources.
- The League encourages TRPA to use their authority under TDA Public Utilities Code (PUC) Section 99244 to “annually identify, analyze, and recommend potential productivity improvements, which could lower the operating costs of those operators who operate at least 50 percent of their vehicle service miles, as defined by subdivision (i) of PUC Section 99247, within the area under its jurisdiction.” Based on this annual assessment and resulting recommendations, TRPA should use its authority to allocate funding based on the operator implementing recommended improvements and meeting established performance measure targets. The performance measures should be those in the Plan (with the addition of the Bi-State Consultation goal to double transit ridership) and the recommendations should be part of the adaptive management approach to implementing projects.

## **8. Moving Forward/Implementation**

The 2025, 2035, and 2045 visions are thoughtful and inspiring, but we continue to ask that some flexibility be incorporated. The League is encouraged to see that “TRPA will establish methods for understanding and reporting on Everyday, Discover, and Visit Tahoe travelers to better understand each user, their travel needs, and how much VMT each produces.” When TRPA establishes this schedule, we would like it to be integrated with the performance measure based adaptive management implementation structure which we are recommending.

## **9. Comments on Appendices**

### *Appendix D: Innovation in Transportation*

The League was excited to see the 2019 White Paper and take part in the TDM workshop that same year. We support all of the recommendations summarized for each section in Appendix D. We would like to see more of these recommendations reflected in the Plan, especially microtransit, micro mobility, seasonal shuttles, and incentives and marketing (which is notably absent, especially with the TMAs recently increasing their capacities and TTD getting \$250,000

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<sup>1</sup> Lake Tahoe Region Safety Strategy (2019): <http://www.trpa.org/wp-content/uploads/Tahoe-Safety-Plan-Final-02-20-2019-reduced-size.pdf>

for two years of marketing). The recommendations and this new information, for example, could be put under TDM – “marketing and information” – on page 40.

#### *Appendix F: Environmental Justice*

The League appreciates this addition to the 2020 RTP and would like to see it emphasized more in the Plan narrative, including a section in the Executive Summary.

We are very supportive of the recommendation at the end of this appendix for TRPA, acting as the MPO, to adopt a new definition for disadvantaged communities (DAC) that is specific to Tahoe. This could make Tahoe more competitive, or even just eligible to apply, for many California funding sources. One recommendation is to base the DAC definition on the environmental justice demographic analysis used to define priority communities in this appendix. The League has additional ideas for criteria, and we would be excited to work with TRPA on this action.

League staff noted that the Stateline Community Priority Zone seems to be missing from Table 23: Priority Communities Transportation Access.

#### *Appendix G: Data and Forecasting*

The League appreciates TRPA’s time to update the TRIA tool, making it more realistic than the past TRIA runs associated with the 2017 RTP and some specific projects. The description of TRIA 2.0 asserts that the update was based on current conditions in the Tahoe Basin, or existing trip reduction estimates developed locally. This appendix also mentions that Placer County updated its vehicle trip generation (VTG) rates. We would like to know how the trip rates built into TRIA 2.0 compare to trip rates developed by Placer County and the trip rates in TRPA’s latest interim project-level guidance.

Because TRIA will be used throughout the Basin for all land use projects, it must be as accurate as possible. We have two specific questions and a request that will help build our confidence in this tool:

- How are intercept lots included when they are not on the constrained project list? Same question for parking management.
- How are GHG benefits from PMDs established? The League has received feedback that is critical of the GHG reductions claimed by Lime.
- We would like TRPA to conduct a sensitivity analysis to see how projects analyzed using TRIA 1.0 in the past compare to a TRIA 2.0 analysis (the Highway 50 Revitalization Project is a good candidate).

## **10. Environmental Analysis**

The Initial Study – Mitigated Negative Declaration/ Initial Environmental Checklist – Mitigated Finding of No Significant Effect (IS/IEC) is very detailed and thorough. The League is providing specific concerns about the water quality, population and housing, and VMT metrics, assumptions, and findings.

### *Water Quality*

In the TRPA checklist section 14.e “Maintenance of public facilities, including roads” (page 184), it is stated that “ Because projects included in the 2020 RTP/SCS would be similar in nature, scale, and location as under the 2012 RTP/SCS, and would incorporate site specific design and mitigation, no new significant impacts or substantially more severe impacts would occur beyond those previously analyzed in the 2012 RTP/SCS EIR/EIS and 2017 RTP/SCS IS/IEC.” The difference between 2020 and the past two RTPs is that deferred maintenance appears to be on the constrained project list in 2012 and 2017 but largely unconstrained in 2020. The League agrees with this change because we think it will help accelerate funding for implementing projects with more VMT reduction and mode share diversification benefits. The unintended consequence of this change is that there may be fewer water quality benefits than assumed in 2012 and 2017 as road maintenance reduces sediment delivery to the Lake. The link between pavement condition and water quality is expressed in System Preservation Goal 6.2: “Maintain and preserve pavement condition to a level that supports the safety of the traveling public and protects water quality.” The League would like to know if the 2020 RTP’s effects on water quality are substantially different than those based on the 2012 and 2017 assumptions. If there are more negative water quality impacts, we would be happy to discuss potential additional mitigation measures such as funding deferred maintenance projects through EIP plus other funding sources that are not traditionally transportation-focused.

