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Date: December 21, 2015  
To: Ms. Stacy Wydra and Ms. Fran Ruger  
From: The League to Save Lake Tahoe  
Re: **Comments on Martis Valley West Parcel Specific Plan Draft Environmental Impact Report and Request for Recirculation**

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Dear Ms. Wydra and Ms. Ruger,

The League to Save Lake Tahoe (the League) appreciates both the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Martis Valley West Specific Plan (Specific Plan) as well as the extension to the commenting period. The Specific Plan proposal as it is presented today follows years of discussions and negotiations. Mountainside Partners (project proponent) has incorporated a conservation component as part of the Specific Plan proposal as a result of these negotiations. However, the DEIR itself is significantly insufficient in its overall environmental analysis, assessment of cumulative impacts of a future project associated with the project proponent, and ignores a true assessment of potential Lake Tahoe Basin impacts. It is for these reasons the League requests a revision and recirculation of the DEIR so that it achieves the necessary California Environmental Quality Act (CEQA) requirements. The following comments detail how the DEIR:

- I. **Does not assess potential environmental impacts because it arbitrarily assumes a “project site” and hypothetical development rights. These cannot substitute the need for a true environmental review under CEQA.**
- II. **Violates CEQA by ignoring cumulative impacts associated with the future Brockway proposal.**
- III. **Does not include an analysis of potential impacts to the Lake Tahoe Basin.**
- IV. **In general has inadequate mitigation measures and specifically for the Lake Tahoe Basin. Should have more discussion of the alternative(s) assessment.**
- V. **Has general deficiencies in impact assessment, specifically relating to transportation and circulation and biological resources.**
- VI. **Should be revised and recirculated as allowed by CEQA because it is inadequate and flawed.**

## Background

The Specific Plan proposal put forth by the project proponent is a result of years of negotiations, public comment, and agency input. The League had been engaged by the project proponent in early 2012 to discuss the project and its associated conservation easement because a portion of the original project was within the Lake Tahoe Basin. The League and other conservation groups such as Mountain Area Preservation (MAP), Sierra Watch, and Sierra Club participated in discussions relating to the appropriateness of development entitlements for the project coupled with a significant amount of environmental conservation. The original project proposal spanned what is now designated as the West Parcel in the Specific Plan of Martis Valley and a 112.8 acre portion of the Lake Tahoe Basin, which would have required Tahoe Regional Planning Agency (TRPA) approval. It also included what is to be designated as conservation as the East Parcel of the Specific Plan.<sup>1</sup>

The original proposal had essentially three planning components. The first and second components were the West Parcel located in Martis Valley within Placer County (1,052 acres) and the Lake Tahoe Basin (112.8 acres) parcel, both of which would have been the location site for development. The development project included 760 units and 6.6 acres of commercial property spanning both Placer County and TRPA jurisdictions. The project proponent sought a Resort Recreation designation through an Area Plan under the TRPA Regional Plan Update (RPU) for the Lake Tahoe Basin portion of development. The third component was the East Parcel which included a designation as conservation for over 6,000 acres of open space in Martis Valley.<sup>2</sup> The project proponent ignored guidance given by the League and other conservation groups in delaying the Lake Tahoe Basin development and establishing environmental targets as required by the RPU for Area Plans. Neither the Resort Recreation designation or Area Plan were redevelopment opportunities envisioned by the RPU. There was significant public and TRPA Governing Board pushback when the first Notice of Preparation (NOP) for the original project was released in May of 2014. While the League supported the overall concept of conservation for the East Parcel within Martis Valley, the League did not find that the Lake Tahoe Basin portion of the project complied with TRPA RPU goals and policies. The significant criticism surrounding the original proposal resulted in the project proponents temporarily eliminating the Lake Tahoe Basin development.

The project proponent shifted the 760 units and 6.6 acres of commercial development from the original Placer County and Lake Tahoe Basin project site to only the Placer County jurisdiction. This is what has now created the Specific Plan that is discussed in the DEIR. The Specific Plan is directly adjacent to the Lake Tahoe Basin parcels that were part of the original project proposal. The revised NOP for the Specific Plan was released in February of 2015. The project proponents have continuously touted their gesture in removing the Lake Tahoe Basin component of the Specific Plan.<sup>3</sup> However, in July of 2015 the project proponent applied for a new TRPA permit for the Lake Tahoe Basin parcel for Brockway campground (Brockway). The Brockway campground permit will seek approval from the TRPA for a 550-site developed campground including tent sites, camper sites, permanent shelters, a lodge, meeting pavilions, and other permanent structures.<sup>4</sup> While the Specific Plan and Brockway projects require separate approval processes, their infrastructure and environmental impacts are intertwined. Not only have they been proposed by the same project proponent, but they very likely will

be merged into the original project proposal once the infrastructure for both projects has been approved.

The Brockway proposal will require its own environmental analysis under CEQA and the TRPA Bi-State Compact (the Compact). However, the cumulative impacts associated with the Specific Plan and Brockway projects cannot be ignored or bifurcated as has occurred in this DEIR. Not only does CEQA require an analysis of known future projects, but these two projects will share a ridgeline, a road for point of access, public utilities, and the Northstar Fire Department response. The cumulative impacts and potential of eventual project merger require detailed environmental review. As these impacts were ignored, and for the other reasons detailed below, the League requests that this DEIR be revised and recirculated so that an adequate environmental review is completed.

**I. DEIR does not assess potential environmental impacts because it arbitrarily assumes a “project site” and hypothetical development rights. These cannot substitute the need for a true environmental review under CEQA.**

The Specific Plan DEIR does not conduct a true environmental review as required by CEQA because it substitutes a net-benefit analysis for the “project site” and shifts hypothetical development rights rather than assessing potential environmental impacts. CEQA requires that an environmental impact review be conducted when there is the potential for a project to substantially degrade the environment.<sup>5</sup> The DEIR conducted on behalf of the project proponent for Placer County disregards this legal requirement because it does not conduct an actual impact review. The DEIR describes that the proposed project (hereinafter “project site”) encompasses both the West and East Parcels and will transfer the 760 units and 6.6 acres of commercial property from “allowable development” of 1,360 units and 6.6 acres of commercial property on the East Parcel to the West Parcel.<sup>6</sup> The use of this project site and the term “allowable development” frame the arbitrary analysis throughout the DEIR. The assumption is made, as detailed below, that the conservation of the East Parcel coupled with the development of the West Parcel will result in net environmental gains. The other assumption, also detailed below, of the “transfer” of hypothetical allowable development from the East Parcel and comparison to a nonexistent worst case scenario results in net environmental gains. These arbitrary assumptions preclude a CEQA analysis of potential environmental impacts to the West Parcel where actual development will occur.

