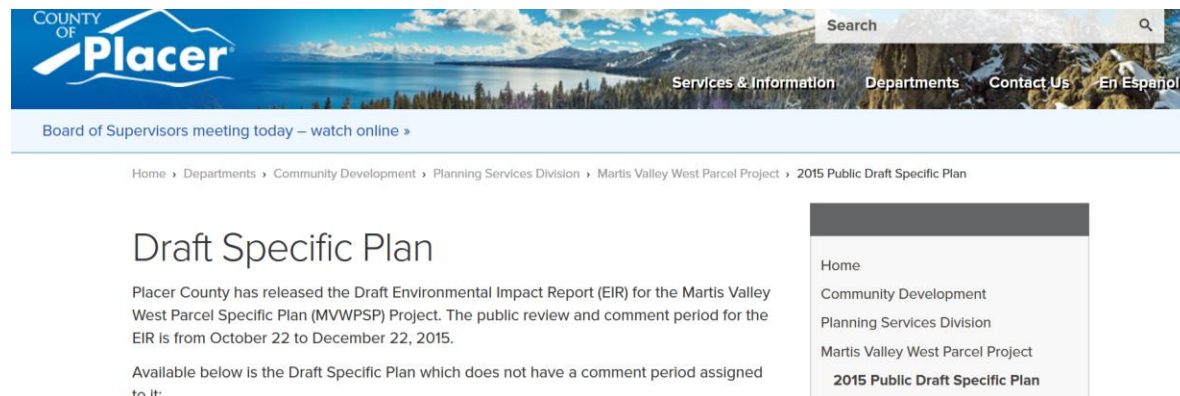


I appreciate the opportunity to provide comments regarding the Martis Valley West Specific Plan (MVWPSP) Draft Environmental Impact Report (DEIR). State Clearinghouse No. 2014032087

1). Acronyms for the:

Martis Valley West Parcel Specific Plan Project DEIR (State Clearinghouse No. 2014032087) should be MVWPSPP as not to confuse the public and agencies commenting on the Martis Valley West Parcel Specific Plan Public Review Draft, which should have the acronym MVWSPPRD.

1a). “Available below (from the Placer County web) the Draft Specific Plan which does not have a comment period assigned” is confusing and misleading. A clearly defined process describing the relationship of the MVWPSPP and the relationship of the MVWSPPRD must be included in the FEIR for transparency and understanding the comments apply equally between the two documents in determining adequate environmental analysis has been completed.



2). The Martis Valley West Parcel Specific Plan Project (MVWPSPP) DEIR (State Clearinghouse No. 2014032087) environmental documentation must concurrently analyze the October 2015 MVW Parcel Specific Plan Public Review Draft (MVWSPPRD) documentation for transparency to allow the public and agencies to comment on the content of the Draft Specific Plan which informs the MVWPSPP to insure impacts have been adequately and accurately analyzed and mitigation measures are sufficient to address the impacts. I provide several references to the Specific Plan in my comments. My comments must not be segregated as separate comments as both documents are integral when approving the MVWPSPP DEIR. And therefore, the DEIR must be re-circulated (per CEQA 15088.5) to include the Draft Martis Valley West Parcel Specific Plan documentation dated October 2015.

Reference: 2.1.2 Proposed Project Page 2-1 MVWPSP DEIR

The MVWPSP is a proposed Specific Plan that would establish a legislative and regulatory framework for the development of residential and commercial uses on a portion of the West Parcel and conservation of the East Parcel. The MVWPSP proposes a comprehensive set of goals and policies, project objectives and implementation measures to guide the development of the West Parcel. The Specific Plan would establish Development Standards for parcel layout, buildings and facilities, as well as Design Guidelines for architecture, landscaping and other project elements. The MVWPSP would also establish goals and policies for the preservation of the entire East Parcel (in both Placer and Nevada Counties) as permanent open space.

15088.5. RECIRCULATION OF AN EIR PRIOR TO CERTIFICATION

(a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation include, for example, a disclosure showing that:

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.

2a). An alternative to develop a reduced density project on the east parcel similar to the proposed reduced density Alt 3 for the west parcel was not analyzed. Therefore, the DEIR must be re-circulated to determine if the impacts on the east parcel will have less significant environmental disturbance/impact. The reduced density east parcel alternative must not exceed 418 units to be an accurate and equivalent comparison of impacts between the west parcel and east parcel. Comparisons of, but not limited to, biological presence, streams, fresh water emergent wetland, wet meadow, visual, slope, avalanche zone, etc. must be analyzed. The east parcel alternative must also 600 units for an accurate comparison of impacts.

(Reference Page 19-9 DEIR: Alternative 3: Reduced Density Alternative, which would reflect the same MVWSPS as proposed, but would reduce the number of residential units on the West Parcel by 45 percent (a reduction of 342 units)

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish and Game Com. (1989) 214 Cal.App.3d 1043

2b). The Summary of Impacts and Mitigation Measures (2-Executive Summary) asserts that the MVWSPS has less than significant effects because other projects contribute more impacts to the cumulative effects but provides no information what the other projects effects are for comparison.

3). Criteria and explanation are required in the FEIR if MVWSPS EIR is approved before the Draft Specific Plan that discloses and outlines the process for allowing changes and approval by the Placer Planning Director as stated in MVWPAPPRD Implementation Section 8 as well as the potential for Development Standards, Allowable Uses and Design Guideline changes as laid out in appendices of the MVWSPPRD. Reference: MVWSPPRD Implementation Section Pages 92/93 Section 8.3.7 Transfer of Density To request a density adjustment, the owner or owners of both the sending and receiving parcels shall submit to the County Planning Director all information needed to determine compliance with the above unit transfer criteria. This submittal shall include information identifying the affected parcels and designating the number of units being transferred, an Administrative Modification application with filing fee, and any other necessary documentation requested by the Planning Director. The applicant shall also provide a revised Specific Plan table reflecting the adjusted unit counts and densities, as well as any necessary map.

4). The environmental documentation must also disclose the chronology for which this DEIR has come through to allow the public and agencies to review past as well as current documents in determining adequate environmental analysis has been completed and that the NOP comments submitted were actually addressed.

Feb 2014 NOP released (which included Tahoe Area Plan) and comments accepted.

July 2014 Draft Specific Plan (which included Tahoe Area Plan)

Feb 2015 Revised NOP (removing Tahoe Area Plan) and comments accepted.

Oct 22 2015 DEIR released for public review and comment

Oct 2015 Revised Draft Specific Plan (after release of DEIR with NO comment period identified)

Introduction- DEIR Chapter 1

5). 1.6.1 Placer County

Page 4 DEIR: CEQA requires decision makers to balance the benefits of a project against its unavoidable significant environmental effects in deciding whether to approve the project. Placer County will consider the Draft EIR and comments received on the Draft EIR, and will respond to comments on the environmental analysis before making a decision. **If significant environmental effects are identified, the lead agency must adopt "Findings" indicating whether feasible mitigation measures or alternatives exist that can avoid or reduce those significant effects.**

Same as **2a**

Page 7 DEIR: In addition, the immediate rezoning of the 662-acre West Parcel development area from Timber Production Zone (TPZ) would require the additional procedural steps outlined in Government Code Section 51130 et. seq., including a four-fifths vote of the full body of the County Board of Supervisors to tentatively approve an immediate rezoning. **The tentatively-approved immediate rezoning needs to be accompanied by specific written findings and submitted to the State Board of Forestry for consideration and approval pursuant to Section 4621.2 of the Public Resources Code prior to any final action by the Board.**

6). The multi-step approval for the requested immediate re-zoning of TPZ is unclear and difficult to follow. Requesting that renewed timber production on the east parcel that expired in December 2013 does not meet the criteria described below for immediate re-zoning. The FEIR must provide criteria and an approval flow-chart demonstrating Public Resources Code 4621.2 is being met.

California Public Resources Code Section 4621.2

(a) If the timberlands which are to be devoted to uses other than the growing of timber are zoned as timberland production zones under Section 51112 or 51113 of the Government Code, **the application shall specify the proposed alternate use and shall include information the board determines necessary to evaluate the proposed alternate use. The board shall approve the application for conversion only if the board makes written findings that all of the following exist:**

(1) **The conversion would be in the public interest 6a).** The conversion is for private interest not public even though there is a public benefit for trails. The public benefit will only occur if entitlements are transferred to the west parcel as stated in the Martis Valley Opportunity Agreement.

(2) **The conversion would not have a substantial and unmitigated adverse effect upon the continued timber-growing use or open-space use of other land zoned as timberland preserve and situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed.**

(3) **The soils, slopes, and watershed conditions would be suitable for the uses proposed if the conversion were approved. 6b).** The MVWPSPPRD documentation shows avalanche areas, severe soil erosion, disruption of an emergent wetland and other issues with the proposed residential zoning change to the current TPZ area. References: Figure 7-1 West Parcel Biological Habitats MVWPSPPRD, Exhibit 14-3 West Parcel Avalanche Risk Areas MVWPSPP, Exhibit 14-4 West Parcel Erosion Hazard Rating

(b) **The existence of an opportunity for an alternative use of the land shall not alone be sufficient reason for conditionally approving an application for conversion.** Conversion shall be considered only if there is no proximate and suitable land which is not zoned as timberland production for the alternate use not permitted within a timberland production zone. **6c).** The MVWPSPP DEIR did not, but MUST, consider an alternative on the east parcel where the residential entitlements already exist.

- See more at: <http://codes.findlaw.com/ca/public-resources-code/prc-sect-4621-2.html#sthash.qYPPhhbg.dpuf>

Executive Summary- DEIR Chapter 2

7). Because of the epic environmental impact the proposed MVWPSPP causes with six (6) significant and unavoidable impacts identified along with the numerous significant and unavoidable cumulative impacts of the proposed Village at Squaw Valley - equally and extraordinary mitigations must be achieved by the MVWPSPP. Referring to Squaw Valley and the other projects in the cumulative projects Table 4.2 as having more significance is not analyzing the actual impacts of the MVWPSPP. Therefore the DEIR must be re-circulated identifying the specific impacts of the MVWPSPP.

8). The FEIR must provide a Project-specific effect Table per CEQA 21065.3. PROJECT-SPECIFIC EFFECT "Project-specific effect" means all the direct or indirect environmental effects of a project other than cumulative effects and growth-inducing effects."

9). A mitigation measure identifying a temporary conservation easement on the east parcel until at least 2025, which is not an arbitrary date as stated in Implementation Section or when the land trust actually goes into effect must be added to the FEIR and MVWPSPPRD as an equal tradeoff for residential development being entitled on the west parcel. The temporary conservation easements must identify the allowed public use of the lands as if it were the

permanent easement and define in-depth timber production practices that will protect the habitat that MVWPSP identifies will benefit from the project with the protection of the east parcel, (MVWPSPPRD Implementation section page 91: “The August 2020 deadline for acquisition of the East Parcel by a land trust (see Open Space Policy OS-2) may be administratively extended by the Planning Director only if all the parties to the purchase and sale agreement request and agree in writing to an extension not to exceed five years, and the Planning Director finds that the extension will facilitate acquisition and permanent preservation of the East Parcel. Additional extensions beyond August 2025 shall constitute an amendment to the Specific Plan.)

Mitigation Measures Table 2-1

10). The FEIR MUST include a Financial Obligation Table (based on mitigation measures) to disclose financial feasibility of the project can be achieved when all required fees are paid. The Table must include mitigation category (traffic, scenic, air quality, etc.) and required fees. An explanation of how the fees were calculated as well as identification of County to which the fees will be paid (Placer and Nevada County) must be included. Approximate/estimated infrastructure costs must be identified for grading, road building, utilities, BMPs, etc. as part of the financial obligation Table for determination if project is financially feasible. Most infrastructure (water, sewer, roads, etc.) to be built is required before each Phase is constructed so the required costs are telling if the project is financially feasible. Surety bonds must be considered as permit condition at each Phase to avoid unintended incomplete development and unnecessary environmental disturbance.

Reference: MVWPSP Page 2-4 Development of the West Parcel pursuant to the MVWPSP would occur in phases, and is anticipated to be built out over approximately 20 years. Depending on market demand for various lodging types and non-residential uses and changes in the development goals or financial capabilities of property owners, development may evolve in a variety of ways. Therefore, the implementation measures are intended to ensure that development of the MVWPSP is comprehensive, coordinated, and responsive to changing circumstances and market conditions.

10a). The FEIR must include an analysis as defined in MVCP 6.B.5. The **County shall require** the preparation of a fiscal impact analysis for all large scale development projects. The analysis will examine the fiscal impacts on the County both positive and negative, and other service providers, which result from large-scale development.

Phases along with grading and construction for infrastructure requirements described in Project Description Table 3-6 below

Schedule/Phasing

The MVWPSP project is anticipated to be built out over approximately 20 years and may evolve in a variety of ways depending on factors such as market demand for various housing/lodging types and non-residential uses as well as changes in the development goals or financial capabilities of property owners. In general, the phasing plan has been structured to ensure that the improvements in each phase can support its respective development in compliance with County policies and standards, and that the development in each phase can support the portion of its costs for the required improvements. The primary access road and backbone infrastructure (primary EVA, water, sewer) and one of the water tanks would be constructed before the first phase of development. The infrastructure requirements for each phase would then include all onsite and offsite facilities necessary for the buildout of that phase. These may include roadways, sewer, water, storm drainage, dry utilities, bike paths and trails, and other facilities and improvements. Therefore, the MVWPSP allows for development to occur in any sequence, as long as the necessary infrastructure is in place. Table 3-6 presents an estimated phasing plan for buildout of the MVWPSP.

Phase	Description	Residential	Commercial	No. of Temporary Construction-related Employees
0	Infrastructure - Primary Roads and Utilities ¹	-	-	45
1	Development - Residential, Secondary Roads, Trails	108 units	-	275
2	Development - Residential, Secondary Roads, Trails, Commercial	108 units	34,500 square feet ²	300
3	Development - Residential, Secondary Roads, Trails	108 units	-	275
4	Development - Residential, Secondary Roads, Trails	112 units	-	275
5	Development - Residential, Secondary Roads, Trails	108 units	-	275
6	Development - Residential, Secondary Roads, Trails	108 units	-	275
7	Development - Residential, Secondary Roads, Trails	108 units	-	275

¹ The main access road and associated infrastructure and one of the water storage tanks would be constructed prior to the first residential development phase.
² The commercial square footage would likely be spread across several phases, but was assumed to occur in one phase to be conservative.
 Source: Mountside Partners 2014

It is estimated that grading and construction of the primary access road and utilities infrastructure (e.g., water and sewer pipes, water supply well(s), water storage tank(s), electrical lines, natural gas lines) would begin in May 2017 and that grading for the first phase of residential development would begin in 2018. This EIR assumes a total of eight phases of construction: Phase 0 would occur over 1.5 seasons and include mass grading, utilities, and paving of main roads; Phases 1-7 would occur for a total of three seasons each and includes grading for one season, vertical construction for two seasons, and painting and paving in the last season along with building construction. The majority of grading activity (55 percent) would occur during Phase 0 and would also include construction of the primary roads. The main access road and associated infrastructure constructed in Phase 0 would be completed prior to the first residential development phase. All remaining grading activities and construction of secondary roads, trails, and residential units would be distributed throughout the other seven phases. To be conservative, it is expected that recreational amenities would be built in Phase 1 and all commercial space would be built in Phase 2. All hauling activities would

Project Description- DEIR Chapter 3

3.3 PROJECT OBJECTIVES Page 3-6

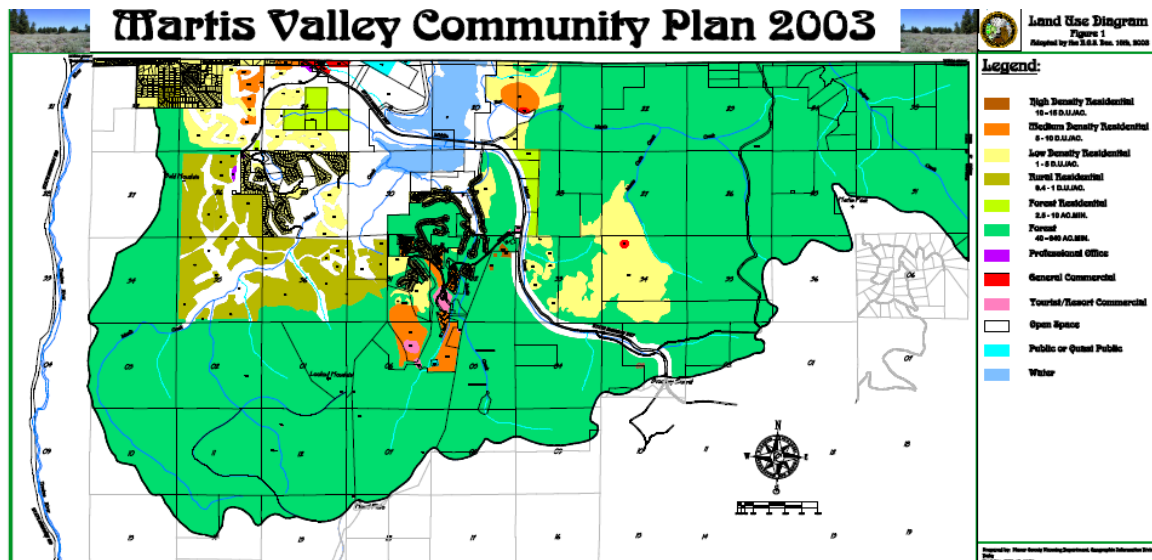
The State CEQA Guidelines (Section 15124[b]) require that an EIR project description contain a clear statement of project objectives, including the underlying purpose of the project. The MVWPSP project objectives, as presented in the proposed MVWPSP, are to:

Provide new residential development consistent with the vision, goals, and policies of the MVCP....

11). The Martis Valley Community Plan (MVCP) envisioned development on the east parcel not the west parcel. The Project Objectives as stated above is not being met. An alternative on east parcel must be analyzed therefore the DEIR must be re-circulated.

Reference MVCP: 3. East Valley Community - Design/Development Standards: **The Martis Valley Community Plan Land Use Diagram** designates a low density residential area including a small commercial site east of SR267 and east of Northstar-at-Tahoe. Following the expiration of the TPZ, this area is available for the development of a large residential project. New development in this area shall be permitted only where it is found to be consistent with the following design/development standards and is developed consistent with an approved comprehensive master plan. Page 52 Community Design MVCP

11a). The TPZ expired December 2013 allowing for the east parcel to be developed. An alternative on east parcel must be analyzed therefore the DEIR must be re-circulated.



Reference: MVCP Figure 1 Land Use Diagram identifies the east parcel for residential development and the west parcel as Forest land.

Page 3-6 DEIR- The County will promote efficient use of land and natural resources and will encourage **"in fill"** development (**Policy 1.A.1**).

• RE: I've trued researching Placer zoning code- can't find in fill People★

Paul Thompson <PKThomps@placer.ca.gov> Nov 3 at 9:57 AM
 To: Ellie
 CC: Michael Johnson, Stacy Wydra

Hi Ellie – In review of the Zoning Ordinance, I was not able to find any information or definition of "In Fill".

Paul

From: Ellie [mailto:tahoellie@yahoo.com]
Sent: Monday, November 02, 2015 6:32 PM
To: Paul Thompson
Cc: Michael Johnson; Stacy Wydra
Subject: I've trued researching Placer zoning code- can't find in fill

Hi Paul,
 Could you please point me to where in County code I can find information/definition of "In fill" as related to infill development.
 Thanks, Ellie

12). Placer County Code must be amended to provide a definition/criteria of “in-fill” (or reference CEQA) to allow the public and agencies to understand the intent of “in-fill” and intended use for the MVWPSPP and MVWSPPRD and any future proposed development in Placer County i.e. the Tahoe Basin Area Plan, etc. which identifies “in fill” development.

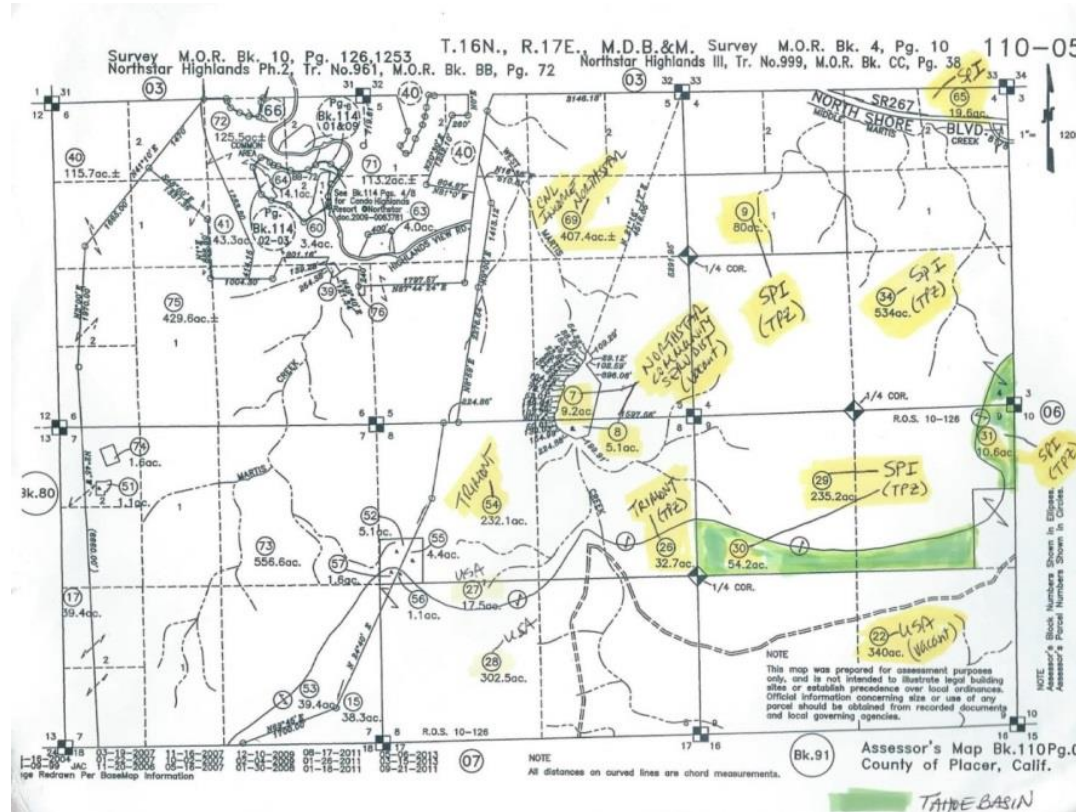
12a). The proposed MVWPSPP and MVWSPPRD development/project do not meet the criteria for “in fill” per CEQA § 21061.3. INFILL SITE

“Infill site” means a site in an urbanized area that meets either of the following criteria:

(a) The site has not been previously developed for urban uses and both of the following apply:

(1) The site is immediately adjacent to parcels that are developed with qualified urban uses, or at least 75 percent of the perimeter of the site adjoins parcels that are developed with qualified urban uses and the remaining 25 percent of the site adjoins parcels that have previously been developed for qualified urban uses.

