



Tahoe Regional Planning Agency
Attn: Mr. Brian Judge
PO Box 5310
Stateline, NV 89449

March 9, 2015

Tahoe Transportation District
Attn: Mr. Alfred Knotts
PO Box 499
Zephyr Cove, NV 89448

Subject: Additional Comments on S.R. 89/Fanny Bridge Community Revitalization Project

Dear Mr. Judge and Mr. Knotts:

We appreciate TRPA's willingness to extend the public comment period on the draft EIR/EIS/EA for the State Route 89/Fanny Bridge Community Revitalization Project (Fanny Bridge Project). Based on additional information provided during the 2/25/2015 GB hearing, the 2/26/2015 Tahoe Transportation District workshop, and other correspondence, we have reviewed the document in greater detail and provide the following additional comments.

Environmental Analysis not adequate:

Overall, the DEIR/S/EA fails to adequately analyze the environmental impacts of the project and disclose significance. Problems include, but are not limited to:

- Conclusions of significance (or lack thereof) are based on technically inadequate analyses (such as the transportation analysis and its failure to disclose the increased traffic that will result from the project),
- Insufficient evidence (i.e. noise, recreation, and scenic impacts),
- Speculation substituted for fact (e.g. recreation, transportation),
- Erroneous justifications (e.g. because project will meet current regulations, there is no impact),
- Application of regulatory exemptions to reduce significance, however this does not negate the requirement for the EIR/S/EA to disclose impacts (e.g. new soil coverage),
- Failure to analyze potential hazardous impacts associated with moving the TRI sewer line; and
- Conflicting information in the record (i.e. the document concludes no increase in trips south on S.R. 89 resulting from the project, but the LOS numbers do not add up).

As a result, the document erroneously concludes no significant impacts to any resource area from the project. Such conclusions are not only unsupported by the DEIR/S/EA, but also defy logic. A new, elevated highway bypass and bridge will be constructed in natural areas where currently no development beyond pedestrian and bike paths exists (in the remaining 35 acres of forested area of the "64-acre tract"). Highway capacity will be increased. It is inconceivable that this project will only result in less-than-significant impacts.

We also note that even without accounting for the increased vehicle trips resulting from expanding highway capacity, **the DEIR/S/EA reveals that all Action Alternatives (and moreso the bypass alternatives) will worsen LOS conditions (meaning more 'congestion') compared to the No Action Alternative.** This runs counter to the claims this project will 'reduce congestion' and provide related environmental benefits.

USFS Decision to perform Environmental Assessment (EA):

The USFS choice to only analyze the project with an EA does not meet NEPA requirements, which state that if a project may have significant impacts, a full EIS must be performed (42 U.S.C. § 4332). As noted in our comments, there are significant and potentially significant impacts, therefore the USFS must initiate the EIS process for this project. Notably, the Project Scoping Report also recommended a full EIS be performed to satisfy NEPA requirements (p. J-5).

Appearance of Prejudice toward one alternative:

EIS, EIR, and EA documents must not be used as a means to simply justify the desired alternative. However, for multiple reasons detailed below, the DEIR/S/EA and other documents in the record give the appearance that the lead agencies have already selected Alternative 1 (or some variation thereof), and the DEIR/S/EA was crafted to justify this decision, rather than to objectively examine other alternatives, including variations proposed by the public during the scoping period.

Intent of Project vs. Outcome of Project:

The primary needs for the project have, for decades, involved: 1) reducing vehicle congestion in and around Fanny Bridge; 2) improving pedestrian safety in the area, and reducing pedestrian impacts on traffic; and 3) upgrading Fanny Bridge. However, as noted in the DEIR/S/EA, pedestrian activity in Tahoe City has a significant impact on vehicle congestion in the area, yet the project area does not address the core of Tahoe City. What is not known or disclosed in the DEIR/S/EA is the extent to which pedestrian movements in Tahoe City affect traffic within the project area. It is clear that the entire area must be examined comprehensively to truly assess what roadway improvements will most improve conditions. In other words, the true 'project area' should encompass the Fanny Bridge area and the downtown Tahoe City area, so that impacts, causal factors, and potential improvements can be evaluated from the appropriate scale. The piecemeal approach currently proposed - to approve the Fanny Bridge project, and then start looking at Tahoe City mobility issues - makes little sense. In light of the approximate \$30 million cost to taxpayers (federal, state, and local), this decision must be based on what will best serve the needs of the public, and not waste taxpayer dollars and cause irreparable damage to the environment.

Public Process Concerns:

We were disturbed to hear statements during the 2/25 TRPA GB hearing, and the 2/26 TTD public workshop, which criticized the need to perform an EIR/S/EA. Project proponents expressed dislike for doing these documents, instead favoring 'collaboration' and discussions to mold the project (this was often stated in attempts to respond to public concerns by saying the bridge design had been narrowed, and elevation reduced compared to the DEIR/S/EA). This disinterest for public process, and requirements to ensure the environmental impacts of such projects are carefully analyzed and disclosed, is of great concern.

It is also noteworthy that the DEIR/S/EA concludes **no beneficial environmental impacts** for the bypass alternatives (1-4), other than VMT per capita (which is based on a flawed analysis). "*Less-than-significant*" impacts are not "*beneficial impacts*". Our detailed comments are attached. We herein incorporate comments submitted by the Tahoe Area Sierra Club, League to Save Lake Tahoe, and Jim Sajdak. Please feel free to contact Jennifer Quashnick at jqtahoe@sbcglobal.net if you have any questions.

Sincerely,



Susan Gearhart,
President,
Friends of the West Shore



Jennifer Quashnick
Conservation Consultant
Friends of the West Shore

Cc: Matt Ambroziak, Central Federal Lands Highway Division

Attachments: 2/25/2015 Powerpoint Presentation excerpts – by TTD and TRPA

Environmental Analysis not adequate:

We note the significance of an impact must be determined based on substantial evidence in the record:

CEQA documents also must explicitly identify each impact the agency has determined to be significant (*Id.* at § 15126.2, subd. (a)). These significance determinations must be “based on substantial evidence in the record” (*Id.* at § 15064, subd. (f)).¹

Substantial evidence is defined² as:

- (1) For the purposes of this section and this division, substantial evidence includes fact, a reasonable assumption predicated upon fact, or expert opinion supported by fact.
- (2) Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment. [Emphasis added]

In an effort to better clarify the inadequacies of the analysis, we have summarized key examples of improper conclusions in the document in the table below: “*Review of Selected Resource Impacts, Intensity of Impact, and Stated Reason for Insignificance.*” Notably, NEPA, CEQA, and the TRPA Compact require environmental impact determinations be based on evidence in the record, and the DEIR/S/EA fails to meet these requirements.

Review of Selected Resource Impacts, Intensity of Impact, and Stated Reason for Insignificance					
<u>Resource</u>	<u>Impact</u>	<u>Intensity of Impact (Stated significance before mitigation)</u>	<u>Stated Reason for Insignificance</u>	<u>Why Stated Reason is not Convincing</u>	<u>Should be:</u>
Agricultural and Forest Resources	Impact 4.1-1: Tree Removal	Alternatives 1-4 will remove 178 trees > 14" dbh (PS)	Exempt from regulations because project is on EIP list;	N/A - regulatory exception; does not negate impact as Potentially Significant	PS
			Project will follow TRPA requirements in Chapter 61	N/A - following existing requirements does not negate impact as Potentially Significant	PS

¹ www.opr.ca.gov/docs/NEPA_CEQA_Handbook_Feb2014.pdf

² § 21080 (e)

