

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION  
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting at **9:30 a.m.** on **Wednesday, June 9, 2010** at the **TRPA Offices**, located at **128 Market Street, Stateline, NV**. The agenda for the meeting is attached hereto and made a part of this notice.

June 3, 2010



Joanne S. Marchetta  
Executive Director

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

TRPA  
128 Market Street  
Stateline, NV

June 9, 2010  
9:30 a.m.

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All items on this agenda are action items unless otherwise noted.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Advisory Planning Commission on any item not listed on the agenda may do so at this time. Public comment on Public Hearing items will be taken at the time those agenda items are heard.

*NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.*

- IV. DISPOSITION OF MINUTES
- V. PLANNING MATTERS
  - A. Development and synthesis of technical advice to the Governing Board on issues presented in *Regional Plan Update FactSheet #3: Land Use*.
- VII. REPORTS
  - A. Executive Director
  - B. General Counsel
  - C. APC Members
- VIII. ADJOURNMENT

**TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION**

TRPA  
128 Market Street  
Stateline, NV

May 12, 2010  
9:30 a.m.

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**REGULAR MEETING MINUTES**

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Meeting called to order at 9:35 a.m.

Members present: Mr. McIntyre, Mr. Maurer, Mr. LeFevre, Mr. Riley, Mr. Greene, Mr. Angelocci, Mr. Tolhurst, Ms. McMahon, Ms. Garcia, Mr. Morehouse, Mr. Goldberg, Mr. Jepsen, Mr. Riley, Ms. Walker, Mr. Donohue

Members absent; Ms. Kemper, Mr. Plemel, Mr. Loftis, Mr. Kuchinicki, Mr. Thompson, Mr. Upton, Mr. Goldberg

Ms. Merchant arrived at 10:13 a.m.

II. APPROVAL OF AGENDA

The APC approved the agenda.

III. PUBLIC INTEREST COMMENTS

No public comment.

IV. DISPOSITION OF MINUTES

Mr. Riley moved approval as presented.  
Motion carried unanimously.

V. PUBLIC HEARINGS

A. Recommendation of Amendments to TRPA Code Chapter 51 and Related Chapters, Prohibiting the Unauthorized Mooring of Vessels in Lake Tahoe.

Staff member Gabby Barrett presented the amendments to TRPA Code Chapter 51 and related chapters prohibiting the unauthorized mooring of vessels in Lake Tahoe.

Commission Comments & Questions:

Mr. Maurer asked if boats could be moored for more than 72 hours if it is on a legally-approved buoy or slip.

Mr. Barrett stated that is the intent.

Mr. Maurer asked how that relates to the prohibition of boats being used for residential uses.

Mr. Barrett explained watercraft such as houseboats can be anchored to legally approved buoys or slips for an indefinite amount of time, but residential or tourist purposes were prohibited.

Mr. Maurer asked for clarification that individuals can stay on watercraft for an indefinite amount of time as long as it's moored to a legally-approved slip.

Mr. Barrett stated watercraft can be moored, but it cannot be used for residential or tourist purposes when anchored.

Mr. Maurer stated the 72-hour limitation was for incidental camping purposes. He asked if there were any places where anchoring was prohibited.

Mr. Barrett stated the only places he knew about were near Forest Service beaches.

Mr. Maurer suggested including that language in the amendments.

Ms. Rinke stated that information was included in the second to the last sentence of paragraph 51.2H.

Mr. Maurer asked if the definition of watercraft include personal watercraft.

Mr. Barrett stated it does.

Mr. Maurer suggested that language also be included in the amendments.

Mr. McIntyre agreed with Mr. Maurer's last suggestion.

Mr. Donohue reported State Parks was in the process of adopting regulations prohibiting rafting and camping in San Harbor.

Mr. Angelocci commented on the conflict that may arise with the 72-hour limitation and four-day holiday weekends. He asked if it would be legal for individuals to leave on the fourth day, but return the next day and anchor their watercraft for another three days.

Mr. Barrett explained every situation would have to be considered in order to determine what action is needed, if any.

