



Tahoe Regional Planning Agency
PO Box 499
Zephyr Cove, NV 89448

May 23, 2015

Subject: Comments on S.R. 89/Fanny Bridge Community Revitalization Project Final EIR/S/EA

Dear Chair Beyer and Members of the Governing Board:

The Friends of the West Shore (FOWS) appreciates the opportunity to provide comments on the proposed Project. We first commend staff and other stakeholders for the refinements listed in Attachment F (a reduction in total coverage and number of trees removed by Alternative 1). However, during recent workshops and hearings, TTD and FLHD staff have stated that ongoing project design had also reduced the width and elevation of the bypass bridge compared to Alternative 1, but this is not reflected in the staff report. We request staff clarify the current specifications of the bridge, and this be clearly identified in the FEIR/S/EA and permitting documents.

FOWS remains extremely concerned that the Project will still cause substantial and unnecessary environmental damage to the area, all while costing taxpayers over \$30,000,000. This is not justified, especially in light of the availability of feasible alternatives (Alt. 6/6a, which widen Fanny Bridge), or a simple rehabilitation of Fanny Bridge (\$2 million).¹ We ask you to consider the following:

- There are no environmental benefits to the bypass (Alternative 1) versus widening Fanny Bridge (Alternatives 6/6a, or a reduced version of 6/6a²). Additional traffic impacts will cause harm.³
- The congestion the Project originally aimed to solve occurs for just a few weeks in the summer and winter months. Further, recent improvements at Fanny Bridge have alleviated some of the congestion experienced years ago. This project is a huge expenditure of public tax dollars on a new roadway that will harm the environment to purportedly fix a short term, temporary problem that can be resolved through other less impactful options (for example, law enforcement officers have managed traffic during peak periods in the past);
- Throughout the United States, our roadway infrastructure needs repair, yet funding is sorely lacking. Public tax dollars should be spent on overdue repairs, not building new roads.⁴
- Unregulated pedestrian crossings in Tahoe City contribute to congestion in the project area.⁵ The project – which originated as a means to reduce congestion and improve pedestrian safety (Project Study Report, p.1-3; excerpts below) – fails to address this key contributor to the congestion.
- Notably, **72% of the comments submitted by residents and business owners do not support Alternative 1** (see attached detailed comments). Further, concerns among several business owners about the loss of revenue to their businesses from the bypass have not been addressed.

It appears the primary focus of this project has changed from its original purpose – to alleviate congestion and improve pedestrian safety at Fanny Bridge – to supporting the impacts of future developments in and around Tahoe City. Further, as stated in the staff report (p. 240), the concept of a Fanny Bridge as a “Complete Street” is associated with supporting a “Tahoe City River District.” The staff report also identifies ongoing increased closures of Fanny Bridge to traffic in future years (p. 241-

¹ <http://www.placer.ca.gov/upload/bos/cob/documents/sumarchv/2015/150519A/07a.pdf>; p. 335)

² FOWS supports a reduced, narrower version of Alternatives 6/6a.

³ “By including required mitigation measures and design features into a proposed project, the Final EA/EIR/EIS concludes that, with the exception of traffic impacts, no unmitigated significant environmental impacts were identified in any of the analyzed alternatives. All of the alternatives analyzed will create traffic impacts, though the type and severity of those impacts differs between the alternatives.” (Staff report, p. 136)

⁴ “Our infrastructure is on life support...” (i.e. view “60 minutes” TV Show, CBS, aired 5/17/2015).

⁵ FEIR/S/EA, Master Response 1

242). In essence, we question the expenditure of over \$30 million in public tax dollars set aside to improve public access to recreation lands on a project that has very little to do with accessing public lands, or improving existing vehicle congestion, let alone that will degrade Tahoe's environment.