Agricultural and Forest Resources	Impact 4.1-2: Conversion of Forest Land	Alternatives 1-4 will convert over 4 acres of land to highway use (LTS)	Other forest land on project site will be conserved, and regional forest land composition and distribution would not be altered	Document relies on CEQA significance criteria for NEPA analysis; CEQA criteria include: "result in substantial tree removal; result in the loss of forest land or conversion of forest land to non-forest use;..." No percentages are included, therefore any conversion of forest land to non-forest use must be identified as a significant impact.	S
Biological Resources	Impact 4.3-2: Disturbance or loss of sensitive habitats (jurisdictional wetlands, riparian vegetation, and SEZ)	0.53 acres of SEZ (S)	Will follow TRPA regulations to avoid disturbing more	N/A - following existing requirements does not negate disclosing impact as Significant	S
			Will notify CDFW before activity	N/A - following existing requirements does not negate disclosing impact as Significant	S
			Will mitigate somewhere else, will pay mitigation fee, and/or will develop mitigation and monitoring plan	No information provided regarding where/how/if mitigation will work (PS)	PS
Wildlife	Impact 4.3-4: Disturbance or loss of special-status wildlife species and habitat	Refers to loss of individuals or nests (PS)	Conduct pre-construction survey and modify project "to the extent feasible."	Mitigation does not ensure impacts will be avoided, especially due to 'extent feasible'	PS
Geology/Soils/Land Coverage	Impact 4.5-4: Land Coverage.	Alternatives 1-4 will increase coverage in SEZ 0.5 acres or more. (LTS)	Complies with TRPA's land coverage regulations	N/A - following existing requirements does not negate impact as Potentially Significant	PS
				Fails to look at localized impacts	PS

GHGs	Impact 4.6-1: GHG emissions and consistency with the Regional Transportation Plan	Zero increase in GHGs (LTS)	Consistent with RTP	RTP did not examine emissions from project. (2008 RTP did examine, estimate, and note increased GHGs from project)	S
				Poor analysis - incorrectly assumes no increase in vehicle trips and VMT from project (see transportation comments)	S
Hydrology and Water Quality	Impact 4.7-1: Surface Water Quality	Ground disturbance and construction activities; sediment loss; release of hazardous materials (LTS)	Rules will be followed.	N/A - following existing requirements does not negate impact as Potentially Significant	PS
				Fails to address impacts from relocation of TRI	PS
Hydrology and Water Quality	Impact 4.7-2: Groundwater Interception	Unknown - relative amounts for bridge, unknown for sewer line relocation (LTS)	Project components will be isolated and TRPA rules will be followed.	N/A - following existing requirements does not negate impact as Potentially Significant	PS
				Fails to address impacts from relocation of TRI	PS
Hydrology and Water Quality	Impact 4.7-3: Stormwater runoff and drainage capacity	Increased in impervious surfaces: Alt. 1-4 of > 4 acres (LTS)	Complies with TRPA's land coverage regulations	N/A - following existing requirements does not negate impact as Potentially Significant	PS
				Fails to consider location of surfaces and other factors affecting runoff and drainage	PS
Noise	Impact 4.10-3: Long-term noise impacts	TRPA/CEQA: > 3 db CNEL increase and new noise source from bypass (S)	Will consider features during design to reduce noise "to the extent feasible."	Poor analysis - incorrectly assumes no increase in vehicle trips and VMT from project (see transportation comments); Relies on inappropriate	S

				data (see noise comments)	
				Given ability to reduce noise through design is unknown and not analyzed, this remains a Significant impact	S
Utilities	Impact 4.12-1: Utility Service Lines	No conflicts with utility lines (LTS)	Realignment of TRI sewer line included in Alts. 1-4; otherwise standard permitting conditions require contractors to identify other lines	Sanitation Agency submitted detailed comments regarding conflicts with TRI line; not addressed in DEIR/S/EA	PS
				N/A - following existing requirements does not negate impact as Potentially Significant	PS
Recreation	Impact 4.13-3: Reduction of public forest land available for dispersed recreation	Alt. 1-3 will convert 3.2 acres (9% of remaining 35 acres in project area); Alt. 4 will convert 3.4 acres; Alt. 6/6a will convert 0 acres. (LTS)	Conversion is less than 10 % of 35-acre area and people will still be able to recreate around the bypass	NEPA significance criteria: "An alternative is determined to result in a significant impact related to recreation resources if it would: adversely alter or decrease the recreation resource values of the project area to the extent that recreational user experience or opportunity is substantially diminished." As the criteria do not identify any 'acceptable' amount/percentage of loss of available land, any impact would be significant.	S

	Impact 4.13-4: Effects on the quality of recreation use experience	"Expectations are typically influenced by user experiences, physical characteristics of the recreation resource setting, and perceptions about the level and pattern of use..." (LTS)	"While survey research data is not available to precisely define user expectations and perceptions in the study area, the existing setting would make it reasonable to anticipate that expectations reflect the understanding of the area..."	Failure to obtain survey data; no evidence to assess this impact (available evidence suggests most favor the current experience - see recreation comments)	PS/S
				Consultant and agency speculation can not be substituted for a survey of recreationalist's experiences and expectations	PS/S
Scenic Resources	Impact 4.14-2: Change the existing visual character or quality of the project site after completion	Alt. 1-4 will add elevated bypass, bridge, and roundabouts to area that is currently open forest and river (PS)	Minimize the visual intrusion with vegetation/etc.	Failure to address impacts of new structure from multiple viewpoints both within and outside of the project area (see scenic comments)	PS/S
				Failure to address impacts to Key Observation Points (see scenic comments)	PS/S
				Failure to examine impacts at ground level	PS/S
Scenic Resources	Impact 4.14-4: Create a new source of light and glare that would adversely affect day or nighttime views in the area	Adds new light fixtures/etc. (LTS)	New light fixtures will be designed per existing regulations	N/A - following existing requirements does not negate impact as Potentially Significant	PS
				Fails to address impacts on nighttime views from headlights on elevated bypass and	PS

				in new area	
Transportation	Impact 4.15-1: Roadway Segment Operations	no increase in trips; LOS maintained (LTS)	Project will not increase trips; Alt.s 1 & 4 will meet LOS standards	Fails to address increase in vehicle trips and VMT from project; (see transportation comments)	PS
				Fails to address impacts of pedestrian activity within and adjacent to project area on roadway operations	PS
		no increase in trips; LOS exceeded in 2038 for Alt.s 2 & 3 (S)		Fails to address increase in vehicle trips and VMT from project; (see transportation comments)	PS
				Fails to address impacts of pedestrian activity within and adjacent to project area on roadway operations	PS
				Proposes mitigation in 20+ years involving expanding lanes on bypass. Ignores other environmental constraints, TRPA regulations, etc. This mitigation must be evaluated as reasonably foreseeable under these alternatives.	PS
Transportation	Impact 4.15-2: Intersection Operations	Impacts to intersections; significant impact to Granlibakken and 89 intersection (S)	Pay traffic impact fees to County	Paying fees does not lessen the impact	S
				Document suggests Placer County may use fees for future capital improvements at intersection, but nothing requires this or shows how this	S

				possible future project will mitigate the impact	
				Project relying on an agency to follow a certain action in the future without assurance it will be done; Placer County is also not a lead agency for the EIR/S	S
				Fails to address increases in vehicle trips and VMT from project	S
Transportation	Impact 4.15-3: Vehicle miles of travel per capita ^a	Increase or decrease in VMT per capita (LTS)	Decrease for Alt.s 1-4 because distance of one travel route will decrease; no change for Alt. 6/6a	Fails to address increases in vehicle trips and VMT from project (induced travel and traffic generation)	S
			"This simplified analysis does not account for induced demand that may result if motorists choose to travel during the peak hours once the project is implemented. However, it can be logically assumed that these trips are occurring sometime during the day other than the peak hour, so the VMT in the study area likely would not change as a result of project implementation."	Speculation can not be substituted for substantial evidence.	S
				NOTE: 2008 RTP estimated increases in VMT	
Notes: LTS = Less-than-significant; PS = Potentially Significant; S = Significant					
a. Table 2-1 lists Impact 4.15-3 as VMT per capita; however p. 4.15-42 lists just VMT.					