Mr. Angelocci asked if boats moored all summer in El Dorado Beach were taken care of if it's not a legal mooring site, but it's not handled under the 72-hour provision unless individuals are staying on the boat.

Mr. Barrett clarified the rule for mooring includes anchoring. Overnight mooring, which includes anchoring, is prohibited unless tied to buoys or slips.

Ms. Rinke stated the 72 hours would not be imposed in that situation.

Mr. Angelocci asked for clarification that if a boat at El Dorado Beach was anchored overnight that would not be permitted because it was not a legal mooring.

Ms. Rinke stated that was right.

Mr. Tolhurst asked if everything that was not shorezone considered lakezone.

Mr. Barrett reviewed the different shores. He stated there were different rules for lake zones and shore zones.

Mr. Angelocci asked if these amendments would apply to all lakes in the region.

Mr. Barrett stated that was correct.

Mr. Tolhurst asked if there was a way to determine where it would affect other lakes.

Mr. Barrett stated the other lakes today are subject to ordinances and generally the rule is ordinance standards are used as guidelines because of the differences in the lakes.

Mr. Tolhurst asked if scenic ordinances apply to Fallen Leaf.

Mr. Barrett stated they do not because Fallen Leaf is not a threshold area. Design standards apply and there are shore zone tolerance districts, but there are no scenic units.

Mr. Jepsen asked for clarification that a boat can be anchored for 72 hours.

Mr. Barrett clarified a boat can be anchored for 72 hours if individuals are camping. Boats cannot be stored unless on an authorized mooring.

Ms. Rinke stated the current rules already prohibit overnight storage of boats unless on an approved mooring. This amendment would clarify that rule. She stated it was critical to have a clear provision to ensure the intent is met.

Mr. Jepsen stated that, in his opinion, the amendment would punish an individual that wants to use their watercraft for a week and that it was wrong.

Mr. LeFevre commented that there is a loophole for individuals to move a few feet or from campsite to campsite for 72 hours.

Ms. Rinke stated they acknowledge that risk, but the current focus is on individuals who store boats on the lake and that they would consider yearly limits in the future.

Mr. LeFevre stated it can be recognized when individuals are homesteading.

Mr. Angelocci thanked Ms. Rinke for her explanation.

Mr. Barrett commented that by putting pressure on legalizing buoys, they've set up the situation for legalizing anchoring.

Mr. Greene asked how this would be enforced.

Mr. Barrett stated 50% of buoy fees go towards enforcement.

Mr. Greene asked about the procedure to notify individuals after the 72-hour period has ended.

Mr. Barrett stated a warning would be given.

Mr. Greene asked what the next step would be if a warning has been issued, but ignored.

Ms. Rinke stated a Notice of Violation with possible fines would be issued after the warning stage.

Mr. Greene asked if fines would be imposed even after an individual leaves two weeks after the warning has been issued.

Ms. Rinke stated the individual would still be subject to penalties.

Public Comment:

Jan Brisco, Tahoe Lakefront Owners Association, suggested the language and definitions be made clear regarding the shorezone area and in areas during marine construction. She stated it would also be difficult to figure out which areas individuals can stay on their boats from time to time as expressly allowed by regional, state, or federal authorities. She requested more time to revisit these issues with staff before any further action is taken.

Gary Midkiff stated he echoed Ms. Brisco's comments and also agreed with Mr. Jepsen's comment. He stated a rule should be developed that would punish offenders, but not one that would punish everyone.

Commission Comments & Questions:

Ms. Rinke suggested adding language that says: "watercraft moored overnight in the waters of the lakezone, shorezone, and lagoon areas", which may address Ms. Brisco's and Mr. Midkiff's concerns.

Mr. Barrett suggested using the language: "nearshore" and "foreshore". He noted there was a current rule that prohibits individuals from storing items on piers.

Mr. Greene asked about the construction issue Ms. Brisco asked about.

Mr. Barrett stated that was addressed in the shorezone ordinance. The ordinance allows long-term marine construction storage, but only in marina areas.

Mr. Angelocci moved approval of the required findings including the finding of no significant effect.

Mr. Angelocci moved approval of recommending to the Governing Board approval with the proposed modifications.

