TRPA
APC
PACKETS

DECEMBER
1982
TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday, December 8, 1982 at
9:30 a.m. at the former bank building in the Round Hill Mall, Elks Point Road
and U.S. Highway 50, Zephyr Cove, Nevada, the Governing Body and Advisory
Planning Commission of the Tahoe Regional Planning Agency will hold a joint
workshop on development of the Regional Plan for the Tahoe Basin. The agenda
for said workshop is attached to and made a part of this notice.

NOTICE IS FURTHER GIVEN that the Advisory Planning Commission of
said agency will meet at the same location at 8:45 a.m. on the same day to conduct
its regular meeting. The agenda for the APC meeting is attached to and made
a part of this notice.

Date: November 22, 1982

By: Randall C. Sheffield, Chief
Long Range Planning Division
Tahoe Regional Planning Agency
PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV APPEALS

A. Elegant/Buchbinder, Lot 17, Block H, Geraldine Drive, Incline Village Unit #1, Washoe County APN 125-232-16, TRPA #81-1392

V RESOLUTIONS

VI CORRESPONDENCE

VII PENDING MATTERS

VIII ADJOURNMENT
I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Mike Harper called the meeting of the Advisory Planning Commission to order at 9:15 a.m.

APC Members Present:         Mr. Hallam, Mr. Combs, Ms. Bogush (arrived at 10:30)
                              Mr. Sullivan, Mr. Smith, Mr. Sawyer, Mr. Dodgion,
                              Ms. McMorris, Mr. Hansen, Ms. Shellhammer, Ms. Sparbel,
                              Mr. Randolph, Mr. Harper

APC Members Absent:         Mr. Renz, Mr. Pyle, Mr. Schlumpf, Mr. Bidart

II. APPROVAL OF THE AGENDA

Phil Overeynder, Executive Director, stated that agenda Items IV A. and IV B., Appeals, Elegant/Buchbinder and Lowry/Pillsbury, would be continued for thirty days and rescheduled for the December APC meeting, as requested by the applicants.

MOTION by Mr. Hallam, with a second by Mr. Randolph, to approve the agenda as amended. The motion carried unanimously.

III. DISPOSITION OF MINUTES

MOTION by Mr. Sawyer, with a second by Mr. Hallam, to approve the October 13, 1982 APC minutes as presented. The motion carried unanimously.

IV. APPEALS

There was brief discussion pertaining to the time involved preparing staff summaries and applicants repeatedly requesting continuing their appeals at the last minute. Mr. Overeynder suggested that the APC members might want to consider adopting the same rule as the Governing Board in that a request for continuance must be received 10 days prior to the mailing of the agenda.

A. Elegant/Buchbinder, Lot 17, Block H, Geraldine Drive, Incline Village Unit #1, Washoe County APN 125-232-16, TRPA File #81-1392

B. Lowry/Pillsbury, Logan Creek Estates Unit #2, Appeal of Subdivision Classification, Douglas County, TRPA File Numbers 82960-82998

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MOTION by Mr. Hallam, with a second by Ms. Sparbel, to continue the appeals to the next appropriate APC meeting with no further continuances. The motion carried by the following vote:

Ayes: Mr. Hallam, Mr. Combs, Mr. Sullivan, Mr. Smith, Mr. Sawyer, Mr. Dodgion, Ms. McMorris, Mr. Hansen, Ms. Sparbel, Mr. Randolph, Mr. Harper

Nayes: Ms. Shellhammer

Abstain: None

Absent: Mr. Renz, Mr. Pyle, Ms. Bogush, Mr. Schlumpf, Mr. Bidart,

C. Lifschutz, Appeal of Staff Decision to Approve Pier Repair,
740 W. Lake Boulevard, Placer County APN 94-200-17, TRPA File #82261

Chief of Project Review, Greg George stated the applicant is proposing to repair an existing damaged nonconforming pier which contains a sundeck which exceeds the height and width standards for single use piers. The pier does not conform to the required property line setback of 5 feet. The application proposes to reconstruct the pier and bring it into conformance with the Shorezone Ordinance under Section 17.40 by eliminating the sundeck and increasing the property line setback to 5 feet. It was pointed out that the CTRPA had reviewed the application and determined the project would not have a significant effect on the environment, and therefore exempt from the requirement for the preparation of an environmental impact statement. Staff received a written objection from the adjoining neighbor, Mr. Cook. Mr. Cook's objection to the staff approval pertained to the property line setback and contended that the pier reconstruction constituted a new pier. The applicant, Mrs. Ellen Lifschutz commented on the background of the application and presented repair versus replacement cost estimates.