12b). The MVWSPPRD fails to meet the CEQA criteria (a) (1) above so proposed Policy 1.A.1 as stated in the MVWSPPRD must be amended in the FEIR to reflect the correct zoning.



Reference: Placer Assessor Map showing location of MVWPSPP perimeter and adjacent parcels

(2) No parcel within the site has been created within the past 10 years unless the parcel was created as a result of the plan of a redevelopment agency. **12c).** The redevelopment Agency was dissolved and this parcel is not a result of a previous redevelopment agency plan.

(b) The site has been previously developed for qualified urban uses. **12d).** The site has not been previously developed for urban uses.

13). Page 3-6 DEIR Consider the regional implications of development in the Martis Valley on resources outside of the Valley (i.e., Truckee River, Lake Tahoe Basin, Carson Range, and Sierra Nevada) (Policy 1.A.7).

The cumulative impacts of traffic alone as identified in the MVWPSPP will affect the Tahoe basin and were not analyzed. The scenic violation of the Tahoe basin as identified as significant and unavoidable in the Visual Chapter was not sufficiently analyzed. Therefore, the MVWPSPP must be re-circulated.

14). Policies 1.B.1, 1.B.2, 1.B.4, 1.C.3, 1.F.1, 1.J.1 as well as statements in the project objectives (listed below) are equally applicable to a development on the east parcel where entitlements currently exist. An alternative on east parcel must be analyzed therefore the DEIR must be re-circulated. Pages 3-6 and 3-7 DEIR

Encourage the concentration of multi-family housing in and near village centers and neighborhood commercial centers (Policy 1.B.1).

Encourage the planning and design of new residential subdivisions to emulate the best characteristics (e.g., form, scale, and general character) of existing, nearby neighborhoods (Policy 1.B.2).

Require residential land project design to reflect and consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding uses (Policy 1.B.4).

Require that significant natural, open space, and cultural resources be identified in advance of development and incorporated into site-specific development project design (Policy 1.B.9).

Identify available opportunities and designate land for small commercial centers where some of the needs of local area residents can be met, eliminating the need for trips outside the area (Policy 1.C.3).

Encourage the sustained productive use of forestland as a means of providing open space, maintaining the quality of Martis Valley's scenic vistas and to conserve other natural resources (Policy 1.F.1).

Encourage the preservation of timber producing lands as regional open space, and protect these areas from urban encroachment (Policy 1.J.1).

Minimize isolated development that leads to fragmentation of open space and natural resources by developing on lands in proximity to existing development

Minimize visual impacts of development by using the natural features and terrain of the project site to screen buildings.

Limit new infrastructure and disturbance by developing on lands in proximity to existing development

Implement a land use plan that is responsive to community concerns, such as visual character, traffic management, parking availability, recreational facilities, environmental issues, and the desire for expanded community services and amenities.

Reduce reliance on automobiles by providing onsite services and amenities, a transit stop, and extensive cross-country skiing, hiking, and biking trails.

Develop a project that is consistent with the planning guidelines and principles of adopted plans and policies, particularly the MVCP.

Create a development that draws upon the historic Sierra and Tahoe regional architectural traditions.

Develop a financially sustainable project that does not require the diminishment of services to existing residents.

Incorporate sustainable design concepts to ensure long-term preservation, the enhancement of resources, and the reduction of site impacts. Reinforce the North Lake Tahoe region, including the Martis Valley, as a four-season destination resort.

15). 3.4 CHARACTERISTICS OF THE PROPOSED PROJECT Page 3-7 DEIR

The MVWPSP is a proposed Specific Plan that would establish a legislative and regulatory framework for the development of residential and commercial uses on a portion of the West Parcel and conservation of the East Parcel. The overall development transfer from the East Parcel to the West Parcel proposed by the MVWPSP is illustrated on Exhibit 3-4

The FEIR must provide criteria explaining the establishment of legislative versus regulatory framework and include criteria/information on what governs each category.

Table 3-7 Expected Permits and Authorization Page 3-35 DEIR

16). The FEIR must include an additional Table that compliments Table 3-7 for the multi-step, multi-agency, multi-pronged approval of the MVWPSP and MVWPSPRD. The Table must include: required approval chronologically identified for transparency for the public and agencies to assure that the process is correctly being adhered to and all approval meetings are noticed allowing for public comment. The Table should be in chronological order, provide agency name and required approval. The MVWPSPRD (pages 86-90) outlines some of the process and should be part of the FEIR documentation for transparency of the numerous approvals required. The Table should be accompanied by criteria of what will occur if an approval is not obtained.

16a). The FEIS Table 3-7 must disclose and be amended to add USFS approval as related to a maintenance and/or improvement agreement for use of the Fibreboard Freeway for EVA as access roads through the Brockway Campground are on USFS Road 73 and for Fiberboard Freeway use. (See e-mail with USFS staff below)

December 16, 2015

RE: Placer County code on TPZ

People

Rodman Jr, Robert M -FS <rrodmanjr@fs.fed.us>

Nov 18 at 3:47 PM

To: Ellie

CC: LeFevre, Mike -FS, Johnson, Melaine M -FS, Marsolais, Jeff -FS, Gabor, Michael -FS, Thompson, Gina -FS, Herron, Lisa A -FS

You are correct on the responsibility for road improvement costs, Ellie, and they would need to stay in the existing reserved easement for the road. I do not know the width off hand.

I am forwarding your message to the Forest Supervisor, Jeff Marsolais, so he can determine if we need to comment on the EIR.

Robert M. Rodman Jr.
Lands Program Manager
Forest Service
Lake Tahoe Basin Management Unit
p: 530-543-2613
c: 415-858-2666
f: 530-543-2869
rrodmanjr@fs.fed.us

16b). The FEIR must disclose and provide a diagram of the MVWPSPP and the proposed Brockway Campground and cite which USFS Road 73 access point (B,C,D) the MVWPSPP secondary EVA will utilize. The USFS will also have to approve any structural changes to the Fibreboard Freeway as deemed necessary by fire district standards.

Reference: Citygate Associates. 2015 (February). Assessment of Fire Service Impacts for the Proposed Martis Valley West Parcel Development

3.2 Project Access and Fire Department Response Times

Access to the project site would be provided via SR 267. A two-lane roadway would be constructed to provide access from SR 267 to the interior of the project site. Internal streets will have two lanes. An emergency vehicle access (EVA) road would be provided by connection to SR 267 at Brockway Summit. The EVA would be a paved two-lane road that would be accessible year-round. The EVA would provide access for emergency vehicles only, unless needed to evacuate residents. Fiberboard Freeway, a paved two-lane road that touches the southeastern corner of the project site and connects to SR 267 would provide a secondary emergency access during catastrophic events (e.g., wildfire). The applicant provided travel distance measures from the three nearest fire stations. The Northstar Fire Department validated these measurements. Appendix B to this report is a map showing the areas of the project covered within five miles driving distance from a fire station. The coverage from the North Tahoe Fire Protection District assumes the southern emergency response- only road will be built. If so permitted, this road will have to be built to California Fire Code standards and open year-round with snow removal.

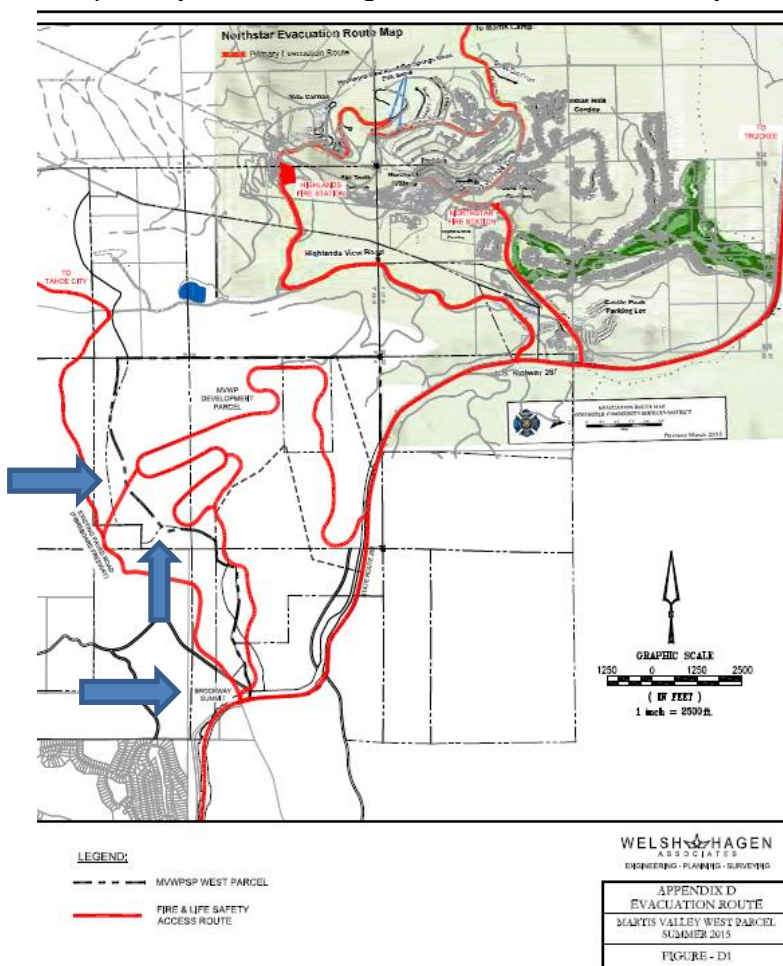
Citygate Associates. 2015 (February). Assessment of Fire Service Impacts for the Proposed Martis Valley West Parcel Development

3.2 Project Access and Fire Department Response Times

The project is located outside of the southeastern boundary of the District with the expectation that the property will be annexed to the Northstar CSD for various services including fire/life/safety service. Currently, the Northstar CSD territory, and the Martis Valley West Parcel area, are not assigned to any ambulance provider's operating area. Depending on unit proximity, either the Truckee Fire Protection District or the North Tahoe Fire District will provide ambulance service to this. These assumptions form the basis for the impacts and mitigations analysis by Citygate. Distances from the two fire stations are measured to the threshold of the residential and commercial development areas. As such, actual distances to built structures will

be greater. Fire apparatus responding from Station 32 must drive down Highlands View road to SR 267 and then back uphill to the bench on the ridge where the homes would be located making for a longer travel distance than apparatus responding from Station 31 on Northstar Drive. The next closest fire station to the project is the North Tahoe Fire Protection District station in Kings Beach. Assuming an EVA road is constructed from either SR 267 and/or the Fiberboard freeway, the Kings Beach station is closer to the southeast portions of the Martis Valley West Parcel, with Northstar Station 31 being closer to the northwest area of the Martis Valley West Parcel. The proposed access road and EVA will be moderately steep with curves in several sections. As such, the fire apparatus travel times will be further slowed. The access road will have grades up to seven percent and the EVA will have grades approaching ten percent for several hundred feet.

16c). The FEIR Table 3-7 must disclose and be amended to include the requirement that the North Tahoe General Plan be amended as the secondary EVA crosses the boundary into Tahoe basin lands. Apdx D of the Martis Valley West Parcel Specific Plan dated Oct 2015 demonstrates that this project crosses into Tahoe basin lands- see legend on EVA Diagram for (Apdx D- MVWSPPRD) boundary line and proposed secondary EVA that enters Tahoe basin and primary EVA directing evacuation onto Brockway Summit.

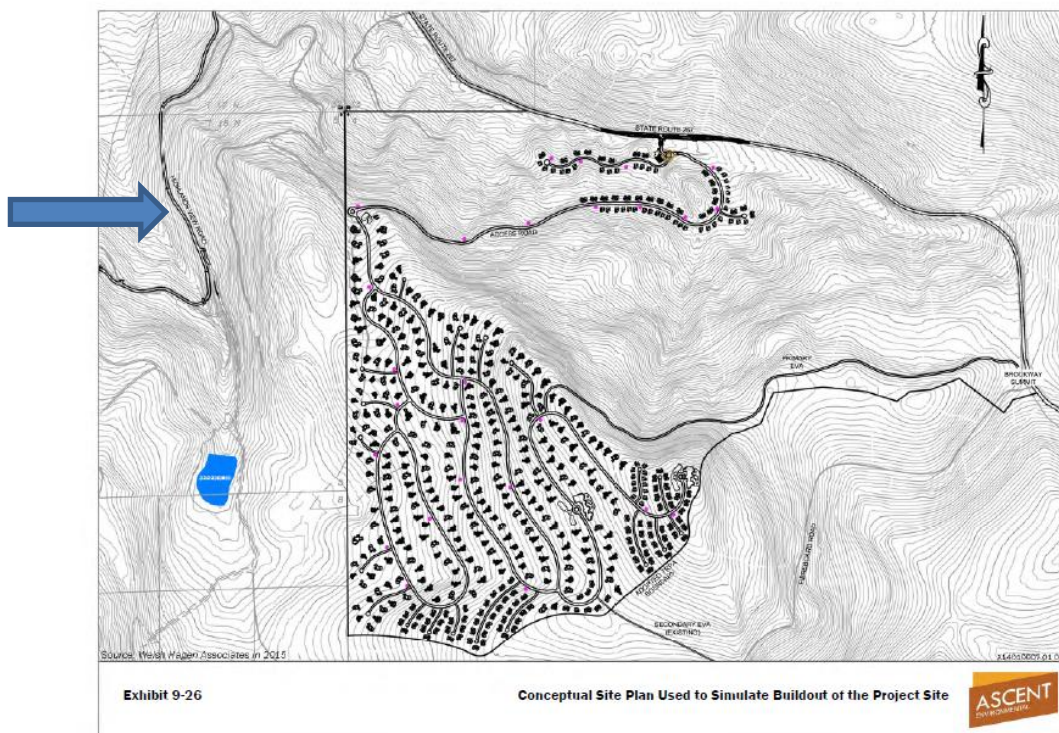


16d). The environmental documentation must include the Martis Valley West Specific Plan Public Review Draft October 2015 (from which Figure D-1 is located) as the information is integral to the analysis of the proposed project.

16e). Figure D1 must be modified to identify Tahoe basin boundary line (blue arrows) for transparency of location of the secondary EVA onto Tahoe basin land as well as orientation of map should be corrected to be consistent with other site maps in MVWPSPP and MVWSPPRD..

16f). The FEIR Table 3-7 must be amended to add TRPA will certify the FEIR as there are Tahoe basin lands being used for EVAs and The Bi-State Compact requires TRPA to approve any use of Tahoe basin lands.

16g). Removal of the secondary EVA into Tahoe basin lands should be analyzed and considered as an alternate evacuation route identified in the FEIR that is located in the Martis Valley and not Tahoe basin. Blue arrow on Exhibit 9-26 identifies Highlands View Road and should be analyzed as the secondary EVA. Clearly public health and safety is achieved by not promoting an EVA to the top of a summit onto SR 267 or the Fibreboard Freeway to Tahoe City.



16h). Furthermore, evacuation of the west parcel could be more difficult than evacuation of the east parcel. Environmental analysis of the east parcel for evacuation and for entire project impacts as compared to the west parcel must be included in the environmental documentation. And therefore, the DEIR must be re-circulated.

16i). The FEIR Table 3-7 must disclose and be amended to add the Air Quality Management District and Air Pollution Control District in approving GHG mitigations as being sufficient and certify the mitigations achieve California GHG standards.

16j). The FEIR Table 3-7 must disclose and be amended to add Caltrans approval of the use of current chain check location as sufficient for public health and safety.

16k). The FEIR Table 3-7 must disclose and be amended to add CalFire approval for TPZ rezoning along with a Timber Harvest Plan as stated in the MVWSPPRD.

16l.) The Project Description Table 3-7 lists a Development Agreement for approval. The DEIR did not include a Development Agreement (DA). The environmental documentation must include the Development Agreement to allow the public and agencies to comment on the content of the DA and to insure impacts have been adequately and accurately analyzed and mitigation measures are sufficient to address the impacts. And therefore, the DEIR must be re-circulated.

Chapter 4- APPROACH TO THE ENVIRONMENTAL ANALYSIS

Table 4-2 Cumulative Projects List

Ascent Environmental Approach to the Environmental Analysis

Table 4-2 Cumulative Projects List				
Project Name	Location	Description	Residential Units and/or Non-Residential Area	Project Status
Verizon Wireless Brockway Summit Cell Tower	Martis Valley off of SR 267; Assessor's Parcel Number 110-060-062; on Sierra Pacific Industries property; on the West Parcel of the proposed MVWSP	Proposed wireless facility with a 115-foot-tall monopole tower, 12 by 12-foot shelter, and 50 kilowatt propane generator within a 30 by 40-foot lease area	—	Application submitted in May 2015.
Brockway Campground	Martis Valley off of SR 267 between the Town of Truckee and the north shore of Lake Tahoe; 104 acres within the Lake Tahoe Basin, directly adjacent to the proposed MVWSP area	Approximately 550 campsites composed of a mix of tent sites, camper sites, and eco-shelters with accessory facilities and amenities	Up to 552 campsites	Application submitted July 2015.
CalPeco 625 and 650 Electrical Line Upgrade	24.1 miles of power line from the Town of Truckee to Kings Beach, and from Kings Beach to Tahoe City	Upgrade of CalPeco's existing 625 and 650 electrical power lines and associated substations	—	Final EIS/EIR released in September 2014; document certification and project approval in April 2015.
Placer County Tahoe Basin Area Plan	That portion of Placer County within the Lake Tahoe Basin and under the jurisdiction of TRPA.	Placer County-initiated update to its land use regulations that apply in the Lake Tahoe Basin; would update the existing community plans, general plans, plan area statements (PASs), maps, and ordinances in the project area; would implement the 2012 Regional Plan and conform to the TRPA/Tahoe Metropolitan Planning Organization (TMPO) Regional Transportation Plan/Sustainable Communities Strategy; no changes to regulations, policies, or standards in Plan Area Statements 013 (Watson Creek), 015 (North Star), or 019 (Martis Peak).	—	Area Plan development underway; Area Plan submitted to TRPA; scoping for EIR/EIS anticipated in June 2015.
Truckee Railyard Master Plan	Eastern end of historic downtown Truckee	Mixed commercial and residential development; includes Trout Creek District (6 acres of primarily mixed housing), Industrial Heritage District (8.5 acres of office, residential, and mixed use buildings), and Downtown Extension District (12 acres of commercial development).	—	Master Plan adopted in 2009; preliminary applications submitted October 2014; current application under review.
Pollard Station - A Senior Neighborhood	10335 Old Brockway Road, Truckee (West of Pine Cone Road terminus, at Hilltop)	Age-restricted senior neighborhood; lodge and condominiums (8-acres in the Hilltop Master Plan area).	86-unit senior lodge and 40 two-bedroom condominium units	Mitigated Negative Declaration comment period ended October 23, 2014; project approval pending.
Joerger Ranch Specific Plan	Intersection of SR 267, Brockway Road, and Soaring Way, Truckee	70-acre mixed use planned community including industrial, office space, public facility, transportation, and apartment uses.	318 dwelling units	Draft EIR available September 2013; Planning Commission recommended approval; EIR certification and approval by Town Council pending.

17). In addition to the Brockway Campground being analyzed for cumulative impacts against the MVWSP, the suspended (not terminated- so still in existence) 112 unit Tahoe Basin Area Plan (same parcel as the proposed Brockway Campground) must be added to Table 4-2 and analyzed for cumulative impacts as it's a reasonably foreseeable project until terminated. And therefore, the DEIR must be re-circulated as no analysis of Tahoe Basin 112 unit Area Plan for cumulative impacts was performed.

Land Uses and Forest Resources – DEIR Chapter 5

18). Page B 6: MVWPSPPRD

Development Standards

Forest: This designation is applied to the entire 6,030 -acre East Parcel and 390 acres within the West Parcel. The terrain within this designation is mountainous and forested. This land use designation is intended for **limited, low-intensity recreational uses** and timber harvesting. Allowable uses include timber production and facilities, **incidental camping, improved campgrounds (but no recreational vehicle parks)**, and public utility and safety facilities. Residential and retail commercial development is not allowed in the Forest designation.

A mitigation measure with policies restricting what can be allowed on Forest land within the MVWPSPP must be added/specified in the FEIR and MVWPSPPRD allowing no recreation related zoning on the Forest land on the west parcel as well as the east parcel to insure habitat lands remain environmentally suitable and are preserved in perpetuity as a tradeoff for residential development entitlements on the west parcel.

18a). The Northstar Mountain Master Plan has not been approved so this could be the first TPZ/residential zoning land swap approved and must be project specific to the MVWPSPP not a Placer County-wide code amendment as no other projects were analyzed in the MVWPSPP DEIR for such a land swap.

Placer County Code 17.51.010 Specific plan (SPL).

A. Purpose and Intent. The purpose of the specific plan (SPL) district is to allow unique zone districts to be established consistent with an adopted specific plan, providing more flexibility in the designation of allowable uses, development standards, and other regulations than would be possible through application of other base and combining zone districts.

B. Specific Plan Requirement. Development within the SPL district shall be authorized only through the approval of a specific plan as set forth in Section 17.58.200 (Specific plans) and in California Government Code Section 66450 et seq. The specific plan (and/or companion documents thereto) shall contain the zoning regulations for properties within the specific plan area.

C. **Allowable Land Uses**, Permit Requirements, and Development Standards. The specific plan shall specify all permitted uses and land use permit requirements for the SPL district. All land uses permitted within the SPL district shall be subject to the development standards and other regulations required by the specific plan. Such development standards shall include minimum parcel size, setbacks, maximum coverage or floor area ratio, height limits, density, parking ratios, and other applicable requirements. If a standard or other regulation is not specifically addressed in the specific plan, it shall be governed by the Placer County zoning ordinance. **19).** Not all Allowable Uses within Appendix A of the MVWPSPPRD were analyzed in the MVWPSPP DEIR. Therefore, the DEIR must be re-circulated to include analysis of fractional homes- more people/traffic during non-holiday or high-summer seasons, ski facilities connected to Northstar- more people/traffic that also could include additional

structures, parking etc., Community Center for weddings and meetings- more people/traffic on the road traveling to site, hotels and inns up to 100 rooms with a height of 60', residential accessory uses such as solar panels causing unintended visual/light issues, secondary dwellings- more people/traffic, business support services which could account for additional employees/traffic, child/adult day care centers which could account for additional employees/traffic, professional or government offices which could account for additional employees/traffic, expected increased visitor population for retail as stated in use- shopping center up to 5 acres, etc. All these uses could change the traffic analysis, population counts, employee counts, potential multiple visual issues, affordable housing ratio based on employee count, etc. and must be analyzed in the FEIR.

