

TAHOE REGIONAL PLANNING AGENCY (TRPA)  
AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, January 27, 2010**, commencing at **9:30 a.m. at the Chateau, Incline Village, NV**, and **Thursday, January 28, 2010 at 9:00 a.m. at the TRPA Offices**, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on **Wednesday, January 27, 2010**, commencing at **8:30 a.m.**, at the **Chateau**, the TRPA Legal Committee will meet. The agenda will be as follows: **1) Public Interest Comments; 2) Amendment of the Resolution of Enforcement Action, East River Terrace Partners and Pacific Built Inc., Sediment Discharge to the Waters of Lake Tahoe, Unauthorized Grading, Unauthorized Staging of Equipment and Material, and Failure to Maintain Best Management Practices (BMPs), 900 Ski Run Boulevard, South Lake Tahoe, CA, Assessors Parcel Number (APN) 027-690-06; Page 35 3) Resolution of Enforcement Action, Henry and Regina Bunsow and Alan and Joan Shattuck, Unauthorized Addition of Coverage in a Stream Environment Zone, 3970 Belleview Avenue, Placer County, CA, Assessor's Parcel Number 085-221-004; Page 41 4) Closed Session with Counsel to Discuss Existing and Potential Litigation; 5) Potential Direction Regarding Agenda Item No. 4; 6) Member Comments;** (Committee: Chair – Aldean, Vice Chair – Bresnick, Biaggi, Santiago, Miller, Sher)

NOTICE IS FURTHER GIVEN that on **Wednesday, January 27, 2010**, commencing at **8:30 a.m.**, at the **Chateau**, the TRPA Operations Committee will meet. The agenda will be as follows: **1) Public Interest Comments; 2) Election of Chair and Vice-Chair; 3) Acceptance of December 2009 Monthly Financial Statement; Page 1 4) Preliminary Budget Adjustments for FY 2010; 5) Acceptance of the Agency's Audited Financial Statements And Independent Auditor's Report for the year ended June 30, 2009; Page 33 6) Monthly Filing Fee and Mooring Revenue; 7) Discussion on Frequency of the Financial Statement Reporting; 8) Member Comments;** (Committee: Chair – Merrill, Vice Chair – Ruthe, Cashman, Breternitz, McDermid)

NOTICE IS FURTHER GIVEN that on **Thursday, January 28, 2010**, commencing at **9:00 a.m.** at the **TRPA Offices**, the TRPA Advisory Planning Commission will join the Governing Board for Agenda Item IX.A., the Regional Plan Update Milestone Discussion.

January 20, 2010



Joanne S. Marchetta, Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Chateau	Jan. 27, 2010
955 Fairway Blvd.	9:30 a.m.
Incline Village, NV	
TRPA	Jan. 28, 2010
128 Market Street	9:00 a.m.
Stateline, NV	

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments (3 minutes for individuals and 5 minutes for group representatives). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting.

**“Teleconference locations are open to the public ONLY IF SPECIFICALLY MADE OPERATIONAL BEFORE THE MEETING by agenda notice and/or phone message referenced below.”**

In the event of hardship, TRPA Board members may participate in any meeting by teleconference. Teleconference means connected from a remote location by electronic means (audio or video). The public will be notified by telephone message at (775) 588-4547 no later than 6:30 a.m. PST on the day of the meeting if any member will be participating by teleconference and the location(s) of the member(s) participation. Unless otherwise noted, in California, the location is 175 Fulweiler Avenue, Conference Room A, Auburn, CA; and in Nevada the location is 901 South Stewart Street, Second Floor, Tahoe Hearing Room, Carson City, NV. If a location is made operational for a meeting, members of the public may attend and provide public comment at the remote location.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Judy Nikkel at (775) 589-5243 if you would like to attend the meeting and are in need of assistance.

## AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair.

Any member of the public wishing to address the Governing Board on any item not listed on the agenda may do so at this time. However, public comment on Project Review, Public Hearing, and Appeal items will be taken at the time those agenda items are heard. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

VI. CONSENT CALENDAR (see Consent Calendar agenda below, for specific items)

VII. PUBLIC HEARINGS/PROJECTS

A. Domus Affordable Housing Projects and Related Regional Plan Amendments (*time certain, 9:30 a.m., Wednesday*)

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1. Amendments to the Kings Beach Community Plan to incorporate Parcel #090-126-026 into the Community Plan, create two special areas, and other related amendments and Amendment of TRPA Code of Ordinances Chapter 21, Density, Chapter 22, Height, and other related amendments, TRPA File PLAN2008-0007, APN 090-064-012
2. Kings Beach Housing Now, Affordable Housing Project #1, 200 Chipmunk Street, Placer County, California, Assessors Parcel Number (APN) 090-222-05, TRPA File Number CEPP2008-0161 (*to be acted upon only after all Agenda Item VII.A. 1 amendments are approved*)
3. Kings Beach Housing Now, Affordable Housing Project #2, 265 Fox Street, Placer County, California, Assessors Parcel Number (APN) 090-126-026, TRPA File Number CEPP2008-0163 (*to be acted upon only after Agenda Item VII.A.1, Chapter 21, Density amendment is approved*)