***a. Assuming the West and East Parcels of the Specific Plan as one project site resulting in net environmental gain precludes actual analysis of potential environmental impacts to the West Parcel.***

The DEIR uses the conservation designation of the East Parcel and reduction of overall development potential in Martis Valley to conclude that a significant portion of the Specific Plan impacts as they relate to the West Parcel are less than significant. The West Parcel exists today as pristine and undeveloped forested land. Concluding that many of the potential impacts would be less than significant because of the conservation of land not near the West Parcel is erroneous and in and of itself constitutes an environmental review under CEQA. This conclusion is highlighted in the very first impact assessment under Land Use Forest Resources, Impact 5-1: Alteration of present or planned land uses,

“The proposed [Specific Plan] would establish the planning framework for development of a portion of the West Parcel...and the preservation of....the entirety of the East Parcel. The project would result in the redesignation of 662 acres of the West Parcel from Forest to Residential...Development subsequent to the [Specific Plan] could convert up to 533.1 acres of the West Parcel from forested land to residential, commercial, and recreational development...The 6,160 acres of the East Parcel in Placer County would be preserved as permanent open space...This impact would be **less than significant**.<sup>7</sup>”

This initial framing of an impact relating to the conversion of forest land to development to be less than significant by using a net environmental benefit analysis sets the tone for most of the land use and biological resources sections of the DEIR. This specific impact assessment later concludes:

“As compared to the existing land use designations and zoning, adoption of the [Specific Plan] would reduce the total number of residential units and the density of development in the Martis Valley, and would place development closer to an existing developed area (i.e. Northstar community). The proposed conservation of the East Parcel would also establish a large, contiguous, conservation area...Therefore the [Specific Plan] would be consistent with the intent of the Martis Valley Community Plan [MVCP] and Placer County General Plan and would not result in substantial alteration of the planned uses in the Martis Valley identified in the MVCP. This impact would be **less than significant**.<sup>8</sup>”

The West Parcel is currently untouched forested land that will be converted for residential and commercial development. Claiming that there will be less than significant impacts in this land use conversion because of the conservation related to the East Parcel is not an adequate environmental review. This generalized pattern of analysis and conclusions are found throughout the DEIR (see endnote 8).<sup>9</sup>

***b. Using hypothetical development allowances to establish net environmental gain precludes actual analysis of potential environmental impacts to the West Parcel.***

The term *development allowances* used both in the DEIR and often by the project proponent in public hearings when describing the East Parcel is inaccurate and arbitrary. The DEIR relies on the transfer of these allowances from the East Parcel to the West Parcel and a comparison to a “worst case scenario” or hypothetical situation on the East Parcel to avoid actual environmental analysis. The majority of the East Parcel sits in Placer County within the Martis Valley. Under the MVCP the East Parcel is currently zoned for residential and commercial uses. These zoning uses only set forth the designation for *potentially allowable development*. The zoning does not grant or solidify any specific development entitlements or project approvals. Theoretically all zoning nation- and California-wide creates the same type of designations, but does not authorize any direct approval or actual development allowances. Any project on the East Parcel would be subject to the same CEQA requirements for environmental review. A project would also be required to be approved by Placer County. To date, there have not been any projects proposed on the East Parcel. The Specific Plan DEIR description of “the transfer of *development allowances* from the East Parcel to West Parcel” is inaccurate. In reality, the East Parcel will be rezoned or redesignated to conservation while the West Parcel is rezoned or redesignated to residential and commercial. The DEIR uses this “transfer” and a

hypothetical what-could-have-been development to the East Parcel to conclude many impacts as less than significant. Again, the very first impact assessment that has been described above under Land Use Forest Resources, Impact 5-1: Alteration of present or planned land uses relies on this by concluding,

“The land use changes proposed by the [Specific Plan] would shift development *potential* (emphasis added) from the East Parcel to the West Parcel...and would reduce the total number of allowable residential units....for the East Parcel and allowed under existing zoning...to units on the West Parcel...This would reduce overall density from 2.03 units per acre...to 1.15units per acre...This impact would be **less than significant**.<sup>10</sup>”

Again, there are no current or future development projects proposed on the East Parcel. Relying on the reduction of hypothetical development units cannot suffice for an environmental assessment of the conversion of forested land to commercial development. This conclusion is made for other impacts in the DEIR (refer to endnote 8). The arbitrary assumptions used to deduce several “less than significant” impacts under land use and biological resources sections of this DEIR alone constitute the need for the recirculation of this review. Ignoring the cumulative impacts and potential Lake Tahoe Basin impacts also support the need for recirculation as detailed below.

## **II. DEIR violates CEQA by ignoring cumulative impacts associated with the future Brockway proposal.**

The cumulative impacts associated with the Specific Plan and Brockway cannot be ignored or bifurcated. Both the project proponent and Placer County claim that the projects are unrelated and will require separate review processes. This is inaccurate for reasons already discussed. The projects are being brought forth by the same project proponent and will share the same infrastructure. The Specific Plan details using the Fibreboard Freeway as an emergency access route for the development project on the West Parcel.<sup>11</sup> The Fibreboard Freeway is the only point of access for the Brockway proposal.<sup>12</sup> In the result of an emergency (e.g., wildfire, which is common to the area), if both projects were only at half capacity, 650 vehicles and individuals could potentially be flooding the same point of exit. This would not include employees of the projects. At full capacity during an emergency thousands of people could potentially be evacuating on one single lane road. The two projects will also rely upon the same police and fire departments. Access to both projects come from SR 267, which will undoubtedly cause cumulative traffic and circulation, air quality, and climate change impacts that have been ignored in this DEIR. They will also use the same public utilities.

The DEIR details that the “list” approach is used for cumulative impact analyses to satisfy CEQA. The “list” approach requires the identification of actual projects that may contribute to a cumulative effect.<sup>13</sup> The DEIR attempts to satisfy this requirement by listing the Brockway project in a future project table and concluding that, “This list of projects was considered in the development and analysis of the cumulative setting and impacts for most resource topics within the geographic scope of each resource topic.<sup>14</sup>” This is not an adequate conclusion as detailed below for a cumulative impact assessment associated with Brockway because the assessment was ignored. CEQA requires an environmental impact review be conducted for a project that, “has possible environmental effects that are individually limited but cumulatively considerable. ‘Cumulatively considerable’ means that the incremental effects

of an individual project are significant when viewed in connection with the effects of... probable future projects.<sup>15</sup> It is clear that the Brockway project is more than probable as an application has been submitted by the same project proponent for the Specific Plan. Listing Brockway as a future project and concluding there will not be cumulative impacts does not suffice for a cumulative assessment of potential impacts. The comments below detail how the cumulative impacts for the Specific Plan and Brockway projects were not analyzed.