D. Designation on the Zoning Map. The SPL district shall be designated on the zoning maps by the specific plan land use symbol (SPL) and reference to the relevant specific plan (e.g., SPL-PVSP).

E. Incorporation into the Placer County Zoning Ordinance. The relevant sections of the specific plan (and/or companion documents thereto) shall be adopted by ordinance and incorporated by reference in the Placer County zoning ordinance under this section. (Ord. 5419-B (Exh. 2), 2006) **19a**). The FEIR must include in the approval Table where in the chronology the Placer County Zoning Ordinance will be adopted/amended.

20). 5.1.1 Existing Land Uses DEIR Page 5-1

“Both the East and West Parcels of the MVWPSP (MVWPSP project site) contain undeveloped coniferous forest, which has been maintained through timber harvesting activities. Historically, the MVWPSP project site has been used for mining and logging, as well as cross-country skiing, snowshoeing, mountain biking, and hiking. Recreational use of the East Parcel is unauthorized. However, use of the West Parcel by Northstar guests is authorized through a lease agreement for use of 16 miles of trails for cross-country skiing and, since January 2015, for hiking and mountain biking.”

The FEIR must analyze the baseline for the west parcel before development, which is Forest-timber production. The FEIR must disclose the impacts created solely on the west parcel as a result of proposed development, not against an illusory project that has not been studied/analyzed but against baseline Forest zoning as described in the Martis Valley West Community Plan below.

“MARTIS VALLEY COMMUNITY PLAN Page 5-1

The land use designations set forth in the land use diagram of the MVCP are consistent with, and are designed to implement, the goals, policies, and programs set forth in the Placer County General Plan (Placer County 2013). Land use designations on the project site include Forest, Low Density Residential, General Commercial, and Open Space. The West Parcel is primarily designated Forest. A strip of land along each side of SR 267 in both the West and East Parcels is designated Open Space. The East Parcel contains approximately 670 acres designated Low Density Residential with 6.6 acres designated as General Commercial. The remainder of the East Parcel covered by the MVCP is designated Forest. The existing and allowable land uses of the project site, as defined in the MVCP, are described below.

Forest (F) (40-640 acre minimum): This designation is applied to mountainous areas of the MVCP area where the primary land uses relate to the growing and harvesting of timber and other forest products. Other limited, low-intensity public and commercial recreational uses are allowed alongside these uses. The Forest designation covers approximately 67 percent of the MVCP area.”

20a). The TPZ has expired on the east parcel. The FEIR must disclose that TPZ expired in 2013 and has not been re-evaluated/analyzed for future timber production. TPZ transfer from the west parcel to east parcel is being requested as an immediate transfer. The environmental documentation must include detailed analysis and criteria and disclose the environmental impacts of the transfer of the TPZ to the east parcel (where TPZ has expired) therefore requiring re-circulation of the DEIR. Simply stating: “The MVWPSP thus involves re-establishing TPZ zoning on this 670-acre area” does not substitute for analysis.

Reference MVWPSPPRD page 94: Conservation Easements (“As specified in Policy OS-2 in Chapter 6, upon approval of the Specific Plan and the immediate withdrawal from the Timberland Production Zone of the West Parcel by both the Board of Supervisors and the Board of Forestry, the 670-acre developable portion of the East Parcel will be re-designated Forest and rezoned **Timberland Production Zone as this parcel completed the 10 year Timber Production Zone-rollout in December of 2013.** The MVWPSP thus involves re-establishing TPZ zoning on this 670-acre area.”)

Chapter 1 MVWPSPPRD Page 15

Zoning

21). Upon adoption of the MVWPSP, the West Parcel portion of the plan area that is designated Residential will be rezoned with a new “Specific Plan” (SPL) zoning district (SPL-MVWPSP). The SPL zone will be combined with the MVWPSP to function as the zoning text and map for the residential portion of the plan area. In particular, the text and exhibits in Appendices A, Allowable Uses, and B, Development Standards, establish the zoning, allowable land use and site specifications for MVWPSP development. The standards in this Specific Plan amend and supersede the standards and land use designations found in the Placer County Zoning Ordinance. Standards or regulations that are not specified in this Specific Plan shall default to the provisions of the Placer County Zoning Ordinance. **The portion of the West Parcel that is designated Forest will retain its Timberland Production Zone (TPZ) zoning and will be subject to the applicable TPZ provisions of the Place County Zoning Ordinance.** The portion of the East Parcel that is currently zoned Residential and Commercial will be rezoned Timberland Production Zone. The remainder of the East Parcel will retain its current zoning.

A mitigation measure for the permanent preservation of 390 acres on the west parcel of Forest to Open Space or Conservation or Conservation Preserve (conservation preserve currently specific to Squaw Valley but could be amended to apply to other areas much like MVWP) and allow no TPZ or recreation on the 390 acres will further reduce impacts on the west parcel and should be required in exchange for residential zoning/entitlement being transferred from the east parcel.

The proposed mitigation for open space restriction supports Goal LU-2: Preserve natural resources and features through **dedication and protection of open space** and development practices that are sensitive to the natural environment. Page 24 Land Use section MVWPSPPRD

22). If the FEIR is approved and zoning transferred approved by Board of Forestry and Placer County this zoning swap between parcels must be project specific to the MVWPSP and not a new Placer County-wide zoning ordinance for other projects or the entirety of Placer County. Requesting a zoning swap for other areas was not analyzed in the DEIR for other areas in Placer County thus being project specific.

Placer Code: 17.16.010 Timberland production (TPZ).

A. Purpose and Intent.

1. It is the purpose of the timberland production zone district to encourage prudent and responsible forest resource management and the continued use of timberlands for the production of timber products and compatible uses. The zone is established in conformance with the Forest Taxation Reform Act of 1976 (California Government Code Section 51100 et seq.).

2. The TPZ district is intended to be an exclusive area for the growing and harvesting of timber and those uses that are an integral part of a timber management operation. The TPZ district replaces the use of Williamson Act contracts on timberland. Land use under a TPZ will be restricted for a minimum of ten (10) years to growing and harvesting timber, and to compatible uses as allowed by subsection D of this section. Such zoning generally allows land to be valued for property taxation on the basis of its use for growing and harvesting timber only, and such timber is exempt from ad valorem taxation; however, a yield tax will be imposed at such time as the timber is harvested.

23). Taxation changes must be disclosed in the FEIR and added to the Financial Obligation Table requested in earlier comment.

B. State Law Requirements. In addition to the provisions of this section, the requirements of California Government Code Section 51100 et seq. shall also apply to all timberland production zones.

C. Requirements for Establishment of Timberland Production Zoning. Owners of timberland not included on state Lists A or B (California Government Code Section 51110 and Section 51110.1, respectively) may request rezoning of property to the TPZ district as follows, and as provided in Section 17.60.090 (Ordinance amendments and rezonings):

1. Application. In addition to the application required for rezonings by Section 17.60.090, a petition for rezoning to TPZ shall also include the following:

a. A map showing the legal description(s) or the assessor's parcel number(s) of the property to be rezoned;

b. A forest management plan, which shall be prepared or approved as to content by a California-registered professional forester. The forest management plan shall include discussion and recommendations on at least the following:

i. A history of past commercial harvesting operations and recommendations for future operations;

ii. Provisions for legal and physical access to the property to enable commercial operations;

iii. Disease or insect control work;

iv. Thinning, slash disposal, pruning and other appropriate silvicultural work;

v. A fire protection plan including a fuel management program;

vi. Erosion control on existing roads and skid trails and maintenance of existing roads;

vii. Planting of a significant portion of the under stocked areas of land;

viii. Whether the parcel currently meets the timber stocking standards in Public Resources Code Section 4561 and the board of forestry forest practice rules for the district where the parcel is located and, if not, whether the parcel can meet such standards within five years.

The forest management plan shall also include a map showing all parcels proposed to be within the TPZ rezoning, together with their assessor's parcel numbers, and the site quality classes (I - V, as defined in California Public Resources Code Section 4528 and Section 4551, and California Revenue and Taxation Code Section 434 et seq.) and acreage in each class.

2. Criteria for Approval of Rezoning. The board of supervisors shall not approve a rezoning to the TPZ district unless the following criteria are met, in addition to all other applicable provisions of this section:

a. The land to be rezoned shall be of site quality class Site V or higher.

b. The parcel shall currently meet the timber stocking standards and forest practice rules referenced in California Government Code Section 51113, or the board of supervisors shall be satisfied that the parcel will meet such requirements by the fifth anniversary of the effective date of the ordinance that changes the zoning of the parcel to the TPZ zone district.

c. The property owner shall execute an *agreement* with the county that the parcel will meet the timber stocking standards and forest practice rules referenced in subsection (C)(2)(a) of this section, above, by the fifth anniversary of the effective date of the ordinance that changes the zoning of the parcel to the TPZ zone district

d. The board of supervisors shall approve the forest management plan.

3. Recorded Notice. Within ten (10) days after the adoption of an ordinance to either rezone property to the TPZ zone district, or from the TPZ district to another zone district, the clerk of the board of supervisors shall cause a notice of adoption, including the effective date of the ordinance, a map, and assessor's parcel numbers of the affected parcels, to be recorded by the county recorder. However, failure to comply with this requirement shall not affect the validity of the ordinance nor of any proceeding taken in reliance on the ordinance.

4. Effective Date of Rezoning From TPZ. When the board of supervisors adopts a rezoning of property from TPZ to another zone district, the TPZ zoning shall remain effective and applicable to the subject property for a minimum of ten (10) years from the date of adoption of the ordinance rezoning the property. Except that when an ordinance is adopted pursuant to the immediate rezoning provision of California Government Code Section 51130 et seq., the effective date shall be as required by state law governing the adoption of an ordinance changing the boundaries of a zoning district.

23a). Simply stating: "The MVWPSP thus involves re-establishing TPZ zoning on this 670-acre area" is not a substitute for the rigorous approval process as defined in California Government Code or Placer County Code. The FEIR must disclose and provide documentation that the proposed zoning swap complies with all Placer and California Government codes noted above and the proposed MVWPSP and DEIR are in compliance with TPZ regulations. The FEIR must layout and detail the process above to allow the public and agencies a clear understanding in determining if the criteria has been met and adequate and accurate environmental analysis and mitigation measures have been established.

23b). In exchange for residential entitlements being transferred to the west parcel if the east parcel does receive TPZ zoning approval, the east parcel must be restricted and remain open space only allowing for public trails, not camping or other recreational activities.

24). Martis Valley Opportunity Agreement (MVOA) dated 7-16-13 Page 1: This agreement ("Agreement") effective as of the last date signed below ("Effective Date") is made and entered into by and among CREW Tahoe, LLC, a Delaware limited liability company ("CREW") and Sierra Pacific Industries, Inc., a California corporation ("SPI"), (CREW and SPI are collectively the "Business Group"), Mountain Area Preservation Foundation, a California non-profit corporation ("MAP") and Sierra Watch, a California non-profit corporation ("SW") (SW and MAP are collectively the "Conservation Group"). CREW, SPI, MAP and SW are referred to collectively as the "Parties" or, individually, as a "Party." Additionally, Truckee Donner Land Trust ("TDLT") and Trust for Public Land ("TPL"), collectively the "Land Trust Partners," have participated in discussions about this Agreement but are not a party.

MVOA Page 1- E. The Business Group wishes to seek Initial Approval (as defined in section 2.c) from Placer County for amendments to the Placer County General Plan, MVCP, and County zoning ordinance, implemented through the use of a Specific Plan to allow development of up to 760 residential units and including the 6.6 acres of commercial on the West Parcel with immediate withdrawal of this land from the TPZ zoning designation. The parties understand that the Initial Approval may include policies or land use diagrams that could allow development on up to 150 acres within the Lake Tahoe Basin subject to the jurisdiction of the Tahoe Regional Planning Agency.

The MVOA was not included in the MWVPSP DEIR but identified in the MWVPSPPRD Introduction Section and Project Description Section. Therefore, the DEIR must be re-circulated and must include the MVOA for public and agency review to insure compliance with Placer General Plan, Martis Valley Community Plan and all other applicable Placer Plans, Government Code and TRPA Goals, Policies and code of ordinances if applicable. The MVOA is not a substitute for an approved Development Agreement or environmental analysis requirements.

Reference: Page 14 MWVPSP: Introduction Martis Valley Opportunity Agreement

The MWVPSP is the result of collaboration and agreement between the project applicant and four conservation organizations--Mountain Area Preservation, Sierra Watch, Trust for Public Land and Truckee Donner Land Trust--regarding conservation, preservation and development of the East and West Parcels. Through a private party agreement with the above conservation groups, the project applicant agreed to reduce the overall development density allowed by the adopted MVCP and current zoning by 600 residential units, from 1,360 units to 760 units. The development zoning would be transferred to the West Parcel as discussed above, and the 670-acre portion of the East Parcel would be re-designated Forest and rezoned TPZ. Furthermore, the property owner has agreed to protect the entire East Parcel (both Placer County and Nevada County portions), comprised of over 6,376 acres, as permanent open space via either fee simple or a conservation easement.

24a). EAST PARCEL PROPOSED LAND USE DESIGNATIONS, ZONING, AND LAND USES

The MWVPSP policies call for the preservation of the entire 6,376-acre East Parcel (including the 6,160 acres in Placer County and the 216 acres in Nevada County) as permanent open space (Exhibit 3-4). This proposal (referred to as the Martis Valley Opportunity Agreement) is the result of collaboration and agreement between the project applicant (Mountainside Partners and Sierra Pacific Industries) and four conservation organizations (Mountain Area Preservation, Sierra Watch, Trust for Public Land, and Truckee Donner Land Trust). Page 3-9 DEIR

The FEIR must disclose the relationship of the Martis Valley Opportunity Agreement (MVOA) to the project objectives:

“Exhibit C

East Parcel Purchase, Sale and Option Agreement Term Sheet

1. East Parcel Procurement

- Acquisition of East Parcel.

2. East Parcel Deal Terms

- Purchase price will be Fair Market Value as established by an agency approved appraisal.
- Closing date.
- Contingent upon the West Parcel’s initial approval.
- SPI will not pursue development entitlements on the East Parcel during the option term.
- No clear cutting during option.
- Length of Option Period.

3. East Parcel Scenarios

- If the West Parcel does not receive initial approval. No deal on East Parcel acquisition and/or conservation easement.

- If the West Parcel does not receive initial approval the MVCP's density allocation on the East Parcel remains.
- If the West Parcel receives initial approval TPL and/or TDLT complete the East Parcel acquisition or conservation easement per their deal terms.
- If the West Parcel receives initial approval and TPL and/or TDLT are unable to perform and complete the East Parcel acquisition:
 - SPI to retain ownership of the East Parcel and all associated land rights.
 - Density allocation on the East Parcel will be extinguished.
 - No residential or commercial development on the East Parcel.
 - SPI shall agree to place a limited conservation easement on the East Parcel.
 - In exchange for the East Parcel's limited conservation easement SPI shall be compensated per terms to be agreed upon with the West Parcel developer."

24b). The MVOA (Page 1 above) does not cite TRPA as a signatory to the "Agreement" so no formal requirement can be imposed on Tahoe Basin lands for the proposed secondary EVA. Thus the lands crossing through the proposed Brockway Campground (under a separate application) to be used for secondary evacuation into the Tahoe Basin for the MVWPSPP development does not fall within the Settlement Agreement and must be approved by TRPA. Therefore, the DEIR must be re-circulated to add TRPA approval requirements.

25). MVWPSPPRD Implementation Section Page 92

Modification of the Land Use Diagram

Figure 3-4, Proposed Land Use Designations, is intended to provide the structural framework for the land use program within the plan area. Land use boundaries may be modified or reconfigured on site plans and designs through the Administrative Modification process, in conjunction with the Subsequent Conformity Review and Design Review process, without an amendment to the Specific Plan, so long as the modifications comply with the following criteria:

- The Planning Director has determined that the proposed project is consistent with the intent of the approved Specific Plan and with land use patterns and assumption analyzed in the Specific Plan EIR;
- The density of development does not exceed the permitted range of the land use designation and the allowable number of units is not exceeded within the plan area; and
- The area planned for parks, open space, trails, public facilities and other such public amenities described on the Land Use Diagram is not reduced; and
- No final small lot map has been recorded

The FEIR must provide detailed criteria that Administrative Modification requests for approval by the Planning Director for changes to the Specific Plan are compliant with other Placer County codes and comply with the environmental analysis completed for the MVWPSPP. Stating the Planning Director will interpret "the intent" of the approved Specific Plan cannot not be substituted for environmental analysis.

25a). MVWPSPRD Implementation Section Pages 92/93
8.3.7 Transfer of Density

To further the intent of providing development flexibility, units and/or square footage assigned to specific properties may be transferred between development land use parcels provided that all the following criteria are met:

- The sending and receiving parcels are within the plan area and the total does not exceed the total maximum number of approved units and/or square footage for the entire plan area;
- The adjustment is made between parcels before a small lot tentative map is approved by Placer County for either the receiving or sending parcel;
- The transfer of units would not result in increased impacts beyond those identified in the EIR;
- The adjustments in density and units would not significantly affect planned infrastructure, roadways, other public facilities, or plan area financing districts;
- Transfer would not affect the total number of employee housing units called for in the Specific Plan; and
- The County Planning Department shall track sending and receiving parcels.

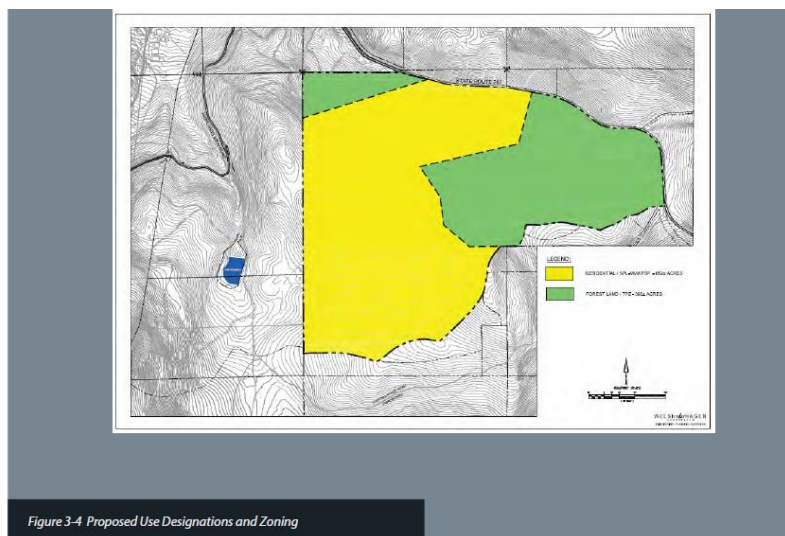
The transfer may occur between different legal owners. To request a density adjustment, the owner or owners of both the sending and receiving parcels shall submit to the County Planning Director all information needed to determine compliance with the above unit transfer criteria. This submittal shall include information identifying the affected parcels and designating the number of units being transferred, an Administrative Modification application with filing fee, and any other necessary documentation requested by the Planning Director. The applicant shall also provide a revised Specific Plan table reflecting the adjusted unit counts and densities, as well as any necessary maps. The revised table will allow the Planning Department to track unit allocations. Density transfers that fulfill the above criteria and are consistent with the intent of the Specific Plan and EIR will be processed as an Administrative Modification (see 8.3.6, above). If a request for density adjustments does not comply with the above criteria, the applicant must request an Amendment to the Specific Plan. If a density transfer is requested after a small lot tentative map has been approved for either the sending or receiving parcel a revised tentative map for both parcels shall be submitted to the Planning Commission for review and approval as revised tentative maps. This request shall follow the County's normal process for such approval including payment of normal processing fees

A definition of specific properties versus development land use parcels must be included in the FEIR to allow the public and agencies a clear understanding of the difference and intent of future proposed transfers. Detailed criteria must be included in the FEIR describing each land use parcel and assigned zoning to determine compliance with code of ordinances and the potential for additional environmental impact with transfers.

25b). A diagram identifying individual specific properties versus development land use parcels must be included in FEIR to ascertain if densities are applicable if transfer is requested.. Example: if a parcel is proposed for commercial at 60 foot max height and then changed to multi-family for condo at 75 feet: a scenic/visual assessment for impact is required. Simply requesting flexibility does not analyze potential impacts.

25c). The FEIR must disclose all legal owners and provide a diagram of which parcels they own or co-own with APN and acreage for transparency. MVWPSP Page 92: The transfer may occur between different legal owners. To request a density adjustment, the owner or owners of both the sending and receiving parcels shall submit to the County Planning Director all information needed to determine compliance with the above unit transfer criteria

25d). Proposing to change uses on Forest zoned land must be analyzed and disclosed to the public through a publically noticed hearing where comment can be taken providing transparency to the process and assuring environmental impacts are addressed.



Population Housing – DEIR Chapter 6

26). PLACER COUNTY HOUSING ELEMENT

Part I: Policy Document Page 48

The Background Report satisfies State requirements and provides the foundation for the goals, policies, implementation programs, and quantified objectives. The Housing Element serves a planning period of January 1, 2013, to October 31, 2021.

RHNA ALLOCATION

State law requires councils of governments to prepare allocation plans for all cities and counties within their jurisdiction. SACOG adopted its final Plan for Allocation of Regional Housing Needs Allocation in September 2012. **The intent of a housing allocation plan is to ensure adequate housing opportunities for all income groups.** HCD provides guidelines for preparation of the plans, and ultimately certifies the plans as adequate.

The core of the RHNA is a series of tables that indicate for each jurisdiction the distribution of housing needs for each of four household income groups. The tables also indicate the projected new housing unit targets by income group for the ending date of the plan. These measures of units define the basic new construction that needs to be addressed by individual city and county housing elements. The allocations are intended to be used by jurisdictions when updating their housing elements as the basis for assuring that adequate sites and zoning are available to accommodate at least the number of units allocated.