### *Population and Housing*

In the CEQA Environmental Checklist section b. “Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?” (page 176), it is stated that “Similar to the 2017 RTP/SCS, new and modified transportation and land use projects included in the 2020 RTP/SCS are not anticipated to cause the displacement of existing housing or people...”. Between 2017 and now, the Highway 50 Revitalization Project (Loop Road) has progressed to the point of having a preferred alignment. That preferred alignment would temporarily and permanently displace residents and businesses. The alignment would also affect TRPA checklist sections 11.b and 12 regarding temporary housing and changes in affordable housing. It is possible that the environmental review for the Loop Road covers this issue. Nonetheless, the issue should be directly addressed, especially considering a much smaller project is specifically addressed in the 2020 RTP IEC/IS (Caltrans Tahoe City Maintenance Station).

### *Vehicle Miles Traveled*

The League has four main areas of concern related to vehicle miles traveled: 1) the absolute increase in VMT is not necessary or acceptable, 2) the outcomes of the in-progress VMT Workplan seem pre-determined and RTP adoption is based on those outcomes, 3) RTP adoption must be based on the current thresholds, and 4) it is unclear if the current mitigation measures will continue even though more are needed.

The IEC/IS finds (page 200) that “Notwithstanding the beneficial impact of implementing the 2020 RTP/SCS, the Plan Area in the 2045 condition would exceed the VMT threshold value (as the region does today) by an additional 1.2 percent even though the RTP strategies are VMT reducing strategies...Thus, while implementation of the 2020 RTP/SCS would be beneficial

regarding VMT (and therefore not cause an adverse impact under CEQA), it would not be beneficial enough to reduce VMT by an additional 8 percent (or 111,215 vehicle miles) to meet the current VMT threshold.” On the next page, this is qualified with the statement that “In order to adopt the 2045 RTP/SCS, TRPA’s Compact and Code require the Governing Board to find that the entire Regional Plan (including the RTP), will eventually achieve and maintain the VMT threshold. TRPA, however, has limited levers to control the exogenous VMT generation that primarily drives the nonattainment status of the threshold.” The League does not believe that all feasible mitigation measures have been considered and takes issue with the assertion that TRPA cannot control “exogenous VMT generation”. If a project (or plan in this case) results in an increase in VMT, it must look to mitigate those impacts. The only mitigation measure offered beyond the project aspects themselves is the current phased release of allocations, which we will discuss more below. While TRPA may not be able to control mega-region population growth and increased interest in outdoor recreation, it absolutely can – and is charged by the Compact to – influence how people get around after they arrive. The external or “Visit Tahoe” trips that are allegedly out of TRPA’s control only constitute 11% of the regional VMT. TRPA can and must find incentives and regulatory tools to reduce VMT from trips within the Basin, which are absolutely in TRPA’s control. Identifying these tools and how to incorporate them into the RTP and TRPA Code of Ordinances should be the focus between now and December. The League is more than willing to be a partner in that effort.

The League, TRPA and many partners have invested considerable time into the VMT Workplan through the TTAC and Governing Board meetings over the last few months. After reviewing the RTP and IEC/IS, we are disappointed in how pre-determined the results of the VMT Workplan seem to be. As discussed above, in order to adopt the RTP, the TRPA Governing Board must find that it will not cause a threshold to be out of attainment. TRPA is clearly assuming the RTP will be adopted in December which means the existing VMT threshold will have to change to allow adoption. This assumption is clear on page 202: “As discussed above, TRPA commenced a process to update the VMT threshold to reflect concerns more directly measured by VMT, including GHG reduction, increased mobility, and reduced reliance on the automobile. Under direction of the Regional Plan Implementation Committee, TRPA is developing a metric promoting VMT reduction per capita to meet the GHG objectives of both California and Nevada that will also drive increases in mobility and decrease reliance on autos. Because the 2020 RTP/SCS limits VMT growth to nominal levels that exceed state standards, TRPA will likely be able to make the necessary findings to adopt the 2020 RTP/SCS.” The League interprets this to mean that TRPA plans to change the VMT threshold to be in attainment so the Plan can be adopted.