Less-than-significant vs. Beneficial

Impacts may be deemed less than significant when compared to significance criteria, but this does not mean impacts are beneficial. The many presentations and materials from the lead agencies have touted environmental benefits from this project, however even with many technical inadequacies in the DEIR/S/EA, the document concludes that all environmental impacts for Alternative 1 (the proposed action) are less than significant (with one exception).³ **This is not the same as ‘beneficial.’** The only ‘beneficial’ environmental impact is related to VMT (Impact 4.15-3), however as noted in our comments, the traffic analysis is flawed and does not support this conclusion. For Alternatives 2-4, most environmental impacts are less-than-significant or significant and unavoidable. For Alternatives 6 and 6A, the outcomes are similar (mostly ‘less-than-significant’) however there is a beneficial impact related to Impact 4.7-3, Stormwater runoff and drainage capacity. In summary, we request the document and the lead agencies clearly explain the difference and clarify the actual environmental benefits (if any) and impacts to the public.

USFS Decision to perform Environmental Assessment (EA):

The USFS choice (or Caltrans choice per agreement with the USFS) to only analyze the project with an EA does not meet NEPA requirements, which state that if a project may have significant impacts, a full EIS must be performed (42 U.S.C. § 4332). As noted in our comments herein and from 2/17,⁴ an evaluation of the context and intensity of the project’s impacts⁵ reveals numerous significant and potentially significant impacts.

In addition, the EA appears to be ‘tacked on’ to the EIR/S in a process that is being rushed forward in an effort to secure federal funding for the project. However, NEPA (CFR 40 1502.5) requires the EA be prepared early enough so that it “*can serve practically as an important contribution to the decisionmaking process and will not be used to rationalize or justify decisions already made (§§1500.2(c), 1501.2, and 1502.2).*”⁶ In the event the USFS may attempt to rely on the EIR completed per CEQA, NEPA also requires that “*a Federal agency may not use a completed EIR to meet its own requirements until the Federal agency has reviewed the CEQA document and accompanying administrative record and determined that it satisfies all the agency’s NEPA requirements.*” As pointed out herein, the DEIR/S/EA fails to accurately assess and disclose the environmental impacts of the project.

Appearance of Prejudice toward one alternative:

EIR, EIS, and EA documents must not be used as a means to simply justify the desired alternative.⁷ However, for multiple reasons discussed below, the DEIR/S/EA and other documents in the record give the appearance that the agencies have already selected Alternative 1 (or some variation thereof), and the DEIR/S/EA was crafted to justify this decision, rather than to objectively examine all alternatives, including variations proposed by the public during the scoping period (for example, Jim Sajdak has provided extensive

³ Impact 4.5-2 Siesmic hazards is considered beneficial for all Action Alternatives. However, we note this project is not required to address these hazards, and such repairs can be performed for approx.. \$400,000.

⁴ http://friendswestshore.org/wordpress/wp-content/uploads/2015/02/FOWS-comments-on-FannyB-SR-Realign-DEIR.EIS_EA-2.17.2015.pdf

⁵ The NEPA determination of significance is based on context and intensity. (40 C.F.R. § 1508.27.)

⁶ http://www.ecfr.gov/cgi-bin/text-idx?SID=af0f370f459101e537010df53a872d8e&node=se40.33.1502_15&rqn=div8

⁷ E.g. NEPA, Section 1502.2(g)

information regarding other feasible alternatives to widen Fanny Bridge to a lesser extent than Alternatives 6 and 6A). Examples include:

1. The DEIR/S/EA states that Alternative 1 is “considered by the lead agencies to be the ‘proposed action’.” (p. 3-1). This statement creates prejudice from the beginning of the DEIR/S/EA.
2. In a TTD presentation to the Governing Board on 2/25, the presentation focused on Alternative 1 as the “Proposed Action,” noting claimed benefits and including three images of Alt. 1.
3. TRPA’s Executive Director opened the presentation by discussing how *the bypass* has been ‘contemplated in this location’ (crossing the 64-acre Tract) for over twenty years, and also stated ‘in response to a question last month about whether the environmental thresholds had been considered with this project,’ the answer was an “unequivocal yes.”
4. A TRPA staff member presented information relating to TRPA’s Environmental Improvement Program, with a slideshow that ran through the presumed ‘benefits’ of Alternative 1.⁸ These statements and presentations indicate a clear bias toward Alternative 1, although the non-bypass alternatives have also been identified as feasible.
5. In addition, included in the “*Economic Analysis of the State Route 89/Fanny Bridge Community Revitalization Project*”⁹ (Economic Report) are repeated references favoring the new bypass, without equal consideration of Alternatives 6 and 6A. In fact, the Economic Report dismisses from detailed review all alternatives except Alternative 1:

Project “Alternative 1” (defined in detail in Chapter 4) accomplishes this goal [keeping Fanny Bridge open for traffic], and is the primary subject of this economic analysis and quantification of potential impacts. Throughout this report, reference to the “Project” relates to Alternative 1 unless otherwise specified. (p. 1).¹⁰

6. The Economic Report also appears to push for Alternative 1 as part of a larger economic scheme involving nearby redevelopment:

“The Project supports several nearby redevelopment initiatives, which can provide substantial economic benefits to the region, including jobs, sales activity, and municipal revenues. For example, the feasibility of a 75-room hotel constructed on one of the nearby redevelopment sites will be enhanced by the improvement of traffic flow and an enhanced pedestrian environment...” (p. 3)

“The magnitude of benefit realized by the Project depends on the quality of subsequent implementation actions related to positioning and marketing a new “Fanny Bridge District.” The degree to which this impact to visitation is realized relies not only on the Project, but on several other factors, including redevelopment of key nearby parcels...” (p. 4)

The Project is an important piece of a multifaceted effort to enhance the town’s visitor appeal. Relieving traffic congestion is likely to help transition the image of Tahoe City from one of a congested commercial core to that of a more welcoming, appealing, pedestrian-friendly tourism district, especially during the summer season when most businesses see their peak economic activity...

Several strategically located parcels could accommodate new investment. Examples include the “Henrickson Building; the old Tahoe City fire station; the Tahoe City Golf Course...and other properties located near the existing Wye. These properties have long been observed as potential investment opportunities by both the public and private sectors. The benefits conferred by the Project

⁸ Powerpoint Presentation by staff member, Brian Judge, provided to GB on 2/25/2015 (attached).

⁹ <http://tahoetransportation.org/images/assets/sr89-fannybridge-econ-study-draft.pdf>

¹⁰ We also note that Alternatives 6 and 6A also keep Fanny Bridge open to vehicular traffic.

may tip the balance toward improved feasibility as the result of improved walkability and creation of a defined district. (p. 27-28). [Emphasis added]

It appears certain investors may be interested in the new bypass alternative to presumably justify new developments in Tahoe City. There is no need, purpose, or objective included in the Fanny Bridge Project supporting redevelopment opportunities in Tahoe City. Further, if this project aims to correct problems from existing levels of use, the addition of more visitors (and their vehicles) would run contrary to the need and purpose of this project.

Based on the DEIR/S/EA's own conclusions regarding worsening LOS conditions, the FEIR/S/EA must clarify the actual need, purpose, and objectives for this project. If the project is being proposed primarily for the purpose of creating a "Fanny Bridge District," then it should not be proposed as a transportation project.

Tiering from RTP:

As noted in our 2/17 comments, the Fanny Bridge Project was merely listed in the RTP based on the likelihood of funding. We could not locate any analysis in the 2012 RTP documents evaluating the impacts of the proposed project on VMT, trips, GHGs, or other environmental thresholds. The most recent information we could locate is from the 2008 RTP, which reveals increases in all transportation-related parameters. Because the RTP did not examine the Fanny Bridge Project "*at a sufficient level of detail in the prior environmental report to enable those effects to be mitigated or avoided by site specific provisions, the imposition of conditions, or by other means in connection with the approval of the later project*" (§ 21094), the DEIR/S/EA cannot tier from the RTP EIR/S and must now analyze the impacts of the project.

Public Process Concerns:

As summarized by the California Office of Planning and Research: "Public involvement in the NEPA and CEQA review process is critical for the overall framework of informed decision making. Public review serves as a check on accuracy in analysis. Public comments inform agencies about public opinions and values."¹¹

During the 2/25/2015 GB hearing, and the 2/26/2015 TTD public workshop, the public was repeatedly told the DEIR/S/EA examined the 'worst case scenario,' and that in recent discussions (not public), project designers have worked to lessen the width and reduce the elevation of the new bridge and bypass. These statements appeared to be made to alleviate concerns about the size and scale of the project that were based on the DEIR/S/EA descriptions.