**a. DEIR recognizes Brockway could be constructed simultaneously with the Specific Plan, but cumulative environmental impacts of the two projects are not analyzed.**

Simply listing Brockway as a future project does not determine if the Specific Plan will have incremental effects to it or vice versa. The geographical location of these projects (being immediately adjacent to each other) and use of the same infrastructure will have cumulative impacts to the environment. The DEIR acknowledges under Cumulative Impact 13-5: Cumulative short term construction noise,

“Because the West Parcel development area is relatively isolated and, with the exception of the Brockway Campground project...With regard to the Brockway Campground Project, although timing of environmental review, approval, and construction of the project is unknown, it is possible that if campground construction were to occur simultaneously with future phases of the [Specific Plan], construction noise from vehicles and heavy equipment could cumulatively combine....the Brockway Campground construction project and the [Specific Plan] project’s cumulative short-term construction-generated noise impacts would be **less than significant**.<sup>16</sup>”

It is clear from this one impact assessment alone that the project proponents do envision the real possibility of simultaneous construction and the potential for cumulative impacts associated with both of these projects. However, the remainder of the DEIR ignores this assumption. Brockway is rarely mentioned through the other cumulative impact assessments, and if it is, the impacts are deemed less than significant as displayed above. What is most alarming is where the cumulative analysis is completely ignored. This occurs in the cumulative impacts for employee housing, biological resources, visual impacts, transportation and circulation, air quality, greenhouse gases, soils, water quality, public utilities, and hazards.<sup>17</sup> While all of these deficiencies are listed under endnote 17 it is important to specifically highlight traffic and hazards as these areas are where cumulative impacts associated with both projects will be significant.

The impact analysis for the transportation and circulation section of the DEIR highlights the area with the most significant and unavoidable impacts. The mitigation measures alone are problematic which will be discussed later. What is also extremely problematic with this particular section is the blatant disregard for the Brockway project. The cumulative impact and mitigation portion of the assessment concludes that many impacts would not only be cumulatively considerable with significant impacts, but that are also unavoidable. As already discussed, both the Specific Plan and Brockway projects will be accessed off of SR 267. As highlighted above the simultaneous construction and the general existence of these projects is highly probable. The cumulative analysis for transportation and circulation does not even mention Brockway. This is inadequate for a sufficient environmental review. It can be logically assumed that there will be a general increase to traffic and impacts to circulation with the construction

and completion of the adjacent project. The DEIR must be reassessed to complete an actual cumulative analysis.

The cumulative analysis as it relates to hazards also ignores the Brockway project. The location of the Specific Plan and Brockway is home to a constant threat of wildland fires. With continued droughts in both the states of California and Nevada, the area is more susceptible than ever. An emergency route for the Specific Plan project is the only point of access for the Brockway project. The cumulative impacts relating to an emergency evacuation plan and exposure of people or structures to wildland fire hazards not only ignores Brockway, but concludes that the Specific Plan would not result in a considerable contribution to cumulative effects.<sup>18</sup> Regardless of evacuating on the same road, both of these projects will situate thousands of individuals in a secluded forested area. Ignoring Brockway and deducing no cumulative impacts to wildfire safety make the DEIR inadequate. The DEIR also ignores potential impacts to the Lake Tahoe Basin, which the League and its members are dedicated to protecting.

### **III. DEIR does not include an analysis of potential impacts to the Lake Tahoe Basin.**

The League is the oldest environmental advocacy organization within Lake Tahoe and has a vested interest in protecting it. The location of the Specific Plan is in very close proximity to the lake itself and abuts the actual Basin boundaries. Yet the DEIR ignores potential environmental impacts to the Lake Tahoe Basin. The DEIR concludes that there will be several significant and unavoidable impacts to the region, specifically as they relate to: visual impacts, traffic and circulation, air quality, and greenhouse gases<sup>19</sup>. Many of these will have significant impacts to the Lake Tahoe Basin. While the Specific Plan lies outside of TRPA's jurisdiction, the fact that it will negatively impact the Compact thresholds requires coordination between Placer County and TRPA. The Specific Plan is not in compliance with many of the TRPA's RPU goals and policies that seek to improve threshold attainment. Disregard of Lake Tahoe Basin policy and impacts to its unique environment call for a recirculation of the DEIR.

#### ***a. The Specific Plan will have several negative impacts to the Lake Tahoe Basin.***

The DEIR either ignores a true analysis of potential impacts to the Lake Tahoe environment or states that there will be no impact throughout the assessment without explanation. The Specific Plan will raise Lake Tahoe issues relating to affordable housing, increased vehicle miles traveled (VMTs), general traffic and level of service (LOS) concerns, increased greenhouse gases associated with increase vehicle use, visual impacts, and wildfire safety.

#### **i. Affordable housing**

The DEIR explains how the Specific Plan will bring in an influx of full-time employment (FTE) opportunities to Placer County. It does not assess where these employees will be coming from (relocating or local) nor where they will be living. Under the Population, Employment, and Housing Impact 6-3: Provision of employee housing it states,

“The project is expected to generate between 66.58 and 122.68 new FTE. Consistent with Placer County General Plan housing Policy C-2, the project must provide housing or an in-

lieu fee to support housing for half the total FTE. [The Specific Plan] Policies LU-HS1 through LU-HS5 require the project to comply with this requirement, which is anticipated to be met by payment of the in-lieu fee. Because the employee housing requirement would be met by a County-approved method, this impact would be **less than significant**.<sup>20</sup>

This impact assessment assumes that the FTE will be living within Placer County outside of the Lake Tahoe Basin. If it does not make this assumption, it simply ignores the possibility of employees living within the Basin. Many FTE within Placer County and Lake Tahoe typically rely on affordable housing which is scarce. There is a significant lack of affordable housing in North Lake Tahoe generally. By increasing employment opportunities without associated employee housing, the project proponents place the burden of affordable housing opportunities on both Placer County and other North Lake Tahoe jurisdictions. Without the necessary housing, FTE will be traveling from both Placer County and North and South Lake Tahoe, which will increase general VMTs. Any in-lieu fee to Placer County for housing requirements does not guarantee that improvements would happen in the Lake Tahoe Basin. It is unclear how the Specific Plan will impact affordable housing and FTE VMTs to the Lake Tahoe Basin as it was not addressed in the DEIR.

## ii. Transportation and Circulation

The most obvious impact to Lake Tahoe that was dismissed in the DEIR is to transportation and circulation. The DEIR recognizes that the Specific Plan will worsen an already problematic traffic condition to Lake Tahoe. It provides insufficient mitigation for exacerbating this problem and the project proponents will again place the burden on both Placer County and the TRPA to resolve these issues. The DEIR states that the Specific Plan will drop the LOS for the segment of the SR267 to SR 28 (segment within Lake Tahoe Basin in Kings Beach) and that the impact cannot be mitigated. It states,

“The project would pay traffic impact fees that could be used for those portions of SR 267 located within Placer County. The Placer County Capital Improvement Program [CIP] does not include widening of SR 267 from Brockway Summit to SR 28; therefore, there would be no feasible mitigation for the significant impact of the project on the roadway segment from the Project Access Roadway to SR 28.”<sup>21</sup>

This impact and lack of any mitigation to increased traffic to the Lake Tahoe Basin is unacceptable. TRPA is mandated by the Compact to maintain and improve threshold attainment. The Specific Plan impacts to traffic and circulation prevent TRPA’s ability to attain several thresholds. Increased traffic results in increased VMTs and greenhouse gases and air quality degradation to the Basin. More discussion relating to the general inadequate traffic analysis is provided in following comments. However, it must be noted that the review must include appropriate mitigation to the Lake Tahoe Basin and not force the problem onto the TRPA.