Mr. McIntyre asked if the proposed modifications would address the concerns of Ms. Brisco and Mr. Midkiff. He stated that it may leave a gap.

Ms. Rinke stated it does as far as not prohibiting upland owners from tying watercraft on their property, but there were additional concerns about regulating anchoring in this way.

Mr. McIntyre stated he wanted to make sure the amendment would not make it illegal for an individual to go out to their buoy and get their boat.

Ms. Rinke stated Ms. Brisco's expressed concerns were about upland storage of boats and the proposed modification would address only the storage of boats in the water.

Mr. McIntyre stated Ms. Brisco's concern about storing construction barges was germane because of the fact that space for this kind of storage was being lost.

Ms. Rinke stated that was already regulated in the shorezone ordinances adopted in 2008. The intent was not to preclude storage of construction equipment, but to store equipment in approved areas.

Ms. Merchant noted Ms. Brisco's objection to the proposed modifications.

Ms. Marchetta stated the intent is to conform this rule to Nevada's rule and what is at issue is the degree of enforcement of this rule.

Mr. McIntyre stated he agreed with Mr. Midkiff's concern about establishing a rule and only enforcing the portion that is needed at this time with the possibility of having even stricter enforcement in the future.

Mr. Maurer seconded both motions.  
Motions carried.

Ms. Merchant and Mr. McIntyre objected.  
Mr. Jepsen abstained.

## VI. PLANNING MATTERS

### A. Recommendation on Scheduling Buoy Placement Limit Line Amendments for Future Consideration

Staff Member Gabby Barrett presented the amendments on scheduling buoy placement limit lines.

Commission Comments & Questions:

Mr. Maurer asked if an applicant could pay for the process of obtaining further analysis before the APC and the Governing Board to make that decision.

Mr. Barrett stated any of these can be pursued by any private applicant to change the line, but changes would not be made on a parcel by parcel basis. This would be similar to a zoning line change.

Mr. Tolhurst stated he would open up public comment at this time at the request of an audience member who has to leave, but may have pertinent information to offer.

Public Comment:

Jan Brisco, Tahoe Lakefront Owners Association, stated the Association appreciated staff's work on this issue because of their concern about making sure safe mooring and safe navigation was addressed and how many buoys would not be able to meet the 600-foot limit. She stated she would like more areas to be visited because there were more areas where lake bottoms are not static. She noted there were many individuals in the Association and along the lake who have expressed concern about the location of buoys, but they have not come forth to allow the issue to be worked out by staff.

Gary Midkiff stated he appreciated staff working on this issue because it's non-realistic to apply a 600-foot line in some areas where there are obstacles. He provided an example in the Logan Scholl's area.

Mr. Greene asked why those cannot be exceptions rather than moving the entire 600-foot line.

Mr. Midkiff stated the Code does not provide individual buoy exceptions except for the 600-foot line. The only other way would be through a Homeowner's Association buoy field, of which is not in the Logan Scholl's area.

Mr. Barrett stated this application was the one new pier application that retired the most parcels and that the five joint applicants could work together to develop kind of a buoy field.

Mr. Tolhurst asked where the Coast Guard hazard markers were located on Appendix C.

Mr. Midkiff stated they were not shown on the map. He reviewed the locations on the photographs provided.

Commission Comments & Questions:

Mr. Tolhurst stated the reason exceptions were made for Tahoe City was because there were hazard markers which already precluded individuals from

going in and out. He stated he would be in favor of moving the line out in the Logan Scholl's area to be in alignment with the Coast Guard markers.

Mr. Donohue asked for clarification that the Coast Guard buoys are not lit.

Mr. Barrett stated that was correct and that the Tahoe City piers may not be lit, either.

Mr. Donohue asked if the Glen Brook Cove was designated by NDOW as a safe mooring area and if the navigational buoys in the area were reviewed to determine how that might affect navigation issues or no-wake.

Mr. Midkiff stated the no-wake zone line of buoys does extend to the south end of Glen Brook Bay and are out at approximately 600-feet. They were permitted by TRPA and would also be receiving a permit renewal from state lands.