The TTD's director expressed a dislike for the CEQA/NEPA/TRPA process and implied that it would be easier to discuss the options in some other way. However, the reason for the DEIR/S/EA is to evaluate and disclose the environmental impacts of the project for the public and decision-makers. Public processes such as NEPA and CEQA are in place for a reason. This disregard for public process and adequate analysis and disclosure of environmental impacts is extremely concerning, even moreso in light of the rushed schedule for approval of this project.

¹¹ www.opr.ca.gov/docs/NEPA_CEQA_Handbook_Feb2014.pdf

We are also concerned with how this project has been presented to the public, the Board, and others. As noted in the attached slides, the project is advertised as having several ‘environmental benefits’ – including a reduction in congestion, air pollution, and GHGs, yet the conclusions in the DEIR/S/EA do not support this and in fact, reveal otherwise. A “less-than-significant” impact is not a ‘beneficial’ impact, however presentations and statements to the public appear to be misrepresenting the difference between these conclusions.

Confusion with the Purpose and Need for Project and Alt. 1:

The Fanny Bridge Project has long been listed as a project which aims to ‘improve congestion and traffic flow’ in the area. The DEIR/S/EA states: “The primary needs for the proposed project relate to the current traffic congestion and inadequate safety and travel conditions in and around the Fanny Bridge and SR 89/28 wye intersection area. During peak travel periods, vehicle queues are very long and persistent, because of the current configuration of Fanny Bridge and the wye intersection, including delay caused by bicycle and pedestrian activity very close to travel lanes on and around Fanny Bridge...” [Emphasis added]. (DEIR/S/EA, p. 1-4). This statement would lead readers to assume the project will reduce vehicle queues and delays. Further, there are many objectives listed, however the following all reflect improvements in traffic congestion as part of this project:

Recognizing the needs and fundamental purposes of the proposed project, it would be intended to achieve the following project objectives:

- Reduce overall vehicle delays through improved motor vehicle mobility on the State Highway system, including for commercial access and a better resident and visitor experience;
- Improve traffic safety, traffic operations, and emergency access on SR 89 and SR 28, which includes the river crossing (Fanny Bridge) and associated intersections;...
- Improve connectivity, reliability, travel times and operations of public transportation modes, including increased mobility and safety for bicycles and pedestrians and more multi-use trail options for crossing Truckee River, including maintaining and/or improving access to the Caltrans maintenance yard;...
- Make public transportation more effective with better visibility, connectivity, reliability, and travel times;
- Comply with TRPA regional level of service (LOS) criteria;...
- Enhance community attraction for existing and future economic activity by resolving mobility and safety issues in the Fanny Bridge area;...” (DEIR/S/EA, p. 1-5).

However, even without having considered the induced travel, generated traffic, and full suite of cumulative impacts of regional developments, the DEIR/S/EA itself concludes that the LOS of all but one of the evaluated roadway segment operations for Alt. 1 will be the same as the No Action Alternative (in 2018 and 2038). For one segment (southbound travel between western and eastern roundabouts), LOS will actually be worse than the comparable segment in the existing alignment (southbound from Fanny Bridge to Granlibakken) in the No Action alternative.

[2018]:

Exhibit 4.15-5 shows the study area volumes associated with Alternative 1 in 2018. As shown in Table 4.15-6, the roadway segments are projected to operate at acceptable LOS during both peak hours with existing capacity configurations (i.e., as shown for Alternative 5, the No Action Alternative). Both the SR 89 segment between Twin Crags Way and the new SR 89/28 intersection and the new SR 28 segment between this intersection and the existing wye are projected to operate at the same LOS in both directions as under the No Action Alternative. The relocated SR 89 segment (between the western

and eastern roundabouts) is projected to operate at the same LOS in the northbound direction toward SR 28 during both peak hours as compared to the existing alignment under the No Action Alternative (between the existing wye and Granlibakken Road). Along this same segment between the western and eastern roundabouts, the southbound projected travel speed and associated LOS is lower during the summer peak hour than the No Action Alternative. The operations at the eastern roundabout could contribute to the projected average speed reduction. The projected LOS for the existing segment of SR 89 between the wye and Granlibakken Road is the same for Alternative 1 as under the No Action Alternative. Thus, because LOS segment operations would remain at acceptable levels, implementation of Alternative 1 would result in a less-than-significant impact.

[2038]:

Exhibit 4.15-11 shows the study area volumes associated with Alternative 1 in 2038. As shown in Table 4.15-7, the roadway segments are projected to operate at acceptable LOS during both peak hours with existing capacity configurations (i.e., as shown for Alternative 5, the No Action Alternative). Both the SR 89 segment between Twin Crags Way and the new SR 89/28 intersection and the new SR 28 segment between this intersection and the existing wye are projected to operate at the same LOS in both directions as under the No Action Alternative. The relocated SR 89 segment (between the western and eastern roundabouts) is projected to operate at the same LOS in the northbound direction toward SR 28 during both peak hours as compared to the existing alignment under the No Action Alternative (between the existing wye and Granlibakken Road). Along this same segment between the western and eastern roundabouts, the southbound projected travel speed and associated LOS is lower during the summer peak hour than the No Action Alternative. The operations at the eastern roundabout could contribute to the projected average speed reduction. The projected LOS for the existing segment of SR 89 between the wye and Granlibakken Road is the same for Alternative 1 as under the No Action Alternative. Thus, because LOS segment operations would remain at acceptable levels, implementation of Alternative 1 would result in a less-than significant impact.

In addition, Tables 4.15-6 and 4.15-7, *Roadway Segment Traffic Operations for All Alternatives*, list the 2018 and 2038 (resp.) LOS for traveling southbound on the roadway segment “New SR 89- between new SR 89/28 intersection (Western Roundabout for Alternatives 1,2,3 or signal for Alt. 4) & New SR 89/existing SR 89 intersection (Eastern Roundabout for Alts 1,2,3 or Granlibakken Rd for Alt 4)” as D and E, resp. Existing peak LOS for the comparable roadway segment in both forecast years under the No Action Alternative is C. These results indicate that Alt. 1 would, in fact, result in worse LOS conditions than the No Action Alternative.

The conclusions for Alternatives 6 and 6A state the 2018 LOS segment operations will be the same as under the No Action alternative (DEIR/S/EA, p. 4.15-27), and the 2038 LOS segment operations will be the same as the No Action Alternative, and will be worse for the summertime peak hour in the eastbound direction on the segment between Twin Crags Way and the existing Wye intersection (p. 4.15-32).

While the impacts may be deemed less than significant per TRPA and Caltrans criteria, the alternatives do not meet the need, purpose, and stated objectives regarding *improving* traffic delays and LOS in the project area.

In summary, even failing to account for the project-related increases from induced travel, generated traffic, pedestrian activity in the project area, driver behavior, pedestrian traffic in Tahoe City, and evaluating all cumulative impacts,¹² the DEIR/S/EA itself has concluded that

¹² Detailed comments related to these inadequacies are included in our 2/17/2015 Comments on the DEIR/S/EA.

the Action Alternatives will *worsen* LOS compared to the No Action alternative – contrary to the stated need, purpose, and objective of the project.

This needs to be clarified, and an amended project description, purpose, and need statement must be recirculated as part of a new scoping process.

Scenic Impacts:

We appreciate the additional information provided by TTD and TRPA staff, and consultants, at the 2/26 TTD workshop. The visual images and simulations help the public to visualize what the project may look like. However, there were several viewpoints that were not represented in the visuals. For example, there were no ground (eye-level) visuals of what the new bridge may look like to someone along the riverbank, or from the existing road or bike trail. It is difficult to see the elevated grade, or even the size and scale, of the new bridge from the images provided. Most people will see the new bridge from ground level, not from the raised viewpoint in the simulated photos and videos.

