

March 22, 2024

Tahoe Regional Planning Agency  
Governing Board and staff  
128 Market St., Stateline, NV, 89410  
Submitted via email

RE: Transportation and Sustainable Communities Threshold Standard 1

Governing Board Chair Gustafson, Members and TRPA Staff:

The League to Save Lake Tahoe (League) appreciates the opportunity to provide further comments on implementation of the Vehicle Miles Traveled (VMT) Threshold standard (Transportation and Sustainable Communities Threshold Standard 1). We are grateful for the extensive time TRPA staff and board members have taken to work with us through the challenges implementing the VMT threshold. Although we were not able to come forward to this board in alignment with the staff recommendation, we are hopeful that a board decision will address our biggest concerns detailed below.

The League asks that the Governing Board adopt the attached proposal as the next steps for implementing the VMT threshold to protect Lake Tahoe from VMT exceedance while allowing for sustainable and environmentally beneficial development. Most importantly, we urge the board not to decouple the funding milestones from land use policy.

**These comments include a proposal to adjust the VMT threshold standard to address questions and concerns from the Board while preserving the intent.** This proposal with redlined amendments to the current threshold is included as an addendum.

**Context and History.** The foundation of the updated threshold is based on reducing VMT per capita from a baseline through implementation of the Regional Transportation Plan (RTP). Securing “ongoing regional funding source or sources dedicated to transportation” the Basin will mitigate impacts from existing VMT and additional VMT from future projects. An environmental safeguard, negotiated and unanimously approved by the Board in 2021, was written to be automatic if the funding milestone was not achieved by December 31, 2023. This was negotiated in good faith over the course of nearly two years between several stakeholders, namely the League and the California Attorney General's office after the original VMT threshold was exceeded as a compromise. The environmental safeguard agreed upon by all interested parties to address the original VMT exceedance is to prevent adding new VMTs to the environment while TRPA and other entities find ongoing funding to implement the RTP. The safeguard is a no-net unmitigated VMT standard for projects excluding affordable or single family housing which shall go into effect until funding is achieved.

**Funding.** Despite the funding successes of 2023, we have clearly fallen short of the target stipulated in the VMT Threshold specific to the “ongoing” requirement which is essential to having certainty in our ability to fund and implement the RTP to the level necessary to offset impacts over time. The formal commitment by Nevada, Placer County, the City of South Lake Tahoe, and the informal buy-in from partners such as the League to this framework, shows that the threat of this trigger has been working.

**Environmental thresholds.** TRPA's top mandate is to protect the environment, and this is an opportunity to stand up for the Lake. The VMT threshold is an important backstop to ensure that plans, policies, and projects that TRPA approves do not negatively impact the environment. Thresholds provide an integral and measurable lens in which to approve or reject projects in order to protect the environment and must be upheld. Strong policies have been created and implemented to achieve and maintain thresholds. Watering down TRPA's mandated thresholds is incongruent with TRPA's mandate and the thousands of hours of staff and board time to date.

The League is committed to continuing to advocate with the Tahoe partnership for sustainable funding around transportation at the federal and state levels- our collaborative efforts will be vital to ensuring success and to participating in the adaptive management aspect of this threshold

Sincerely,

A handwritten signature in black ink, appearing to read 'Darcie Collins', with a long horizontal flourish extending to the right.

Darcie Collins, PhD  
Chief Executive Officer  
on behalf of the League to Save Lake Tahoe

## Addendum: League Recommendation

Through extensive conversations with TRPA staff, board members and other stakeholders over the last 8 months, and in response to direction from the Governing Board on January 24, 2024, the League has taken into account current pressures in developing the following recommendations to amend the carefully negotiated VMT threshold and associated milestones and management.

The board-adopted goals in Regional Plan Goal DP-5 detail a series of milestones to adaptively manage regional land use and the transportation system to achieve and maintain the Transportation and Sustainable Communities Threshold Standard 1 (TSC-1). Regional Plan Policies DP-5.4 and 5.6 outline a process for assessing progress towards funding milestones and adaptive management responses to be implemented after results. Although the League still strongly believes that TRPA must comply with these carefully and exhaustively negotiated milestones, we understand there are questions and challenges (many valid) with these management responses that need to be addressed. The set of recommended changes below aim to address these concerns as we understand them.