Mr. Donohue asked how far out state land-permitted buoys were in Logan Scholl's.

Mr. Midkiff stated they were submitted for approval before the 600-foot line had been amended by the TRPA therefore they were at 350-feet. The proposal would amend the state lands permit and then TRPA permits would be obtained in Phase 2.

Mr. Donohue stated he was questioning why they wanted to make an exception on this rule when it appeared 350-feet had been satisfactory.

Mr. Midkiff stated 350-feet had been the maximum depth that they could get at that time.

Mr. Tolhurst asked for clarification whether the recommendation in the letter was for approval or not approval.

Mr. Barrett stated that California state lands is not supportive of any further exceptions.

Ms. Merchant asked for clarification that 715 buoys would need to be re-located, based on the current recommendation and the current status quo of the buoy line.

Mr. Barrett stated that would be the worst case.

Ms. Merchant asked how many total buoys were currently on the lake.

Mr. Barrett replied approximately 4,454. Under the old rule, there were 1,100 buoys that needed to be re-located because they were outside the 350-foot line. The new buoy line would require 715 buoys to be re-located and, under the May proposal, if approved, only 500 buoys would have to be re-located. He noted the 248 buoys in the letter has to do with moving buoys and still being within 600-feet. It also doesn't take into account buoy fields.

Ms. Marchetta asked for clarification that 715 buoys are currently outside 600 feet.

Mr. Barrett stated 715 buoys were outside the buoy line when the line had been approved, but that the buoy line is not always 600-feet.

Ms. Merchant asked if a single-use buoy can still get an exception from TRPA for one of the reasons listed in the criteria.

Mr. Barrett stated it was not possible beyond 600-feet except for buoy fields.

Ms. Merchant asked if there would be blanket exceptions or an opportunity for an application in those specific areas.

Mr. Barrett stated when the line is moved individuals can apply for an exception up to the line.

Ms. Merchant stated she did not notice a description regarding physical features in the four criteria and asked if it was the wave action issue.

Mr. Barrett explained the physical features in areas.

Ms. Merchant stated she was asking because there was a lot of wave action between Tahoe City, Kings Beach, and Incline Village and asked if that was why it was being recommended to move the buoy line further out. She suggested those locations should remain open for further analysis.

Mr. Barrett stated wave size was not a factor south of Tahoe City. Navigational and mooring safety were the factors in moving the buoy line.

Ms. Merchant asked why buoys cannot remain located where they currently are in Tahoe City otherwise they would have to become a buoy field, but for no purpose. She stated she detected a mooring hazard, but not a navigational hazard.

Mr. Barrett stated today's recommendation was to determine which areas to pursue and not adoption.

Ms. Merchant suggested Tahoe City and Kings Beach be reviewed for those reasons.

Mr. Greene asked if the exceptions listed in Attachment D can address navigational and mooring safety concerns.

Mr. Barrett provided an example and reviewed exceptions in the Incline Village area.

Mr. Greene asked if no evaluation was needed at the present time for better navigation safety and safe mooring.

Mr. Barrett stated they were currently getting depth and wave run-up from individuals. He commented on the length of time needed for evaluations.

Mr. Greene asked if they could deal with the exceptions.

Mr. Barrett provided an example in Incline Village.

Mr. Tolhurst stated it appears to him the reason individuals are moving out is because of congestion and that the line should remove a lot of that congestion.

Mr. Barrett stated it would take neighborhood cooperation with projection lines to improve congestion.

Mr. McIntyre stated that should be taken into consideration because individuals are practical about the application of their own property.

Ms. Marchetta stated they were trying to impose a system of order and how many exceptions will be made. Therefore, one of the questions should TRPA accommodate the exception or can property owners address the issue themselves by developing a buoy field in their areas. She noted the more exceptions that are made, the more analysis that will have to be done to re-analyze the line.

Mr. McIntyre stated there should be more study in areas where users have differing opinions on what is considered practical because in wave areas and other such areas, individuals have made their own buoy fields because it was the practical thing to do.

Mr. Barrett noted there was work that would need to be done in makeshift buoy fields.