There were no visuals of what the bypass may look like as it crosses the 64-acre Tract. We have also requested more information regarding how much of the bypass will be elevated as it crosses the 64-acre Tract; we were finally told by one of the project consultants at the workshop that it would come back down to ground elevation about half-way through the forested tract. There is still a need to clearly examine and disclose to the public the visual impacts of the bypass throughout the 64-acre Tract.





Traffic Volume estimates:

We compared the Year 2018 and Year 2038 Traffic Volumes for the No Action Alternative and Alternatives 1 and 6/6A.

No Action vs. Alt. 1:

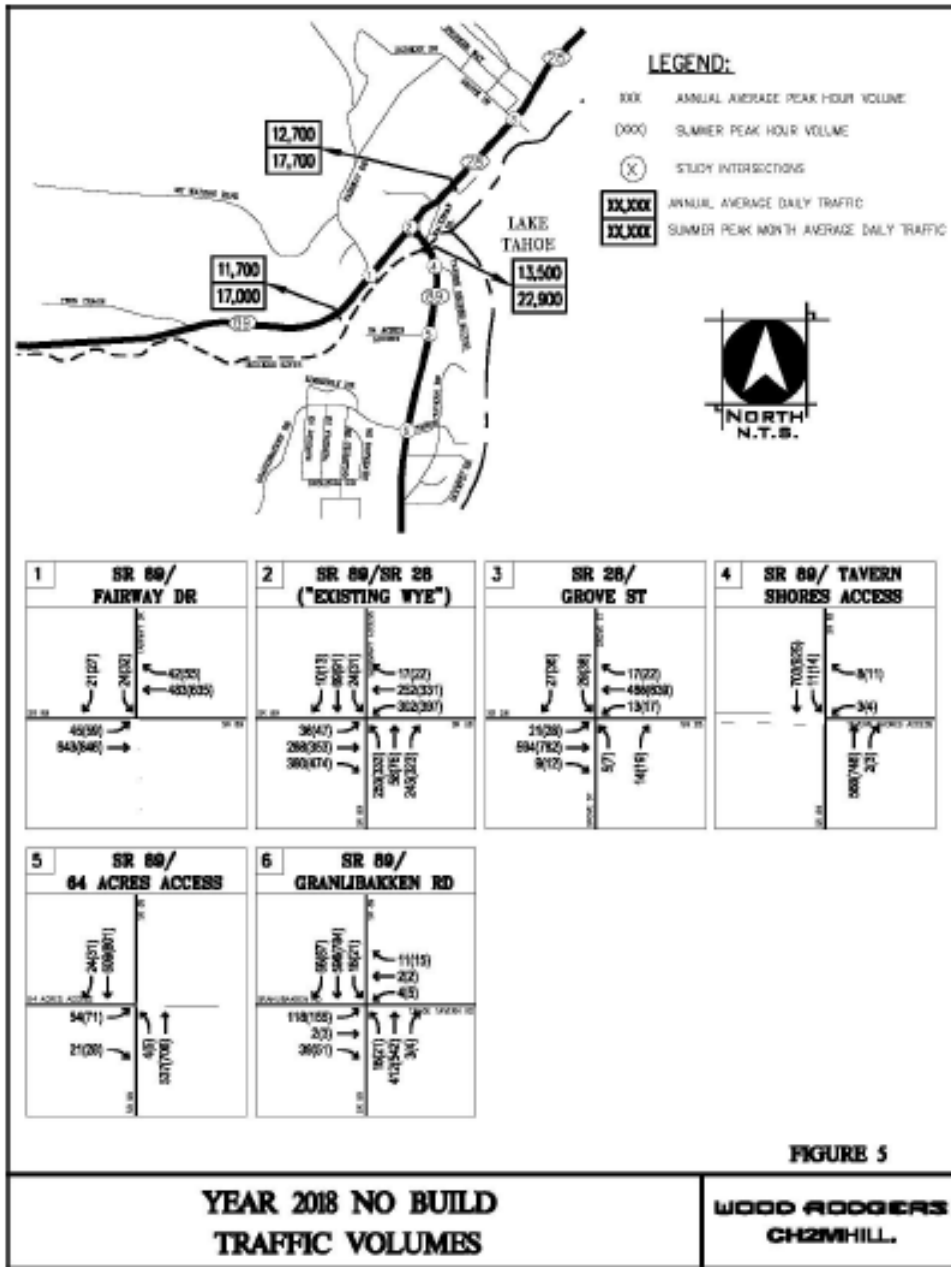
According to the graphics from Appendix G (beginning on the next page), the summer peak month average daily traffic volumes in 2018 for noted intersections under the No Action Alternative would be:

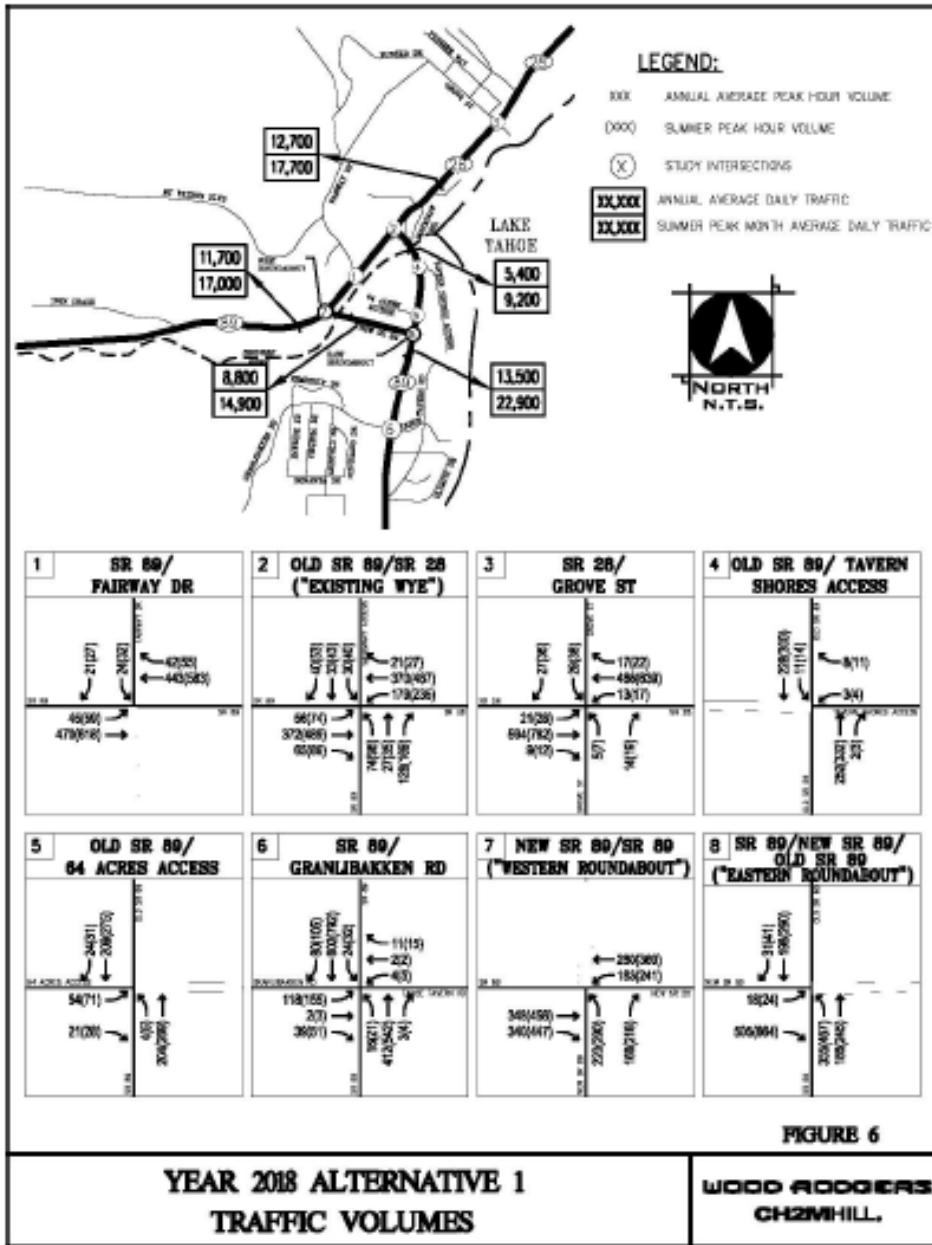
- SR 89 N - 17,000;
- Fanny Bridge – 22,900.