Table 2-1 below shows the current and projected housing needs for the planning period from January 1, 2013 to October 31, 2021 for the unincorporated areas of Placer County. SACOG allocated 5,031 new housing units to unincorporated Placer County for the 2013 to 2021 planning period. For analytical purposes, SACOG broke out the Tahoe Basin as a subarea. The County's total allocation assumes 328 units for the Tahoe Basin. The time frame for this Regional Housing Needs process is January 1, 2013, through October 31, 2021, (an 8 ¾-year planning period). The allocation is equivalent to a yearly need of approximately 575 housing units for the 8 ¾-year time period. Of the 5,031 housing units, 3,258 units are to be affordable to moderate-income households and below, including 1,365 very low-income units, 957 low-income units, and 936 moderate-income units.

allocation assumes 328 units for the Tahoe Basin. The time frame for this Regional Housing Needs process is January 1, 2013, through October 31, 2021, (an 8 ¾-year planning period). The allocation is equivalent to a yearly need of approximately 575 housing units for the 8 ¾-year time period. Of the 5,031 housing units, 3,258 units are to be affordable to moderate-income households and below, including 1,365 very low-income units, 957 low-income units, and 936 moderate-income units.

**TABLE 2-1
 REGIONAL HOUSING NEEDS ALLOCATION
 January 1, 2013 - October 31, 2021**

	Very Low Income Units	Low Income Units	Moderate Income Units	Above Moderate Income Units	TOTAL UNITS
RHNA Allocation	1,365	957	936	1,773	5,031
Percent of Total	27.1%	19.0%	18.6%	35.2%	100.0%

Note: There is a projected need for 683 extremely low-income units based on the assumption that 50 percent of the very low-income household need is extremely low-income.
 Source: Sacramento Area Council of Governments (SACOG), Draft Plan for Allocation of Regional Housing Needs for January 1, 2013, through October 31, 2021 (September 2012).

State law requires the County to identify sites that can be developed for housing within the planning period and that are sufficient to provide for the jurisdiction's share of the regional housing need for all income levels (Government Code Section 65583.2(a)). The County identified an inventory of vacant land suitable for residential development and demonstrated that the County has residential capacity in excess of its RHNA.

The FEIR must disclose that the Placer General Plan Housing element showing the 760 units is within SACOG Regional Housing Needs Allocation. The FEIR must include a Table showing current delineation of housing levels (how many in each category in Table 2-1 above) exist to date and how many units in each category the MVWPSPP proposes.

A. NEW RESIDENTIAL CONSTRUCTION

Goal A

To provide new housing opportunities to meet the needs of existing and future Placer County residents in all income categories.

A-4 The County shall encourage innovative subdivision design and a range of housing types within larger-scale development projects to encourage mixed-income communities (e.g., single-family detached homes, second units, duplexes, live-work units).

26a). The MVWPSPP is proposing luxury units and not a diversified housing development and does not meet criteria in A-4

A-5 The County shall facilitate the development of higher-density multi-family development in locations where adequate infrastructure and public services are available by permitting residential uses in commercial zones, allowing flexible development standards, and providing other incentives.

26b). The MVWPSPP does not meet the criteria as no infrastructure exists at or near the project site. Utilities will have to be added and undergrounded (SR 267) as proposed.

B. Affordable Housing Goal B

To encourage construction and maintenance of safe, decent, and sound affordable housing in the county.

B-12 The County shall require that any privately-initiated proposal to amend a General Plan or Community Plan land use designation of Agricultural/Timberland, Resort and Recreation, Open Space, General Commercial, Tourist/Resort Commercial, or Business Park/Industrial to a land use designation of Residential or Specific Plan include an affordable housing component.

26c). The MVWPSPP and MVWSPPRD do not have an affordable component and must identify that component in the FEIS for the MVWPSPP.

B-13 The County currently requires 10 percent of residential units in specific plans be affordable (i.e., 4 percent very-low, 4 percent low, 2 percent moderate). On a case-by case basis, the County shall consider allowing developers that provide extremely low income units to reduce the required percentage of other affordable units.

26d). The MVWPSPP and MVWSPPRD do not have an affordable component and must identify 10 percent affordable units in the FEIS.

2. Growth Management

Growth management is a tool that local governments use to prevent urban sprawl and preserve natural resources and agriculture. Growth management measures, such as urban limit lines (ULLs), can in some instances increase the cost of affordable housing by limiting the amount of land for new development.

While Placer County does not have a ULL, it does have a policy in its 1994 General Plan that references growth management. Policy 1.M.1 in the Land Use Element states:

“The County shall concentrate most new growth within existing communities emphasizing infill development, intensified use of existing development, and expanded services, so individual communities become more complete, diverse, and balanced.”

The General Plan also recognizes that as the county continues to grow, additional areas may be identified as being suitable for development at urban or suburban densities and intensities.

The County requires the preparation of individual General Plan Amendments and specific plans for new development areas to determine the most appropriate arrangement and mixture of land uses, circulation system layout, extent of infrastructure and public services, and institutional framework necessary to accommodate development. Where appropriate, annexation is considered first for proposed urban projects. The County supports logical, planned growth, contiguous to existing urban areas and in recent years approved four significant specific plans (Bickford Ranch, Riolo Vineyards, Regional University, and Placer Vineyards) and is currently processing the Squaw Valley Specific Plan.

26e). The County supports logical, planned growth, contiguous to existing urban areas. The MVWPSPP is not in an existing urban area. The project location will be better served on the east parcel closer to Northstar and Truckee services.

Page 29 of the MVCP: The MVCP has a holding capacity of approximately 8,600 dwelling units. The MVWPSP re-designates the East Parcel from residential and commercial uses to Forest. The prior zoning on the East Parcel allowed for up to 1,360 residential units, or about 16% of the total Martis Valley holding capacity. **The MVWPSP allows for 760 dwelling units, a reduction of 600 units, or approximately 9 percent of the estimated holding capacity in Martis Valley. This would reduce the holding capacity of the MVCP to 8,000 units.** No residential units would be constructed on the East Parcel.

27). “reduction of 600 units” is not factual statement because no environmental analysis has been completed for the East parcel. Exactly how many of the residential units could or would have been built on the East Parcel is unknown. Stating a reduction of any number of units is not factual.

27a). The MVCP admittedly has not supported affordable housing as noted below. Placer County with this proposed project must require the affordable component in the Martis Valley be executed with new development proposals in support of the Placer County Housing Element and not expect the nearby Town of Truckee, Tahoe Basin or Reno to provide the needed affordable housing for employees and families seeking residency in the Martis Valley. Placer cannot continue to approve high-end luxury developments and not identify the consequences of no affordable housing as not being a significant impact.

Reference: MVCP Preface page 11 HOUSING

Housing and development restrictions within the Lake Tahoe Basin as well as area housing costs have created an affordable housing shortage within the area. Restrictions within the Lake Tahoe Basin were established to manage the land use and resources of the Lake Tahoe region, based upon environmental protection and the encouragement of recreation-oriented land uses. Development restrictions within the Tahoe Basin have caused surrounding areas to absorb increased growth pressures. Housing projects in the area tend to be second home in nature (i.e., seasonal use) and are generally not considered affordable. **Private landowners generally do not propose affordable housing developments because of the high land values and the recreational oriented land use of the area. Similar to other areas in the region, the recent developments within Martis Valley cater to a second home or recreational home market. These projects are not designed to meet permanent housing needs.** The developments have responded to a market for relatively expensive second homes with access to seasonal recreational facilities and activities that are oriented toward winter or summer. Martis Valley developments have generally been designed for more affluent individuals and families, not for low and middle-income families. **The projects create a need for affordable housing that is not being met within the developments.** Most of the jobs created by the vacation and resort industry are seasonal and/or relatively low paying hourly positions that do not provide sufficient income to rent or purchase housing in the area.

Biological Resource- DEIR Chapter 7

28). 7.1.3 Biological Communities

Page 7-2 METHODS FOR DOCUMENTING EXISTING BIOLOGICAL CONDITIONS

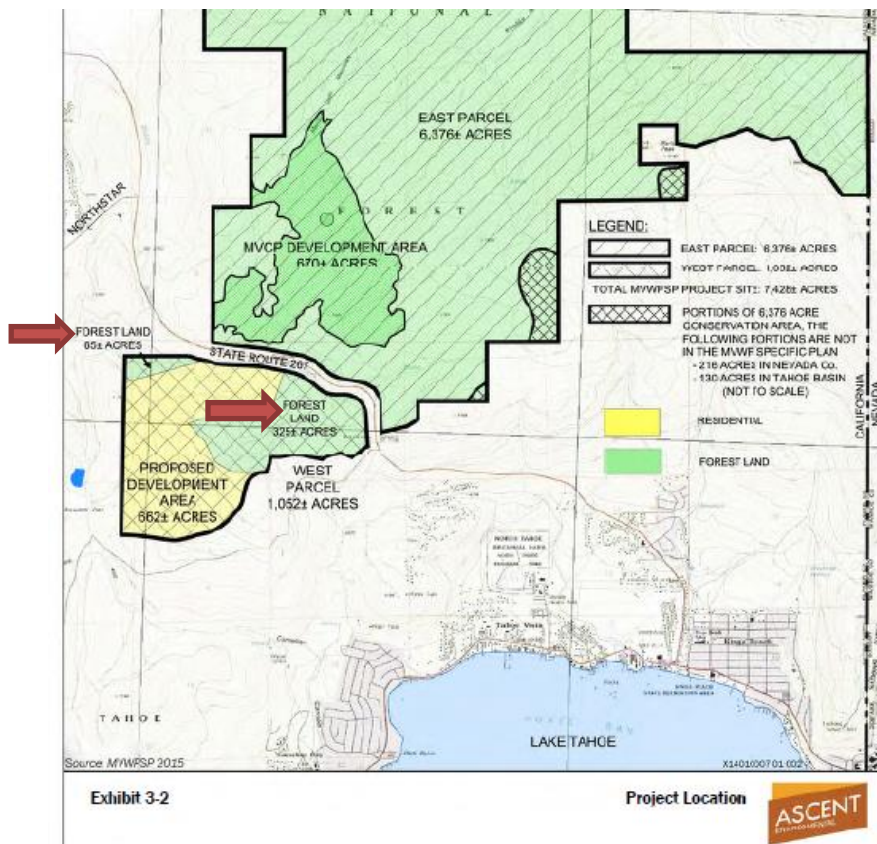
To assess and document existing biological resources in the study area, a wildlife biologist and botanist with expertise in natural resources of the Tahoe-Truckee region reviewed existing data and conducted field surveys for the Martis Valley West Parcel project in August 2013. The project area for purposes of this assessment consists of 774.5 acres on the West Parcel and 6,450.4 acres on the East Parcel. The study area for purposes of this assessment extends out from the project area 5 miles; it was used to determine the potential of species to occur in the project area. These terms are used to explain where known occurrences are located. The

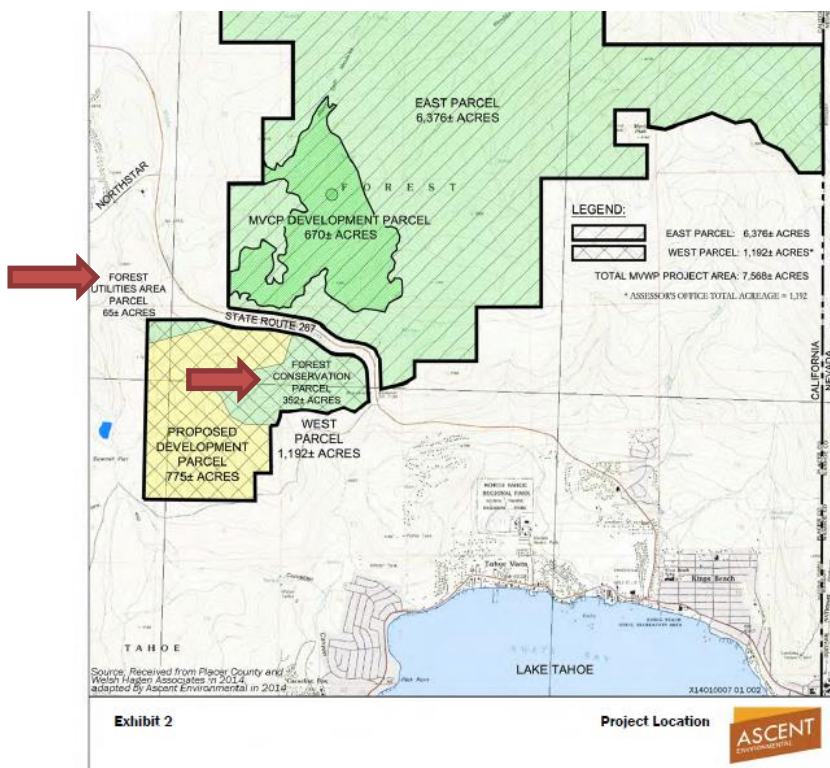
determination of species potential to occur in the project area uses information of known occurrences from the full project area and the larger study area.

The FEIR must include a biological survey comparing the 662 acres (775-113 for Tahoe basin land identified on Exhibit 2) on west parcel to the 670 acres on the east parcel as apples to apples analysis comparison as the remainder of the east parcel (approx. 5,706 acres) would have been forest land anyway as is the remaining 390 (325+65) acres identified on the west parcel.

28a). Exhibit 2 Project Description from the NOP dated March 28, 2014 states Forest Conservation where the Project Description Exhibit 3-2 MVWSP DEIR page 3-4 states Forest Land (red arrows). The FEIR must provide criteria for the difference of Forest Conservation to Forest only and explanation for the change. Conservation implies greater protection.

28b) The FEIR must include a predicted mortality study for the habitat (mule deer actually crossing highway, birds seeking new and suitable nesting, etc.) that is expected to cross SR 267 to a new home on the east parcel.





29). The FEIR must include analysis that compares the Northstar Habitat Management Plan (HMP) for potential impacts to special species, deer migration etc. as the Northstar Masterplan is using the HMP for mitigation and the MVWPSP location could be in conflict with identified habitat zones within the sphere of influence of the MVWPSP.

I requested the inclusion of the HMP in my NOP comments dated August 1, 2014 Pages 28/29: **Include information in the Draft EIR/EIS of any conflict with any Applicable Habitat Conservation Plan.** The County has not adopted a habitat conservation plan or a natural community conservation plan. However, a specific habitat management plan has been prepared that covers ALL of Northstar California and the Martis Valley West project lies within that boundary. The Northstar Habitat Management Plan (HMP) was completed in 2009 and has been instrumental in guiding the location and design of the proposed program-level mountain improvements (EDAW/AECOM 2009). **The HMP provides specific resource management guidance for land use and development of the Northstar property. Additionally, the HMP serves as a planning tool to implement local policies or ordinances protecting biological resources.** **The proposed Martis West Parcel Area Plan development project- and program-level improvements should be designed in accordance with the HMP.** Include a Table in the Draft EIR/EIS showing compliance to the HMP by category and location for the Martis West Parcel.

Reference from HMP

REGIONAL SETTING

This section was adapted from the *Draft Environmental Impact Report for Northstar Highlands* (Pacific Municipal Consultants 2004).

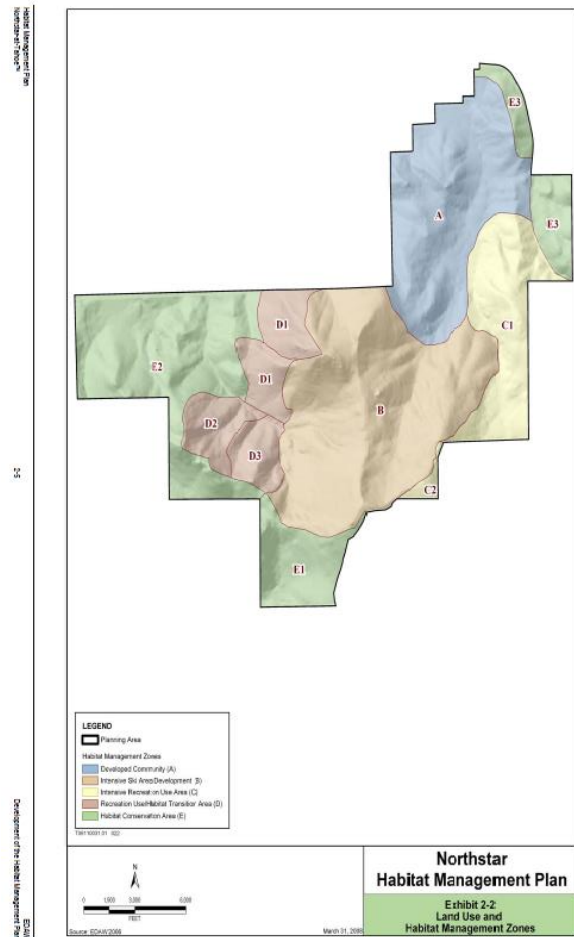
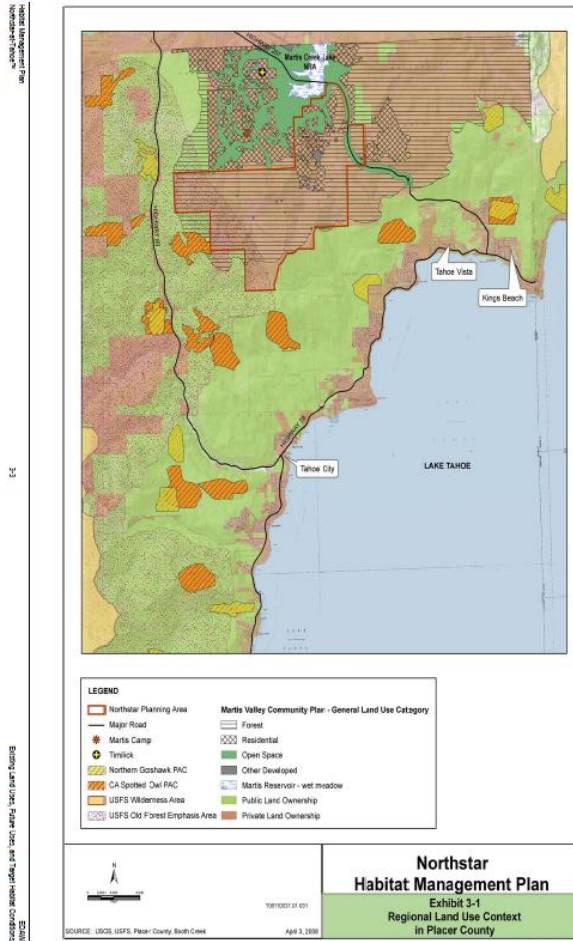
MARTIS VALLEY

The Martis Valley area is composed of areas in Nevada and Placer Counties, the Town of Truckee, and part of the State of Nevada's Washoe County. Land use in the region is primarily associated with leisure, tourism, and outdoor recreational activities. The region is dominated by national forests, Lake Tahoe, and several large state parks, although regional attractions also include the Town of Truckee, the Truckee River, the Truckee Tahoe Airport, Donner Lake, Squaw Valley, and Alpine Meadows. Lake Tahoe, often referred to as the Jewel of the Sierra, attracts visitors from around the world. The Town of Truckee, with the highest density of historic sites in California, initially developed around the emigrant trail, served soon after as a station for the Transcontinental Railroad, and was later known for logging and winter sports (Town of Truckee 1996). Other world-class ski resorts in the area, including Northstar-at-Tahoe™ (Northstar), Heavenly Valley, Boreal Ridge, Squaw Valley, and Alpine Meadows, offer a variety of winter recreational activities. In addition, a wide variety of summer activities can be found in the region, including golf, water sports, hiking, fishing, and mountain biking. The region also contains many residential developments, a large concentration of secondary or recreational homes, public and private recreational areas and facilities, and commercial and industrial areas.

The Martis Valley is located in both Nevada and Placer Counties, encompassing approximately 44,800 total acres. The Placer County portion of the Martis Valley consists of approximately 25,570 acres, or roughly 57 percent of the total acreage of the valley. Land use patterns consist of a wide range of urban and commercial areas, forest lands, and public and private recreational areas and facilities, as well as areas designated for airport use. Exhibit 3-1 shows the general land use and ownership patterns in the Northstar region, including Martis Valley. Several of the general land use categories shown in Exhibit 3-1 are based on those defined in the Martis Valley Community Plan (MVCP, Placer County 2003), but are also subject to landowner agreements that result in additional conserved open space that is not illustrated in the figure. In Exhibit 3-1, several of the MVCP designations are combined into general categories for display purposes. Table 3-1 summarizes the relationship between the general land use categories shown in Exhibit 3-1 and the MVCP designations.

29a). The Habitat Management Plan in conjunction with the Northstar Mountain Master Plan mapped areas to be protected when developing Northstar Mountain and also took a broader view of the Martis Valley to protect local habitat nearby. The Martis Valley West Parcel Specific Plan development area is shown on the Exhibit 1 as part of that mapping (private Land). The proposed MVWPSP conflicts with proposed Northstar Mtn Master Plan and HMP. The FEIS must analyze/disclose any conflict. Exhibit 3-1 clearly shows open space long SR 267 where the MVWPSP plans ingress/egress for the project as well as emergency evacuation through an open space identified area. Therefore, the DEIR must be re-circulated to include the HMP for further biological analysis. Reference: This current analysis considers the potential for development on the SPI Martis Valley property in the context of that conservation vision, new data on biological resources in the region, and recent conservation efforts in Martis Valley, including Northstar's Habitat Management Plan (EDAW/AECOM 2009) and the acquisition of the Waddle Ranch for conservation. Page 4 CBI Sept 2012

29b). Additional studies in the FEIR must include mapping connection of the MVWPSPP to the HMP for Northstar as shown on Exhibit 2-2 and Exhibit 3-1. The stated use of the land for habitat and mitigation for one project (NMMP) and then allowing a development at the same location is not protecting the habitat. Therefore, the DEIR must be re-circulated to include the HMP for further biological analysis.



29c). Figure 6-6 in the HMP plan clearly shows Spotted Owl habitat will be disrupted with the proposed MVWPSPP. Therefore, the DEIR must be re-circulated to include the HMP for further biological analysis.