***Lunch break from 12:00 – 12:30 p.m.***

B. Kings Beach Commercial Core Improvement Project and Related Regional Plan Amendments (*time certain, 12:30 p.m., Wednesday*)

**Page 129**

1. Certification of the Kings Beach Commercial Core Improvement Project Final Supplemental Environmental Impact Statement (SEIS) and other related amendments
2. Amendments to the Kings Beach Community Plan, and Other Matters Related Thereto (*to be acted upon only after the SEIS for Agenda Item VII.B.1 is certified*)
3. Kings Beach Commercial Core Improvement Project, Placer

County, California, TRPA Project Number 530-105-03, TRPA  
File Number 20031259 ***(to be acted upon only after the SEIS  
for Agenda Item VII.B.1 is certified and all Agenda Item VII.B.2  
amendments are approved)***

VIII. APPEALS

- A. Angelo Tonozzi's Appeal of Executive Director's Decision to Deny Verification of a Second Residential Unit of Use at 1904 B Street, South Lake Tahoe, El Dorado County, California, APN: 032-242-28, TRPA File No. ADMIN2008--0024 **Page 359**  
***(Day certain, Thursday)***

IX. PLANNING MATTERS

- A. Regional Plan Update Milestone Discussion and Direction to Staff **Page 411**  
1) Water Quality and Stream Environment Zone (SEZ)  
***(Time certain, 9:00 a.m., Thursday)***

X. ADMINISTRATIVE MATTERS

- A. Appointment of a Governing Board Member Delegate and Alternate to The California Council of Governments (CALCOG) for 2010 **Page 413**  
B. Potential Closed Session to Discuss Pending or Potential Litigation

XI. REPORTS

- A. Executive Director Status Report **Page 417**  
1. Agency Work Program Priorities for January  
a. Regional Plan Update  
b. Forest Fuels Management Update  
c. Aquatic Invasive Species  
d. EIP Implementation  
e. Shorezone Implementation  
f. CEP Update

- B. Agency Counsel Status Report

XII. GOVERNING BOARD MEMBER REPORTS

XIII. COMMITTEE REPORTS

- A. Legal Committee  
B. Operations Committee

- C. Public Outreach & Environmental Education Committee
- D. Catastrophic Wildfire Committee
- E. Local Government Committee

XIV. ADJOURNMENT

CONSENT CALENDAR

Item	Recommendation	
1. Acceptance of December 2009 Monthly Financial Statement	Acceptance	<u>Page 1</u>
2. Acceptance of the Agency's Audited Financial Statements And Independent Auditor's Report for the year ended June 30, 2009	Acceptance	<u>Page 33</u>
3. Amendment of the Resolution of Enforcement Action, East River Terrace Partners and Pacific Built Inc., Sediment Discharge to the Waters of Lake Tahoe, Unauthorized Grading, Unauthorized Staging of Equipment and Material, and Failure to Maintain Best Management Practices (BMPs), 900 Ski Run Boulevard, South Lake Tahoe, CA, Assessors Parcel Number (APN) 027-690-06	Approval	<u>Page 35</u>
4. Resolution of Enforcement Action, Henry and Regina Bunsow and Alan and Joan Shattuck, Unauthorized Addition of Coverage in a Stream Environment Zone, 3970 Belleview Avenue, Placer County, CA, Assessor's Parcel Number 085-221-004	Approval	<u>Page 41</u>

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight

members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, Allen Biaggi, Director of Nevada Dept. of Conservation & Natural Resources; Vice-Chair, Norma Santiago, El Dorado County Supervisor; Mara Bresnick, California Assembly Speaker's Appointee; Shelly Aldean, Carson City Supervisor; John Breternitz, Washoe County Commissioner; Jennifer Montgomery, Placer County Supervisor; Nancy McDermid, Douglas County Commissioner; Steven Merrill, California Governor's Appointee; Casey Beyer, California Governor's Appointee; Ross Miller, Nevada Secretary of State; Donna Ruthe, Nevada Governor's Appointee; Timothy Cashman, Nevada At-Large Member; Byron Sher, California Senate Rules Committee Appointee; Hal Cole, City of South Lake Tahoe Council; Josh Reid, Presidential Appointee.