Further, many impacts have not been properly analyzed or addressed in the FEIR/S/EA. For example:

- Available evidence indicates increasing roadway capacity **increases vehicle trips and VMT**;
 - No evidence supports the assertion that there will not be induced travel/generated trips;
- One of the key causes of congestion at the Wye is not even included in the analysis (i.e. the pedestrian crossings in Tahoe City).
 - There is no evidence that any action alternative is necessary to improve congestion at the Wye; addressing pedestrian crossings in Tahoe City is highly likely to improve the *temporary* peak congestion the project focuses on;
 - The information raises questions regarding how much improvement, if any, will be provided if pedestrian issues in Tahoe City are not addressed. The EA failed to analyze them;
- The FEIR/S/EA fails to analyze the negative impacts to recreational users of the 64-acre Tract;
 - In fact, **no surveys of recreation users** of the 64-acre Tract were gathered to query users regarding the impacts of the new bypass on recreational experience;
- The FEIR/S/EA fails to analyze all day and nighttime scenic impacts from the elevated bypass;
 - The assessment of daytime impacts sidesteps the impacts of the new **elevated** bypass, providing **no images of existing versus future views on the 64-acre Tract**;
 - Headlight impacts on night sky are not addressed; instead, the FEIR/S/EA fails to consider that roundabouts are circles, and headlights will point in all directions;
- The FEIR/S/EA does not disclose the potential hazardous impacts associated with the movement of the sewer line, nor address concerns of the Tahoe-Truckee Sanitation Agency (as reiterated in the T-TSA's comments: p. 495-496 in the packet). Without having addressed the T-TSA's construction requirements for relocation, we also question how the agencies can ensure adequate funding for the relocation, as well as any cleanup of hazardous materials or unintended spills that may occur.

As a result, there is no substantial evidence in the record to support making TRPA's environmental threshold findings. Many exceptions are being made to allow environmental harm (e.g. coverage), yet there are feasible alternatives available that can be implemented – and which have broader community support (as noted in the staff summary). Detailed comments are included below and attached.

In conclusion, the final EIR/S/EA fails to adequately analyze and disclose numerous impacts, and we therefore recommend you do not approve the Project until these inadequacies have been addressed. Please feel free to contact Jennifer Quashnick at jqtahoe@sbcglobal.net if you have any questions.

Sincerely,



Susan Gearhart,
President



Jennifer Quashnick,
Conservation Consultant

Cc: Matt Ambroziak, Central Federal Lands Highway Division

Attachments: FOWS' "Fanny Bridge By-the-Numbers" Fact Sheet
 4/18/2015 Comments to the Placer County BOS
 4/9/2015 FOWS Comments to TTD
 4/7/2015 FOWS Comments to APC
 3/9/2015 Additional FOWS comments on DEIR/S/EA & Attachment
 2/25/2015 FOWS Comments to TRPA GB
 2/17/2015 FOWS Comments on DEIR/S/EA & Attachments

Purpose of Project:

As noted in our comments on the DEIR/S/EA, the proposed bypass is not likely to reduce congestion in the long run, will likely result in increased VMT and vehicle trips, does not address all causes of congestion at the Wye, and there are less intrusive and damaging alternatives available to improve pedestrian safety (e.g. Alt. 6/6A) on Fanny Bridge. Therefore, we raised questions regarding the actual purpose of the project.

Purpose and Need: 2002 versus 2015:

First, the original Caltrans Project Study Report (March 2002)⁶ discussed the purpose and need for the project, which were clearly focused on reducing congestion and improving pedestrian safety (as noted in **excerpts below** from pages 1-3 of the report):

Page 1:

The project is needed to help reduce traffic congestion in the vicinity of Truckee River Bridge #19-0033 (locally referred to as Fanny Bridge) in Tahoe City at the North Shore of Lake Tahoe in Placer County created by the interaction of substantial seasonal traffic volumes, high pedestrian/bicycle activity levels, vehicular turning and parking maneuvers, and limited roadway geometrics. Additional purposes of the project are to improve bicycle and pedestrian conditions, to improve the on-time reliability of transit services, and to reduce regional vehicle air pollutant emissions. In addition, the project would contribute to attaining regional environmental thresholds. Finally, the existing Truckee River Bridge is classified as structurally deficient; a strategy is needed to address this deficiency while maintaining traffic movement.

Pages 2-3:

3. Need and Purpose

Improvements are needed to eliminate typical summer northbound traffic queues on SR 89 formed by volumes exceeding roadway capacity at Fanny Bridge, which have been observed to result in queues exceeding two miles in length and delays exceeding one hour, and which typically occur for four to six hours per day. Existing capacity is presently reduced by the presence of pedestrians and bicyclists both along and crossing

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http://tahoetransportation.org/images/assets/SR89_FannyBridge/fanny%20brdg%20proj%20dev%20spprt_02.pdf

the roadway, as well as parking and turning maneuvers. While the potential for substantial new development in the immediate area is limited, general growth in peak-month traffic volumes is averaging 2.5 percent per year. Both new development in the Squaw Valley and Truckee areas to the north, as well as general population growth within a convenient recreational drive distance of the site, indicate that travel demand on the roadway will continue to increase.