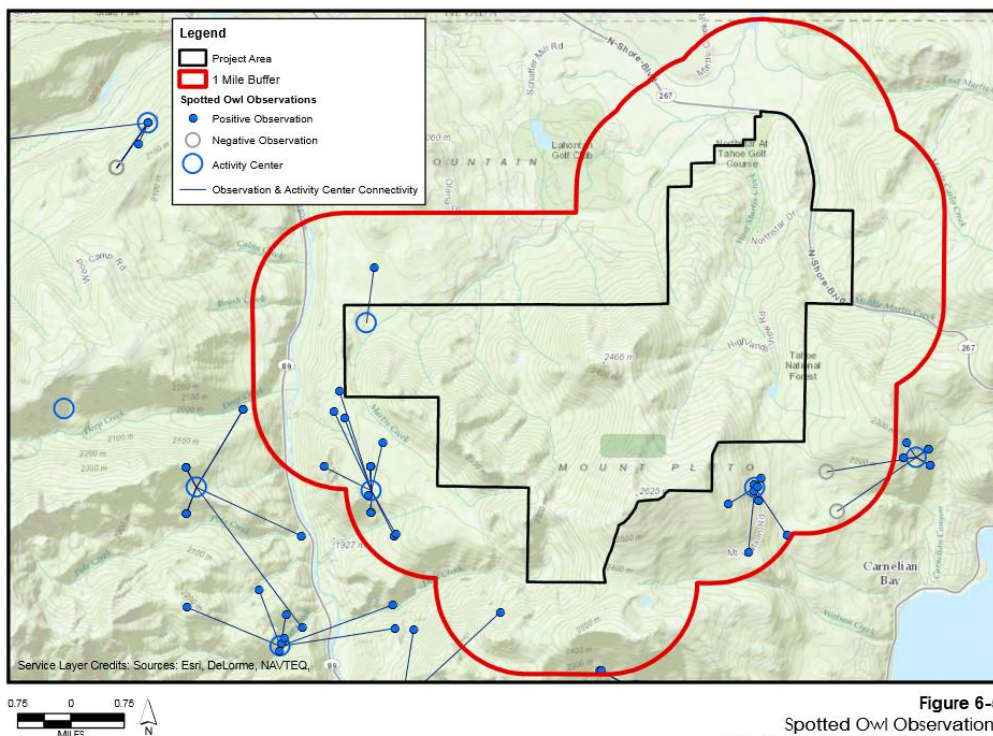
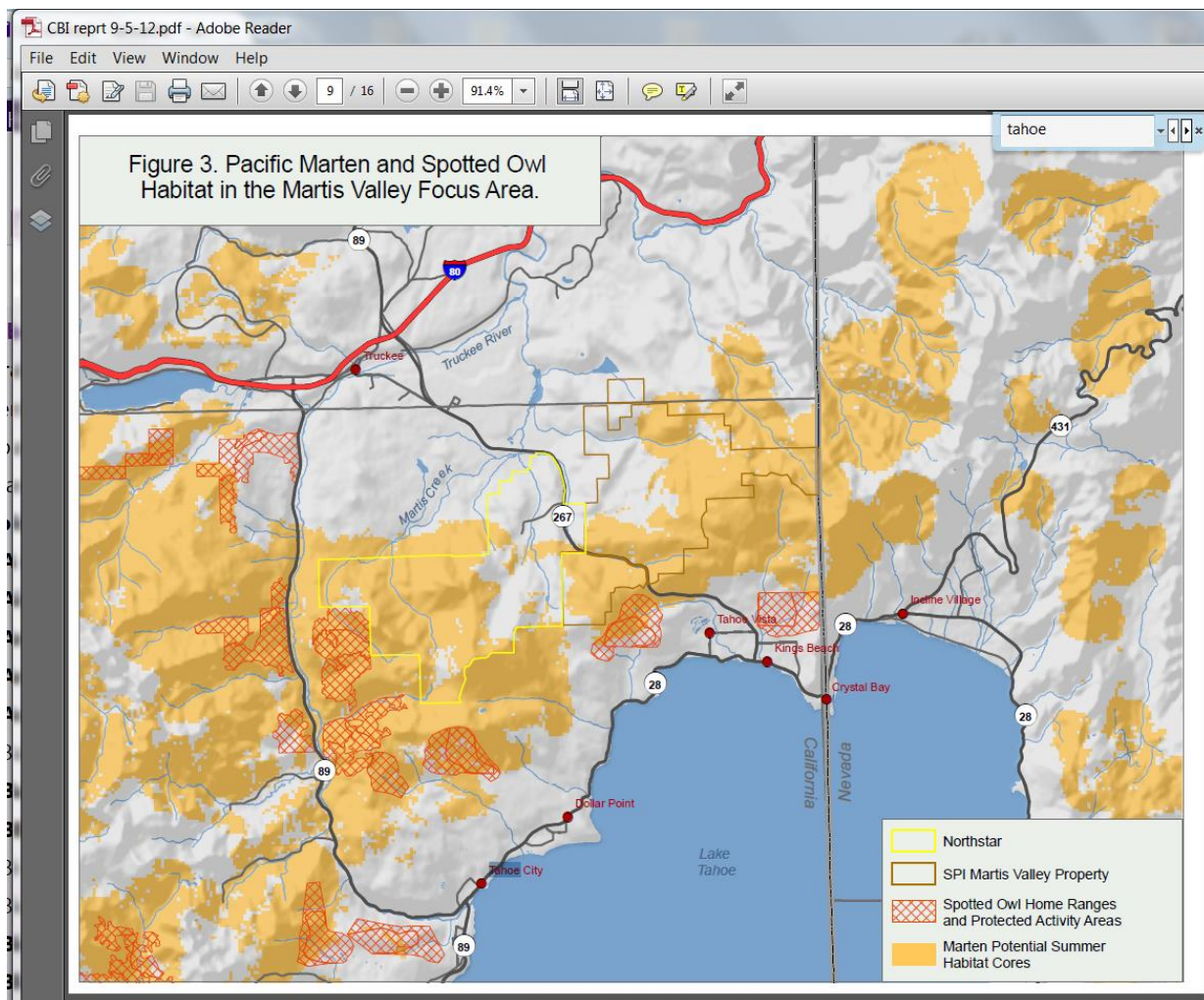


Figure 6-5
Spotted Owl Observations
within One-mile of the Project Area
PMC

29d). The MVCP documentation includes recommendations for protecting wildlife. The FEIR must address and consider recommendations to better protect wildlife i.e. analyzing tunnels, bridges etc. as stated.

5. Do not increase residential density in the Martis Valley beyond that included in this Plan to the point that new infrastructure beyond that recognized in the Plan is required or that greater demands are placed on the adjacent Tahoe Basin and national forests. Retrofit State Road 267 to enhance its permeability to wildlife underpasses. **When existing roads are to be widened or otherwise improved, provide tunnels, bridges, fencing, and other design elements to enhance their permeability to wildlife movement.** Page 143 Appendix A MVCP

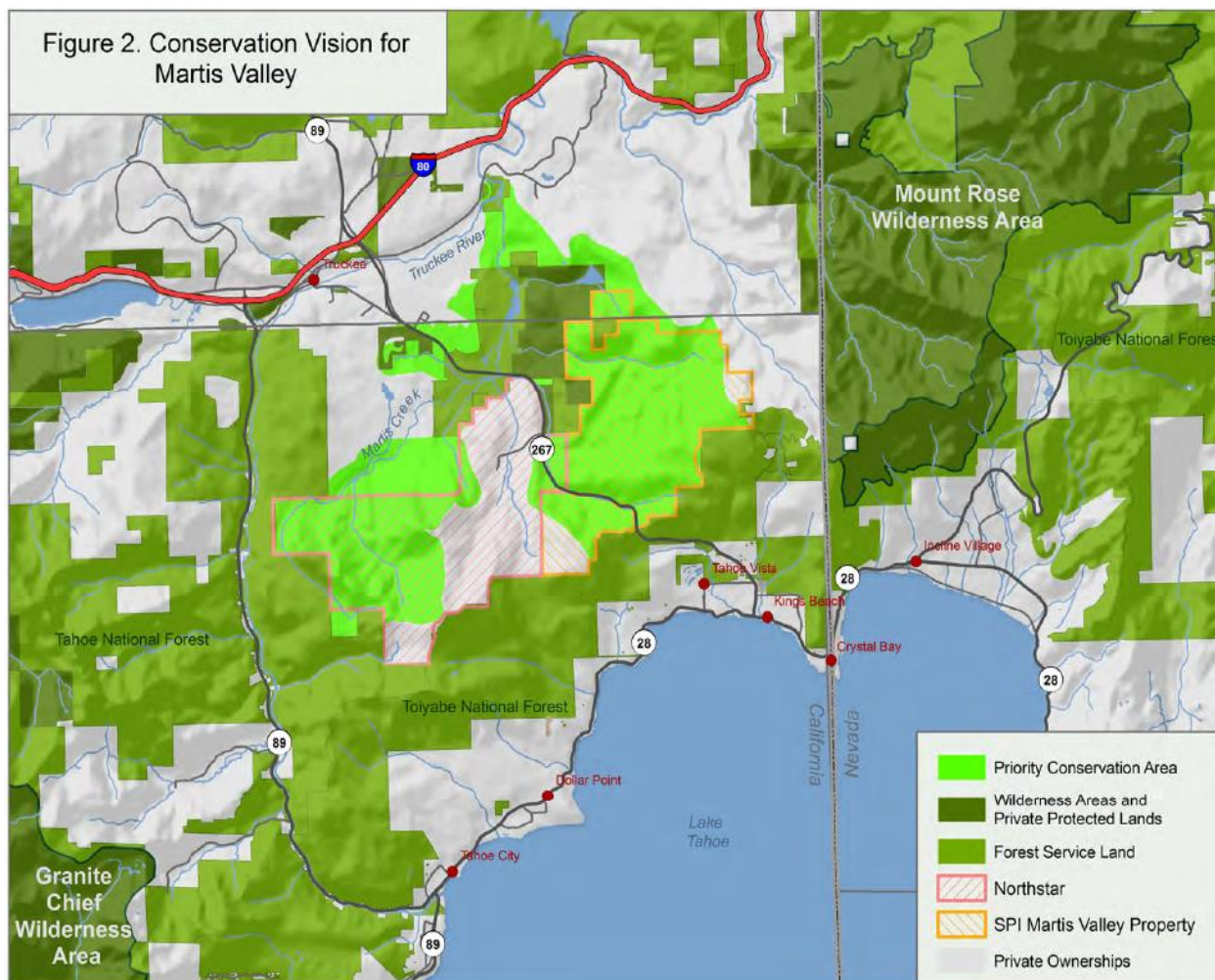


30). Assessment of Conservation Values Martis Valley Opportunity East and West Parcels Placer and Nevada Counties, California Prepared for Trust for Public Land and Sierra Pacific Industries CBI Report September 2012

The FEIR must provide a map overlay of Figure 3 showing the Fibreboard freeway location and disclose that it runs through the protected activity area where a secondary EVA is proposed for MVWPSPP which interrupts the Spotted Owl protected area.

30a). The FEIR must disclose the required perimeter (how many yards) for a protected Activity Area is required for Spotted Owl as related to the MVWPSPP development. The FEIR must provide a diagram overlay of Figure 3 showing required protected perimeter.

31). The CBI Report Sept 2012 identified more than one-half of the West Parcel as Priority Conservation Area (Figure 2) where MVWSP project ingress and egress and intersection will be developed. The FEIR must include this Figure disclosing **both the east and west parcels have priority conservation areas identified**. The FEIR must provide criteria/definition for Priority Conservation land.



This current analysis considers the potential for development on the SPI Martis Valley property in the context of that conservation vision, new data on biological resources in the region, and recent conservation efforts in Martis Valley, **including Northstar's Habitat Management Plan (EDAW/AECOM 2009)** and the acquisition of the Waddle Ranch for conservation. Page 4 CBI Sept 2012

Visual- DEIR Section 9

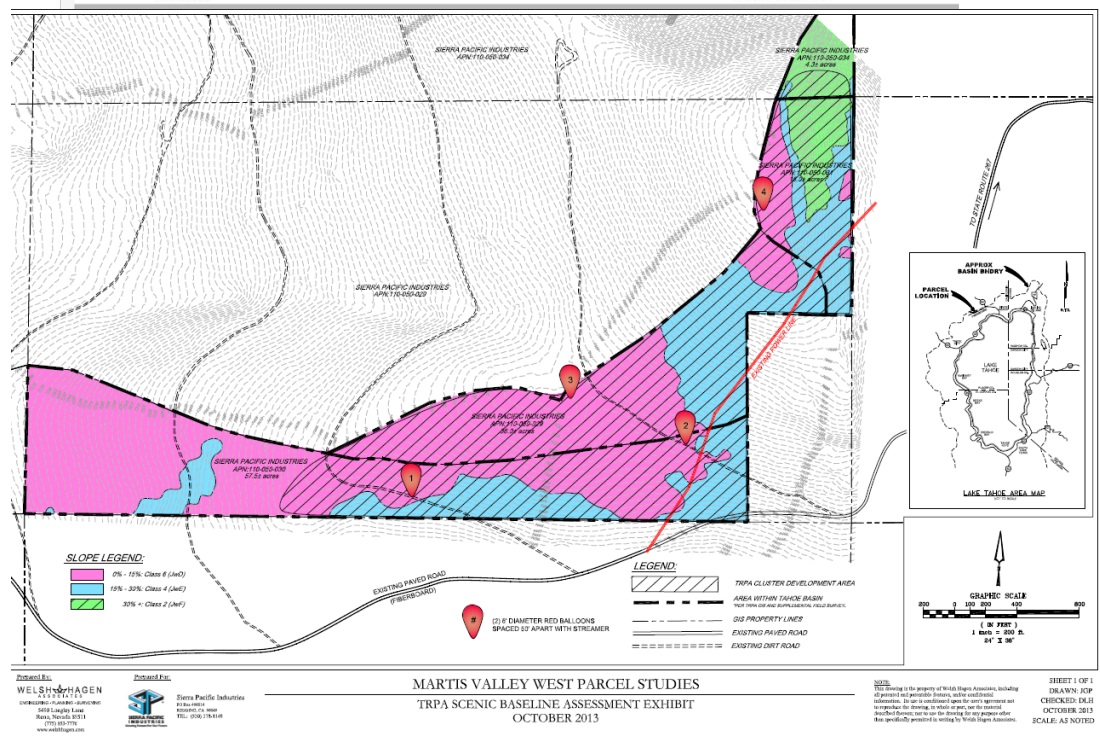
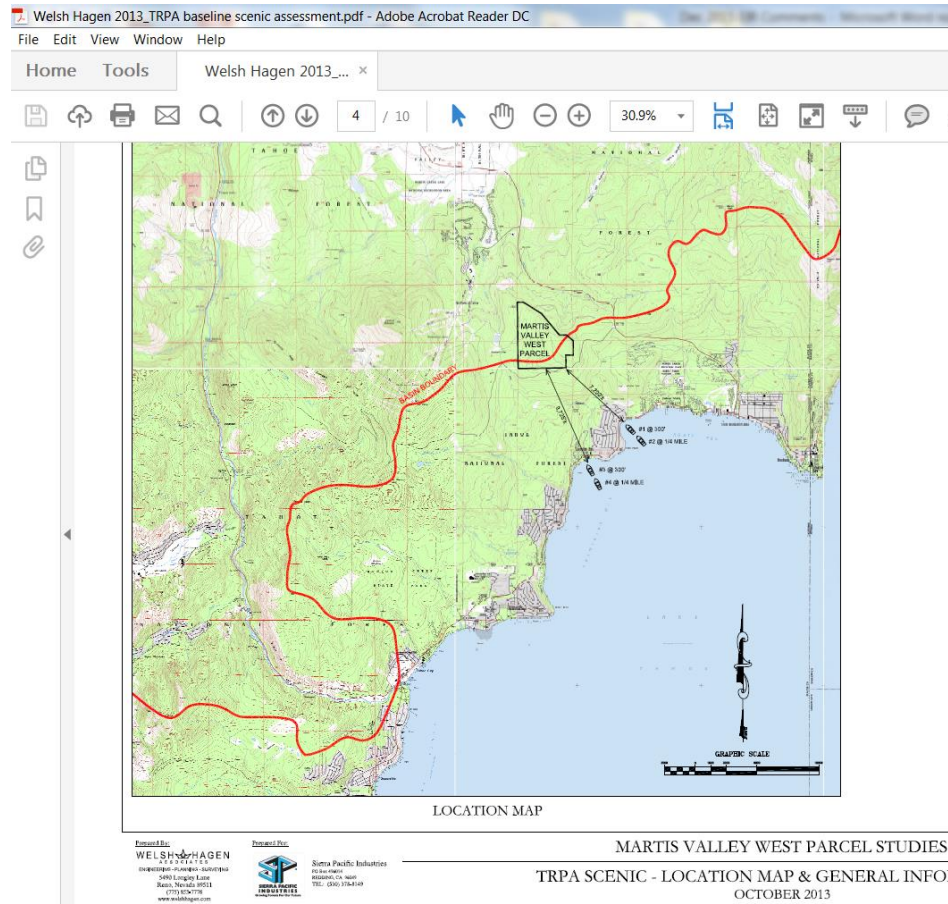
32). MVCP 4.A.4 The County shall require that all new development be designed to be compatible with the scale and character of the area. Structures, especially those outside commercial centers, should be designed and located so that: a. They do not silhouette against the sky above the ridge lines or hilltops. The MVWPSPP is located outside a commercial center. The FEIR must provide detailed site plan and location of proposed buildings below the ridgeline as defined by MVCP 4.A.4. The diagrams/detailed site plans must demonstrate location of proposed development does not silhouette against the sky above ridge lines or hilltops with simulations of maximum height allowed by MVCP at 115 feet and 75 feet as stated in MVWPSPPRD to insure scenic preservation of the Tahoe Basin is achieved.

33). The FEIR must include a detailed analysis/study of density of trees required to screen light. Removal of trees for the proposed homesites, condos, commercial, etc. plus defensible space requirements will remove a number of trees allowing for additional light issues.

34). The FEIR must analyze the ridgeline light simulation against a dark ridgeline with no existing lights today not against the valley lights in the foreground of Martis Valley to accurately assess the impact. The current baseline ridgeline has no lights. Correct Exhibit 9-34 to only show the ridgeline differences- do not include lower valley as those lights remain the same.

35). All maps in FEIR and Martis Valley West Specific Plan documentation must show the project in relationship to Lake Tahoe to allow the public and agencies to comment in-depth on the potential of the projects visibility as related to being seen from Lake Tahoe and local communities.

36). Welsh Hagen TRPA Baseline Assessment Exhibit October 2013 (below) was provided as reference material for the MVWPSPP. The baseline balloon assessment was done on October 1, 2013 (when Tahoe Basin Area Plan land was still included in MVWPSPP) and heights of the balloons were per TRPA guidelines with maximum height of 42 feet which is much lower than the proposed MVWPSPP at up to 75 feet but could also could be petitioned to go as high as 115 feet per the MVCP. The FEIR must include a new balloon siting assessment from Lake Tahoe with balloons at 75 feet and 115 feet to assure no violation of Lake Tahoe scenic and provide photographic evidence along with the diagram showing location of balloons.



October 28, 2013

Kurt Krieg

East West Partners

P.O. Box 2537

Truckee, CA 96160

RE: Martis Valley West Parcel – TRPA Scenic Baseline Assessment

Mr. Krieg:

This letter is in regards to the **Martis Valley West Parcel – TRPA Scenic Baseline Assessment** for the portion of the Martis Valley West Parcel adjacent to Northstar, over-looking Lake Tahoe. The assessment was conducted on October 1, 2013.

The subject site is approximately 7,200 feet from the lake shoreline at Agate Bay and 9,025 feet from the lake shoreline at Carnelian Bay. The TRPA Code of Ordinances, Baseline Scenic Conditions Assessment standards were used for this assessment. Per these standards, the site was assessed (photos taken) at 300 feet and ¼ mile from the lake shoreline.

Per the TRPA Code of Ordinances, Chapter 37 Height Standards (previously Chapter 22), Table A – Maximum Heights for Buildings, the maximum height for a building ridge line is 42 feet from existing grade. Per the attached Scenic Site Exhibit, at four (4) locations, eight (8) 6 foot diameter, **red balloons were flown at approximately 42 feet in height**. Two (2) balloons were flown at each of the four locations, spaced 50 feet apart with pink flagging between them, to simulate a building ridge line. USFS survey monuments were located along the south line of the subject property, verifying the location. The balloon locations shown on the exhibit and monuments were surveyed using a combination of conventional and GPS survey equipment.

37). The FEIR must include visual simulations with the potential (estimated) tree removal from the Brockway Campground project adjacent to the MVWPSPP along with estimated tree removal of MVWPSPP. Tree removal will result in additional skyglow and potential increases to visually see structures of the MVWPSPP from Lake Tahoe with tree removal from both projects. Brockway Campground documentation Map C.3 (approximate tree removal campground only: 737- should be further verified during EIR process) and Maps C.4, C5.1, C5.2, C5.3 (proposed campground site plan) provide enough information on proposed location of campsites, lodge and other structures to estimate tree removal requirements for campground and defensible space allowing for a simulation to be generated.