MOTION by Mr. Hallam, with a second by Ms. Sparbel, to recommend denial to the Governing Board of Mr. Cook's appeal. The motion carried unanimously.

V. PLANNING MATTERS

A. Tahoe Station, Environmental Impact Statement - Determination of Technical Adequacy

Greg George presented a brief summary of the Tahoe Station EIS which analyzes the potential impacts of a commercial project owned by R.T. Nahas and Company proposed for Dollar Point. The project consists of approximately 32,000 square feet which will provide for neighborhood services of retail and office space designed for five two-story buildings, with parking, walks and roadways which will cover 15 percent of the 12.7 acre site. Mr. George pointed out the key issues which needed to be discussed in order to determine the technical adequacy of the project were: if the market analysis that was conducted supported between 22,000 and 32,000 square feet of retail space; the increase in traffic generation; and the kind of control for limiting allowable uses to convenience shopping, low traffic generating services to avoid adverse impact on traffic conditions and air quality.
The APC members discussed their concerns regarding landscaping, irrigation, infiltration, water conservation, Agency control on the tenant mix, mail delivery, vehicle trips, access/egress, mitigation measures, and urban development.

Ms. Shellhammer felt the alternative to leave the property as an open space/recreation area was not adequately addressed. Mr. Nahas, owner and developer, responded that past experiences in providing a park and swimming pool as a recreational area for residents of the Highlands, with no reciprocal effort or desire on the part of the residents to maintain it, is a liability to the neighborhood. Mr. Sawyer noted that the supplement to be prepared by staff for a finding of technical adequacy discuss consistency with the thresholds and be incorporated in the EIS, and with the Regional Plan strategies. Mr. Combs stated that Placer County reviewed this project in December, 1980. It was approved through a design agreement but was not exercised within the one year limitation and will require reapplication. The Placer County Public Works Department set a number of conditions for both on and off site improvements. If the reapplication is submitted, Placer County has the right to change or add to the on and off site conditions as necessary. It was also clarified that the CTRPA Governing Board will review the draft EIS for certification in December.

MOTION by Mr. Sawyer, with a second by Mr. Randolph, the APC certify the technical adequacy of the EIR/EIS on three conditions. First, the specific changes agreed to by staff be incorporated; second, that a supplement addressing consistency with the thresholds be prepared and incorporated into the EIR; and third, the staff determine whether a supplement is necessary to address consistency with the Regional Plan strategies, and if so, that too be incorporated in the EIR/EIS.

Mr. Sawyer clarified for staff necessary changes beginning on page 7-2 of the EIS where it discusses removing the development later, would be corrected to once an area is developed it is irreversible and that use of native plants will be listed as a specific mitigation measure to reduce water use. Mr. Combs stated that tenant mix be regulated to some degree and major tenants to be excluded as identified in the Addendum be agreed upon; staff will have some rights to review the building footprints the tenants will be occupying; and that county and regional agency zoning will preclude certain other tenants from occupancy. Mr. Smith asked how to evaluate the project in terms of the environmental thresholds and what is foreseen as far as staff involvement? Mr. Sawyer replied that what he is concerned about is that the EIR addresses thresholds. Further, the EIS does not address coverage on either a lot by lot basis or watershed basis. Further discussion followed pertaining to consistency of the environmental thresholds with Governing Board direction.

Mr. Nahas addressed his concerns regarding the changes to the EIR stating that the staff of both the CTRPA and TRPA agreed to the scope of the document. To now determine the consistency of this one project with the environmental thresholds was contrary to the concept of the thresholds. It is the role of the Regional Plan to show attainment of thresholds. It was Mr. Nahas' understanding that the thresholds would be a guide to the development of the Regional Plan and would not be used to prejudge projects. Mr. Overeynder responded the Agency
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has its own independent responsibility under the Compact to prepare what is determined to be a technically adequate document. If the APC feels it is appropriate to address this issue, then it should be separate from the EIR Mr. Nahas has prepared. Mr. Overeynder clarified the Governing Board has stated that as a general rule they do not want to look at environmental thresholds that affect project review, except where a project is significant enough to require an EIS.