Mr. McIntyre stated that the door should be left open in these areas where only additional work is needed.

Mr. Barrett stated it can be done with more information on compliance.

Mr. Morehouse asked if all buoys outside of the existing line have received exceptions.

Mr. Barrett replied no. He reviewed TRPA-permitted buoy fields and stated the buoy line is only a guideline for buoy fields.

Mr. Greene stated he agreed there were certain areas that need to be looked at because there were makeshift buoy fields out there that were not major enough issues to re-do the entire buoy line and that any issues that arise can be reviewed on an individual basis.

Mr. Donohue moved to approve recommendation to the TRPA to approve amendments.

Mr. Donohue amended his motion to include Logan Scholls.

Mr. Jepsen seconded the motion.

Motion carried unanimously.

B. Discussion on Regional Plan Update Conservation Milestone

Paul Nielsen presented the RPU Conservation Milestone.

Commission Comments & Questions:

Mr. Riley requested electronic copies of the presentation and the polygon map of Goshawk.

Mr. Greene commended staff for including input received. He asked about the intention of Alternative 3.

Mr. Nielsen stated there would be no action in Alternative 1 and in Alternative 3 it is the existing code, goals and policies with a re-load of the allocations.

Mr. Greene commented that it was confusing because of the use of the verbiage: "Status quo".

Ms. Rinke stated the use of "status quo" means staff was recommending no changes to what is already being presented in the Alternatives.

Ms. Marchetta stated they would review that verbiage.

Mr. Greene stated he would recommend putting the restrictions of the use of pesticides, herbicides and fertilizers in Alternative 2 because it should be dealt with if it is a real problem.

Ilene Carey commented that the implementation measures between the different Alternatives were to result in having the same desired condition on the ground and for vegetation there would need to be a big education and outreach component that is the same under all of the Alternatives. The Technical Working Group came up with a range of different options to include under the different Alternatives for the desired conditions.

Mr. Greene commented that under Alternative 4, the development of a numerical system to evaluate vegetation on a per parcel basis was too much regulation. He stated the desired condition would not be achieved if it was left up to the public use of the pesticides and herbicides, which was the purpose of his suggestion.

Mr. Tolhurst asked if the public would be encouraged to use natural vegetation or native vegetation or would a whole new set of regulations be implemented in places such as nurseries.

Ms. Carey asked if this comment was at the general level or the implementation level.

Mr. Tolhurst asked if it would be a continuation of the natural vegetation use suggested at the policy level.

Ms. Carey stated it would be a continuation and a building upon that policy because they would like to see more use of native vegetation, but they do acknowledge the lack of that plant material. They were working with the Best Management Practices Manual update to provide more information.

Mr. Tolhurst suggested the elimination of dandelions.

Mr. Nielsen stated one of the approaches in the Alternative would be to maintain and make available to the public a list of invasive, noxious, and nuisance species along with appropriate methods to prevent the introduction and slow the spread of the species.

Ms. Merchant stated she was not sure how some concepts in Alternative 4 regarding regulation of plant types and fertilizers would be enforced practically.

Mr. Nielsen stated he would echo the same concern and that this was only the goals and policies level with implementation details to be discussed and determined at a later date, if the policy was approved.

Ms. Merchant suggested a prioritization of regulations and how that should be implemented.

Mr. Donohue asked if there was a receptive response from the local jurisdictions regarding such things as fertilizer-free zones.

Mr. Nielsen stated they were hearing similar implementation concerns and that individuals were reserving final judgment until the approach and implementation is understood. He agreed local jurisdictions will be key.

Mr. Greene questioned how there will be a balance of people and animals co-existing in the same area without endangering the life of the animals.

Mr. Tolhurst suggested pursuing the policy of not adding non-native species which would help the native species.

Ted Thayer stated the Lahontan Cut Throat Trout Recovery Program is underway. The changes being proposed would be to remove the remote location language, which would open up the policy for introduction of Cut Throat Trout throughout the Basin. There would also be language added about having a sustainable population. Regarding other non-native fish in California, California is no longer stocking native fish in the Sierra.