Issues to be addressed include community sensitivity to maintaining the existing character of the area, as well as the existing character of Fanny Bridge, which is a well-known local landmark used by tourists for viewing and feeding fish in the Truckee River. In addition, roadway improvements have the potential to change access to businesses, to generate traffic noise, and to change access to residential neighborhoods. Impacts on the Truckee River and wetlands will need to be carefully considered. Finally, a concern has been raised that any reduction in traffic congestion could encourage additional auto use in the Tahoe Region.

A “Tahoe City River District” was not included in the original purpose and need. However, in the DEIR/S/EA, the list of objectives has been expanded, and the staff report dismisses Alternatives 6/6a because they do not meet “all” of the objectives, even in light of environmental impacts to thresholds, including additional coverage:

The preferred alternative includes the rehabilitation or replacement of the existing Fanny Bridge, the realignment of roadways and bicycle trails, and construction of a new secondary bridge over the Truckee River. These project elements require land coverage. Project alternatives that would result in less land coverage were considered (see Draft EIR/EIS/EA, Section 2.2 – Summary Description of Alternatives). However, these alternatives would not reasonably meet all of the project objectives, including providing expanded emergency access with multiple access points across the Truckee River for the Lake Tahoe West Shore communities. Also, alternatives with less coverage would require the acquisition of property from several parcels in the vicinity of Fanny Bridge, resulting in the relocation of existing businesses. (Staff report, p. 176). [Emphasis added].

Realignment to facilitate new development:

Based on information in the DEIR/S/EA, the Economic Report for Fanny Bridge, and as referenced by the Executive Director of the TTD in March (excerpt below), it appears some of the push for the proposed project may be related to potential future developments in Tahoe City (e.g. the Hendrickson “Opportunity” Project), rather than merely correcting existing problems.

Proposed benefits of the project: Safety; two points of ingress and egress for the West shore, fewer bike and pedestrian conflicts with vehicles, congestion Improvement, complete street implementation; the old alignment becomes a local county street, catalyst for economic development at the North end of Tahoe City, the bike trail along the river, and operational improvements for traffic, transit, and goods movement. (Carl Hasty, APC March 11, 2015) [Emphasis added].

The FEIR/S/EA does not address these comments, and we remained concerned regarding the expenditure of over \$30,000,000 in public tax dollars to construct a project that is no longer needed to achieve the original purpose and need (reduced congestion and improved pedestrian safety), and in light of the feasibility of less impactful alternatives.

Grove Street/Tahoe City Pedestrian Crossing Impacts:

In the public comments submitted on the draft, the pedestrian crossings in Tahoe City were cited as a notable, if not significant cause of the congestion at the Wye, including on S.R. 89 south, in 56 unique comment letters from residents and business owners in the area. Several of these commenters have lived in the area for decades, and are extremely familiar with the traffic conditions during peak summer weekends. As noted in our comments on the draft EIR/S/EA, the document's own transportation appendix also notes the Grove Street pedestrian crossing in Tahoe City as one of the causal factors of the delay at the Wye. Ample evidence suggests that backups on S.R. 89 south of the Wye are affected by delays in Tahoe City. Vehicles heading into Tahoe City are delayed by the uncontrolled pedestrian crossings through town (on S.R. 28), thus causing backups across Fanny Bridge and south on S.R. 89 as vehicles turning left (toward Truckee) are stuck in the line of vehicles because it is a two-lane road. Notably, Master Response 1 includes a full page discussing all of the other factors involved in congestion in this area, including driver behaviors, unfamiliar drivers, mid-block pedestrian crossing activity (in Tahoe City), and traffic congestion on SR 28 east of the wye, which specifically states: "*The mid-block pedestrian crossings near Grove Street further exacerbate these conditions. Lack of capacity on this segment of SR 28 contributes to the long queues on northbound SR 89 in the vicinity of Fanny Bridge and the existing wye intersection.*" (p. 3-8).

This would suggest that alleviating peak congestion, and improving pedestrian conditions at Fanny Bridge, may be resolved by simply addressing the pedestrian crosswalks in Tahoe City and making minor improvements to Fanny Bridge. In fact, commenters provided several suggestions to 'test' this theory for one year – before causing the environmental damage and tax-payer expense associated with the new bypass and bridge.