TREE SURVEY ON CAMPGROUND SITE ONLY:

TREE SIZE	COUNT	REMOVED	REMAINING
TREES UNDER 30" DIAMETER	3,970	878	3,294
TREES 30" AND OVER	530	61	469
TOTAL TREES	4,500	737	3,763

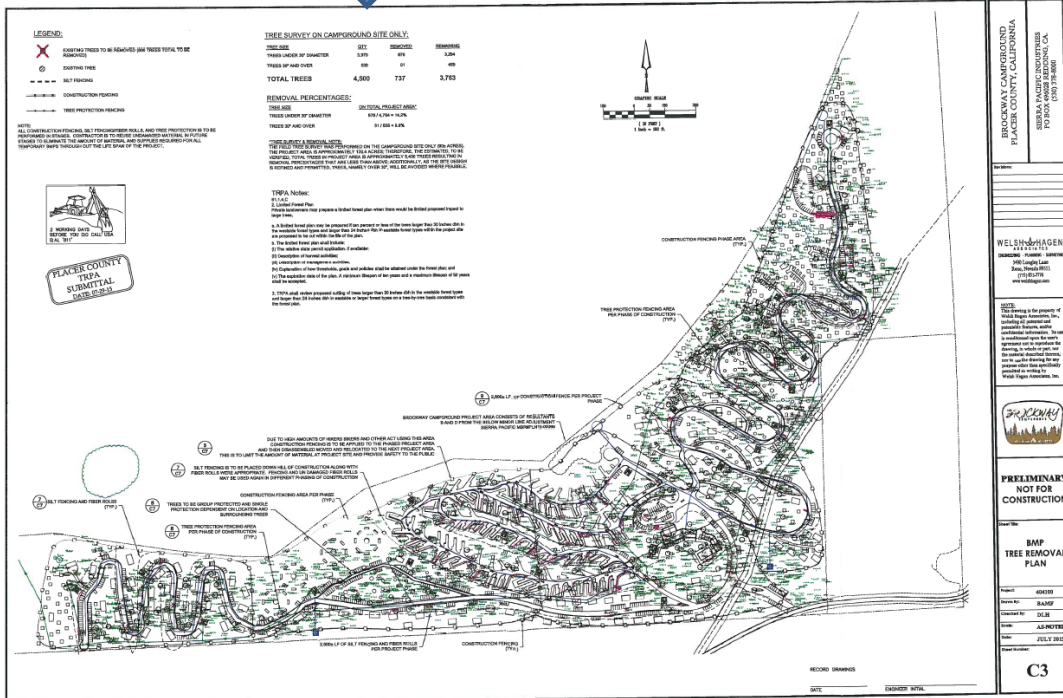
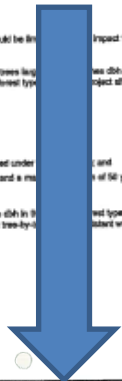
REMOVAL PERCENTAGES:

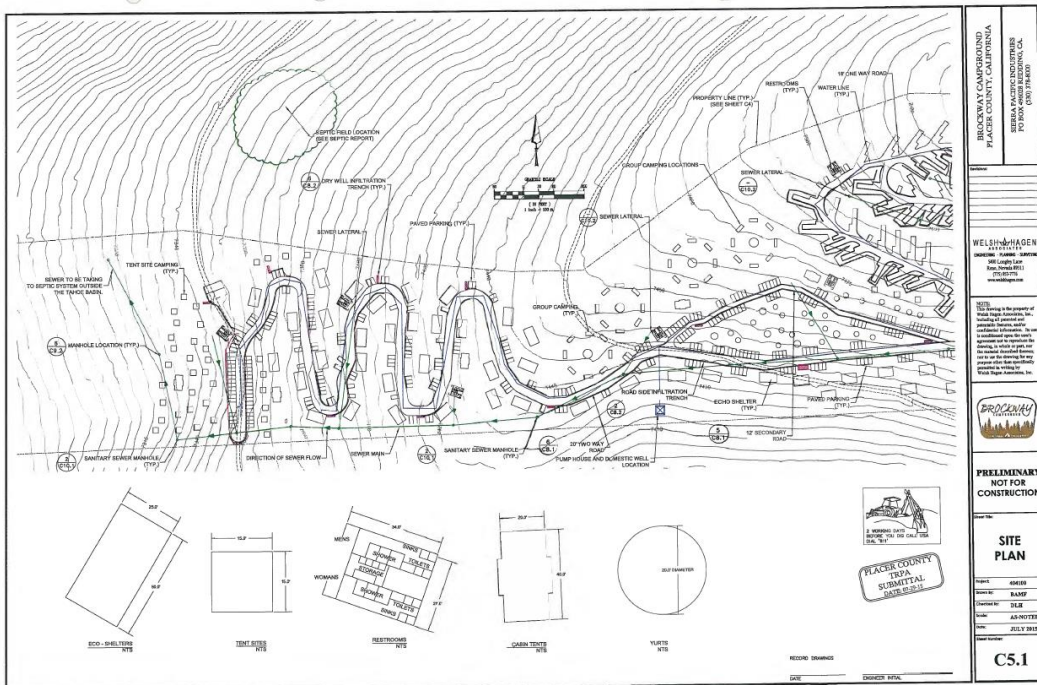
TREE SIZE	ON TOTAL PROJECT AREA*
TREES UNDER 30" DIAMETER	878 / 4,794 = 18.3%
TREES 30" AND OVER	61 / 635 = 9.6%

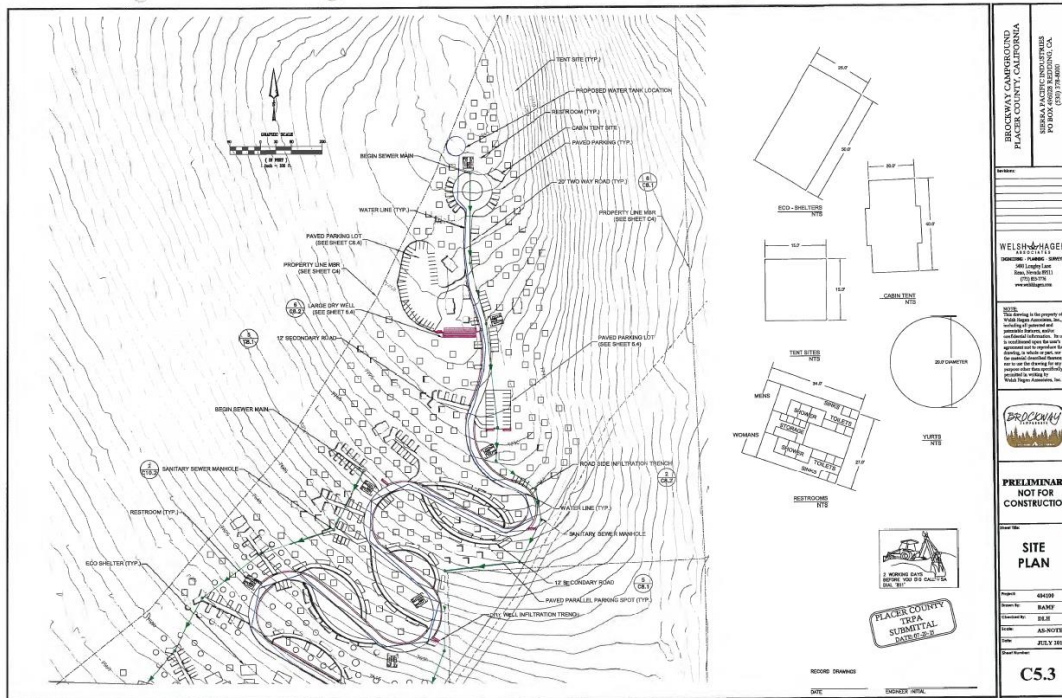
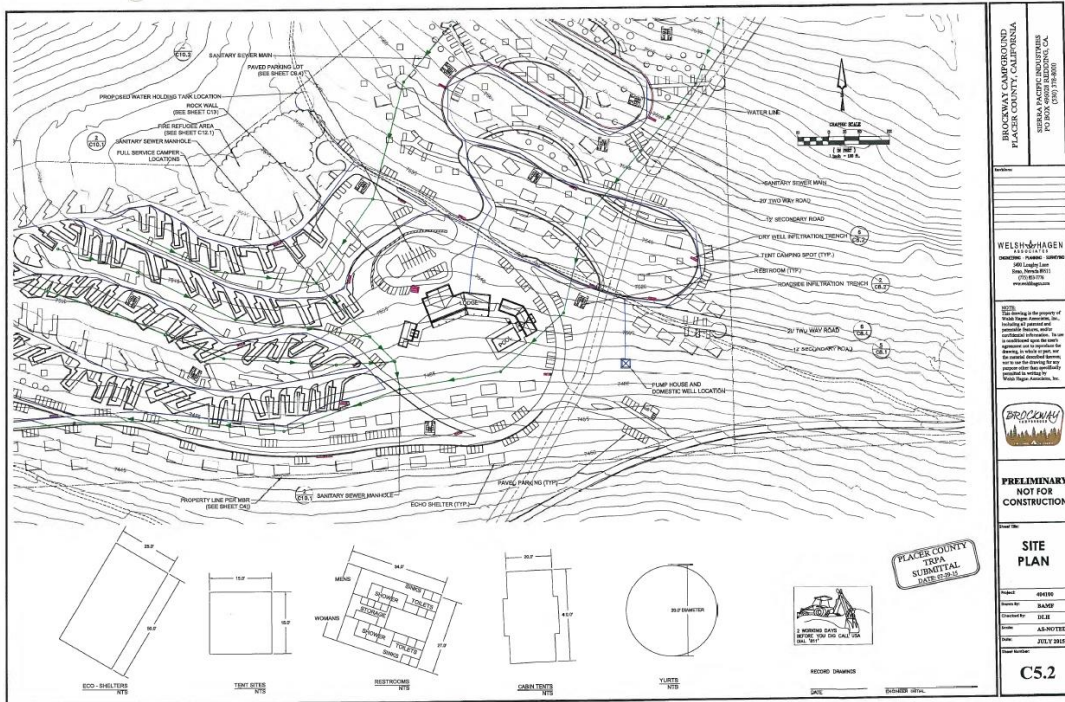
TREE SURVEY & REMOVAL NOTE:
 THE FIELD TREE SURVEY WAS PERFORMED ON THE CAMPGROUND SITE ONLY (804 ACRES). THE PROJECT AREA IS APPROXIMATELY 120.4 ACRES; THEREFORE, THE ESTIMATED, TO BE VERIFIED, TOTAL TREES IN PROJECT AREA IS APPROXIMATELY 5,400 TREES RESULTING IN REMOVAL PERCENTAGES THAT ARE LESS THAN ABOVE. ADDITIONALLY, AS THE SITE DESIGN IS REFINED AND PERMITTED, TREES, NAMELY OVER 30", WILL BE AVOIDED WHERE FEASIBLE.

TRPA Notes:

1. TRPA 81.14.C
2. Limited Forest Plan
 The lead agency must prepare a limited forest plan when there would be an impact to large trees.
 a. A limited forest plan may be prepared if ten percent or less of the trees in the watershed forest types and larger than 24 inches dbh in suitable forest types are proposed to be cut within the life of the plan.
 b. The limited forest plan shall include:
 (1) The relative site percent application, if available;
 (2) Description of harvest activities;
 (3) Description of management activities;
 (4) Explanation of how thresholds, goals and policies shall be obtained under the plan; and
 (5) The expiration date of the plan. A minimum lifespan of ten years and a maximum of 50 years shall be accepted.
 3. TRPA shall review proposed cutting of trees larger than 30 inches dbh in 90-year suitable forest types and larger than 24 inches dbh in suitable or larger forest types on a tree-by-tree basis with the forest plan.







38). Page 9-1 MVWPSPP DEIR 9.1 CONCEPTS RELATED TO SCENIC RESOURCES

Scenic or visual resources are generally defined as both the natural and built features of the landscape that contribute to the experience and appreciation of the environment by the general public. Depending on the extent to which a project would adversely alter the perceived visual character and quality of the environment, a visual or scenic impact may occur.

Assessment of visual changes and determining the degree to which they are considered adverse are highly subjective. **One person may conclude that any change in a pleasing visual setting is adverse.** Others may find the same changes to be acceptable or even an improvement. Further, there are few formal tools available to evaluate changes to the visual environment and conclude significance. This EIR uses certain terms and concepts, described below, to aid the reader in understanding the content of this chapter. These terms and definitions are general in nature; however, they draw upon the methodologies of the **U.S. Forest Service (USFS) and Federal Highway Administration (FHWA) (USFS 1995, FHWA 1981), two of the relatively few public agencies that have formalized visual resource assessment.**

the **U.S. Forest Service (USFS) and Federal Highway Administration (FHWA) (USFS 1995, FHWA 1981), "two of the relatively few public agencies that have formalized visual resource assessment."**

The statement above accurately identifies the need for Placer County to develop adequate tools to accurately assess scenic impacts.

Page 9-2 MVWPSPP: 9.1.2 Viewer Groups

Viewer groups are differentiated by physical factors that modify perception, such as location, activities, and awareness or concern. Activities such as driving for commuting, shopping, or working can distract the observer from the visual environment. On the other hand, activities such as driving for pleasure, engaging in recreational pursuits like hiking or relaxing in scenic surroundings can heighten awareness of visual surroundings. Viewer groups may also be differentiated by levels of concern regarding changes to the visual environment; viewers who are very familiar with surroundings, such as residents or frequent visitors are more aware of adverse changes than viewers who are passing through an area on an infrequent basis.

Page 9-3 MVWPSPP: 9.1.4 Viewer Sensitivity

Viewer sensitivity is the overall measure of the degree to which potential viewers would be sensitive to adverse visual changes in an existing landscape. Viewer sensitivity is evaluated based on the viewer exposure to the visual resource, the existing visual quality, the frequency and duration of views, the number of viewers, and the type and expectations of individuals and viewer groups. People in different visual settings, typically characterized by different land uses in the vicinity of a project, have varying degrees of sensitivity to changes in visual conditions. In areas of more distinctive visual quality, such as designated scenic highways, designated scenic roads, parks, and recreation and natural areas, viewer sensitivity is more pronounced. In areas of more indistinctive or representative visual quality, sensitivity to change tends to be less pronounced. Viewer sensitivity is described as high, moderate, or low, depending on these factors.

In the absence of better tools and lack of Placer County specific scenic ordinances, defining a population of viewers and viewer sensitivity does not replace the need for analysis. The FEIR must provide detailed criteria and impact analysis of the scenic issues generated as a result of the project regardless of the viewer group and sensitivity level which is not applicable, only subjective.

39). Page 9-9 DEIR Visual: The West Parcel is located outside of the Tahoe Basin (on the north-facing slopes above Martis Valley). The ridgeline that forms the southern boundary of the West Parcel is the northern boundary of the Tahoe Basin. The forested range that forms this boundary is visible from the Basin.

The proposed development area (i.e., locations where structures or infrastructure would be located) is not visible from viewpoints in the Tahoe Basin. However, there is a potential for proposed structures to be visible from the Tahoe Basin depending upon the height of structures and vegetation clearing.

The statements above contradict themselves: “is not visible from viewpoints in the Tahoe Basin.” “However, there is a potential for proposed structures to be visible from the Tahoe Basin depending upon the height of structures and vegetation clearing.”

Furthermore, confusion on visual interpretation is stated in: Page B 5 MVWSPPRD
d. Scenic Views/Corridors

All architectural design, site planning and landscaping shall be implemented with sensitivity to visual impact considerations; optimizing views from residences while minimizing how adverse visual impacts can affect others. Visual impacts of development will be minimized by using the natural features and terrain, along with built features and landscaping to screen buildings. Tree removal shall be kept to the minimum level feasible to provide natural screening for project elements, while still meeting defensible space regulations.

Scenic corridors will not be significantly impacted by development, when feasible, including open meadows, the forested corridor along SR 267, ridgelines and peaks where development activities would be visible from surrounding areas. It is recognized that in some cases, infrastructure and utilities must pass through sensitive areas. Where this is found to be necessary, all feasible measures shall be taken to minimize the impact and restore the disturbed area.

Optimizing what views for residences- Lake Tahoe? “when feasible” is not acceptable if violating views from Lake Tahoe!

39a). The FEIS analysis must prove, without a doubt, that the proposed heights for development, lights, etc. cannot be seen from Lake Tahoe through a more rigorous analysis process that includes simulations showing buildings at maximum heights proposed by the MVWSPPRD as well as MVCP allowed height as the applicant could petition the Administrative Review process to allow greater heights as allowed in the MVCP 75’ proposed by Specific Plan versus 115’ maximum MVCP.

39b). The FEIS must include a similar diagram to Figure Z MVWSPPRD and a policy must be drafted in the Development Standards that clearly states “shall not violate Tahoe basin scenic viewshed.” Do not replace shall with consider or should. This diagram (as well as all other diagrams in the MVWSPPP and MVWSPPRD) must include location of Lake Tahoe for context to determine environmental analysis has accurately and adequately addressed potential Tahoe Basin issues.

Policy ER-AG4: If any development is proposed within 100 feet of the fault trace (identified on Figure 3A of the December 3, 2013, Addendum No. 1 to the Geotechnical Review), the fault location will be evaluated for its presence, precise location and potential activity. If the fault is found to be potentially active, structures shall be set back an appropriate amount and engineered to withstand a seismic event based on the potential strength of the fault.

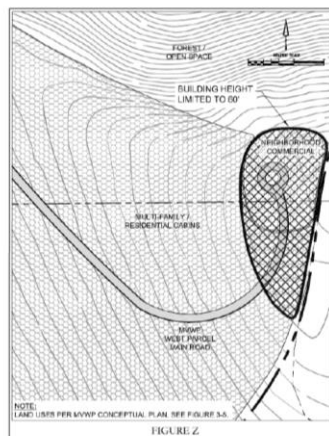


Figure Z

B22

40). Page 9-9 DEIR: To determine the visibility of the proposed development from various vantage points in the surrounding area, a visual profile study was conducted. Based on consultation with the applicant, Placer County, TRPA, and local environmental groups (MAP [Mountain Area Preservation Foundation] and Sierra Watch) at meetings held on April 9 and July 28, 2013, the initial viewpoints were selected, which included over two dozen publically accessible sites in a variety of settings, distances, and directions from the project site.

The FEIR must disclose and provide a list along with pictures/diagrams of all “over two dozen publically accessible sites” to allow the public and agencies to determine if adequate and accurate environmental analysis has been performed to determine no violation of Lake Tahoe viewshed has occurred. The list was generated over 2 years ago with two out-of-the-Tahoe basin environmental groups. Explain why the League to Save Lake Tahoe and Tahoe Area Sierra Club, Friends of West Shore or North Tahoe Preservation Alliance were not contacted to supplement the list of vantage points for those groups are much more familiar with scenic issues as related to Lake Tahoe than out of basin groups. Furthermore, TRPA staff could also been consulted.

40a). Page 9-9 MVWPSPP DEIR

The following criteria were used to select initial viewpoints:

sensitive or protected views including public open space and recreation trails, residential areas, and designated scenic roadways or vista points;

views that represent the visual experience of a relatively large number of affected viewers; and

Any scenic violation of Lake Tahoe, no matter affected viewer population, must be considered not just by a large number of affected viewers.

views that portray a representative range of viewing conditions (i.e., varied viewing distance and landscape character).

Reference: 9.2.3 Light and Glare Conditions Page 9-6 DEIR

The East and West Parcels include mostly undeveloped forest with no existing light sources. To the south of the MVWPSP project site, many residential areas and unpopulated portions of the Lake Tahoe Basin have little light pollution from urban areas, making them ideal locations for astronomical viewing. Views from lakeside beaches and from watercraft on the lake are especially expansive and free of nighttime light interference. (Exhibit 9-6), although watercraft use tends to be seasonal and occurs mostly during daylight hours. Lighting associated with urban development and human presence can result in light pollution or unwanted outdoor lighting that can cause skyglow, light trespass, or glare, which can adversely affect the dark night skies. Light pollution is most common around existing communities such as Tahoe City, Kings Beach, North Stateline, and Incline Village.

40b). The FEIR scenic analysis must include additional night time- night skies analysis from Lake Tahoe where no skyglow exists now (the baseline) i.e. as being seen from scenic highways at Sand Harbor as well as Hwy 28 Tahoe Vista, etc. and not just as perceived as a daytime boater issue. Reference: The MVWPSP (above) correctly states the baseline visual for Tahoe Basin but the DEIR analysis does not adequately or accurately analyze Tahoe basin night time visual light violation and must be addressed in the FEIR.

40c). Page 9-9 MVWPSP DEIR: Based on site visits to initial view points and a topographic modeling analysis, viewpoints from which the West Parcel development area clearly could not be seen were eliminated from further consideration. Detailed visual profiles were then prepared for the remaining viewpoints. Ultimately, over 70 profiles were prepared from 44 separate viewpoints, including profiles evaluating project buildings of different heights (from 42-foot single-family residential and cabin buildings up to 75-foot condominium structures) from the same viewpoints. Each visual profile assesses whether the West Parcel development area would be visible from a particular viewpoint by overlaying a line of sight between the viewing point and the West Parcel development area on a topographic profile. The visual profiles show the distance to the proposed.

The FEIR must disclose and provide a list along with pictures/diagrams of the “over 70 profiles and 44 separate viewpoints” to allow the public and agencies to determine if adequate and accurate environmental analysis has been performed to determine no violation of Lake Tahoe viewshed has occurred. The diagrams must include topo elevations and what firm provided topo modeling analysis. The analysis must also include a list of the initial viewpoints that were eliminated to determine if elimination was appropriate.

41). Page 9-27 MVWPSP: 9.2.7 Viewer Sensitivity

Major viewer groups that would likely be affected by changes to visual resources in the project area include residents of Martis Valley and north shore Tahoe communities (Kings Beach, Tahoe Vista, and Carnelian Bay), outdoor recreationists, and commuters/through traffic passing through Martis Valley between Truckee and the Lake Tahoe Basin.

The West Parcel development site would not be visible from residential neighborhoods in the Tahoe Basin or from the majority of residential areas in Martis Valley. However, if visual changes to the site were evident from any residences in Martis Valley, these residents would be most sensitive to changes in views because of the high frequency and duration of their exposure to those views. These nearest residents are likely accustomed to the existing visual characteristics. They likely do not expect a pristine view, but value the existing views as an

important contribution to their quality of life. Residents whose views of the site are blocked by vegetation and topography would not experience changes in views from their residences and would be less sensitive to visual changes. These residents would still be affected by visual changes, however, as they engage in outdoor activities and travel along SR 267. Because of the shorter-term nature of the activities, outdoor recreationists (summer and winter) would be exposed to changes in existing visual resources less frequently and for shorter durations than many residents. However, outdoor recreationists represent a larger number of individual viewers than nearby residents. Outdoor recreationists likely value the natural scenery as an important aspect of their recreational experience. The expectations of outdoor recreationists would vary based on the location and type of activity. For instance, an individual engaged in dispersed recreation such as backcountry skiing or hiking on the Tahoe Rim Trail would expect a mostly natural setting, while an individual at a more developed facility, such as a downhill skier at Northstar Resort would likely expect a mix of a natural setting with some artificial elements including ski lifts, buildings, and roadways. Commuters or other drivers passing through the project vicinity along SR 267 and the collector streets that access it would be the least sensitive to visual changes. The total number of commuters is higher than nearby residents or recreationists, but these viewers would tend to be less exposed to the views because they would be more focused on nearby visual features and would pass through the project vicinity relatively quickly. Commuters familiar with the area likely expect a landscape dominated by natural features, but they are likely passing through the project vicinity for reasons other than enjoying scenic views.

In the absence of better tools and lack of Placer County specific scenic ordinances defining a population of viewers and viewer sensitivity (above) does not replace the need for analysis. The FEIR must provide detailed criteria and impact analysis of the scenic issues generated as a result of the project regardless of the viewer group and sensitivity level which is not applicable, only subjective.

42). Page 9-30 MVWPSP DEIR: In addition, the MVWPSP includes requirements that the design and placement of new buildings minimize impacts on the natural setting and minimize visibility from Martis Valley and Lake Tahoe (Policy ER-SR1). Such policies would require that the design and layout of individual buildings maintains trees, rock outcroppings, and natural topography that would screen the buildings from view. The reduction of visual impacts from implementation of these policies was not reflected in the simulations. The simulations therefore represent conservative, "worst case" depictions of the visual impacts expected to occur; actual visual impacts are likely to be less than those shown in the simulations because of the application of MVWPSP policies, which will further ensure natural building materials and colors, shielded downward lighting, as some examples.

Reference: MVWPSPPRD Page B21: Policy ER-SR1: The natural setting of each building site shall remain the dominant image. Toward that end, the design of new development shall take into consideration and maintain as much as possible the natural characteristics of the project site, such as topography, views, trees, and rock outcroppings; particularly where retention of these features can screen views of development from Martis Valley, particularly SR 267, and/or the Tahoe Basin.