The third condition of the motion is that the staff determine whether a supplement is necessary to address consistency with the Regional Plan strategies, and if so, that it too be incorporated in the EIR/EIS. It was subsequently deleted from the motion. The motion then carried on the following vote:

Ayes: Mr. Hallam, Mr. Combs, Ms. Bogush, Mr. Sullivan, Mr. Smith, Mr. Sawyer, Mr. Dodgion, Ms. McMorris, Ms. Sparbel, Mr. Randolph, Mr. Harper

Nayes: Ms. Shellhammer

Abstain: Mr. Hansen

Absent: Mr. Renz, Mr. Pyle, Mr. Schlumpf, Mr. Bidart

B. Regional Plan Development

1. Summary of Public Participation Workshops/Meetings

Randy Sheffield, Chief of Long Range Planning, briefly explained the attendance, value, and benefits of the public participation workshops which were conducted both in and out of the Tahoe Basin in mid-October. A summary of the public comments prepared by Lasta Tomasevich, Public Involvement Coordinator, was given to the APC members.

2. Alternatives

Mr. Sheffield described the timeframe for the Regional Plan. The EIS will be prepared in January; the Regional Policy Plan would be completed and adopted by the Governing Board in March; and the Regional Plan and all the ordinances would be completed by June, 1983. Currently, staff is concentrating on the first step, which is development of management alternatives - the process of putting together alternatives or options to be fully evaluated in the EIS, as outlined in the Regional Plan Concepts. The planning areas, use zones, management alternatives, and the subelement strategies were discussed by the APC members.

Mr. Sheffield announced a workshop session would be held on December 8 with both the Governing Board and the Advisory Planning Commission to discuss the process in depth. Focus will be on the management alternatives by element and sub-element within the plan.
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VI. REPORTS

A. Draft Staff Report - Case-by-Case Review

Senior Planner, Dave Ziegler, stated the Agency received conditional plan approval of the 208 Water Quality Plan from EPA with a requirement TRPA evaluate both the case-by-case review process currently used in Nevada and construction on high hazard lands. The APC members were asked to respond to the draft report which outlined the process, the issues addressed, and tentative conclusions by November 19 if they had additional comments. A second draft will be prepared and finalized by the Governing Board in December and then forwarded to EPA. The report focuses on the 14 key issues that surfaced during development of the work plan, field evaluations, and discussions with both the APC and Governing Board.

B. 208 Status Report - Quarterly Report

Dave Ziegler reported on the progress of the water quality management program. Mr. Overeynder commented on the concern of atmospheric deposition of nitrogen in Lake Tahoe. Staff is proceeding to submit an application to EPA and the Air Resources Board in an attempt to get a study funded to evaluate both the in and out of Basin sources; the exact mechanisms affecting transport of nitrogen to the Lake; where the material originates; and what the effects are. Mr. Overeynder reported that staff has met with EPA and they have $75,000 set aside from last fiscal year's budget for that purpose, in addition to a potential for about $200,000 in contract funds for next year. The Agency has also received a commitment from the Air Resources Board in the amount of $40,000 towards this effort.

C. Air Quality Plan Status Report

Dale Neiman, Senior Planner, reported staff will prepare a draft status report on implementation of various measures adopted in the Air Quality Plan. It will be circulated for comment prior to being certified by APC and the Governing Board in January, 1983. It will then be submitted, as part of an annual report, to both California and Nevada and the EPA.

Mr. Neiman stated that the Placer County Board of Supervisors passed a resolution formally requesting the TRPA proceed with the redesignation of those areas of Placer County attaining the carbon monoxide standard from nonattainment to attainment. In addition, the El Dorado County Air Pollution Control Officer informally requested the Agency redesignate that portion of El Dorado County showing attainment. The Agency can request a redesignation or it can be initiated by local entities within the nonattainment area. Both Nevada and California review the request with recommendations to EPA.

