



North Tahoe Citizen Action Alliance

23 November 2007

TRPA Governing Board
Market Street
Stateline, NV

Board of Governors:

The evolution of the Community Enhancement Program (CEP) has been orchestrated over a period of several years. The first step in this process was the establishment of the Pathway 2007 Program by TRPA and other agencies, which was to study, consider, and advise the TRPA. This forum consisted of 44 members of almost entirely interested government agencies or Tahoe-related business interests. In addition, a number of Technical Working Groups were formed to study the scientific and technical aspects of various problem areas, primarily those related to TRPA's performance requirements. Four Place-based Working Groups were formed and after a series of public Workshops, formulated a "community vision."

The membership of these Working Groups was heavily weighted toward government and business representation with the meetings conducted by paid facilitators and closely monitored by Pathway staff. As a consequence, the CEP, presumably a product of the Pathway 2007 Program, is aimed to identify and approve development projects to move the Lake Tahoe Basin toward attainment of environmental thresholds, and social and economic benefits through mixed-use development projects on existing disturbed and/or underutilized sites. This development approach will largely benefit the business community, but may have a significant and negative impact on the quality of life for many, if not most, of the full-time and part-time residents of North Shore and West Shore Tahoe. Why isn't the semi-rural mountain community quality of life for residents, visitors and tourists given equal (or greater) consideration with business aspirations during planning and decision-making?

The CEP is intended to be the "bricks and mortar" of the Pathways vision. Yet that link has not been publicly reviewed. Pathways produced principles and concepts, whereas the CEP projects are precedent setting. The larger the project or combined projects the larger the risk of unintended consequences to a community. How close are the Basin and the Lake to the practical carrying capacity as related to numbers of people?

Balancing perceived gains with cumulative consequences is not a process that should be conducted behind closed doors by non-residents. The incentives offered are public entitlements, and local businesses and residents must live with the consequences. There must be open public review, with sufficient notice, just as peer review moves toward a better representation of the scientific truth. Otherwise, the pressure from narrow agendas, the influence of propaganda, and short-term profits by individuals can outweigh common sense

Six of the seven developments on North Tahoe that have submitted pre-applications will contribute directly to increased tourism. The benefits of the CEP may be overshadowed by the negative impacts of greater tourism that will result in more traffic congestion, more environmental damage, greater demands for minimum-wage part-time employees, more workforce housing, etc. Greater demands will also be placed on community infrastructure. In addition, the program will create precedence for relaxed codes and ordinances that permit future greater land coverage, density, building height, etc., all of which impact the quality of a community.

Five developments will be in Kings Beach and one in Crystal Bay. The CEP was evolved from individual "demonstration projects". It was not envisioned nor anticipated that so many projects would be submitted from one mile of Route 28. How does the CEP process account for the cumulative impacts of increased traffic, parking, affordable housing, infrastructure demands, construction staging areas, etc? Social or community impacts of scale and character are also a cumulative impact due to so many projects in one area. If fully implemented the proposed projects would have an over-development risk, including loss of local identity, loss of ownership control of commercial space, no further development of smaller buildings that enable organic redevelopment (creative, variable architecture, adaptability).

The general needs of the Kings Beach/Tahoe Vista community to enhance the quality of life such as upgraded infrastructure, upgraded library, a community center, and a recreation center has not been addressed at all. True redevelopment always accounts for these amenities as coincident with proposed development exceeding \$250 million as in Kings Beach.

The Homewood Mountain Resort development will significantly impact the scale and character of that community. The number of tourists will equal, if not exceed, the resident population. The increased traffic, parking, and community infrastructure demands will be detrimental to the Homewood community and its environment.

None of the developer applicants has actually done a project through the existing TRPA process. None has the general view of the informed citizen that is without institutional allegiance, personal financial gain, or some personal agenda. None of them live, own property and operate a business in our community.

The TRPA staff appears to be rushing the CEP, yet the Kings Beach Commercial Core Improvement Program, according to estimates, will reduce the fine sediments by 50% in the Kings Beach commercial area. The CEP projects as proposed in KB will not have benefits to lake clarity of this scale. They will only require BMP installation (required by any redevelopment) on individual project parcels. Other threshold gains (scenic) do not affect water quality; however there will be huge offsets to any gains to the extent that CEP projects increase commercial floor area, increase densities, or increase the number of TAUs. Therefore, the environmental imperative loses its weight as a reason for pushing the CEP through rapidly. This is reckless ab-

andonment of due process and careful planning that is justified for an Outstanding National Resource Water (ONRW).

Questions still exist on the implementation of the CEP.

- ? If a developer is awarded commodities under the CEP program, and has one year to submit his final application, must he have a master plan and EIS by the end of that year?
- ? If a developer in the CEP program sells the property scheduled for development in the year of eligibility, do the commodities awarded remain with the property or are they returned to the TRPA?
- ? Since commodities may be worth millions of dollars to the awarded developers, how does the TRPA consider their value in the awarding of the commodities?
- ? The commodity award system is based on developer environmental and transit improvements. These will be awarded by a committee subjectively evaluating the improvements. How can fairness in awards be assured using this technique? Would not a type of point system be more objective and fair by leveling the playing field, and providing developers' incentive knowing what they need to do to achieve awards they want?
- ? Do all pre-applicants have an existing community and master plan?
- ? What are the specific/objective criteria for a project qualifying?
- ? Is it clearly understood that a project might initially qualify for CEP, but later be found not qualified for this favorable expedited treatment? And if so, how would this happen?
- ? What happens if, after the allocation award, the project is denied by the GB, even though the developer has satisfied the CEP requirements?
- ? Shouldn't the Regional Plan & Shorezone Plan be determined before the TRPA decides how much development should take place and award developers CEP commodities, especially knowing that the clarity of the lake has decreased?

The North and West Shores of Lake Tahoe are unique in that they have survived much of the pressures to urbanize and citify their commercial and residential areas. The National Geographic Traveler expressed this further view, "*South Lake Tahoe development is ghastly casinos, tacky hotels, and cheap condos.*" The permanent and part-time residents of the North Tahoe region cherish and relish the quiet, solitude, climate, beautiful vistas, Lake Tahoe, big trees, and wildlife. In addition, the personal attention of small, local businesses, the lack of congestion on the roads (most of the time), recreational and commercial areas enhances the enjoyment of our part of Tahoe.

Until all of the mentioned concerns are addressed and questions answered appropriately, the North Tahoe Citizen Action Alliance believes that the TRPA Board of Governors should delay approving either the CEP and/or its implementation.

Sincerely,
North Tahoe Citizen Action Alliance

A handwritten signature in black ink, reading "Gerald J. Wotel". The signature is written in a cursive style with a large, prominent initial "G".

Gerald J Wotel
President

Cc: TRPA Advisory Planning Commission
Ms. Brenda Hunt, CEP Program Manager