TRPA
APC
PACKETS

MAY
1983
NOTICE OF MEETING OF THE
ADVISORY PLANNING COMMISSION OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on May 11, 1983 at
9:30 a.m. at the hearing room of the Tahoe
Regional Planning Agency, located at 2155 South Avenue, South
Lake Tahoe, California, the Advisory Planning Commission of
said agency will conduct its regular meeting. The agenda for
said meeting is attached to and made a part of this notice.

Dated: May 3, 1983

By: Philip A. Quereynder
   Executive Director
   Tahoe Regional Planning Agency
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

May 11, 1983
9:30 a.m.

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV APPEALS

A. Bambridge/Fleming Appeal of Staff Determination of a High Risk Rating With Regard to the Case-by-Case Lot Review Criteria, Lot 60, Tyrolia #7, Washoe County, APN 126-082-04, TRPA File #82912 (Estimated Time 9:40 a.m.)

B. Lowry/Pillsbury Appeal of Subdivision Rating of In Need of Further Evaluation, Logan Creek Estates #2, Douglas County (Estimated Time 10:00 a.m.)

V PLANNING MATTERS

A. Recommendation on Extension of Allocation System Until the Adoption of the Regional Plan (Estimated Time 10:20 a.m.)

B. Recommendation on Extension of Case-by-Case Process Beyond Ordinance Deadline (Estimated Time 10:40 a.m.)

VI ENVIRONMENTAL IMPACT STATEMENTS, DETERMINATION OF TECHNICAL ADEQUACY

A. Lake Parkway (Loop Road) Completion, City of South Lake Tahoe (Estimated Time 11:00 a.m.)

B. Third Street and South Avenue Extensions and Improvements, City of South Lake Tahoe (Estimated Time 11:20 a.m.)

C. Environmental Impact Statement for Adoption of Regional Plan Amendments (Estimated Time 11:40 a.m.)

VII ADMINISTRATIVE MATTERS

Distribution of Draft Environmental Impact Statement, Rubicon Water System Reconstruction, Tahoe City Public Utility District, El Dorado County

VIII REPORTS

A. Report on TRPA Public Hearings on Regional Plan Environmental Impact Statement
B. Public Interest Comments

C. APC Members

IX RESOLUTIONS

A. Randy Sheffield
B. Glenn Smith

X CORRESPONDENCE

XI PENDING MATTERS

XII ADJOURNMENT
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

The Chateau, 995 Fairway Boulevard
Incline Village, Nevada
April 13, 1983 9:30 a.m.
April 14, 1983 10:00 a.m.

I  CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Mike Harper call the meeting of the Advisory Planning Commission to order at 9:40 a.m.

APC Members Present:  Mr. Kortick (arrived at 10:00), Mr. Renz (arrived at 9:45), Mr. Combs, Mr. Sullivan (arrived at 9:45), Mr. Randolph, Mr. McMullen (arrived at 9:50), Mr. Hoefer, Ms. Sparbel, Mr. Sawyer, Mr. Dodgion, Mr. Pyle, Ms. McMorris, Mr. Hansen, Mr. Curtis, Mr. Poppoff, Ms. Michael, Ms. Bogush, Mr. Harper

APC Members Absent:  None

II  APPROVAL OF AGENDA

Mr. Harper noted that he had mailed a memorandum to the APC members suggesting a timeframe and topic list for the agenda, and discussion for the evaluation of technical adequacy of the Environmental Impact Statement for amendments to the Regional Plan. It was agreed to review each topical area under the Affected Environment and Environmental Consequences listed in the EIS with focus on related items after the public hearing inviting the public to participate and provide flexibility to conduct the public hearing portion of the meeting. It was also suggested that Item VI B Round Hill Village, Douglas County would be moved and discussed first on Thursday morning. Mr. Overcynder clarified he had discussed the issue with legal counsel of moving this agenda item. He was advised the agenda did not indicate a time certain for the agenda items, but rather an estimated time, and the only certainty that is required is to have it on that specific day.

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

III  DISPOSITION OF MINUTES

For the February 9, 1983 minutes, Mr. Sawyer noted that on page 6, fourth paragraph, fourth line to replace the word "reemphasizing" with the words based on the damage. On line 10 of the same paragraph change the words "this finding" with a finding of consistency with the plan.

On page 7, second line, Mr. Sawyer stated since the reference could be either federal or state courts eliminate the word "federal".

On page 19, fifth line, third sentence should read The Tahoe Area Land Acquisitions Committee (TALAC) will make recommendations to the Governor and to the legislature concerning how the funds will be used.

MOTION by Mr. Pyle, with a second by Mr. Hansen, to approve the minutes as amended of February 9, 1983. The motion carried unanimously.

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For the minutes of March 9, 1983, Mr. Sawyer noted that on page 3, last paragraph, second line, change the words "which supports" to based on.