Mr. Randolph commented that the Air Resources Board would not act on Placer County's request alone but would expect TRPA, being the lead air quality planning agency for the Basin, to take an official action. If a request was made by the Governing Board for redesignation, the ARB would have to consider the recommendations to EPA. Mr. Randolph further stated that without an
official request from El Dorado County utilizing the modeling data to determine the areas of change, it would not be appropriate to consider their request at this time. Ms. Bogush agreed that the requests are premature. She is concerned that only the areas that violate the carbon monoxide standards be targeted as areas of nonattainment when it is a regional responsibility to address air quality. She also stated there should be a resolution from the El Dorado County Board of Supervisors. Mr. Sawyer stated that simply because an entity does not want the nonattainment designation, it does help focus on the need for regional cooperation and it would be a serious mistake if we only designate those particular areas where we have violations as opposed to areas cooperating to correct the violations. As a practical matter, having the sanction applied to the whole area that has to cooperate to get it done is positive. Mr. Combs stated that he is not that familiar with what, if any, the ramifications might be in terms of prohibitions or restrictions on activities. If Placer County happens to be attainment and the current designation is nonattainment, there is an obvious benefit to at least have an honest disclosure, and that it doesn't preclude Placer County's cooperation in the Regional Air Quality Plan. Mr. Dodgion stated the 1982 Nonattainment Plan has yet to be submitted to EPA. It still requires ARB's certification and there may be sanctions under the Clean Air Act for the plan not being submitted to EPA as of the first of July 1982. Local governments may want to look at redesignation. Mr. Overeynder stated that as a guideline, where there is a reasonable relationship between where the problem exists and the area contributing to that problem, we probably should not want to include that in the redesignation. But if there is not a reasonable tie between the two, there would seem to be no reason to oppose redesignation along the lines of Mr. Combs suggestion. Mr. Overeynder suggested the APC members might want to consider favorable action on the Placer County request and deferral of the El Dorado County request until development of the Regional Plan.

Mr. Randolph commenting on the sanctions of the 1982 Plan, stated there are no control measures for Placer County and none for Washoe County, so by ARB disapproving that plan, he doesn't see a sanction for Placer or Washoe County. The only place where the sanctions could be imposed are in the South Shore area, and both El Dorado County and City of South Lake Tahoe would be a part of that. He is still trying to get the 1982 Plan approvable to the point where it can be submitted to EPA so that the step 3 grant for the local utility district can move forward. Mr. Randolph further stated there should be a cooperative process for solving air quality problems in the Basin and it may be premature to make a redesignation request. However, if the APC wants to recommend that the Governing Board take an action on Placer County's request and transmit it to ARB, then ARB will be obliged to address it.

MOTION by Ms. Bogush, with a second by Ms. McMorris, to propose the Agency inform both Placer and El Dorado Counties that it is premature to consider their requests for redesignation and that it be deferred until after the Regional Plan is adopted. The motion failed on the following vote.

Ayres:  Ms. Bogush, Mr. Sawyer, Ms. McMorris
Nayes:  Mr. Hallam, Mr. Combs, Mr. Sullivan, Mr. Smith, Mr. Dodgion, Ms. Shellhammer, Ms. Sparbel, Mr. Harper
Abstain: Mr. Randolph
Absent:  Mr. Renz, Mr. Pyle, Mr. Schlumpf, Mr. Hansen (left at 12:15)
Mr. Bidart,
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It was felt Agency staff should review Placer County’s request and supporting data with a staff determination of the request for redesignation. El Dorado County will have to submit a formal request before any staff work is done. It will then be brought back as a separate matter. Mr. Sawyer felt there were two different approaches for evaluation: one is a particular area where violations occur and one is an area that is part of the area where the controls have to be put in place.

MOTION by Mr. Sawyer that an area not be recommended for a change in designation if it is an area where there are violations or an area where control measures have to be in force to prevent violations. There was no second to this motion and after some discussion, it was withdrawn.

MOTION by Mr. Hallam, with a second by Mr. Combs, that the APC specifically recommend staff proceed with the request of the formal resolution from Placer County's Board of Supervisors for a redesignation of attainment status. The motion carried on the following vote.

Ayes: Mr. Hallam, Mr. Combs, Mr. Smith, Mr. Dodgion, Ms. Sparbel, Mr. Harper
Nayes: Ms. Bogush, Mr. Sullivan, Mr. Sawyer, Ms. Shellhammer,
Abstain: Ms. McMorris, Mr. Randolph
Absent: Mr. Renz, Mr. Pyle, Mr. Schlumpf, Mr. Hansen, Mr. Bidart

It was noted that the Agency received a letter from the City of South Lake Tahoe providing comments on the draft Air Quality Plan which will be incorporated in the Regional Plan.