Yet the project dismisses this information entirely, instead stating: "*Congestion at the Grove Street/SR28 intersection caused by pedestrians is not within the scope of the project (see Master Response 1, Comments Related to Project Purpose and Need)*" (p. 3-192). However, given the objective of the project includes reducing congestion at the Wye, it makes little sense to exclude from review the potential causes of the congestion.

Input from local residents most familiar with traffic conditions is also dismissed:

Some comment letters provide observational evidence to support the contention that there is little to no congestion in the area surrounding the wye, both as personal experience and photographs. While personal observations of congestion can be helpful, inherently, congestion does not occur continuously, but rather during heavy traffic and pedestrian use periods, so single observations or photographs or a small number of observation days can overlook heavily congested periods. Also, in a community where seasonal visitor traffic contributes substantially to local traffic volumes, peak traffic patterns and timing are different from average annual conditions. (p. 3-6).

Notably, unlike decades of observations by locals (including public transit drivers, river raft shuttle drivers, and others who would be on the roadway during peak times), the environmental analysis is based on traffic counts and models that "[do] not account for all of the driver-based field behaviors and human factors..." without extensive calibration effort (which was not done). The traffic counts also do not consider the impacts of pedestrian activity in Tahoe City, nor the impacts of that activity on the Wye and south

on S.R. 89. In fact, as the Final EIR/S/EA notes in numerous responses, downtown Tahoe City is not within the project area and therefore was not included in the analysis. However, the traffic and pedestrian activity in these areas impact traffic operations throughout the entire area - from east of Tahoe City on SR 28, through the downtown, to the Wye, south on SR 89, and north on SR 89. Looking at just one segment of the entire area without considering how it fits into the larger picture makes little sense. As a result, there is no evidence to support the contention that Fanny Bridge is the primary cause of congestion at the Wye, and thus no evidence to support the claim that a new bypass is needed to address this problem. On the other hand, there is ample information suggesting the need to examine and document the impacts of the pedestrian crossings in Tahoe City on congestion at the Wye – however the FEIR/S/EA fails to do so.

Inadequate Traffic Analysis:

As noted in our comments on the draft EIR/S/EA, there are many inadequacies in the traffic analysis. The Final EIR/S/EA does little to address our concerns, and instead appears to reiterate the draft's conclusions without responding to our detailed comments.

1. The Project's inclusion in the 2012 RTP/SCS was simply based on likelihood of funding, not environmental 'benefits.'⁷ There was no analysis of project impacts, or claimed benefits. Therefore, there is no information or analysis from which to 'tier' off of the RTP/SCS EIR. For example, response O5-8 states:

"The SR 89/Fanny Bridge Community Revitalization Project was identified in the Regional Transportation Plan (Mobility 2035) as a corridor revitalization project and included in transportation strategy packages A, B, and C. As discussed in Chapter 3, Affected Environment and Environmental Consequences, of the RTP/SCS EIR/EIS most of the impacts in that document address effects from implementation of three Transportation Strategy Packages, which are sets of transportation projects and other transportation actions from the RTP. Therefore, the environmental document for the RTP/SCS did analyze the environmental effects of the project at a programmatic level." (p. 3-189). [Emphasis added]

A similar statement is made in response to comment O5-13:

"The RTP/SCS EIR/EIS is a program-level document that analyzed the environmental effects of the plan, which included the SR 89/Fanny Bridge Project as part of its transportation strategy package. A program EIR provides a regional consideration of cumulative effects and includes broad policy alternatives and program mitigation measures that are equally broad in scope. Thus, this EIR/EIS/EA incorporates by reference cumulative impacts that have been addressed adequately in the RTP/SCS EIR/EIS." (p. 3-192). [Emphasis added].

However, the responses fail to identify any information in the RTP/SCS EIR that would provide evidence of any environmental analysis, even at a programmatic level. For example, the response could have provided the specific sections and page numbers in the RTP/SCS EIR where the impacts of the Fanny Bridge project were analyzed. Yet no such information has been provided. Therefore, the FEIR/S/EA still fails to analyze the project's cumulative impacts.

⁷ This is reaffirmed by the response to comment O5-8, which states: "The SR 89/Fanny Bridge project was placed on the "constrained" list instead of the "unconstrained list" because of its funding status." (p. 3-190).