On page 8, Mr. Sawyer stated the third line should read: "What he meant was that none of the nonattainment strategies would require implementation in Placer County in order to correct nonattainment in the South Shore,"

On page 15, second paragraph, Mr. Sawyer also stated the fourth sentence should read: "This issue was never specifically raised, but his interpretation of the parcel by parcel basis is that it would not necessarily require existing parcels without 30% coverage to get within allowable coverage;"

MOTION by Mr. Combs, with a second by Ms. Michael, to approve the minutes of March 9, 1983 as amended. The motion carried unanimously.

IV PUBLIC HEARING

Continued Public Hearing on the Regional Plan Environmental Impact Statement

At 9:55 Mr. Harper opened the public hearing on the Regional Plan EIS which was continued from the March APC meeting.

Katie Reading, teacher and resident, commented that beauty is the number one reason to keep in mind for planning the future of the Lake and urged the Agency to adopt regulations minimizing development. Marguerite Maxfield, Incline Village resident, commented that there are serious inequities such as proposed ferry's which would emit more fumes, filth, debris and litter if allowed to occur. Meri L. Mcheneny, resident of Crystal Bay, opposed alternatives 2 and 3, stating that alternative 1 was ludicrous, and urged the Nevada delegation to avoid degradation by adopting a strong and meaningful plan.

Dr. Fred Stugard, geologist and resident, stated the TRPA has documented the decline in water quality of Lake Tahoe and set reasonable thresholds. The voters of California allocated $85,000,000 to purchase environmentally fragile lands which assures California lot owners of compensation if they cannot build on their property. The voters of Nevada were not consulted and owners of environmentally fragile lots in Nevada must wait for federal funds for compensation. Alternatives 2 or 3 would betray the California voters who have put up the funds for immediate purchase. Alternative 1 should be supported as it is the most realistic and least costly. In addition to commenting, Dr. Stugard also presented his written comments for the public record.

Susan Davidson, Tahoe City resident, stated that politics has played an important role of the TRPA since inception and she would like to see the role of the Agency make a difference. Jo Anne Payne, Nevada North Tahoe Property Owners Association, stating implementation of this plan presents some aspects which are impractical, inequitable, impossible to enforce, completely at odds with protecting the environment listing twelve problems found with the EIS for the Regional Plan. Ms. Payne's written comments were submitted for the public record.
Mike Van Wagenen, representing the South Tahoe Gaming Alliance, commented focus should continue on the quality issue, not the quantity issue, and he stated the Gaming Alliance retained a consultant to analyze transportation on the Highway 50 Corridor and he introduced John Gaudette, Consultant for the South Tahoe Gaming Alliance. Mr. Gaudet stated his background is in transportation and there are important first steps that need to be taken which cannot wait 10 or 15 years. Mr. Gaudette urged to consider the issues, i.e., magnitude and costs for improvement is staggering; look at reducing the Vehicle Miles Traveled (VMT) by reducing person trips per day; achieve goal of thresholds by reducing the 10% of the VMT; and he asked how much can the Basin afford - 500 or 5000 buses? Mr. Gaudette suggested adding 50 buses over the next 5 years. The Agency will have to take risks, one step at a time. Mr. Gaudette also presented a mode split analysis summary for person-trips/day and impact/cost to the APC members.

Following a brief break, Phil Overeynder, Executive Director explained that as part of the agreement with the U.S. Forest Service, Randy Sheffield, Chief of Long Range Planning, had been temporarily assigned to the Agency on a two year contract to help develop the Environmental Thresholds, Environmental Impact Statement, and the Regional Plan. Due to Mr. Sheffield's recent reassignment and departure, and to compensate for the vacancy, Mr. Overeynder further explained some restructuring of staff was necessary, and until the Regional Plan is completed he will devote more time to the direct supervision of Long Range Planning. During the interim the functions of Acting Chief of Long Range Planning have been split between Gordon Barrett, who will be responsible for putting together the staff recommendations for the Regional Plan, and Dave Ziegler responsible for conducting the public hearings. Mr. Overeynder introduced Gary Midkiff, Assistant to the Executive Director, from the Department of Conservation and Resources Agency in Sacramento, and previously from the State of Georgia, familiar with Lake Tahoe, the permit process, and making permit processes work smoothly.

The public hearing resumed at 11:30 a.m.

Shirley Allen, Carnelian Bay resident, commented it appears there is going to be degradation no matter what happens. She referred to the 295 units at Round Hill Village and asked how can "grandfathered" projects be allowed? Ms. Allen also asked that additional growth outside of "grandfathered" project be reserve until funding has been determined and decided, in addition to educating the public, and increasing their awareness and attitudes toward the transportation problems. Ms. Allen also recommended restoring the land to its natural state by developing/planting vegetation that takes root quickly. Pete Perry, Incline Village resident, commented that the EIS does not indicate if further subdivisions can be built, he could not make sense of the EIS, that Transfer of Development Rights (TDR) should be addressed while the EIS indicates nothing will be done until funding is addressed, and argued that reducing the valuation of land should be considered condemnation.