MVWPSP Policy ER-SR1 does not require, only considers screening thus stating worse case has been represented is an inaccurate statement. Analysis of actual maximum heights with tree removal must be included in the FEIR.

43). Exhibit 9-3 doesn't include the project site. I understand you are demonstrating the Northstar Mountain Area. The DEIR is about the MVWPSPP impacts. The FEIR must include a revised Exhibit 9-3 to include the ridgeline of the proposed development site in relation to Northstar.

44). Attachment A from comments I provided March 16, 2015 were submitted as noted below but not entirely addressed in the MVWPSPP DEIR. To insure and alleviate any potential for Lake Tahoe scenic violation for line of sight for buildings as well as night time skyglow from lights the following maps from the 1989 Lake Tahoe SQIP must be included and analyzed in the FEIR as visual resources and/or Key Points as requested during comment of the previous Specific Plan. The analysis must include simulations.

Ellie Waller Tahoe Vista resident. Comments for the record MVWPSP March 16, 2015
Attachment A Scenic Quality Improvement Plan (SQIP) references and maps.

The following prescriptions and recommendations in the TRPA Scenic Quality Improvement Plan (SQIP) must be addressed in EIR as part of the scenic analysis of the Martis Valley West Parcel Specific Plan project. There is a high potential for the buildings to be seen from the waters of Lake Tahoe. This will also apply to any future plans for the Tahoe Basin acreage.

Carnelian Bay is impacted as the project is located above the town (picture provided in NOP comments). Tree removal atop the ridge will not sufficiently absorb the visual impact. New defensible space requirements must be adhered to and removal of trees for building placement also a factor along with maximum height allowances 55' to 115'.

10. UNIT 18: CARNELIAN BAY (Rural Transition Visual Environment) **A. SCENIC CHARACTER**

(1) Scenic Resources. The unit's principal scenic resource as identified in the 1982 Inventory is the view of Carnelian Bay and the shoreline to the southwest (Subcomponent #3 on the Roadway Unit map). This resource is identified as having only moderate quality. In addition to these views, the forested portions of the unit at either end of the commercial area (Subcomponent #1 on the Roadway Unit map) contribute to the area's quality. The Sierra Boat Company and Marina (Subcomponent #2 on the Roadway Unit map) were also identified as man-made elements that provide unusual but not inappropriate visual interest. The 1988 travel route rating and scenic resource threshold for this unit are as follows:

- = Travel Route Rating: 14
- = Scenic Resource Threshold: 4

4. UNIT #19: CARNELIAN BAY (Rural Transition Visual Environment) **A. SCENIC CHARACTER**

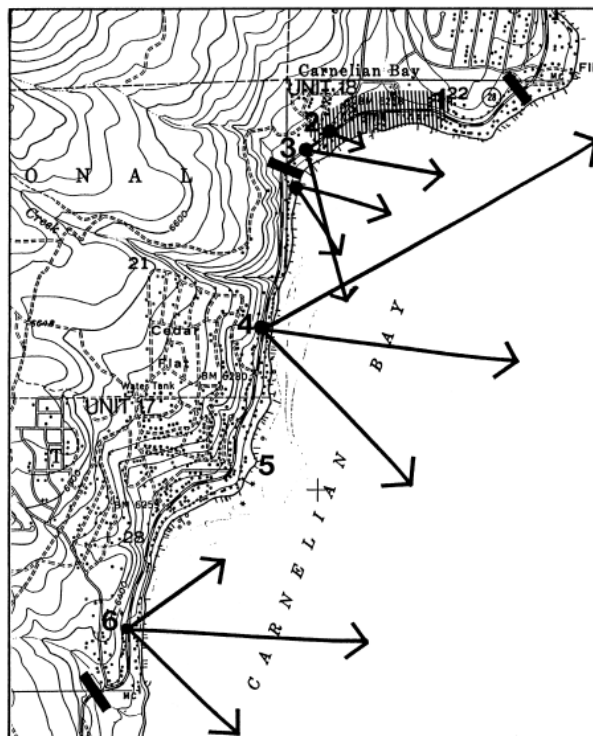
(1) Scenic Resources. The principal scenic resource identified in this unit by the 1982 Inventory is the view of the rounded hills that form the middle ground behind Carnelian Bay's commercial area (Subcomponent #1 as shown on the Shoreline Unit map). These low hills are for the most part, densely forested, however occasional open areas provide pattern and contrast to the hillside. Aside from this natural backdrop the only distinctive visual feature identified was the large rectangular boathouse of the Sierra Boat Company (Subcomponent #3). This large blue structure which is visible from a distance, is distinctive primarily because of its size and color

rather than its design. The flat, forested shoreline area east of the boathouses has low scenic quality because of residential development along the water's edge (Subcomponent #2 on the Shoreline Unit map). The 1988 travel route rating and scenic resource threshold for the unit are as follows:

- = Travel Route Rating: 5
- = Scenic Resource Threshold: 4

(3) Areas of Acceptable Quality. The residential areas along the shoreline to the east and west of the commercial area generally have acceptable scenic quality even though the development is visible to varying degrees through the forest cover. **The densely forested hills that form the visual backdrop for this unit also have acceptable scenic quality.**

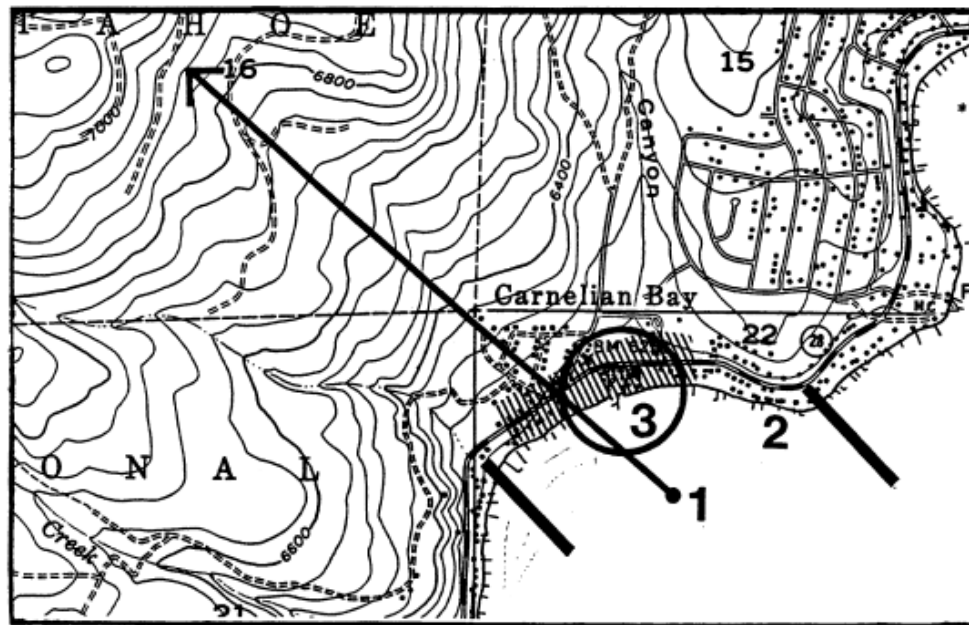
Below is Road Units in Carnelian Bay. The Martis Valley West Parcel is sited on the ridgeline above Carnelian Bay



ROADWAY MAPS LEGEND

- | | |
|-------------------------------------------------------|-----------------------------|
| Roadway Unit Boundaries | Typical View within Segment |
| Roadway Segment within Unit with Consistent Character | Panoramic View |
| View of Specific Resource | Areas of Concern |

ROADWAY UNITS 17, 18 CEDAR FLAT TO CARNELIAN BAY



SHORELINE MAPS LEGEND

 Shoreline Unit Boundaries

 Shoreline Section

 Visual Feature

 Major View of Backdrop

 Panoramic View of Backdrop

 Areas of Concern

This chart specifically supports the need for ridgeline protections and code of ordinances to be established and Regional Plan amendment to protect the scenic values in the Tahoe Basin as related to the proposed Mountainside Partners ridgeline development on a shared Martis Valley/Tahoe Basin boundary ridgeline.

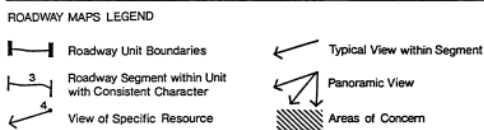
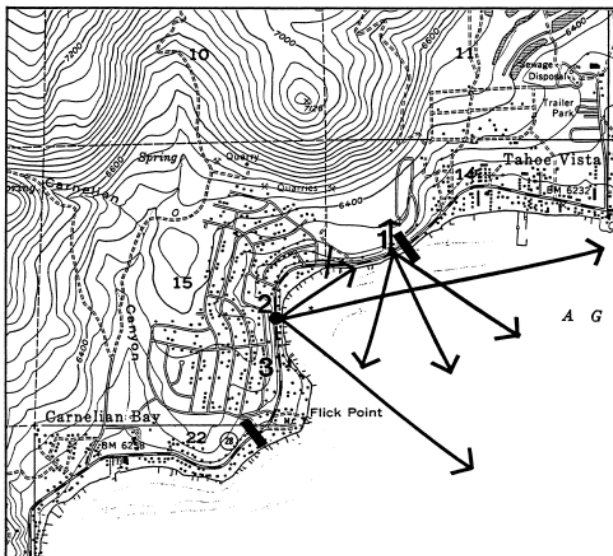
Agate Bay along with Flick Point are impacted as the ridgeline is seen from the lake (picture provided in NOP comments). Tree removal atop the ridge will not sufficiently absorb the visual impact. New defensible space requirements must be adhered to and removal of trees for building placement also a factor along with maximum height allowances 55' to 115'.

11. UNIT #19: FLICK POINT (Rural Transition Visual Environment)
A. SCENIC CHARACTER

(1) Scenic Resources. The principal scenic resource identified in the 1982 Inventory in terms of both its significance and quality is the panorama provided of the Agate Bay shoreline and distant views of Stateline Point, Mount Rose and the **ridgelines to the south** (Subcomponent #2, as shown on Roadway Unit map on the following page). **The forested area at the west end of the unit** (Subcomponent #3 as shown on Roadway Unit map) and the broken panoramas of the lake from the north end of the units (Subcomponent #1, as shown on the Roadway Unit map) are also identified as contributing to the scenic quality of the unit. The 1988 travel route rating and scenic resource threshold for this unit are as follows:

- = Travel Route Rating: 14
- = Scenic Resource Threshold: 4

This is the area that the Martis Valley West parcel ridgeline is predominant in a presentation provided by EWP (Mountainside Partners) at a public workshop in Kings Beach July 2014 (photo in NOP comments)



ROADWAY UNIT 19 **FLICK POINT**

Tahoe Vista could similarly be impacted as the ridgeline is seen from the lake (Pano photo in the NOP comments). Tree removal atop the ridge will not sufficiently absorb the visual impact. New defensible space requirements must be adhered to and tree removal for building placement also a factor along with maximum height allowances 55' to 115'.

12. UNIT #20: TAHOE VISTA (Urban, Rural Transition Visual Environments)

A. SCENIC CHARACTER

(1) Scenic Resources. The 1982 Inventory identifies two principal resources within the unit: views out to the lake and the ridgelines beyond and views north to the forested mountain slopes and ridgelines. Three locations are identified as providing significant lake views including the west end of the unit beyond Estates Drive (Subcomponent #9), the Kings Beach Recreation Area (Subcomponent #S), and the stretch of road between Brockway and Kings Beach (Subcomponents #1-3). In addition to providing panoramic views of the lake, Subcomponent #3 also is one of the locations identified as providing views of the mountain slopes toward Brockway Summit.

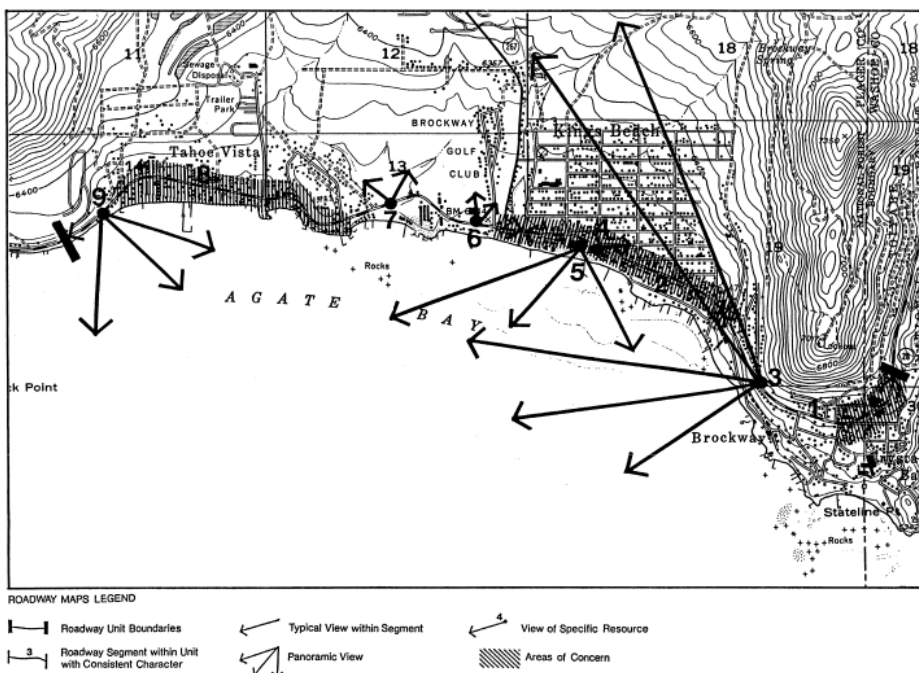
The Brockway Golf Course also provides open vistas toward the mountain ridges to the north (Subcomponent #6) and views of the stream zone and riparian vegetation (Subcomponent #7).

□= Travel Route Rating: 10

□= Scenic Resource Threshold: 4

(3) Areas of Acceptable Quality. There are portions of the unit that have generally acceptable scenic quality, but the quality of all of these areas could be improved. The area between Brockway and Stateline and the area west of Tahoe Vista are characterized by forested areas with residential development interspersed. Both areas also provide limited views of the lake. The third area with acceptable quality extends from just west of the junction of Highway 267 and 28 west to the east edge of Tahoe Vista (near Agatam Circle).

Note that the corner of this roadway unit is Flick Point and the Martis Valley West Parcel is visible from the lake on the West end of roadway unit viewing the ridgeline from offshore from Brockway as well as Tahoe Vista and the Kings Beach pier



ROADWAY UNIT 20

TAHOE VISTA

**20. UNIT #40: BROCKWAY CUTOFF (Rural Transition Visual Environment)
A. SCENIC CHARACTER**

(1) Scenic Resources. The principal scenic resource identified in this unit during the 1982 Inventory is the focused view of the lake with Mt. Tallac in the background (Subcomponent #4 as shown on the Roadway Unit map). This view, which is framed by conifer forest on each side, is available to southbound travelers on Route 267 due to the opening provided by the fairway of the Brockway Golf Course. Except for the golf course area which extends along the west side of the roadway for about two-thirds of the unit's length, the unit is heavily forested along both sides of the roadway, thus contributing to the unit's overall quality but also limiting most views to the foreground area (Subcomponent #5 on the Roadway Unit map). Residential development is located in the forested areas along the roadway with the heaviest development occurring on the east side of the road. The 1988 travel route rating and scenic resource thresholds for the unit are as follows:

- = Travel Route Rating: 15
- = Scenic Resource Threshold: 3

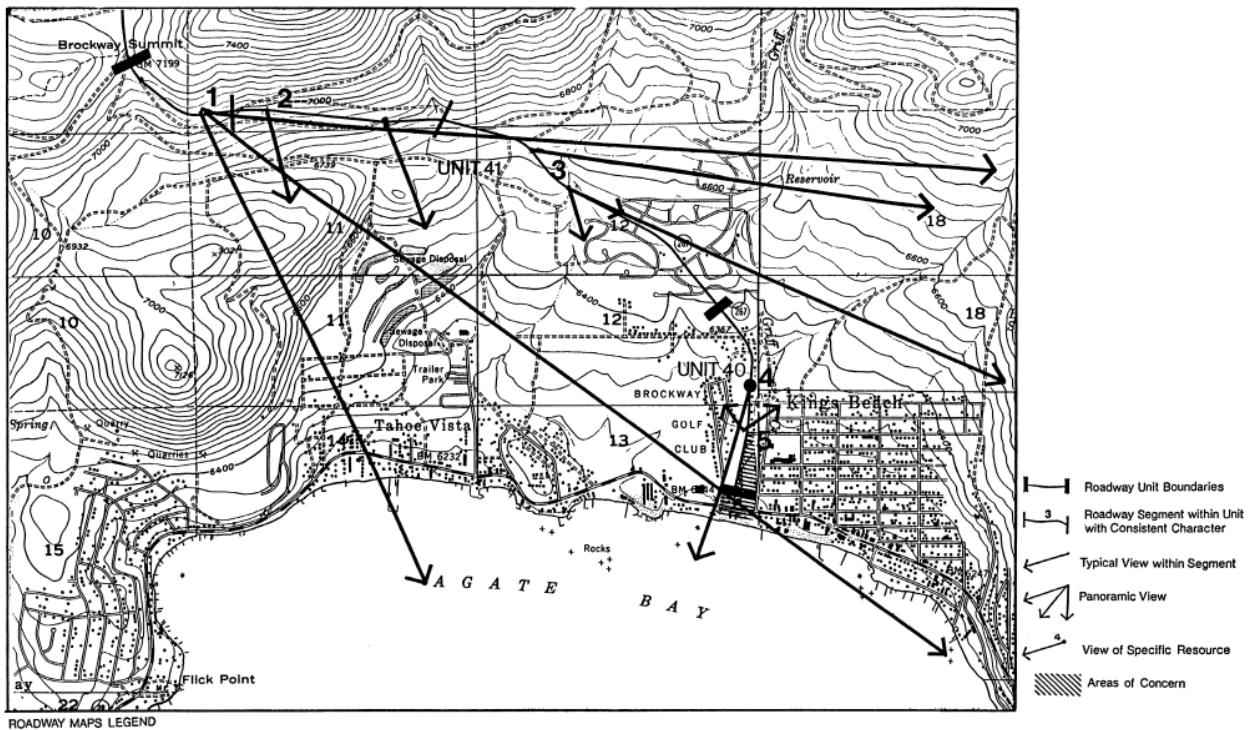
(2) Areas of Concern. The scenic quality and character of this unit tends to be fairly uniform throughout, without distinct areas of significantly lower scenic quality. Although most of the unit is developed, the forest cover and open green fairways of the golf course give the area a generally pleasing scenic character. The existing visual concerns tend to be spread throughout the unit, creating a cumulative effect on the overall visual quality of the unit. These concerns involve elements such as the overhead utility lines, the cyclone and strung-wire fencing along the golf course, the golf course structures, and other buildings in the foreground of lake views, and residential development which creates visual distractions due to inadequate setbacks, landscaping or maintenance. The one area which is most significant in terms of its scenic importance and sensitivity, is the corridor that provides views of the lake and distant mountain ridge, particularly the area near the junction of highways 267 and 28. The golf course fairway fairly well establishes the open corridor, but existing development near Highway 28 does limit views of the lake and any additional development in this corridor could significantly detract from the quality of the view.

(3) Areas of Acceptable Quality. Just as it is difficult to isolate specific areas of concern within the unit, it is also difficult to identify areas that have completely acceptable scenic quality. Generally however, the scenic quality throughout the unit is fairly good with the northern end of the unit, being in slightly better condition than the south end and the west side of Highway 267 being slightly better than the east side.

B. RECOMMENDATIONS FOR IMPROVING THE SCENIC QUALITY

(1) Fencing. The cyclone and strung-wire fencing that borders the fairway on the west side of the road is out of character with the natural environment and detracts from the views from the travel route. If fencing is required along this boundary, it would be preferable to have it constructed of natural materials. Landscaping should also be introduced along the edge nearest the roadway to integrate the fence with its surroundings and decrease the barren dirt areas along the roadside. It is important however, when designing the fencing and landscaping to preserve views of the golf course and of the more distant lake and mountains. If for security reasons a cyclone fence is deemed essential, then vinyl-coated fencing (black or brown-colored) should be utilized and screened with landscaping. See the *Design Review Guidelines* for possible solutions.

(2) Utility Lines. Overhead utility lines should be placed underground wherever possible. Any utility lines which must be maintained above ground should be located away from the main corridor or screened so as not to detract from views or the overall visual quality of the area. Those existing lines that are located along the west side of the road are more prominent than those on the east side because they do not have the dark forest background to visually absorb them.