2. Any analysis of induced travel and generated traffic from the project is rejected without any supporting evidence. Instead, Master Response 2 continues the same ‘narrative and speculation’ used in the draft to ‘explain away’ why the potential for this increased traffic was not analyzed, rather than presenting any evidence that could show whether induced or generated traffic would occur. For example, a driver survey of residents and visitors could be taken during the peak summer and winter months to determine how drivers might react to the increased roadway capacity. This would be as simple as asking questions to determine whether drivers avoid trips during peak hours now, take them off-peak, or don’t make trips, and whether this would change if the bypass were constructed. Surveys could also be used to assess which roadways drivers would use, and how the bypass would alter their driving patterns and behaviors.

Instead, the FEIR/S/EA presents readers with a narrative regarding induced travel and highway capacity increases, attempting to explain that it is so complex as to be impossible to evaluate:

Several comments assert that reducing congestion in the wye area with the SR 89/Fanny Bridge Project would induce motor vehicle trips and cause vehicle miles traveled (VMT) to increase, because of the improved intersection and roadway operation...Economists use the term "induced travel" to describe the additional demand for travel that occurs as a result of a decrease in travel time or the dollar cost of travel. However, this term can also be misinterpreted to imply that an increase in roadway capacity inherently leads to increases in traffic. In fact, the relationship between improvements in highway operations and traffic volume is very complex, involving trip lengths and travel times, availability of alternative routes, capacity around the improved area, travel behavior responses, residential and business development, and changes in regional population and economic growth. Also, much of the concept of induced travel relates to driver behavior. Predicting driver behavior in response to traffic conditions can easily cross into speculation that is not meaningful for environmental review, because motivations for and levels of urgency or flexibility of vehicle trips can vary widely, as can driver decisions to take on or avoid congested traffic conditions. (Master Response 2, p. 3-9).

The EIR/S/EA could have gathered information on the various factors which affect the relationship noted above, especially as the project objectives have been advertised to include a reduction in traffic congestion. Further, such information used in a proper analysis would provide the information necessary for the document to analyze and disclose whether the project increases, or has no impact on, VMT and vehicle trips. However, this analysis was not performed, and the FEIR/S/EA has nothing more than speculation to support the claim that there will be no induced or generated traffic.

Master Response 2 also claims that studies cited in draft comments are not applicable because, “*The potential for significant effects on increased traffic and VMT is focused on congested urban roadways and highways in larger-population metropolitan areas, where the magnitude of traffic shifts can be substantial (Nolan 2001). Many studies of induced travel relate to the development of substantial additional lane-miles on urban highways, where there is an increase in roadway capacity over a substantial distance (Litman 2015).*” (p. 3-10). This provides no additional evidence to support the conclusion that there will be no induced travel. Rather, this response again speculates that because conditions in

the Tahoe area are not like those in larger metropolitan areas, the studies don't apply. Once again, information should be gathered locally, from residents and visitors, to evaluate existing and potential driver behaviors.

Master Response 2 also confirms one of our comments⁸ – that by reducing congestion during peak times through adding roadway capacity, people will begin to take their trips during those times. As more people switch to making trips during peak hours, the congestion will again increase. This is, in fact, one of the reasons the studies cited in our comments on the draft EIR/S/EA states congestion eventually reaches pre-project levels. This conflicts with the lengthy narratives quoted earlier which appear to discount the possibility that congestion will again increase in the future.

3. TRPA's previous estimates of increased vehicle trips and VMT from the project (730 and 4, 669, resp. [2008]) are explained away with more narrative, but no new evidence. Response O5-12 explains why the 2008 estimates are no longer valid, and why the current estimates claim no new trips or VMT.
 - a. The response states: *"The 2012 RTP recognized that demographic and economic changes caused a dramatic shift (i.e., decrease) in current and future traffic volumes, compared to previous projections, in part because of the Great Recession. As a result of the decrease in traffic volumes, modeled VMT by passenger vehicles in the Tahoe Region were shown to have decreased in the 2012 RTP."* This is irrelevant, because the EIR/S/EA must analyze and disclose the potential impacts of the project. Reductions in traffic from the Great Recession are temporary, and should have no impact on the potential future impact analysis. The Great Recession did not reduce roadway capacity, narrow lanes, or cause any other physical changes that would make it impossible for traffic to reach pre-Recession levels.
 - b. The response appears to suggest the discrepancy in the 2008 model was a result of the model's inability to account for investments in bicycle, pedestrian, and transit service and facility upgrades.⁹ However, the FEIR/S/EA (and the RTP/SCS EIR) provides no evidence to show that these investments in the project area have reduced, or will reduce, 760