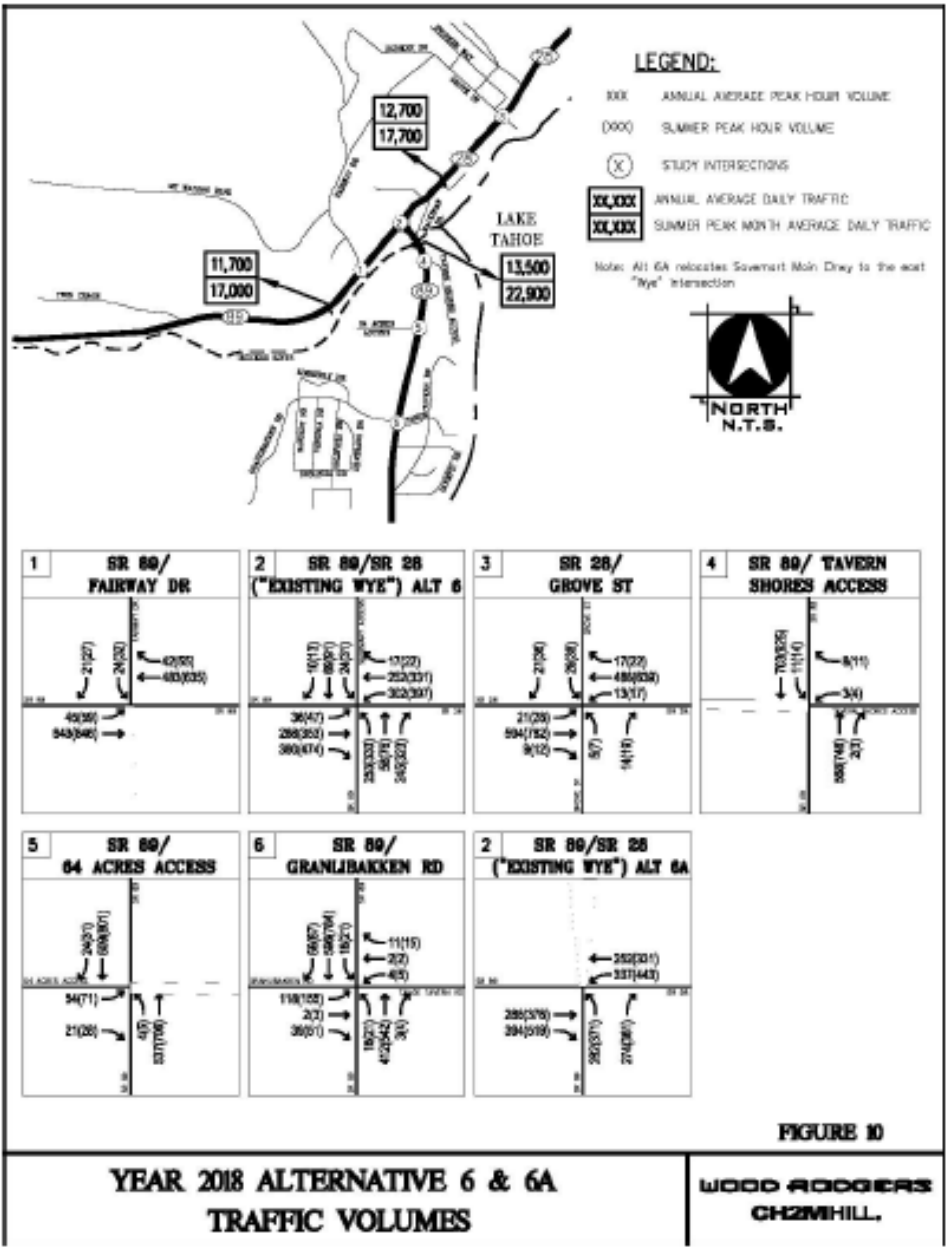
For Alternative 1, 2018 volumes would be:

- SR 89 N – 17,000;
- Fanny Bridge – 9,200;
- Eastern Roundabout on SR 89 S – 22,900;

Therefore, there will be an additional 9,200 vehicles on the roadway in the project area during the peak summertime month. However for the No Action Alternative, and Alternatives 6/6A, the volumes remain the same. The same situation exists for 2038, where there are an additional 10,000 vehicles. This is clearly a substantial increase in vehicle trips on the roadways during the peak summer month with Alternative 1 and must be explained in the DEIR/S/EA. This also conflicts with statements in the DEIR/S/EA that the bypass will not result in increased traffic volumes.







Other Questions:

On p. 4.15-15, the DEIR/S/EA states that traffic from the 64-Acre Recreation Tract Intermodal Center was not included because “this project was constructed and volumes in/out of the development project were captured in the 2013 traffic counts.” However, we have heard the Transit Center has been operating at much less than capacity. The traffic counts must assess the vehicle trips to and from the Transit Center based on its capacity (maximum use).

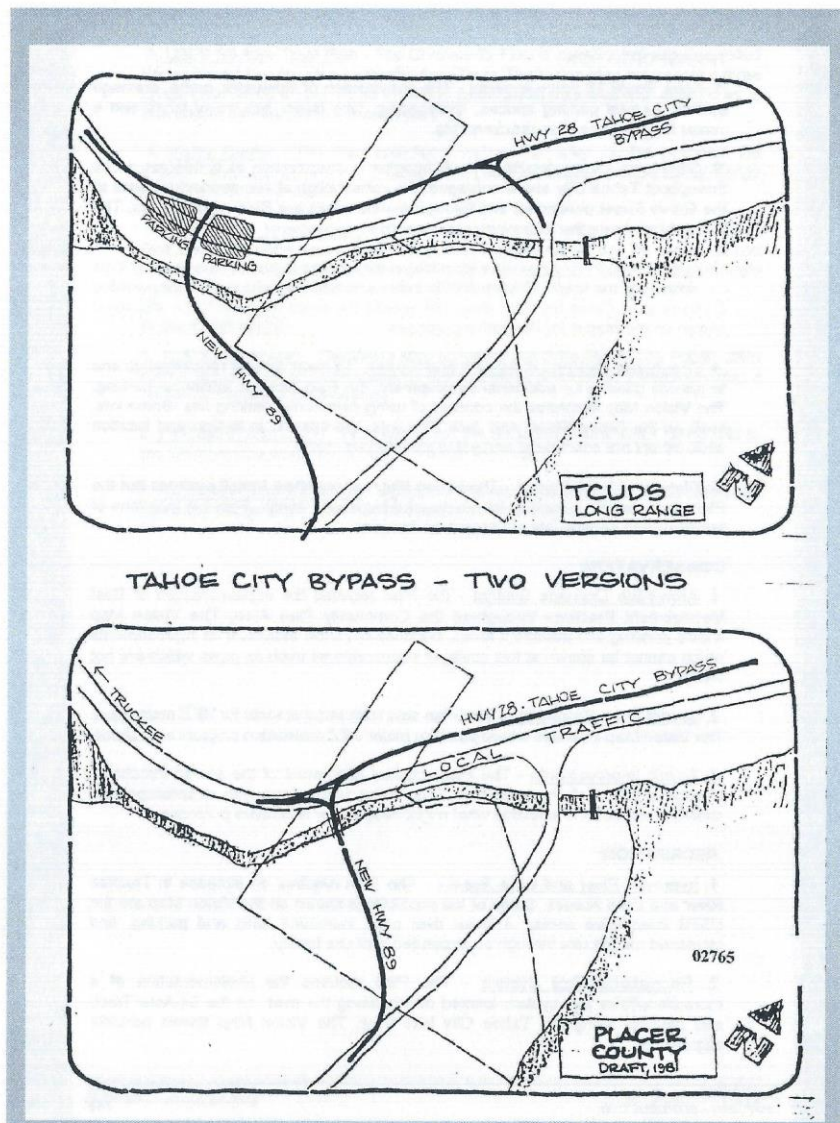
On p. 4.15-36, the DEIR/S/EA states “The shaded cells indicate that the projected LOS is worse than the No Action Alternatives, which is a significant impact.” However, in the previous impact discussion, the text discussion (and data in Tables 4.15-6 and -7) show roadway segment LOS is also worse than the No Action Alternative, however this is not considered a significant impact. The FEIR/S/EA needs to clarify this discrepancy.