Mr. Tolhurst asked if the Kokanee salmon is already a sustainable population.

Mr. Thayer stated it was a self-sustaining, non-native population that may be addressed under the Lahontan Cut Throat Trout Recovery Implementation planning process.

Mr. Tolhurst stated he would like to have a policy in the Regional Plan that would address that.

Mr. Thayer stated they could include a policy to review Lahontan Cut Throat Trout and add an additional policy about non-native stocking. The barrier to the Lahontan Cut Throat Trout re-introduction in Lake Tahoe is primarily the Mackinaw population, but there is a strain of the Trout that is genetically linked to the Regional Tahoe population that could compete with the Mackinaw.

Mr. LeFevre stated one of the statements under Alternative 2 talks about modifying the code language for redefining the species populations to the Tahoe Basin. He asked how that would deal with species that use the Basin as a marginal habitat, yet extraordinarily common elsewhere. He asked if this would be used as a guide toward protecting species in that situation.

Patrick Stone stated that was the intention of the revision. Currently, the policy reviews the entire population to determine the significant impact on a species.

Mr. LeFevre stated he had concern with Alternative 2 about protecting a species that is common in other places and how those decisions would be made.

Mr. Stone stated they would look into that concern.

Mr. Tolhurst asked if there were any policies regarding amphibians.

Mr. Stone stated one of the proposed changes at the goals level was to move away from special interest species and use the term special status species and would include rare and endangered species as well as locally, rare species of special interest.

Ms. Merchant expressed concern about the use of the word: "discretionary" and suggested that be better clarified in Alternative 2.

Mr. Nielsen stated that was the criteria that would be considered in doing a site-specific verification. There were comments regarding the use of the word discretion, but that it would be better clarified during the implementation measure.

Ms. Merchant asked how that would impact the IPES issue and if site-by-site soil surveys can be conducted to raise the IPES score.

Scott Frazier stated it would not affect the IPES scoring process, but that it would come into play in the determination of allowable coverage.

Ms. Merchant stated she was hoping for a discussion regarding the IPES score issue in Placer County about the irregularity with the way the number is counted.

Mr. Nielsen stated that would be discussed during the implementation phase.

Mr. Greene stated he had a problem with the monitoring and evaluation because the Compact has clear statements about balancing socio-economic and environmental issues.

Ms. Merchant stated she would be okay if someone else did the evaluation and TRPA used that information in their decision-making process.

Mr. Greene stated that would be alright if that were to happen, but it's not going to because of the different issues that need to be coordinated because of the various jurisdictions.

Shane Romsos stated it would be a subtle shift in policy in terms of moving away from establishing a socio-economic panel.

Mr. Greene asked how that information would be obtained if they would not be involved in making sure that the information is collected.

Mr. Romsos stated there would be some information that would be available via the Census.

Mr. Nielsen added previous threshold evaluations have used existing information. Information gaps in the past have been studied. This policy would use limited resources wisely.

Ms. Marchetta stated what is important is noting how information is collected and that they will build the partnerships needed to collect that information.

Mr. Tolhurst questioned if the TRPA should be that involved in the whole economic issue.

Ms. Marchetta noted staff presented socio-economic information at the March Governing Board meeting, but they were not the ones who collected that information.

Mr. Nielsen read the proposed policy.

Public Comment:

No public comment.

Commission Comments & Questions:

Mr. Angelocci requested clarification of the process because he believed they were at the goals and policies stage, but he had received proposed implementation measures.

Ms. Marchetta clarified staff is not going to the implementation level at this stage.

VII. REPORTS

A. Executive Director

Ms. Marchetta gave the Executive Director's Report.

B. General Counsel

Ms. Rinke gave the General Counsel's Report.

### C. APC Members

Mr. Lefevre stated the Forest Service was re-launching their Basin Management Plan. Another public meeting would be held tomorrow night at 5:00 p.m. at the North Tahoe Conference Center in Kings Beach. The next step would be to release a Draft Environmental Impact Statement for the fall of 2010

Mr. Greene stated a new Executive Director was hired for the Tahoe Rental Association. There would be a Trail Building Training Course and Trail Guiding Training Course that will be held. Incline Village is having it's 50<sup>th</sup> Anniversary on Saturday. Everyone was welcome. It was also Crystal Bay's 84<sup>th</sup> Anniversary.