⁸ "Once traffic operation is improved by the SR 89/Fanny Bridge Project, travelers who previously shifted a typical peak-period trip to an off-peak time may later take advantage of decreased peak-period travel times through study area. However, the increase in peak-period trips on the improved facility would replace the off-peak trips, because drivers can travel at their preferred, peak-period time again. In this circumstance, total daily traffic and VMT would not increase; traffic volumes would simply shift in time during the day with no added trips." (p. 3-10).

⁹ As with most travel demand models, the Tahoe area model is not able to precisely quantify the traffic reductions resulting from specific bicycle, pedestrian, or transit investments (e.g., the model does not reduce automobile traffic and increase bicycle trips with the addition of a new bike path or lane), because these types of improvements were not included in the model structure. It was realized, during the evaluation leading up to the 2012 RPU and RTP/SCS, that the model did not incorporate the non-automobile transportation policies and investments related to mode split across the proposed alternatives. Thus, it was concluded that the Tahoe area model was not built to provide this type of detailed information and the TDM used in the 2008 RTP was over-predicting personal vehicle trips, because it did not account for investments in bicycle, pedestrian, and transit service and facility upgrades. This resulted in an overestimate of VMT. (p. 3-191).

- trips and 4,669 VMT. In fact, countless comments on the DEIR/S/EA discuss how little the new Transit Center is used. In sum, the environmental analysis fails to explain this discrepancy.
- c. The response also suggests that application of the “Trip Reduction Impact Analysis (TRIA) tool yields estimated reductions in vehicle trips,” although the response does not provide evidence of how many trips and VMT the TRIA model estimates will be reduced in the project area. Further, as noted in comments on the RPU submitted by traffic expert Joy Dalhgren,¹⁰ there are many problems with the TRIA model.
 4. The roadways in the project area are all connected to two-lane highways on each end. As vehicles are forced back into two lanes, (for example, vehicles coming across Fanny Bridge and vehicles traveling on the bypass to drive south on SR 89) there are likely to be bottlenecks in several more locations.

In summary, the FEIR/S/EA lacks evidence to support the claim that traffic trips and VMT will not be reduced as a result of the increased highway capacity, contrary to academic, state, and national information that it will. The FEIR/S/EA gathered no evidence to support various claims regarding driver behaviors, which are acknowledged to affect induced and generated travel, instead relying on lengthy narratives and speculation to assume that there will be no induced trips and VMT. Although the response fails to address another outcome noted in our draft comments – that the reductions in congestion are also temporary because people will begin taking trips during peak hours until levels reach pre-project levels again – the response acknowledges that people will begin traveling more during peak hours (noted above).

Scenic Impacts:

Elevated bypass and bridge:

The scenic impacts of an elevated new bridge and bypass across the 64-acre Tract have not been examined. We identified this failure in our comments on the draft, however, no new images to assess these impacts were provided in the final. For example, although the draft EIR/S/EA notes key viewpoints and observation points within the 64-acre Tract, there are no visuals to illustrate what the elevated bypass will look like at these viewpoints. The FEIR/S/EA does not address this discrepancy.

The draft and final EIR/S/EA documents also fail to provide ground-level images of what the alternatives will look like compared to existing conditions. Although additional simulations were provided at the 2/26/2015 TTD public workshop, they consisted primarily of images from aerial viewpoints, and therefore do not provide a means for the public to assess the impacts at the level the public will be viewing the new structures from.

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http://www.trpa.org/documents/reisc/2_Other%20Organizations/North%20Tahoe%20Preservation%20Alliance%20&%20Mountain%20Area%20Preservation%20Foundation.pdf (see pages 17-21).

The FEIR/S/EA also fails to examine the scenic impacts of the elevated bridge and bypass from locations required by the TRPA scenic thresholds, including bike paths, public areas, surrounding mountains and hiking trails, and Lake Tahoe.