On p. 4.15-42, the document states "This simplified analysis does not account for induced demand that may result if motorists choose to travel during the peak hours once the project is implemented. However, it can be logically assumed that these trips are occurring sometime during the day other than the peak hour, so the VMT in the study area likely would not change as a result of project implementation." However, agency or consultant speculation cannot be substituted for factual evidence. Obtaining information to assess the possible induced travel does not seem burdensome, especially for a project of this size, scale, impact, and cost. For example, this information could be assessed through actions such as objective surveys of drivers, residents, and visitors. In addition, as noted in our 2/17 comments, available evidence from Caltrans and other studies indicate increased roadway capacity results in induced travel and generated traffic. Therefore, in the absence of any data to suggest otherwise, the DEIR/S/EA has no basis on which to assert there will be no increases in trips.

Reasonably foreseeable impacts for Tahoe City:

This project will not solve congestion related to Tahoe City pedestrian use, although the transportation study has stated this is part of the problem in the area. However, the action alternatives will substantially increase the capacity of the highway in this area.

That improvements in Tahoe City are already needed to improve flow in the project area is not only documented in the DEIR/S/EA, but represented by the upcoming workshop related to mobility improvements in Tahoe City (flyer below). However, during the 2/25/2015 TRPA Governing Board Meeting, the Executive Director of the TTD stated the following to the Board: “[You] will hear this [project] doesn’t address problems in Tahoe City...if you really want to solve that...you need to do a Tahoe City bypass.” This statement correlated with a powerpoint slide show, which included an old sketch of a Tahoe City bypass.



No one is discussing a bypass around Tahoe City again – yet. Many might say such a thing would never be considered. However, the logic behind the support for the Fanny Bridge bypass project has relied heavily on its listing in historical documents.¹³ What has not been considered **is whether this project is now appropriate given existing conditions and understanding of transportation systems.** Yet claiming the need for the project because it was on the books decades ago would be like claiming the need for the bypass around Tahoe City because that was also contemplated decades ago. We suspect Tahoe City would opt to consider other options carefully.

On that note, the cumulative impacts of this project, which the DEIR/S/EA notes includes worsened LOS conditions in the future compared to the No Action alternative, in addition to increased development associated with other regional and local projects (e.g. Squaw

¹³ According to the TTD Director while presenting images of historical documents, this project “has long been contemplated.” 2/25/2015 GB Hearing.

Valley, Alpine Meadows, Tahoe Basin Area Plan, etc.) will mean more traffic in Tahoe City. It is not unreasonable to question whether a Tahoe City bypass project will be proposed in the future to “improve flow and support walkability.”

The DEIR/S/EA must carefully examine the potential cumulative and reasonably foreseeable impacts of this project. In this case, as Alternatives 1-4 and 6/6A will create more congestion, the DEIR/S/EA must assess the impacts this will have on Tahoe City. How will this be addressed? Will another bypass be contemplated in the future? What alternative ways will Tahoe City address increased traffic and congestion in the future?

FIRST PUBLIC WORKSHOP

**WHEN WEDNESDAY, MARCH 11
5:30-7:30 PM**

**WHERE TAHOE CITY PUD
CONFERENCE ROOM
(221 FAIRWAY DRIVE, TAHOE CITY, CA)**

For more information, contact Eric Roverud
Design Workshop (775) 588-5929


TAHOE CITY

MOBILITY IMPROVEMENTS

This opportunity is funded by the **On Our Way Grant** from the Tahoe Regional Planning Agency.

About the Project:

We are working to develop a variety of mobility related improvements within the downtown core of Tahoe City. The focus of the mobility improvements will be in the commercial core areas not associated with the Revitalization Project. With your help, we can identify and prioritize the projects with the greatest potential to improve mobility in Tahoe City for pedestrians and motorists alike.



Placer County
Public Works Department

DESIGNWORKSHOP
WOOD RODGERS LSC

Conclusion:

In conclusion, there are feasible (and less costly) alternatives to address two of the top three long-standing needs for the project:

1. Improve pedestrian safety/etc.: Widening of Fanny Bridge, including physical barriers between vehicle lanes and pedestrian sidewalks, directing pedestrians interested in viewing the fish to a cantilever structure over the river, and other options are available to improve pedestrian safety and infrastructure.
2. Seismic rehabilitation of Fanny Bridge: As noted by Caltrans, the bridge could be repaired for approximately \$400,000 to meet seismic standards.
3. The third long-standing stated need – reducing traffic congestion and improving flow – is not met by any of the Action Alternatives.
 - a. As noted, the DEIR/S/EA finds that all action alternatives will result in *worse* LOS (more congestion) at one or more intersections or segments compared to the No Action alternative.

FOWS requests the alternatives proposed by Jim Sajdak (included in his NOP comments and recent comments on the record), and others including the Tahoe Area Sierra Club and League to Save Lake Tahoe (as proposed in NOP comments), be fully evaluated whereby the existing Fanny Bridge is widened to a lesser extent than Alt. 6/6A, and alternative options for improved pedestrian access are taken (e.g. a cantilever for viewing fish). It is also clear the purpose and need for the project must be reconsidered in light of the failure of any action alternatives to reduce roadway congestion. It appears the true objectives may be focused on pedestrian improvements and supporting a new “Fanny Bridge District” to supplement desired resort/hotel developments in Tahoe City. This needs to be carefully considered and clarified to the public.

We also request the larger Tahoe City/Fanny Bridge Area be examined together to assess the existing pedestrian infrastructure, connections, and impacts throughout the entire area. As the activities in these areas directly impact each other, we recommend this be done *before* any large scale “transportation” or other projects are implemented.

The DEIR/S/EA contains significant gaps in data, lacks substantial evidence to support many impact conclusions, includes conflicts between the project need and purpose and the outcomes of the project, and draws numerous impact conclusions based on speculation and narrative. Correcting these flaws will introduce significant new information to the public. For this reason, a new EIR/S/EA should be circulated with the appropriate information so the public will have ample opportunity to comment on a sufficient analysis and disclosure of the impacts.

Attachments: 2/25 EIP Slides from TRPA Staff Presentation to Governing Board

Environmental Improvement Program

- The EIP is a strategy to help achieve environmental thresholds
- Launched EIP after 1997 Lake Tahoe Presidential Forum
- SR89/Fanny Bridge Community Revitalization Project is a high priority transportation and trail connectivity EIP project

RESTORATION IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM

Water Quality and Soil Conservation

- Project area drainage
- Threshold Indicators
- Water Quality BMPs
- Coverage and Mitigation
- Stream Environment Zone (SEZ)
- Roadway maintenance practices

RESTORATION IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM

Environmental Improvement Program Update

RESTORATION IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM

Scenic Resources

- Three Scenic Roadway Travel Units
- Update all highway fixtures to blend
- Complete streets features
- Design features for bridge rails and lights
- Public art and vegetation in roundabouts
- Vegetative screening required

RESTORATION IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM

TRPA Threshold Categories


- Water Quality *CWS, Sewer Line*
- Soil Conservation *23K*
- Scenic Resources
- Recreation
- Air Quality
- Noise
- Vegetation
- Fish Habitat
- Wildlife Habitat

RESTORATION IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM


Recreation

- All bike and hiking trail connections will remain
- Access to the Truckee River will remain the same or improve
- Pedestrian and bicycle facilities will increase with bike lanes along the roadways and complete sidewalk connections
- Pedestrian crossings will improve
- Access to public lands


RESTORATION IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM




Air Quality




- Is directly related to Transportation
- Less reliance on private automobile by enhancing pedestrian and bicycle facilities, and creating connectivity
- Increases operation efficiency of public and private transit
- No alternative will increase VMT and Alternatives 1 through 4 decrease VMT
- Does not affect other indicators like ozone, carbon monoxide or odors


REVISIONS IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM





Fish and Wildlife Habitat




- No work is proposed for the Truckee River channel, except for removal of Fanny Bridge mid-river columns
- Any effects would be minor and temporary
- All fisheries threshold indicators will not be affected
- Special interest wildlife species will not be affected
- Habitats of special significance indicator will not be affected


REVISIONS IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM





Noise





- Community Noise Equivalency Level
- Noise will not increase as a result of the project with mitigation
- Part of noise source will be relocated in alternatives 1 through 4
- Speeds will be slower
- Roundabouts have less stop-and-go traffic


REVISIONS IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM





Questions and Comments?