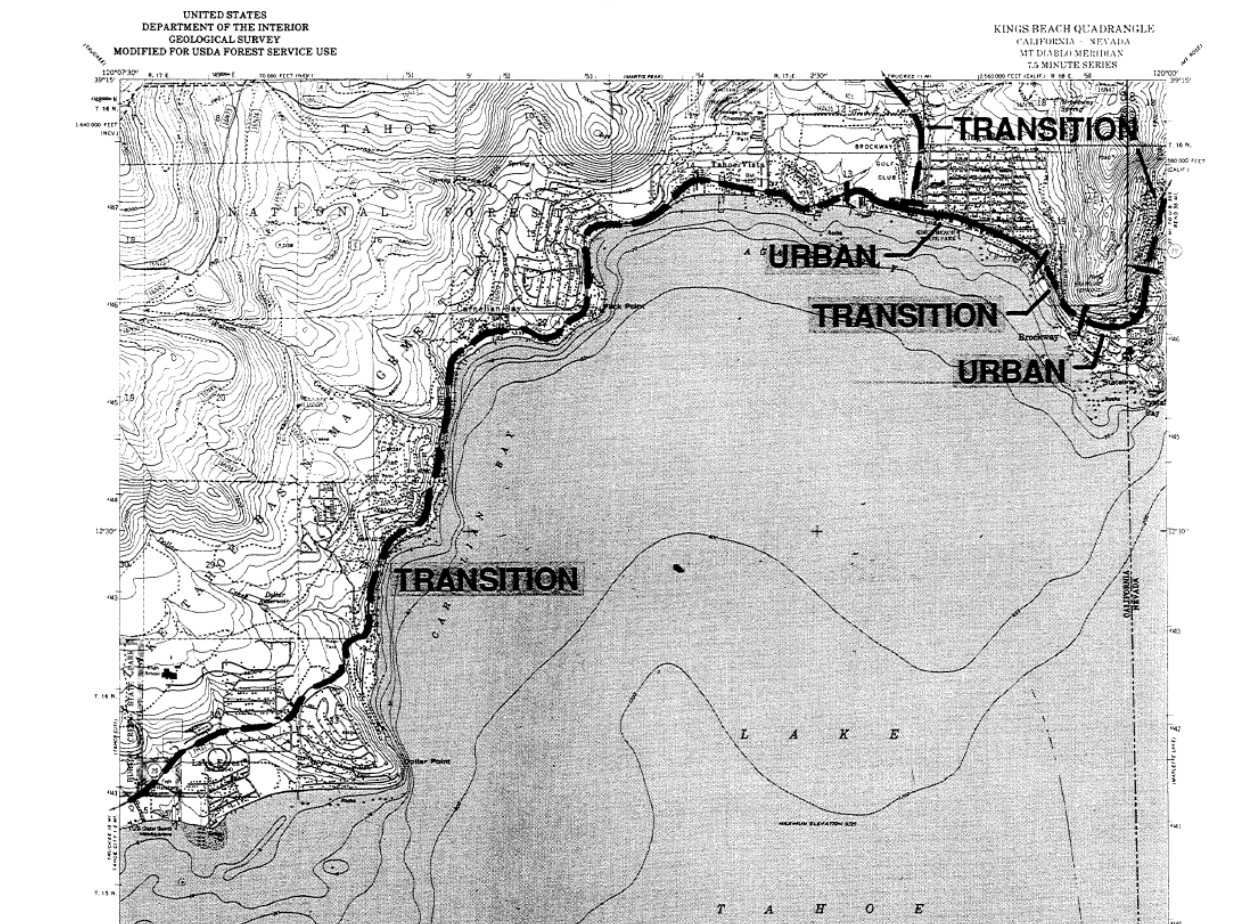
**ROADWAY UNITS 40, 41
 BROCKWAY SUMMIT**

**BROCKWAY CUTOFF TO
 BROCKWAY SUMMIT**

TRPA - Scenic Quality Improvement Program
 APPENDIX B - VISUAL ASSESSMENTS

B-69

This chart specifically supports the need for ridgeline protections and code of ordinances to be established and Regional Plan amendment to protect the scenic values in the Tahoe Basin as related to the proposed Mountainside Partners ridgeline development on a shared Martis Valley/Tahoe Basin boundary ridge. Panoramic viewshed identified.



Map from the SQIP identifies the area as Transition

HOW TO USE THIS MANUAL (Page 8 of SQIP)

Introductory Sections

An important goal of this manual is to present positive solutions to design problems which designers must address in the Region. It is strongly recommended that everyone read the introductory sections of this document. These sections discuss the philosophy behind the guidelines as well as their legal standing and authority.

An important concept behind this manual is the existence of three different visual environments throughout the Region. The three environments are: urban areas, rural transition areas, and rural areas. The characteristics of each environment are identified, and the design implications discussed beginning on page vi.

Design Guidelines Sections

Applicants with new projects on undeveloped land or those whose project is a major remodel or expansion should review the entire document

Page 26 D. REGIONAL DESIGN PRINCIPLES

The focus of this program is the visual quality of the built environment. The visual quality of the built environment directly affects Regional scenic quality. Sensitive, thoughtful site design can greatly contribute to the compatibility between the built and natural environments. This compatibility is a fundamental policy of the Regional Plan. In order to encourage compatibility through the design process, Regional Design Principles which are based on the adopted Goals and Policies have been established. These principles underlie the specific evaluations, recommendations, and guidelines presented in this program and in the Design Review Guidelines Manual. The Design Principles Matrix translates the Regional Design Principles into conceptual design elements based on the urban/rural transition/rural visual environments. The matrix is located in the Design Review Guidelines Manual and should be consulted during the earliest stages of project development.

Regional Design Principles

(a) Natural Setting: The high scenic quality of the natural setting constitutes a dominant and highly valued part of each Basin resident's everyday environment as well as being the key factor in attracting visitors to the area. It is essential, therefore, that land use decisions preserve and enhance the natural scenic features and qualities of the Basin and minimize disruption of the area's natural appearance.

(b) Contextual Response: Development should respond to the contextual setting in which it is located. In general it should be designed to be compatible with and enhance the scenic qualities of the natural landscape. It is generally more appropriate to alter development proposals to accommodate natural features such as land forms and vegetation than it is to alter the natural landscape to accommodate development. The scale and character of new development should be compatible with the natural features of the surrounding areas.

(c) Consolidation of Development Areas: It is important that a clear distinction between development areas and natural areas be retained if the predominantly natural character of the Basin is to be preserved. Development areas should be consolidated in existing communities rather than permitting scattered development throughout the Basin, and linear patterns of development (i.e. sprawl) along the major travel routes should be avoided. This consolidation is also advocated through the community planning process.

Additional ridgeline scenic references supporting ridgeline protections to ensure scenic issues get propriety and are addressed as a Regional Plan amendment before this project should be approved by Placer County.

15. UNIT #31: MEADOW (Rural Transition Visual Environment)

A. SCENIC CHARACTER

(1) Scenic Resources. The 1982 Inventory identifies three distinct resources within this unit. The most distinctive of these in terms of establishing the character of the unit is the wide expanse of meadow situated northwest of Tahoe Village (Subcomponent #2 as shown on the Roadway Unit map on the following page). **The meadow dominates the foreground views, but its openness also provides the opportunity for high-quality long distance views of the lake and the dramatic mountain ridgelines in the El Dorado National Forest** (Subcomponent #1 on the Roadway Unit map). **The third resource is the stretch of natural forest that borders the roadway in the north end of the unit (Subcomponent #3 on the Roadway Unit map). This forested area has gentle topography and only minor openings in it, but derives much of its character from its generally undeveloped, natural condition.**

18. UNIT #35: AL TAHOE (Urban Visual Environment)

A. SCENIC CHARACTER

(1) Scenic Resources. Similar to the other units in the City of South Lake Tahoe this unit is characterized by heavy strip development along much of its length. The 1982 Inventory identified two significant breaks in this development that provide visual relief from development and quality views of the natural environment. The focus in both of these areas is a stream zone: the Truckee River stream zone (Subcomponent #2 as shown on the Roadway Unit map), and the Trout Creek stream zone (Subcomponent #4 on the Roadway Unit map). **These areas provide foreground views of the riparian areas and more distant views of the mountain ridgelines to the south.** Unlike areas of strip development in other parts of South Lake Tahoe, significant amounts of natural vegetation (especially mature conifers) have been maintained within the developed areas in the rest of the unit.

19. UNIT #36: AIRPORT AREA (Urban, Rural Transition Visual Environments)

A. SCENIC CHARACTER

(1) Scenic Resources. While not providing any views of the lake, the 1982 Inventory identifies several views and features within the unit that contribute to the unit's scenic quality. **Several areas within the unit provide mid- and long distance views of mountain ridges.** In the south end of the unit mid-distance views are provided of Flagpole Peak and the rocky ridgeline (Subcomponent #1 as shown on the Roadway Unit map), and the area around the Tahoe Golf Course provides distant views of Echo and Angora peaks to the west (Subcomponent #3 on the Roadway Unit map). **The clearing at the airport provides views to the east of gently rolling forested lands and the ridgelines and slopes of Cold Creek and Trout Creek watersheds (Subcomponent #6 on the Roadway Unit map)**

21. UNIT #42: OUTLET (Rural Transition Visual Environment)

A. SCENIC CHARACTER

(1) Scenic Resources. The principal scenic resource identified in this unit during the 1982 Inventory is the wide, forested stream zone of the Truckee River which runs along the south side of Highway 89 (Subcomponent #5 as shown on the Roadway Unit map). The stream zone is most visible in the western half of the unit where the river runs close to the road. In addition to the stream zone, the mid-distance views (provided to westbound travelers) of forested low ridgelines also contribute to the area's scenic quality.

1. UNIT #9: RUBICON BAY (Rural Transition Visual Environment)

A. SCENIC CHARACTER

(1) Scenic Resources. The principal scenic resource identified in this unit by the 1982 Inventory is the view of the conical-shaped Rubicon Peak and the serrated ridge of peaks that is visible to the south (Subcomponent #1 as shown on the Shoreline Unit map). This view received the highest possible rating (3+). Other identified resources include views of the low forested ridge that surrounds the bay and the shoreline with its steep banks and rocky edges.

(3) Areas of Acceptable Quality. The only area of acceptable quality is the ridgeline above Lonely Gulch where no development has occurred. It is important that similar impacts are not permitted to spread to these higher slopes where it would result in further visual degradation

2. UNIT #15: TAHOE CITY (Urban Visual Environment)

A. SCENIC CHARACTER

(1) Scenic Resources. The 1982 Inventory identifies several subcomponents that comprise the unit's scenic resource. The most significant of these are the view of the forested hills that form the backdrop for Tahoe City

A prominent feature that is outside the main area of concern, but detracts from the scenic character of the area, is the residential development on the ridge of the north end of the unit. This development lacks significant vegetative screening and its position on the ridge means buildings are silhouetted against the sky making them even more apparent

Except for the condominium development on the ridgeline, this shoreline development has a dense uninterrupted forest backdrop which helps to visually absorb the development.

8. UNIT #15: TAHOE CITY (Urban Visual Environment)

A. SCENIC CHARACTER

(1) Scenic Resources. The scenic resources identified in the 1982 Inventory for this unit include views of the lake from downtown (Subcomponent #5), the view of the Truckee River and outlet structure (Subcomponent #6), the view of the forested ridgeline west of town (Subcomponent #4) and views of the forested areas along Highway 28 between Tahoe State Park and Burton Creek (Subcomponents #1-3). The location of each subcomponent is shown on the Roadway Unit map on the following page.

Traffic and Circulation- DEIR Chapter 10

45). The MVWPSPP violates MVCP 5.A.8: The County's LOS standard for State Route 267 shall be no worse than E. The MVWPSPP states LOS F in several intersections. Paying in-lieu fees does not exempt the project from adhering to the MVCP policy and does not substitute for environmental analysis of impacts on the Tahoe basin.

Reference Table D-1 Appendix D Furthermore, prior to issuance of any building permits, the project shall be subject to the payment of traffic impact fees in effect for the Tahoe District, pursuant to applicable ordinances and resolutions, to the Placer Countywide Traffic Fee Program for its fair share of identified capital improvements.

46). MVCP 5.A.14 Placer County shall participate with other jurisdictions and Caltrans in the planning and programming of improvements, as well as maintaining the adopted level of service (LOS), for State Highway 267 in accordance with state and federal transportation planning and programming procedures, so as to maintain acceptable levels of service for Placer County residents and visitors in Martis Valley. The FEIR must include all correspondence and Caltrans documentation verifying that LOS F is acceptable at identified intersections. Simply stating significant and unavoidable impact is the result of this project is not a substitute for Caltrans approval or significant impacts.

47). The MVWPSPP violates MVCP 5.A.17: The County shall keep to a minimum the number of driveway encroachments along public roadways—particularly along Schaffer Mill Road, Northstar Drive, Big Springs, SR267, and all other collector roadways. An alternative to not adding a new encroachment should be the use of Highlands View Road. And must be included in the FEIR. I requested this in my NOP comments dated August 1, 2014 page 13 of 39. The DEIR did not analyze.

48). Page 10-19 MVWPSPP DEIR “For Chain Controls in the Study Area:

1) Substantially increase hazards or risks to public safety due to a design feature (e.g., sharp curves or dangerous intersections) or lack thereof (e.g., roadside space for chain installation).”

“Caltrans implements chain-control requirements on SR 267 during certain weather conditions. The project’s main access road would intersect SR 267 within the chain-controlled segment of the highway. Project residents and guests would be notified when chain control requirements are in place on SR 267, either by signage and/or other means (e.g., electronic media). In addition, parking spaces or turnouts would be provided on the project’s main access road, outside of Caltrans’ right-of-way, to allow drivers to install chains before entering SR 267.”
Page 10-20.

The DEIR does not identify the exact location of the two chain control areas on SR 267 as related to the project intersection. The FEIR must address this public health and safety issue with Caltrans and establish another checkpoint at the project entry/exit that will not interfere with through traffic on SR 267 or get assurances in writing (documentation must be provided in the FEIR) from Caltrans that this is an acceptable practice for unchecked vehicles going over Brockway Summit (approx. 7200 in elevation). The ingress/egress to the project is above the closest checkpoint (heading toward Northstar signalized intersection) but not near a checkpoint before heading over Brockway Summit toward Lake Tahoe where cars on the honor system will go unchecked on a potentially hazardous highway during snow/ice events. The FEIR must include a diagram showing distances from both chain checkpoints as related to the project entrance/exit distances. This further supports the project using the existing Highlands View road for ingress/egress of the MVWPSPP.

49). The FEIR must include a traffic analysis for an anticipated evacuation for public health and safety based on estimated population identified with current and proposed development at Northstar and nearby Lake Tahoe areas identified to evacuate using SR 267 by the recently released (November 2015) NTFD Emergency Preparedness and Evacuation Guide

Public Utilities- DEIR Chapter 16

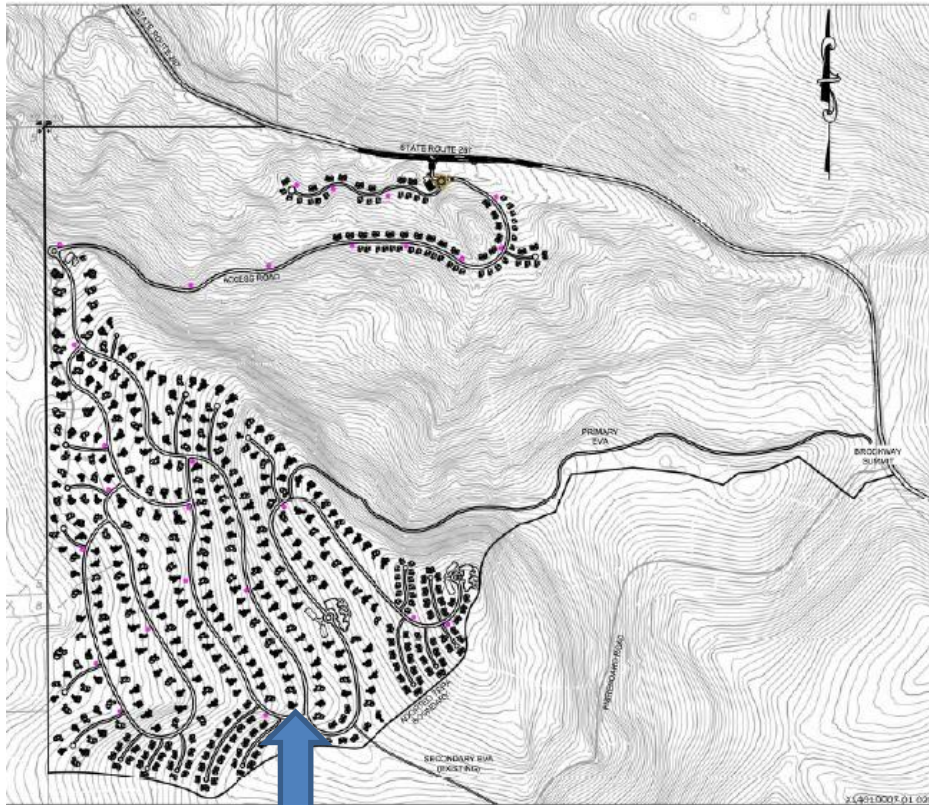
50). The proposed EVAs violate MVCP 1.1.1. by developing roads (which are not open space) for evacuation in avalanche, severe slope and high fire risk area

The County shall require that areas hazardous to public safety and welfare be retained as open space. This category includes:

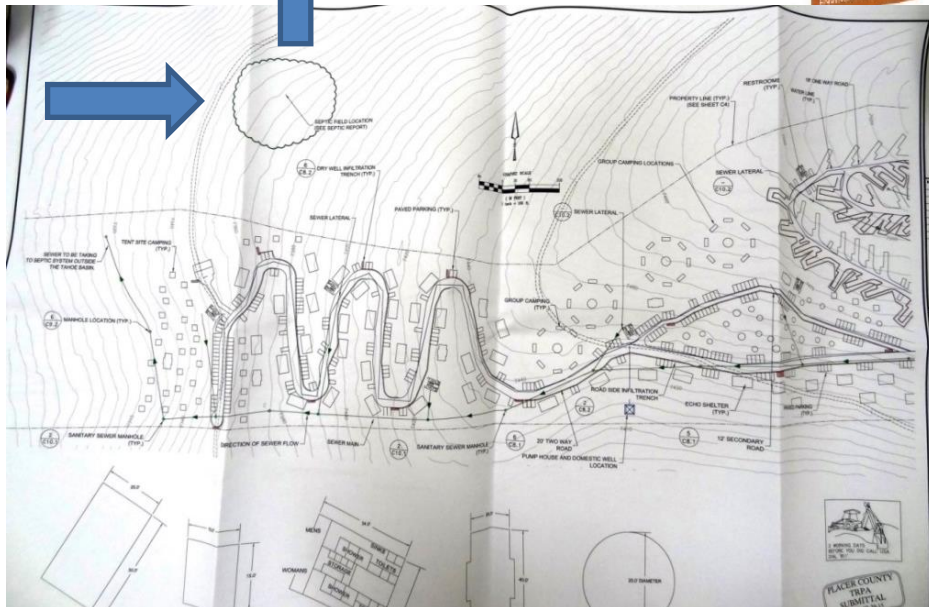
- a. Areas subject to avalanche, landslide, or with severe slope stability problems.
- b. Streams and other areas subject to flooding from a 100-year storm
- c. Areas with extreme and high fire risk.
- d. Airport safety zones

51). The Brockway Campground leach field outside the Tahoe basin is clearly located (blue arrows approximate location) within the proposed MVWPSPP development boundary as the projects are adjacent to each other as was the former site of the proposed-suspended Tahoe Basin Area Plan. The MVWPSPP DEIR did not analyze the effects of the leach field. Therefore, the DEIR must be re-circulated. Analysis and diagram of location for proposed units in relation to the leach field must be included in the environmental documentation along with pre-approval that discloses viability of sewage going from inside the Tahoe basin (TRPA compliance) to outside the basin which must include local public utility district (NCSA and NTPUD) buy-in for the leach field proposal. Analysis must include grading required for the leach field and building standards allowing a leach field to be placed below location of proposed housing units.

Map from MVWPSP DEIR Visual Chapter 9



Conceptual Site Plan Used to Simulate Buildout of the Project Site



Map from the Mountainside Partners Brockway campground proposa

52). Overarching Statement

Read into record under public comment TRPA Governing Board 12-16-15

I am sorry to have missed the open discussion by your Board on the merits of commenting on projects adjacent to and near the Tahoe basin. I have read the Board packet and appreciate TRPA will address concerns regional issues as related to two current Placer County proposed projects as well any other projects in the future that could affect assumptions of the Regional Plan and potential environmental impacts to the Tahoe Basin. Joanne's statement as well as John Marshall's captured in the minutes are especially important when identifying Regional as well as basin wide cumulative impacts that will assist in analyzing Basin carrying capacity and growth management.

Mr. Marshall said staff discussed the "scope creep" issue with Placer County. Projects such as Martis West and Squaw Valley are going to have direct in Basin impacts because of traffic generation. TRPA's analysis moves not from a specific project basis but are the plans consistent. You lose the geographic nexus and the ability to predict how many trips would be coming into the Basin from a project out of the Basin. This focuses in on the resort triangle; from the modeling, you can have a realistic picture of an impact that can be directly assessed in the Basin. Beyond that it becomes more abstract, this would then move more to visitor levels. The modeling looks at regional growth rather than project by project. Staff is reaching out to the decision makers that are outside the Basin.

Ms. Marchetta said we assumed some of that growth and possibly all of that growth as part of the Regional Plan analysis. From a regional scale, we can start to move away from this project by project. TRPA is in the planning process of reviewing some of the corridor plans. There will be a drive for increased demand for recreation access in the Basin. As a regional entity, TRPA needs to plan and execute on it.

4

I have included the following Overarching Statement: in my comments on Martis Valley West parcel Specific Plan DEIR. The Martis Valley Community Plan takes into consideration the Lake Tahoe basin

Page 143 Appendix A MVCP 5. **Do not increase residential density in the Martis Valley** beyond that included in this Plan to the point that new infrastructure beyond that recognized in the Plan is required **or that greater demands are placed on the adjacent Tahoe Basin and national forests....**

The FEIR must include more detailed analysis of the greater demands being placed on the Tahoe Basin through extensive traffic analysis on SR 267 to Hwy 28 and beyond, potential visual violations through more simulations showing extensive tree removal from MVWPSP and Brockway Campground, wildlife movement/migration disruptions with development of west parcel and adjacent Brockway campground, evacuation route congestion with projects currently completed at Northstar as well as proposed and NTFD directing Tahoe basin residents and visitors to SR 267, water demand/supply issues if drought continues. And allowing a leach field to be built on Martis Valley lands that will pump sewage from the Brockway campground inside the Tahoe basin. The cumulative impacts of other near-term proposed projects identified especially the Squaw Valley Village expansion must be reviewed and analyzed and possibly determine that this project should not be built or at the very least downsized.

53). Articles stating compelling urgency to deny Martis Valley West Parcel Specific Plan (with joint issues related to Brockway Campground associated cumulative effects) and other documents to be included for the record as being similar and consistent with the overall lack of environmental impact analysis and determination for re-circulation of MVWSP DEIR

Shute, Mihaly & Weinberger Village at Squaw Valley Plan Draft EIR response- July 16, 2015
130 pages

<http://www.placer.ca.gov/~media/cdr/ECS/EIR/VSVSP/Comments%20on%20DEIR/sierra%20watch/SMW%20Letter%20to%20M%20Krach%20re%20Village%20at%20Squaw%20Specific%20Plan%20DEIR%2007162015.pdf>

<http://moonshineink.com/opinion/say-no-canyon-springs>

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<http://www.sierrasun.com/news/17782386-113/squaw-valley-should-not-become-vail-or-aspen>

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<http://www.sierrasun.com/news/18771824-113/opinion-martis-valley-west-is-a-bad-deal>

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<http://www.sierrasun.com/news/16407003-113/opinion-voice-your-concerns-against-martis-valley-west>

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<http://www.tahoedailytribune.com/news/14816596-113/tahoe-development-no-longer-part-of-martis-valley-west-updated>

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<http://www.laketahoenews.net/2015/08/resort-like-camping-proposed-on-tahoe-ridge/>
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54). I formally request to be notified of any and all hearings: Administrative Review, PRC, Design Review, etc. on the Martis Valley West Parcel Specific Plan environmental documentation and Draft Specific Plan

55). I acknowledge and incorporate comments from Friends of West Shore (FOWS)/Tahoe Area Sierra Club (TASC)