Night sky:

The impacts of the light from vehicle headlights have not been addressed, and the response to these concerns includes more narrative and speculation:

Light and glare associated with headlights along the realigned portion of SR 89 would not substantially affect sensitive receptors in the study area. As stated on page 4.14-36 of the Draft EIR/EIS/EA, existing light sources on and around the project site includes vehicle lights on SR 89. Headlights along the realigned section of SR 89 would be pointed in the direction of travel (generally east to west or west to east), which would not be toward residential units. While headlights create limited amounts of spillover light, this would be shielded by the presence of trees throughout the project site. Recreation users would not be expected within the 64-Acre Tract after dark for extended times, and would, therefore, experience headlights for a limited period, such as just prior to sundown. (p. 3-21)

Yet there are no diagrams or information to assess the impacts of headlights – which will actually be aimed in *all* directions at the roundabouts (which are *circles*), not the existing N/S or E/W directions of the highway as the response suggests. Night light impacts may affect the residential areas southwest of the project area, given the elevation of the western roundabout and the raised location of neighborhoods in that area. Also, as no surveys have been done to assess recreationists' use, experience, and impacts from the project, there is no information to base the statement that recreation users would not be impacted by lights because they “would not be expected to be within the 64-acre Tract after dark for extended periods of time.”

Further, the DEIR/S/EA information regarding this impact notes headlights on SR 89 as an existing light source:

Existing light sources on and around the project site include lighting at the Caltrans Maintenance Facility, the County buildings on the north side of SR 89, the existing Transit Center on the north end of the 64-Acre Tract and development located to the south and southeast of the 64-Acre Tract, from street lights and parking lot lights in Tahoe City, street lights and signal lights in the wye intersection area, lights at businesses just south of Fanny Bridge, and vehicle lights on SR 89. (DEIR/S/EA, p. 4.14-36). [Emphasis added]

However, the ‘analysis’ of the impacts of Alternative 1 does not discuss the impacts of headlights.

Operational Phase

Under this alternative, new sources of light would include lighting for the bicycle/pedestrian undercrossing of bridge, lighting on the new bridge, street lighting at the two roundabout intersections and lighting at the entrance to the Transit Center onto the newly localized road (relinquished portion of SR 89). Rehabilitation or replacement of Fanny Bridge and modifications to the free-right turn lanes would not result in a substantial change to lighting conditions in the wye area. Modifications to the Caltrans maintenance facility, T-TSA sewer line, and NSEF sewer export main would not result in a substantial change to existing lighting conditions. There are no sensitive receptors for nighttime lighting in the vicinity of the new bridge. The nearest residential area to the eastern roundabout is approximately 350 feet to the southeast and is screened by dense coniferous forest. There are few sensitive receptors to nighttime lighting in this area. Compliance with Caltrans standards for roadway lighting

would be part of the project. Thus, because the project lighting would be limited to the new bridge, intersections, and roundabouts, would be located in areas that do not have receptors sensitive to nighttime lighting, and would have to comply with Caltrans standards for roadway lighting, this impact would be less than significant. (DEIR/S/EA, p. 4.14-36).

As a result, the FEIR/S/EA still fails to analyze and disclose the impacts of headlights on night sky, and to adjacent residential areas.

Recreation Impacts:

There is no evidence upon which to analyze and disclose the impacts to recreation experience. Notably the following impact was included for analysis in the draft: “Impact 4.13-4: Effects on the quality of recreation use experience.” However, no surveys were gathered to assess existing user experiences and to ask users how a bypass through the forested area would impact their experience. Instead, the final, like the draft, reiterates speculation and narrative to ‘conclude’ that users already expect urban features nearby, and therefore should not find their experience impacted by the new bypass.

As noted in our comments on the DEIR/S/EA, past recreation surveys indicate that most users of the 64-acre Tract did not drive there – they walked from their homes or lodging units. We raised the question of how many people may choose to drive to another less impacted recreation area for their recreation after the bypass is built, and what the traffic implications of this would be. However, Master Response 3 incorrectly states what our comments were,¹¹ and in doing so, fails to address the actual question (see p. 42, FOWS 2/17/2015 comments on DEIR/S/EA; excerpt below):

However, if a new bypass is added, this will bisect the now valued open space and recreation benefits of the 64-acre Tract. As a result, people may opt to visit (drive to) other less developed areas to recreate, thereby creating more vehicle trips... ***Further, surveys need to assess whether the 70+% of recreation users who walk to the area from their homes or lodging locations will instead drive to recreate if the bypass is constructed. Such impacts to VMT and vehicle trips must be included in the revised transportation analysis.***

Finally, although the EIR/S/EA claims the recreation experience will be enhanced due to certain trail connections, more access to the 64-acre Tract (although ample access already exists), and reduced conflicts on Fanny Bridge, in failing to assess the impacts on recreation users’ experience, the document also fails to assess how the new bypass across the now forested area and the Truckee River, may impact tourism if the experiences associated with hiking, biking, walking, and rafting in the area are negatively impacted.