REVISIONS IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM




Vegetation



- No threshold indicators are affected
- No uncommon plant communities occur in the project area
- No sensitive TRPA special-interest plants occur in the project area
- The project area is not located in a late seral/old growth forest

REVISIONS IN PROGRESS
LAKE TAHOE ENVIRONMENTAL IMPROVEMENT PROGRAM


Selected Slides from TTD presentation to GB:

SR 89/Fanny Bridge Community Revitalization Project

The Purpose and Need is:

- Safety
 - RPU, Fed and State, Trans
- Improving Transit and Trails Connections
 - EIP, AQ, GHG, Rec
- Congestion Improvement
 - VMT, AQ, GHG
- Complete Streets Improvement
 - WQ, Scenic, RPU, EIP

What Does It Take To Deliver a Public Project?

To Date:

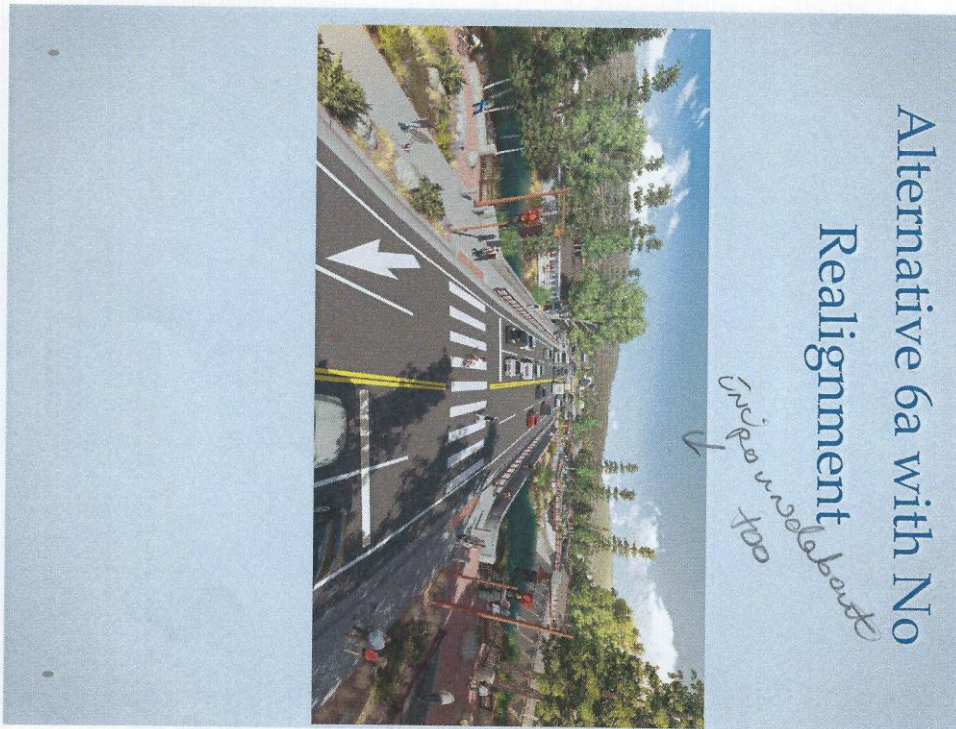
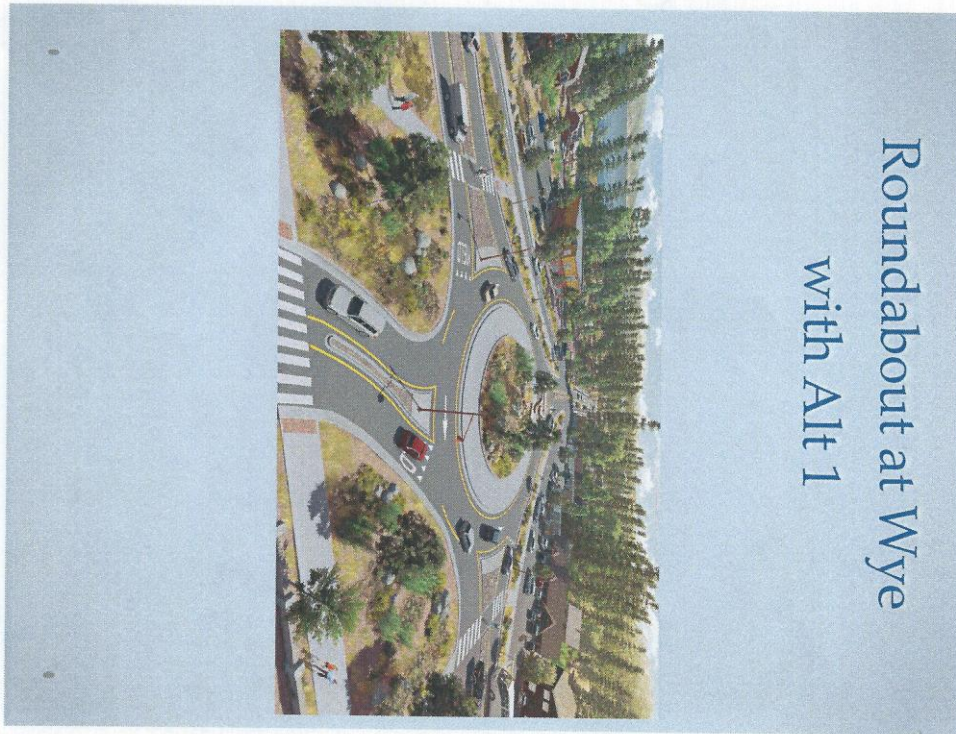
- More than five years of project process
- Over 40 Project Delivery Team meetings
- Over \$3 million in project costs
- Over 30 public workshops and meetings
- Community Review Committee
- Ten public hearings and Board meetings
- Extraordinary collaborative relationships (legacy of EIP implementation)
- \$33 million for construction costs

Proposed Action Benefits

- Safety (RPU, Fed and State Trans, AQ)
 - Two points of ingress and egress for the west shore
 - Fewer bike/pedestrian conflicts with vehicles
- Congestion Improvement (VMT, AQ, GHG)
 - Relieve to west shore queuing
- Complete Street Implementation (VMT, AQ, GHG)
 - Old alignment becomes local for transit and commercial end of Tahoe City enhancing historic and pedestrian environment
- Water Quality Improvement (WQ)
 - TMDL BMP Improvements
 - Replace Sewer Main Collector
- Infrastructure Upgrade
 - Two new long lived bridges out of the flood plain, aesthetically designed to fit community
- Bike Trail along the River (Rec)
- Catalyst for Economic Development at North End of Tahoe City (RPU G&P)
- Operational Improvement for Traffic, Transit, and Goods Movement (RPU G&P)

New Truckee River Bridge





Things to Consider

(Project Design/Project Approval Considerations)

What to Consider for Project Preferred Alternative and Approval:

- ✓ Threshold Compliance and Attainment
- ✓ EIP Improvement
- ✓ SCS Compliance and GHG
- ✓ Land Use and Local Area Plan Objectives
- ✓ Transportation System Improvements for Bike/Pedestrian, Transit, and Road/Highway Networks
- ✓ Economic Vitality