The League feels it is premature to assume what the new standard will be, and we also have a “process issue”. The TTAC has not reached consensus on the type of threshold (i.e. absolute or efficiency), let alone what the threshold standard will be. The Plan and IEC/IS repeatedly refer to a per capita VMT as a performance measure and an outcome of the results chain, insinuating that a per capita threshold will be adopted in order to adopt the Plan. Even without TTAC input, TRPA should not assume that a per capita VMT threshold is appropriate to measure transportation impacts in Tahoe. TRPA started analyzing per capita VMT in 2012 as a requirement of SB 375’s GHG requirements. In both the EIS/EIR for the 2012 RTP and the

IEC/IS for the 2017 RTP, TRPA clearly states that “VMT per capita is a valid metric for helping to address greenhouse gas analysis, but it is not a transportation standard under TRPA regulations or CEQA requirements, and is not a strong measure of transportation impacts because overall traffic could still increase under this measure. The 2012 RTP/SCS EIR/EIS referenced the appropriate standard of significance for transportation impacts, which was the VMT Threshold Standard, as analyzed in the 2012 Regional Plan Update EIS (RPU EIS), which was in process at the same time as the 2012 RTP/SCS EIR/EIS, and recently reported on in the 2015 Threshold Evaluation Report.”<sup>2</sup> The 2017 RTP was adopted based on the projection that the Basin would be in attainment of the absolute VMT standard in 2020. This is not the case with the 2020 RTP. We are currently out of attainment and need to be comfortable with a replacement. We are open to the idea of an efficiency standard but it will need to have triggers and response mechanisms to make sure we do not have uncontrolled VMT growth.

Beyond the projects in the Plan, the only mitigation measure for VMT is the same mitigation measure that the 2012 RPU, 2012 and 2017 RTPs, and projects included in those plans rely on: Mitigation Measure 3.3-3 from the 2012 RPU EIS which addresses impacts to the Vehicle Miles Traveled Threshold Standard. The mitigation required to maintain VMT threshold attainment is “the phased release of land use allocations followed by monitoring and forecasting of actual roadway traffic counts and VMT. New CFA, TAUs, and residential allocations will be authorized for release by the TRPA Governing Board every four years, beginning with the approval of the Regional Plan.” On page 201 the IEC/IS explains that “TRPA Code Section 50.4.3 requires TRPA to stop issuing residential allocations if the agency cannot conclude the VMT threshold will be maintained over the next four years. As the current VMT threshold is presently out of attainment and is not anticipated to come back into attainment by 2045, no residential allocations will be distributed.” Consistent with our VMT comments, the League is concerned that TRPA will change the VMT threshold at the same meeting that the RTP is up for adoption which would allow the release of residential allocations, which would not be allowed with the current threshold. The phased release of residential allocations is an example of the type of mitigation that may be required to compel TRPA and implementing partners to prioritize investment in transportation. While the phased release of the small number of remaining residential allocations will itself not have a huge impact on regional VMT, the intent is that the loss of allocations will motivate implementation agencies to prioritize RTP projects in their jurisdiction. To our knowledge, TRPA has never actually withheld allocations even when the code required that action. Due to this history, we have reservations that TRPA will implement or enforce responses to threshold exceedances. This is why we regularly propose early triggers and gradual responses so a drastic and unpopular response is not needed. The League would like to work with TRPA to identify feasible mitigation measures in addition to the phased release of allocation that motivate RTP implementation.

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<sup>2</sup> 2017 RTP IEC/IS, Page 3-53. <http://www.trpa.org/wp-content/uploads/2017-RTP-SCS-IS-IEC-All-Attachments.pdf>

## **11. Conclusion**

The League is generally supportive of the Plan itself, with the specific recommendations contained in this letter. Big picture, we would like to see better alignment with implementers' plans, a discussion of a "worst case scenario" for funding projections, prioritization of unconstrained projects, and a performance measure-based adaptive management implementation structure which we are recommending TRPA clearly articulate and commit to in the Plan.

The League's main concern with the IEC/IS is that it is inappropriately reliant on a yet-to-be-determined VMT threshold update and it cannot be adopted without a fundamentally "lower" VMT threshold because we are not in attainment of the current threshold. It is not appropriate to change the threshold in order to achieve attainment and adopt the RTP. We need to take this opportunity to figure out ways to compel partners around the Basin to help implement the RTP. This means that the threshold needs to have triggers and responses that TRPA will enforce.

Tahoe needs to aim for higher standards than either Nevada or California. The burden of making up for the environmental impacts of past development should not fall solely on new development, which requires TRPA to find ways to use its resources and authority to also reduce the impact of existing development. The League would like to work with TRPA staff and the TTAC to identify additional feasible mitigation measures that will encourage and accelerate RTP implementation.

Thank you for considering and incorporating our comments and suggestions. Please do not hesitate to reach out to me directly with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Feiger", with a long horizontal line extending to the right.

Gavin Feiger  
Senior Policy Analyst