¹¹ “Commenters suggested that the action alternatives would reduce traffic congestion to a point that it would encourage existing visitors to travel by car to the 64-Acre Tract, rather than walk or bike, as some currently do.” (p. 3-16).

New Land Coverage:

Alternative 1 will add 23,136 square feet of new coverage in an SEZ (LCD 1b), and 191,664 square feet of new coverage in total.¹² This conflicts with TRPA's SEZ thresholds which require a reduction in coverage on SEZs. However, the FEIR/S/EA claims the impacts are less than significant because TRPA's Code allows exceptions for public facilities, and that a certain amount of unidentified mitigation will occur 'somewhere.' As noted in our comments on the draft EIR/S/EA, the exemption in the Code only applies to situations where no feasible alternative is available. However, as noted by the EIR/S/EA, Alternatives 6 and 6a are "feasible." These alternatives would add 11,761 (Alt. 6a) and 12 197 square feet (Alt. 6) of new coverage in LCD 1b – far less than Alternative 1. In addition, as noted in comments by Jim Sajdak, it appears a modified, narrower version of Alternative 6a could be viable, which may reduce this coverage even more. Further, Alternative 6a (at the existing size) will result in a total reduction in coverage.

Oddly, the response to comments includes a narrative, stating: "*As described in Chapter 2, TRPA, as one of the three Lead Agencies, must approve a preferred alternative that would be considered the most reasonable when environmental, social, economic, and technological factors are assessed.*" (p. 3-193). TRPA's primary requirement includes making environmental findings related to the TRPA thresholds. As noted in the staff summary of findings, several exceptions are being made (e.g. coverage). In addition, the FEIR/S/EA response further states: "*Please refer to the TTD and TRPA staff reports for a discussion related to the selection of the preferred alternative.*" However, the TTD staff report simply states: "*In preparing the final joint environmental document, the lead agencies convened with other partner agencies to determine the identification and recommendation of a Preferred Alternative.*" (p. 5, TTD packet for 4/10/2015 hearing¹³). In summary, we did not locate an in-depth discussion related to why the TTD and TRPA would select a more environmentally disruptive and far more costly alternative, nor which "environmental, social, economic, and technological factors" TRPA and partners considered before recommending Alternative 1.

We do not believe the evidence available supports the environmental findings TRPA must make to approve Alternative 1.

Tree Removal:

Alternative 1 will remove 178 trees over 14" dbh.¹⁴ This is dismissed as significant in large part because TRPA exempts EIP projects from tree removal regulations. Further, the bypass will run through an area that was replanted roughly 30 years ago by volunteers in the area who dedicated the planted trees to loves ones. As noted by comments in the

¹² These amounts are based on the numbers in the FEIR/S/EA. Although reduced per the staff summary for the 5/27/2015 GB hearing, our general concerns regarding increased coverage still apply.

¹³ http://tahoetransportation.org/images/assets/TTD_Board_Mtgs/2015-apr-10%20tttd%20agenda%20packet.pdf

¹⁴ This number is based on the number in the FEIR/S/EA. Although reduced per the staff summary for the 5/27/2015 GB hearing, our general concerns regarding tree removal still apply.

record, many people were unaware that these trees would be removed. We request you consider the individual and cumulative impacts of tree removal in the project area, and the concerns of those who planted the trees in past memorials (as noted in public comments included in the staff summary and packet).

Public Input:

To get a sense of how the community felt about the project, FOWS reviewed the comments submitted on the draft EIR/S/EA, and counted the number of individual comments by residents and business owners on the project. These counts excluded repeated comments by the same individual(s), and comments by regulatory agencies, organizations (including FOWS), and public utilities. Many individual commenters expressed: support for Alternatives 5/6/6a, opposition to the bypass (Alternatives 1-4), support for the bypass, or questioned the need for the project. We summed up the comments expressing support for Alternatives 5/6/6a, and /or opposition to the bypass, and determined roughly 72% of the comments (53 out of 74 comments) do not support the bypass. We request the GB give due consideration to the interests of the community.