D. APC Members

Mr. Sawyer reported that the State Water Resources Control Board has issued a proposed plan amendment to the Lake Tahoe Basin Water Quality Plan which deals with a very narrow issue of the procedures to be used by the State and Regional Boards in carrying out the plan. The proposed amendment is in response to an issue left unresolved by a Placer County Superior Court ruling in the case of Tahoe Sierra Preservation Council versus the State Water Resources Control Board. It is SWRCB's desire to keep it as narrow as possible to deal with the courts ruling and not open the plan amendment process until the Regional Plan is completed. As proposed, the amendment does not change the practical affect where you can build or where you can’t. It does change the procedure and clarifies the procedures that the Regional Board will use.

It was noted that information concerning Proposition 4 will be scheduled for discussion at a future APC meeting.

Ms. Bogush reported that the City of South Lake Tahoe has a video presentation on how redevelopment works, and invited Agency staff and interested persons to view it.
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Mr. Harper expressed his appreciation to Mr. Randolph for chairing the October meeting in his absence.

E. Public Interest Comments - None

VII RESOLUTIONS - None

VIII CORRESPONDENCE - None

IX PENDING MATTERS - None

X ADJOURNMENT

MOTION by Mr. Hallam, with a second by Mr. Sawyer, to adjourn the meeting at 3:30 p.m. The motion carried unanimously.

Respectfully submitted,

[Signature]

Mary Bailey
Secretary II
Buchbinder/Elegant, Appeal of Staff Decision Pursuant to Lot Review Criteria, Case-by-Case Review of Single Family Dwelling, Lot 17 Geraldine Drive, Level 1A, Washoe County, APN 125-232-06, TRPA File #81-1392

Applicant: Harris Buchbinder/Ira Elegant/Foster Engineering

Project Description: The applicant proposes to construct a 2-story single family dwelling with a 2 car garage. A driveway and garage is proposed to be cut in with retaining walls as stabilization. No substantial cut would be required for the balance of the structure.

Project Location: Lot 17, Geraldine Drive, Incline Village Unit #1

Site Description: The subject parcel is an uphill lot with a slope of approximately 10% across the building site. There is a large road cut which is in excess of 15 feet in height. The soil is very rocky in nature and the site is moderately well vegetated.

Land Use District: Low Density Residential (LDR)

Land Capability Classification: Level 1A, MsE and UmF soil types

Land Coverage: Total Lot Size 14,000 sq. ft.
Allowable Coverage 2,800 sq. ft. (20% of total lot size)
Proposed Coverage 2,784 sq. ft.

Building Height: Proposed: 30 ft. Permitted: 35 ft.

Project History: The application was received in November of 1981. The site was field checked in December, 1981. Based upon a preliminary staff review, the project was considered a high risk with regard to land stability. Concern was also raised regarding the runoff potential due to the rocky nature of the soil. This preliminary decision was appealed to Philip Overeynder, Executive Director. He concurred with the staff determination.

At the appeal hearing, the possibility of a zero setback parking pad was discussed. This concept would minimize the cut by eliminating the driveway. Foster Engineering determined that a minimum of a 15 foot cut would be required for this alternative. Staff contends that this amount of excavation is excessive and classifies the project as a high risk with regard to land stability.

The applicant now wishes to appeal this determination of high risk with regard to land stability.

Impact Analysis and Mitigation Measures: The Case-by-Case Lot Review Criteria have been applied to the subject parcel. Staff finds that the parcel is considered a high risk with regard to at least one of the four criteria.
Proximity to a Stream or Wetland: Low Risk. There is no stream environment zone on or adjacent to the subject parcel.

Runoff Potential: Moderate to High Risk. The soil is extremely rocky in nature. This is evident in the cut slope adjacent to Geraldine Drive. The cemented substratum, characteristic of the MsE soil type, appears to be very close to the surface. This could result in a lack of infiltration capacity. Additional information, such as percolation tests, would be required to accurately assess the infiltration capacity.

Land Stability: High Risk. The nature of the parcel is such that excavation for the required off street parking is excessive. A minimum of a 15 foot cut is required. According to the criteria this is considered access difficulties and is a high risk. Further, the rocky nature of the soil would create excavation difficulty.

Vegetation: Moderate Risk. The site is currently well vegetated. Because of the rocky nature of the soil, however, revegetation of disturbed areas may be difficult.