Ms. Merchant pointed out the Board of Supervisors will be holding a quarterly Tahoe Meeting on May 18, 2010 in Squaw Valley. One of the agenda items is a presentation by her and Paul Thompson regarding TRPA's Regional Plan Update. They will also be adding the issue of TAUs because it would be added to this month's Governing Board/APC Milestone discussion.

Mr. Donohue stated the Nevada Legislative Interim Oversight Committee for the Tahoe Regional Planning Agency and Marlette Lake Water System will be meeting on May 21, 2010 at the Cal-Neva at 1:00 p.m. One issue for discussion will be the Department of Conservation Natural Resources, and State Lands request for additional environmental improvement funding during the next legislative session.

### VIII. ADJOURNMENT

Chair Mr. Tolhurst adjourned the meeting at 1:47 p.m.



**Mail**

PO Box 5310  
Stateline, NV 89449-5310

**Location**

128 Market Street  
Stateline, NV 89449

**Contact**

Phone: 775-588-4547  
Fax: 775-588-4527  
www.trpa.org

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**M E M O R A N D U M**

Date: June 3, 2010  
To: TRPA Advisory Planning Commission  
From: TRPA staff  
Subject: Development and synthesis of technical advice to the Governing Board on issues presented in *Regional Plan Update FactSheet #3: Land Use*.

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**Requested Action:** No action is required. However, staff recommends that the APC consider the issues raised in *Regional Plan Update FactSheet #3: Land Use* – as well as the discussion and the public comment on those issues from the May 26, 2010 Governing Board/APC Milestone meeting – and develop and synthesize its technical advice to the Board on each issue.

**Discussion and Background:** Normally, the APC's technical advice on Regional Plan Update (RPU) issues is developed and synthesized in an hour-and-fifteen minute working lunch. Then it is presented to the Board during the same Milestone meeting.

At the May 26<sup>th</sup> Milestone meeting, the RPU Team presented the FactSheet for the Land Use Milestone. The topics discussed were complicated and weighty. Due to the length of time required to fully vet the clarifying questions and comments of Board and APC members, plus the time required to hear general public comment, the Board adjourned at approximately 5:00 pm. The plan was for the APC to stay on.

Due to the lateness of the hour and the number of members no longer present, remaining APC members decided to adjourn and postpone the formulation of technical advice to the Board until the June 9<sup>th</sup> APC meeting. The day's issues were so complex that a short working lunch would likely have been inadequate, anyway.

The issues to be discussed are in *Regional Plan Update FactSheet #3: Land Use*, which all APC members received prior to the May 26<sup>th</sup> Milestone meeting. Every APC member's RPU FactBook should contain this FactSheet. It can also be found on-line at [http://www.trpa.org/documents/rp\\_update/Facts&Presentations/RPU\\_Fact\\_Sheet\\_3\\_Land\\_Use.pdf](http://www.trpa.org/documents/rp_update/Facts&Presentations/RPU_Fact_Sheet_3_Land_Use.pdf). In all, FactSheet #3 included seven Land Use and four Air Quality issues. To streamline and focus the APC discussion on analyzing issues and delivering pithy technical advice to the Board, staff will help to synthesize the APC's comments and will document them.

The APC Chair or his designee will present the documented comments to the Board at the June Governing Board/APC Milestone meeting. The date of this meeting will be either June 23<sup>rd</sup> or 24<sup>th</sup>. It is anticipated that public comment at the June Milestone meeting will be taken on the APC advice only. Then the Board will deliberate and make a straw vote to give staff direction on the issues.

If you have questions concerning this particular agenda item please contact Harmon Zuckerman, RPU Director, at (775) 589-5236 or [hzuckerman@trpa.org](mailto:hzuckerman@trpa.org) or John Hitchcock, RPU Team Lead, at (775) 5890-5220 or [jhitchcock@trpa.org](mailto:jhitchcock@trpa.org).