## iii. Visual Impacts

The DEIR concludes that there will be no visual impacts to the Lake Tahoe Basin without thorough discussion as to how this conclusion was reached. The League was invited out on a boat by the



project proponents to attempt to view balloons from the Specific Plan location. However, it was an incredibly windy day that prevented accurate assessment. The DEIR uses visual simulations to conclude that development associated with the proposed project would have very minor effects on scenic vistas of the lake.<sup>22</sup> The League requests clarification as to how these deductions were made.

TRPA has very strict scenic guideline standards for view corridors within the Lake Tahoe Basin. The RPU requires that, "Regional building and community design criteria shall be established to ensure attainment of the scenic thresholds, maintenance of desired community character, compatibility of land uses, and coordinated project review."<sup>23</sup> Again, while the Specific Plan lies outside of the Basin, it has the very real potential of impacting scenic viewsheds within it, so it must meet these standards.

#### iv. **Wildfire and Emergency Safety**

The threat of wildfires is very real and something that impacts the Lake Tahoe Basin regularly. The DEIR itself states that the Specific Plan will increase traffic problems within the Basin without providing mitigation. With a general population increase associated with the Specific Plan it is inevitable that evacuation in a fire emergency event would impact the Lake Tahoe Basin. The increased probability of a fire starting within the forested area is also inevitable. The DEIR concludes in an impact assessment that the exposure of people or structure to wildland fire hazards is **potentially significant**.<sup>24</sup> Again, impacts to the Lake Tahoe Basin as it relates to this hazard were ignored. The mitigation measure for this impact is weak, as will be discussed in more detail below, by only increasing staff at the NFD station without any discussion as to how this could be implemented.<sup>25</sup> There must be an adequate evaluation of wildfire safety impacts to the Lake Tahoe Basin.

#### ***b. DEIR ignores TRPA RPU goals and polices. Placer County and TRPA must coordinate on the planning efforts of the Specific Plan and associated environmental review.***

Placer County has a legal obligation to consult with TRPA under CEQA. CEQA requires lead agencies to consult with other agencies who have jurisdiction over resources that could be impacted.<sup>26</sup> As already discussed there will be impacts to the Lake Tahoe Basin that have been ignored. The TRPA has adopted and implemented the RPU to incentivize economic redevelopment to foster environmental restoration. The RPU intends to direct redevelopment into urbanized areas, improve transportation efforts, provide the opportunity for community input, and accelerate threshold attainment. The Specific Plan and associated DEIR ignore this planning document and efforts. While the Specific Plan lies outside of TRPA's jurisdiction TRPA has the authority to coordinate planning efforts through the RPU. It specifically states,

"Where necessary for the realization of the Regional Plan the agency may engage in collaborative planning with local governmental jurisdictions located outside the region, but contiguous to its boundaries. The TRPA Governing Board shall initiate all collaborative planning efforts that are authorized by this policy."<sup>27</sup>

The TRPA Governing Board has taken its role seriously as it relates to this policy in 2015. Following the release of a draft environmental review of another Placer County project, Village at Squaw Valley Specific Plan (Squaw Valley), which also ignored potential impacts to the Lake Tahoe Basin, the Governing Board directed TRPA staff to coordinate planning efforts for near Basin projects. To the credit of both Placer County and TRPA staff, strides have been made in how to coordinate future environmental reviews to ensure near Basin projects consider RPU and Regional Transportation Plan (RTP) initiatives and modeling.<sup>28</sup> However, this Specific Plan DEIR was being drafted before this agreement between TRPA and Placer County was complete. This DEIR replicates the same deficiencies as the Squaw Valley DEIR by ignoring significant Lake Tahoe Basin impacts as discussed above and not providing sufficient mitigation measures as they related to the Lake Tahoe Basin discussed below. The League submitted extensive comments relating to the Brockway project and how that project violates seventeen RPU goals and policies. These goals and policies are listed in endnote 29.<sup>29</sup> (See enclosure *League Comment Letter Re: Brockway Campground*). The League hereby incorporates that letter into this DEIR review as the Specific Plan violates all of the same goals and policies. The League made the request at the December 16, 2015, TRPA Governing Board that TRPA and Placer County coordinate on this environmental review.<sup>30</sup> Placer County must coordinate with TRPA in reconsidering the environmental impacts associated with the Specific Plan to the Lake Tahoe Basin in a recirculated environmental review.

**IV. DEIR in general has inadequate mitigation measures and specifically for the Lake Tahoe Basin. DEIR should have more discussion of the alternative(s) assessment.**

The DEIR asserts many significant impacts without appropriate mitigation or concludes that the impacts are unavoidable. Not only is this problematic for implementation of the Specific Plan generally, but particularly as it relates to the Lake Tahoe Basin. Weak mitigation measures and lack of real alternative discussion will have long-term detrimental environmental impacts if the project and its review are not reassessed.

***a. DEIR lacks overall adequate mitigation measures and ignores the Lake Tahoe Basin.***

There are a total of thirteen significant impacts listed in the DEIR. Of these significant impacts (and one potentially significant impact) seven are found to be significant and unavoidable.<sup>31</sup> This is alarming in itself, but particularly for the traffic and greenhouse gas impacts that are found unavoidable. In short, the DEIR concludes the environmental situation as it relates to traffic and greenhouse gases is already problematic and while the Specific Plan will exacerbate these problems, the project proponent will do nothing to mitigate. The attempts at actual mitigations are weak. There is reference to making in-lieu fee and mitigation contributions to alleviate traffic concerns, but no discussion as to how these fees will mitigate actual impacts to the location surrounding the Specific Plan. The fees will feed into Placer County CIPs but again, none specifically designated within the general surrounding location of the Specific Plan.<sup>32</sup> None of these attempts will mitigate traffic impacts to the Lake Tahoe Basin. The mitigation measures also rely heavily on not having the authority to mitigate impacts to roads that are owned by Caltrans even though the Specific Plan will degrade their LOS.<sup>33</sup> At the Placer County DEIR public hearing, project proponents and Placer County were asked by a Planning Commissioner why Caltrans was not present or part of the Specific Plan planning efforts to which the project proponent

had no response.<sup>34</sup> Considering the significant traffic impacts that will be created by the Specific Plan, actual mitigation measures and coordination with Caltrans is necessary. The DEIR cites that cumulative impacts as they relate to greenhouse gases are unavoidable while again ignoring the Lake Tahoe Basin.<sup>35</sup> This must also be reassessed. Finally, the project proponents agree to pay mitigation fees to help fund additional fire protection staff for the NFD, but does not include information on implementation. It is unclear whether NFD has the capacity for increased staff, the appropriate housing, or ability to successfully implement this mitigation measure.<sup>36</sup> All of these mitigation attempts, or lack thereof, must be reanalyzed.