Consistency with Applicable Plans, Ordinances, Regulations and Standards: Prior to approval of this project, the Governing Body must make written findings pursuant to Article VI(b) of the Compact regarding consistency with applicable plans, ordinances, regulations and standards of federal, state and regional agencies. The staff has analyzed applicable elements for consistency and has made the following findings:

<table>
<thead>
<tr>
<th>Applicable Elements</th>
<th>Findings</th>
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<tbody>
<tr>
<td>Nevada Side Land Use Ordinance</td>
<td>Consistent</td>
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<tr>
<td>Nevada Side General Plan and Sub-Elements</td>
<td>Consistent</td>
</tr>
<tr>
<td>TRPA 208 Water Quality Plan</td>
<td>Inconsistent*</td>
</tr>
<tr>
<td>Nevada Division of Environmental Protection Air Quality Plan</td>
<td>Consistent</td>
</tr>
<tr>
<td>Federal Air Quality Standards</td>
<td>Consistent</td>
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*This project is inconsistent with the 208 Water Quality Plan since it is not within the parameters of the Lot Review Criteria.

Project Analysis and Issues for Discussion: Agency staff finds that the impacts resulting from the proposed project are excessive and cannot be minimized to an acceptable level. The project does not fit within the parameters of the Case-by-Case Lot Review Criteria.
Required Actions and Findings: If the Board wishes to approve the project, the following findings must be made:

A motion for approval of the project based on the following findings and foregoing conditions recommended by Agency staff:

I  1. Pursuant to Article III(g) of the Compact, the project complies with the Regional Plan, ordinances, rules and regulations of the Agency.

2. Pursuant to Article VI(b) of the Compact, the project is consistent with the applicable plans, ordinances, regulations and standards of federal and state agencies relating to the protection, maintenance and enhancement of environmental quality in the Region.

3. There is substantial evidence in the record supporting the foregoing findings.

II 1. Findings pursuant to Section 12.10 of Ordinance 81-5 that the subdivision in which the subject parcel is located has been reviewed by the planning team and has been determined to be "Potentially Adequate". This determination therefore allows parcels in this subdivision to be eligible for case-by-case review.

2. Findings required by Section 12.22 of Ordinance 81-5:
   
   A. That the subject parcel has been reviewed with respect to all potential effects upon water quality of the construction of a single family house. Such review includes the factors of vegetative cover, proximity of the project to a stream or wetland, runoff potential and land stability as set forth in the "1981 Case-by-Case Lot Review Criteria". Based upon this review, the lot has been determined to be "buildable" and therefore eligible for case-by-case review.

   B. That the construction, work, use or activity proposed thereby will not adversely affect the quality of water within the region, and that it is in accordance with the Handbook of Best Management Practices, and the Plan and all other applicable plans, ordinances, rules, regulations and policies of the Agency.

   C. That the project will mitigate, below levels of significance, the cumulative adverse effects upon water quality of development of land within land capability districts 1 through 3 for purposes of issuance of a permit under Section 12.00 and the making of a finding of no adverse effect on quality of water in the region under this subsection.

11-1-82
NLS:md

APC AGENDA ITEM IV A.
3. Findings required by Section 12.22(a) and (b) of Ordinance 81-5:

A. The project may individually and cumulatively contribute to continued erosion and nutrient increases causing degradation of Lake Tahoe.

B. Mitigation measures have been incorporated into the project, including application of construction or contribution toward construction of offsite remedial erosion control measures which will offset any anticipated adverse effects. These measures constitute changes or alterations required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less-than significant level pursuant to Article VII of the Compact.

III The standard conditions of approval (Attachment D).

IV. The following special conditions:

1. The applicant must contribute to an offsite mitigation fund. This fee is based on the proposed coverage in excess of that allowed by land capability and must be paid prior to the issuance of a TRPA permit. The mitigation fee is $7972, as calculated below:

   | Capability Level: | 1A |
   | Lot Size:         | 14,000 sq. ft. |
   | Allowed Coverage by Land Capability: | 140 sq. ft. |
   | Proposed Coverage: | 2,784 sq. ft. |
   | Coverage in Excess of Land Capability: | 2,608 sq. ft. |
   | Mitigation Fee:   | $7,972 |

2. The applicant shall redesign the project to include a zero setback parking pad with stairs leading to the main structure other than for the parking area.

3. Other than for the parking area, foundations and utility trenches shall be hand dug.

4. Final details of the drainage plan shall be approved prior to TRPA permit issuance.