We are recommending the below suggested amendments to the funding milestones based on conversations and concerns brought up by TRPA staff and board members. **It is crucial to keep a connection between funding and policy for two reasons:**

1. This has been a proven tactic thus far to provide and maintain pressure for sectors to commit to finding ongoing funding, and
2. After revisiting the threshold update terms over the past 60 days with partners, no other solution has been identified that has a better or more elegant connection between the agreed upon approach to achieving the VMT threshold standard (implementing the Regional Transportation Plan by funding the annual gap) as well as a safeguard to ensure no new VMT is added to the system while we secure funding.

We hope that TRPA agrees that the League's recommendations, an outcome from collaborative conversations with TRPA staff and board, are reasonable and achievable. We are committed to working together to ensure the health and sustainability of the Tahoe Basin, its residents, and Lake Tahoe's renowned clarity, which we all enjoy.

**DP 5.4 B:** 2024 Regional Revenue Milestone- An ongoing regional funding source or sources dedicated to transportation for the Tahoe Region that is reasonably expected to meet the needs set forth for it in the Regional Transportation Plan, shall commence implementation no later than December 31, 2023.

Suggested amendments: 2024 Regional Revenue Milestone- An ongoing regional **Funding Strategy that identifies** source or sources dedicated to transportation for the Tahoe Region that is reasonably expected to meet the needs set forth for it in the Regional Transportation Plan, shall ~~commence implementation~~ **be presented by July 2024. The Funding Strategy will be defined, including: funding plan, project prioritization, and accounting (definition of "ongoing.")**

The plan shall commence implementation and meet milestones identified below no later than December 31, 2024.

In addition to the Milestones outlined in DP-5.5 add these funding milestones: two aligned with the California budget cycle and Nevada legislative session, and the third aligned with the RTP fiscal year and 2026 funding timeline.

- Milestone 1: Achieve 51% of the ongoing funding needed identified in the RTP (the “Sustainable Funding Initiative” revenue target in the 2020 RTP).(Feb 3-June, 3 2025)
  - Response if not achieved: DP-5.6 adaptive management response as amended (see below)
  - *NOTE: the League estimates that we currently have around 1/3<sup>rd</sup> (+/- 33%) ongoing funding secured as of today*
- Milestone 2: Achieve 67% of the ongoing funding needed identified in the RTP (the “Sustainable Funding Initiative” revenue target in the 2020 RTP).
  - Response if not achieved: DP-5.6 adaptive management response as amended (see below)
- Milestone 3: October (RTP FY) 2026: Achieve 100% of the ongoing funding needed identified in the RTP (the “Sustainable Funding Initiative” revenue target in the 2020 RTP); OR achieve 100% of funding gap identified in the RTP on a 4-year rolling average, even if the individual sources are not ongoing.
  - Response if not achieved: DP-5.6 adaptive management response as amended (see below)

#### **DP- 5.6 Adaptive Management Responses to be Implemented After a results Assessment**

A. 2024 Regional Revenue Milestone- if the milestones established in DP- 5.4 B is not attained, the standards of significance for all land uses in Code of Ordinance Table 652..3-1 shall be no-net unmitigated VMT, except for deed restricted affordable and/or workforce housing. This measure will remain in effect until the funding sources described in DP-5.4.B commences.

Suggested amendments:

A. 2024 Regional Revenue Milestone- if the milestones established in DP- 5.4 B is not attained, the standards of significance for all land uses in Code of Ordinance Table 65.2.3-1 shall be no-net unmitigated VMT, except for deed restricted affordable and/or workforce housing **and for public safety projects\*\***. This measure will remain in effect until the funding sources described in DP-5.4.B commences.

*\*\* needs to be defined by the Transportation Planning committee and/or the Technical Advisory Body and adopted by the Governing Board.*

We also recommend that the Transportation Planning committee and/or the Technical Advisory Body detailed in DP-5.1 shall convene immediately to work on the following priorities:

- Define “ongoing”
- Meet two months prior to milestones to find if that milestone has been met and prepare to make a recommendation to the Governing Board to adopt finding. i.e. in the case of the above amendments, the Body would meet (May 22, 2024) to assess if we have achieved 51% of ongoing funding need
- As detailed in DP- 5.3 the Technical Advisory Body will meet to review implementation and effectiveness in the second quarter of 2024 and recommend changes.

- Include one land use change to reduce per capita VMT by limiting development rights conversions to affordable housing, which has lower VMT per capita. Commercial Floor Area (CFA) development rights conversions can only go to bonus units, not to any other uses.