**b. *DEIR lacks real discussion of alternatives.***

The DEIR's discussion relating to the possible alternatives lacks realistic possibilities in its analysis. It is evident that a minimum amount of effort was put forth to satisfy CEQA requirements. Alternative 1 (no project alternative) and Alternative 2 (no project – MNVP Alternative) are essentially the same alternative because in both the Specific Plan would not move forward and the existing zoning designations would remain as is. Alternative 2 alludes that the possibility of a project on the East Parcel would remain, although as already discussed to date no project for this area has been presented.<sup>37</sup> Alternative 3 would be a reduced density alternative and would reduce the Specific Plan as proposed by 45 percent (a reduction of 342 units).<sup>38</sup> The DEIR concludes that this alternative is the environmentally superior alternative and would achieve the same project objectives.<sup>39</sup> However, there is no discussion relating to the economic feasibility of this alternative to be implemented. This information must be included for Alternative 3 to be considered an actual alternative. Alternative 4 is the final alternative that includes a reduction of the project's overall footprint, but would include a hotel. This alternative also does not include an economic feasibility analysis and includes a significant amount of environmental impact "unknowns."<sup>40</sup> The analysis weighs heavily on supporting the preferred alternative by ignoring meaningful and thorough discussion of possible alternatives.

The League recommends the same alternative suggested by Sierra Watch and MAP. This would reduce the project size and include a new point of access point for the project. Instead of a new access from SR 267 to the Specific Plan, the project proponent would seek an easement for roadway access though Highlands View Drive. This alternative would also include a conservation easement of the Lake Tahoe Basin property where the Brockway project has been proposed. This alternative would greatly reduce the amount of environmental impacts and provide much more adequate mitigation measures. This would alleviate a significant amount of the League's concerns relating to the Lake Tahoe Basin.

**V. DEIR has general deficiencies to impact assessment, specifically relating to transportation and circulation and biological resources.**

While the DEIR is inadequate for reasons already discussed, the rest of these comments focus on the general deficiencies in the transportation and circulation and biological resources sections. These deficiencies are significant generally, but also particularly to the Lake Tahoe Basin.

- a. *Transportation and circulation section makes inaccurate assumptions and conclusions, does not mitigate impacts to Lake Tahoe, does not coordinate with Caltrans, and is inconsistent with assumptions made in Squaw Valley DEIR.***

The traffic and circulation section of the DEIR makes inadequate assumptions and conclusions while also ignoring real mitigation measures. The League incorporates by reference the “Review of Transportation and Circulation analysis Martis Valley West Specific Plan Draft Environmental Impact Report” written by Mr. Neal K. Liddicoat for MAP and Sierra Watch. This document highlights the inaccuracies with assumptions and conclusions in detail. As already discussed, the DEIR concludes several significant and unavoidable impacts and does not attempt to discuss meaningful mitigation. Mr. Liddicoat also comments on this and points out specifically in relationship to the DEIR and decrease in LOS in five segments,

“We note that these impacts were identified in the DEIR, but the magnitude of the impacts was substantially understated, so that the public was deprived of information concerning the true impacts of the proposed project...Further, we note that each of these impacts have been defined as significant and unavoidable, so no mitigation will be implemented (or even attempted) to resolve these major deficiencies. It is inappropriate for the DEIR preparers to, in effect, walk away from these findings without making a great effort to reduce or eliminate the traffic impacts. Mitigation options certainly exist-reduced project size or greater transit usage for example...In any event, the DEIR traffic impact analysis is significantly flawed and must be corrected. The revised analysis must then be recirculated for public review and comment.<sup>41</sup>”

This expert analysis agrees that the DEIR impact analysis and lack of adequate mitigation measures results in a flawed assessment. Both the DEIR and Mr. Liddicoat conclude that impacts to the Lake Tahoe Basin are going to be significant. Specifically, the intersection at SR 267 and SR 28 which is within Kings Beach (North Lake Tahoe region) will be significantly negatively impacted.<sup>42</sup> Mr. Liddicoat explains that the situation will be even worse after the trip-generation estimates that he found inadequate are corrected.<sup>43</sup> Creating significant and unavoidable impacts without considering real mitigation is inappropriate as concluded both by the League and Mr. Liddicoat.

Another critical component of Mr. Liddicoat’s assessment is the DEIR’s failure to address impacts to VMTs. He concludes that,

“Careful review of the ‘Transportation and Circulation’ analysis presented in DEIR Chapter 10 reveals virtually no mention of VMT and certainly no documentation of the assumptions and procedures employed in developing any VMT estimates. In fact, a digital search of the chapter reveals only a single reference to VMT or vehicle miles traveled; that reference occurs in the description of the Lake Tahoe Regional Plan and bears no relationship to the specific travel characteristics of the proposed project. Moreover, despite detailed digital searches of all three chapters (Transportation and Circulation, Air Quality and Greenhouse Gas Emissions and Climate Change) we were unable to find any form of VMT estimate for the proposed project.<sup>44</sup>”

Not only does the DEIR ignore VMT impacts to the Lake Tahoe Basin, but also to its overall analysis. This must be corrected for the DEIR to be found adequate.

As already discussed above, there is a general lack of discussion around any coordination efforts with Caltrans. As already cited, CEQA requires consultation with other agencies who have jurisdiction over resources that may be impacted.<sup>45</sup> Placer County and the project proponent have not satisfied this legal obligation or the one below. A significant portion of the unavoidable impacts as they relate to traffic and circulation cite mitigation as impossible because SR 28 is a Caltrans road. Not coordinating with Caltrans cannot be used as a reason for no mitigation. The Specific Plan will decrease the LOS on a Caltrans road while likely increasing VMTs. Placer County as the lead agency has the legal obligation to coordinate with Caltrans both on planning and any potential mitigation reporting that could impact Caltrans. CEQA requires,

“...the environmental documentation preparation and review should be coordinated in a timely fashion with the existing planning, review, and project approval processes being used by each public agency. These procedures, to the maximum extent feasible, are to run concurrently not consecutively. When the lead agency is a state agency, the environmental document shall be included as part of the regular project report if such a report is used in its existing review and budgetary process.<sup>46</sup>”

It also requires in terms of monitoring and reporting that Placer County as the lead agency,

“...should coordinate their mitigation monitoring and reporting programs where possible. Generally, lead and responsible agencies for a given project will adopt separate and different monitoring or reporting programs. This occurs because of any of the following reasons: the agencies have adopted and are responsible for reporting on or monitoring different mitigation measures; the agencies are deciding on the project at different times, each agency has the discretion to choose its own approach to monitoring or reporting, and each agency has its own special expertise.<sup>47</sup>”

Placer County and the project proponent ignored these CEQA responsibilities as it did not include Caltrans as part of the DEIR process and discussion. It is unclear if any Caltrans current or future planning conflict with the Specific Plan transportation analysis or if they have the capacity to be included for mitigation monitoring. These are vital components to an adequate environmental review and their absence alone trigger the need for a recirculation.

Finally the League would like to highlight a discrepancy between the assumptions made in the Specific Plan DEIR and the Squaw Valley DEIR. Both of these DEIRs were produced by the same consultation firm, Ascent Environmental, for Placer County. Having an inconsistent assumption for two projects similarly located with similar development objectives (increase to residential and commercial development) make both of these reviews flawed and inadequate. The assumption relates to second homes.

The Specific Plan DEIR assumes,

“The residential units in the Truckee/Lake Tahoe region are unique in character in that many are vacation/second homes and not occupied on a full-time basis. To accurately estimate traffic generated by the proposed residential units, the portion of homes assumed to be second homes analyzed using the Recreational Homes (ITE Code 260) trip generation rates, while the portion of homes that would be occupied full-time were analyzed using their corresponding trip generation rates (i.e., Single Family Housing- 210, Residential Condo/Townhouses -230)... A residential unit split of 80 percent part-time residences and 20 percent full-time residences was assumed for the project and used for the analysis. This assumption is consistent with the Martis Valley Community Plan however; based on current data from other similar subdivisions, it is likely conservative as the percentage of full-time residences is typically lower than 20 percent.<sup>48</sup>”

This assumption is flawed for multiple reasons. There is no information provided on the statement “based on current data from other similar subdivisions”. The public cannot provide meaningful comments if it is not given the necessary data used in creating assumptions. This assumption also does not include the possibilities for vacation rentals. While an owner of a house may only reside there part-time, it is commonplace in Tahoe for owners to rent their house out as a short-term vacation rental when they personally are not using the property. This needs to be included as part of the occupancy assumptions framing the traffic analysis.

This assumption also conflicts with the assumption made in the Squaw Valley DEIR regarding the same unit,

*“Recreational Homes (Category 260) – usually located in a resort containing local services and complete recreational facilities. These dwelling units are often second homes used by the owner periodically or rented on a seasonal basis...After reviewing each land use category, the following three land uses were removed from further consideration for reasons stated below...Recreational Homes (Category 260) – this data set features only two observation points and is therefore too limited to use.<sup>49</sup>”*

Considering that Placer County is the lead agency for both of these similar projects and had Ascent Environmental conduct both DEIRs that are within the same geographic location, it is illogical that different assumptions would be made relating to the same units. It cannot be considered in one analysis and discarded in the other. This major inconsistency impacts the outcomes of both DEIRs. Both are inaccurate as they both ignore an analysis of vacation rentals. This inconsistency must be resolved in a recirculated Specific Plan DEIR.

- b. *DEIR ignores cumulative impacts as it relates to biological resources and does not properly mitigate. The general conclusions made are based off of incomplete data.***

The League has already detailed the general lack of cumulative impact analysis in this DEIR as it relates specifically to Brockway and it is again worth noting that deficiency in the biological resources section. Plant and animal species do not know the imaginary borders between the Specific Plan and Brockway. Impacts to populations and migratory patterns cannot be bifurcated. The DIER states,

“Through site clearing, preparation, and construction, most of the projects listed in Table 4-2 [i.e. Brockway] would have some incremental effect on biological resources, including impacts to common vegetation and wildlife habitats, sensitive habitats, special-status species introduction and spread of invasive species, or by improving habitats through restoration activities.<sup>50</sup>” Again, the DEIR points out the very real possibility of cumulative impacts, but then does not address Brockway again for the cumulative impact assessment. The DEIR uses the conservation of the East Parcel as a substitute for analyzing impacts to the West Parcel. The five cumulative impacts (loss of common vegetation and wildlife habitats, loss of sensitive habitat, loss of special-status plant species, effects on fish and wildlife, and movement of native resident or migratory wildlife species) conclude there will be no cumulatively considered impacts.<sup>51</sup> An actual cumulative impact assessment must be conducted for these conclusions to be drawn.

The biological resources section contains incomplete assessments and weak mitigation measures. Several of the individual impact assessments and associated mitigation measures do not have relevant data to make conclusions and rely on future surveys. It is cited multiple times that no protocol-level surveys for wildlife or rare plant species were conducted.<sup>52</sup> A specific example in an impact assessment the DEIR concludes,

“No special-status plant taxa have been documented on the West Parcel. Four special-status plant species – Galena Creek rockcress, threetip sagebrush, Davy’s sedge, and *Plumas ivesia* – were identified as having a moderate or high *potential to occur on the West Parcel* (emphasis added); these species could also occur within the offsite utilities corridors. No protocol-level surveys for special-status plant species have been conducted to confirm the presence or absence of special-status species on the project site. Therefore, project implementation could affect special-status species, if they are present.”<sup>53</sup>

This level of review is unacceptable. It recognizes that there is a possibility for special-status species yet ignores the necessity for a survey. Surveys for both wildlife and plant special species must be conducted for actual potential impacts to be assessed. The following mitigation measures take a similar approach by citing that surveys will be conducted in the future for mitigation: the United States Army Corps of Engineers (USACE) will verify vegetation mapping and the delineation of potential wetlands and other waters of the United States, and preconstruction surveys will be conducted for the nesting of special-status birds, special-status bats, and Sierra Nevada beavers.<sup>54</sup> All of these surveys should be conducted before certification of the EIR so that potential impacts are analyzed.

The DEIR also significantly downplays potential impacts to the Mule deer and protection of its habitat. The analysis explains that the deer is of high management concern and has been observed in both the East and West Parcels.<sup>55</sup> However the DEIR later concludes that the population is declining and that fawning does not seem to appear on the West Parcel. It also suggests that the deer have a potential to migrate through the Specific Plan site as they move into and out of the Lake Tahoe Basin.<sup>56</sup> Considering that the population is declining, rather than dismissing potential impacts, the DEIR should provide mitigation measures protecting potential fawning habitat and migration corridors. This would foster an improvement to the Mule deer populations. This could be accomplished through conservation designation on the Lake Tahoe Basin property as suggested in these comments as an alternative. The

deficiencies in both the transportation and circulation and biological resources sections of this DEIR constitute the need for the DEIR's recirculation.

**VI. DEIR should be revised and recirculated as allowed by CEQA because it is inadequate and flawed.**

The League's comments have clearly detailed how the Specific Plan DEIR is inadequate. The DEIR does not assess actual potential impacts to the West Parcel, ignores cumulative impacts associated with Brockway, ignores potential impacts to the Lake Tahoe Basin, contains weak mitigation measures, and is technically deficient. CEQA allows for the recirculation of a DEIR when, "the draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."<sup>57</sup> Some of the most fundamental inadequacies are relisted here:

- **Arbitrary assumptions were used to deduce several "less than significant" impacts under land use and biological resources sections of the DEIR.**
- **Ignoring the cumulative impacts from an adjacent proposed project (Brockway) and potential impacts to the Lake Tahoe Basin impacts also support the need for recirculation.**
- **The Specific Plan details using the Fibreboard Freeway as an emergency access route for the development project. This is the only point of access for Brockway. This will be incredibly problematic in the case of an emergency.**
- **Several cumulative impacts and mitigation portions of the assessment conclude that there will be significant impacts, but they are unavoidable so are dismissed. This reoccurring level of review is unjustifiable. A project cannot have several significant impacts without appropriate mitigation.**
- **Wildfire threats were not adequately analyzed or appropriately mitigated.**
- **DEIR lacks coordination efforts with TRPA and Caltrans. Both of these agencies will be negatively impacted by the Specific Plan project.**
- **Traffic analysis discrepancies between Specific Plan and Squaw Valley DEIRs when they are in the same geographical location and both analyzed by Ascent Environmental call for recirculation.**
- **Surveys are needed for both wildlife and plant species to assess actual potential impacts.**

The League has participated in discussions surrounding this project for years and was still unable to provide the appropriate level of input through these comments due to the inadequacy of this DEIR. The critical flaws of the DEIR prevent the public from having the opportunity to sufficiently provide input to the Specific Plan, which is at the heart of CEQA. The League requests a recirculation so that a thorough analysis is completed on potential impacts to the surrounding environment including Lake Tahoe.

### **Recommendations**

The League requests recirculation of the DEIR so that all of the above comments are addressed. The revised and recirculated DEIR should include the following:



- **An actual assessment of potential environmental impacts to the West Parcel. This would not include using the arbitrary allowable development from the East Parcel.**
- **An analysis of cumulative impacts relating to Brockway.**
- **An assessment of potential impacts to the Lake Tahoe Basin, including but not limited to: affordable housing, transportation and circulation, visual impacts, biological resources, and hazards.**
- **Adequate mitigation measures and attempts to resolve the amount of significant and avoidable impacts.**
- **Economic feasibility assessment of the environmentally superior alternative and inclusion of newly proposed alternative from conservation groups.**
- **Corrected technical inadequacies throughout the DEIR, specifically the traffic analyses. Resolution of the discrepancy between the Specific Plan and Squaw Valley assumptions.**

Sincerely,  
Shannon Eckmeyer  
Policy Analyst  
League to Save Lake Tahoe

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<sup>1</sup> Martis Valley West Parcel Specific Plan. Preliminary Draft. May 2014. Prepared by East West Partners. 1.3 Plan Authority. p.10.

<sup>2</sup> Martis Valley West Parcel Specific Plan. Preliminary Draft. May 2014. Prepared by East West Partners. 6.4 Designated Open Space. p.65.

<sup>3</sup> Placer County Planning Commission. November 19, 2015. Public Hearing on Martis Valley West Specific Plan Draft Environmental Review. Transcript/Minutes unavailable when this comment letter was submitted.

<sup>4</sup> Brockway Campground Minor Use Permit Project Description and Site Design Maps. Submitted to TRPA July 31, 2015. Pages 4,5 of 8.

<sup>5</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15065(a).

<sup>6</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Executive Summary. p.2-4.

<sup>7</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Land Use and Forest Resources. p.5-16.

<sup>8</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Land Use and Forest Resources. p.5-19

<sup>9</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Land Use and Forest Resources. p.5-19 – 5-24 & Biological Resources. p.7-49 – 7-61. Specific Impacts (5-2, 5-4, 5-5, 7-3, 7-4,7-5).

<sup>10</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Land Use and Forest Resources. p.5-19.

<sup>11</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Project Description. p.3-24.

<sup>12</sup> Brockway Campground Minor Use Permit Project Description. Submitted to TRPA July 31, 2015. Page 6 of 8.

<sup>13</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Approach to Environmental Analysis. p.4-3.

<sup>14</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Approach to Environmental Analysis. p.4-4

<sup>15</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15065(a)(3)

<sup>16</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Noise. p13-25-13-26.

<sup>17</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Population Employment and Housing, Biological Resources, Visual Resources, Transportation and Circulation, Air Quality, Greenhouse Gas Emissions, Geology and Soils, Hydrology and Water Quality, Public Services and Recreation, Hazards and Hazardous Materials. Specific Impacts include all of the following (6.5, 7.6, 7.7, 7.8, 7.9, 7.10, 9.6, 9.8, all cumulative impacts under 10.3.5, 11.8, 12.4, all cumulative impacts under 14.3.5, 15.8, 17.7, 18.7, 18.18)

<sup>18</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Hazards and Hazardous Materials p.18-23-18-24.

<sup>19</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Executive Summary. Table 2-1 (Summary of Impacts and Mitigation Measures) p.2-8- 2-100.

<sup>20</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Population Employment and Housing. p.6-11

<sup>21</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Transportation and Circulation. p10-43

<sup>22</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Visual Resources. p.9-37

<sup>23</sup> Regional Plan Update. Tahoe Regional Planning Agency. December 12, 2012. Goal CD-2. p.2-22.

<sup>24</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Hazards and Hazardous Materials. p.18-20

<sup>25</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Hazards and Hazardous Materials. p.18-21

<sup>26</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15086(a)(3)

<sup>27</sup> Regional Plan Update. Tahoe Regional Planning Agency. December 12, 2012. Goal LU5-2. p.2-19.

<sup>28</sup> Tahoe Regional Planning Agency Governing Board Meeting October 28, 2015. Presentation on Coordination with Near Basin projects and associate environmental review. <http://www.trpa.org/wp-content/uploads/Agenda-Item-No.-VIII.A.pdf>

<sup>29</sup> (1) LU 1-2: Redevelopment Existing Town Centers is a High Priority. “Many of the Region’s environmental problems can be traced to past and existing development which often occurred without recognition of the sensitivity of the area’s natural resources. To correct this, environmentally beneficial redevelopment and rehabilitation of identified Centers is a priority. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-2)

(2) LU 3-3: Development Is Preferred In and Directed Toward Centers, As Identified on the Regional Land Use Map. Centers Shall have the Following Characteristics:

- 1) A concentration of non-residential and mixed-use development at a higher intensity than exists in other areas of the Region.
- 2) Existing or planned transit service.
- 3) Highway access.
- 4) Infill and redevelopment opportunities.
- 5) Capacity for receiving transfers of redevelopment rights and relocations of existing development.
- 6) Existing or planned housing in the vicinity.

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- 7) Existing or planned street designs with continuous sidewalks, paths and other infrastructure that promotes walking, bicycling and transit use so as to encourage mobility without the use of private vehicles (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-11)
- (3) LU 3-5: Development is Discouraged in and Directed Away From Environmentally-Sensitive Lands and Areas Furthest from *Non-Residential* Support Services. These Areas Are Further Defined in Other Plan Policies. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-11)
- (4) Goal LU-4: Regional Plan Goals, Policies, and Ordinances Shall be Implemented Using an Integrated System of Regional and Local Government Planning. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-11)
- (5) Goal CD-2: Regional Building and Community Design Criteria Shall be established to Ensure Attainment of the Scenic Thresholds, Maintenance of Desired Community Character, Compatibility of Land Uses and Coordinated Project Review (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-2)
- (6) Goal AQ-1: Attain and Maintain Air Quality in the Region at Levels that Are Healthy for Humans and the Ecosystem, Achieve and Maintain Environmental Thresholds and Do Not Interfere with Resident's and Visitors' Visual Experience. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-31)
- (7) AQ 1.3: Encourage the Reduction of Emissions from Motor Vehicles and other Motorized Machinery in the Region.
- Significant emissions of air pollutants including greenhouse gases (GHG) and entrained dust are produced by automobiles and other gas powered machinery in the Region. The Land Use Subelement and the Transportation Element contain Goals and Policies to reduce the amount of air pollution generated from motor vehicles in the Region. Additionally TRPA shall pursue other feasible and cost effective opportunities to reduce emissions from motor vehicles and other gas powered machinery in the Region. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 2: Land Use Element. pg 2-31)
- (8) Goal T-1: Promote Walkable Mixed-Use Centers, Transportation Enhancements and Environmental Improvements That increase the Viability of Transit Systems. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 3: Transportation Element. pg 3-2).
- (9) Goal T-2: Encourage Bicycle and Pedestrian Usage as Viable and Significant Modes of Transportation at Lake Tahoe. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 3: Transportation Element. pg 3-2).
- (10) Goal T-9: Implement Transportation Demand Management (TMD) Measures to Reduce Number of Vehicle Trips on the Region's Highways. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 3: Transportation Element. pg 3-5).

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(11) Goal Veg-3: Conserve Threatened, Endangered, and Sensitive Plant Species and Uncommon Plant Communities of the Lake Tahoe Region. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 4: Conservation Element. pg 4-5).

(12) Goal WL-1: Maintain Suitable Habitats for All Indigenous Species of Wildlife Without Preference to Game or Non-Game Species Through Maintenance and Improvement of Habitat Diversity. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 4: Conservation Element. pg 4-9).

(13) Goal WL-2: Preserve, Enhance, and, where feasible, Expand Habitats Essential for Threatened, Endangered, Rare, or Sensitive Species Found in the Region. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 4: Conservation Element. pg 4-10).

(14) OS-1.2: The Beneficial use of Open Space Shall be protected by Regulating Uses and Restricting Access as Necessary to Maintain Soil Productivity and Acceptable Vegetative Cover. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 4: Conservation Element. pg 4-23).

(15) R-4.5: New Campground Facilities Shall be Located in Areas of Suitable Land Capability and in Proximity to the Necessary Infrastructure.

This strategy would promote the siting of new campgrounds where the least environmental impact can be expected and where the necessary roads and services are easily accessible. Actual site selection will be guided by the policies of this plan and other plans of federal and state agencies. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 5: Recreation Element. pg 5-5).

(16) Goal PS-2: Consider the Existence of Adequate and Reliable Public Services and Facilities in Approving New Development Under the Plan. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 6: Public Services & Facilities Element. pg 6-2).

(17) PS-2.1: No Additional Development Requiring Water Should be Allowed in Any Area Unless it can be Demonstrated That There is Adequate Water Supply within an Existing Water Right. (TRPA Regional Plan. Adopted December 12, 2012. Chapter 6: Public Services & Facilities Element. pg.6-3).

<sup>30</sup> League to Save Lake Tahoe Oral Comment. TRPA Governing Board Meeting December 16, 2016.

<sup>31</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Executive Summary. Table 2-1 (Summary of Impacts and Mitigation Measures) p.2-8- 2-100.

<sup>32</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Transportation and Circulation. Specific Impacts include (10-1,10-5,10-8, 10-9)

<sup>33</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Executive Summary. Table 2-1 (Summary of Impacts and Mitigation Measures) p.2-8- 2-100.

<sup>34</sup> Placer County Planning Commission. November 19, 2015. Public Hearing on Martis Valley West Specific Plan Draft Environmental Review. Transcript/Minutes unavailable when this letter submitted.

<sup>35</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Greenhouse Gas Emissions and Climate Change. Specific Impact 12-4. p.12-19.

<sup>36</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Hazards and Hazardous Material. Specific Mitigation Measure 18-4. p.18-21.

<sup>37</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Alternatives. p.19-10- 19-21.

<sup>38</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Alternatives. p.19-22.

<sup>39</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Alternatives. p.19-36.

<sup>40</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Alternatives. p.19-31- 19-35.

<sup>41</sup> Review of Transportation and Circulation Analysis Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Neal Liddicoat, P.E., MRO Engineers for Mountain Area Preservation and Sierra Watch. p.14.

<sup>42</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Transportation and Circulation. p.10-26-10-32.

<sup>43</sup> Review of Transportation and Circulation Analysis Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Neal Liddicoat, P.E., MRO Engineers for Mountain Area Preservation and Sierra Watch. p.15.

<sup>44</sup> Review of Transportation and Circulation Analysis Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Neal Liddicoat, P.E., MRO Engineers for Mountain Area Preservation and Sierra Watch. p.24.

<sup>45</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15086(a)(3)

<sup>46</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15004(c)

<sup>47</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15097(d)

<sup>48</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Transportation and Circulation. p.10-21.

<sup>49</sup> Village at Squaw Valley Specific Plan Draft Environmental Review. Prepared for Placer County by Ascent Environmental. May 2015. Transportation and Circulation. p.9-40.

<sup>50</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p.7-16.

<sup>51</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p.7-63.

<sup>52</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p. 7-3.

<sup>53</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p. 7-49.

<sup>54</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p.7-48-7-60.

<sup>55</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p.7-33.

<sup>56</sup> Martis Valley West Parcel Specific Plan Draft Environmental Impact Report. Prepared by Ascent Environmental or Placer County. October 22, 2015. Biological Resources. p. 7-35

<sup>57</sup> § 21000 CCR, Title 4, Chapter 3 (CEQA) §15088.5(a)(4)