Larry Hoffman, Tahoe Sierra Preservation Council, requested additional time to present his comments along with copies of the "Tahoe Outlook", Vacant Lot Data by Jurisdictions, Littoral Zone Delineations and map. Mr. Hoffman commented that a great deal of data analysis has not been addressed in the EIS; single
family dwelling restrictions with development on high hazard lands is prohibited, and there will be massive litigation due to the word "prohibition". Mr. Hoffman's comments included there is a need to know the exact impact by jurisdiction; case-by-case needs to be discussed in the EIS; TRPA should establish a system that gives value to the lots; recreation alternatives needs more detail; there is a shortfall problem with the financial aspects and the transportation district dollar figures are staggering - dollars that are not available. Mr. Hoffman stated more work needs to be done on the EIS, questions need to be answered, slow down the process, do it right and know what you are doing.

Walter Auerbach, Raymond Vail Associates, commented there are deficiencies in the shorezone analysis portion of the EIS and questions need to be addressed such as, impact of sediment, impact of streams on the Lake, stream habitat destruction versus Lake habitat, loading disturbance, speed laws on the Lake versus pier removal, more analysis of fish spawning and feeding versus boating activity, and look into the historic impacts such as lumber mills and logging during the early days of Tahoe. Mr. Auerbach presented to the APC copies of an excerpt from "The Cumulative Impacts of Shorezone Development At Lake Tahoe" summary of the effects of increasing density of piers and buoys. Mr. Auerbach's comments also included questions pertaining to enhancement of fisheries when nutrients and water quality are to be balanced, setbacks, transportation and driving to marinas, costs for maintenance and acquisition of parks, compensation to the property/land owners, and the EIS presents very hazy numbers.

Tom Hill, resident of Incline Village, commented there has not been enough emphasis on the Burton-Santini program and he is concerned that the U.S. Forest Service may have misled property owners, promising fair market value. Mr. Hill further commented the program is a failure; that Alternatives 1, 2, and 3 has no use whatsoever. He suggested that the U.S. Forest Service offer him nothing at all which will force the issue into court and he will put up a battle. Mr. Hill asked where is the money going to come from? Will taxes be raised? Will user fees say how many will or will not be allowed to come into the Basin? Joe Drury commented that the timing is off - need more time to determine balance of figures and building; the alternatives need to be delayed; planners ignored present dangers; and that Tahoe is an L.A. basin in miniature. Alice Carpenter commented her appeal for case by case review had been denied. She would like to build on her lot, which would decrease erosion and reduce vandalism that has occurred due to the lot being vacant, and that mitigation would be shared generally and not just for her lot.

The meeting resumed at 2:30 after a lunch break.

MOTION by Mr. McMullen, with a second by Mr. Pyle, to recess the public hearing until Thursday, April 14. The motion carried unanimously.

Mr. Oversynder stated that copies of the draft Regional Plan would be available for the APC by May 11 and he outlined the schedule to review it and the response to comments. On May 13 the Governing Board will consider the technical adequacy of the document and take final action at their May 25-26 meeting.
The APC members discussed in general the Environmental Impact Statement and had the following comments:

That adequate substantiation be available and cited for planning and control measures contained in the plan. That complex issues including transportation, land capability and land coverage be adequately discussed and explained. That costs of implementation, sources of funding, and socio-economic impacts be adequately dealt with. That adequate time be permitted for full consideration and discussion of the EIS, the Regional Plan and related matters. That additional alternatives should perhaps be considered.

Following the general discussion there was a more detailed discussion which follows:

Ms. Bogush commented there seemed to be a consensus among the APC members that they should not be acting on the determination of technical adequacy of the EIS at this meeting and she suggested to continue consideration of the EIS to the May meeting and act on both the EIS and Regional Plan at that time.

Mr. Hansen asked if the APC adopts the technical adequacy of the draft EIS and if the staff preferred alternative comes out as the Regional Plan, shouldn't an EIS be done on the Regional Plan to incorporate concerns relative to the thresholds? Mr. Overeynder responded that this document is an environmental impact statement covering the range of alternatives being evaluated. A Regional Plan can be selected that picks various components as long as you stay within the range of alternatives being evaluated. The staff preferred alternative is within the range of alternatives evaluated which discloses the environmental impacts of all those alternatives. Therefore a new EIS does not have to be done on the staff preferred or APC recommendation, unless drastic or substantial modification is made to one of these alternatives. Depending on how significant that modification is then a choice of either recirculating the EIS or preparing an addendum to the EIS will have to be made. Mr. Hansen stated he could not comment on the EIS without having seen the Regional Plan and how all the alternatives will be incorporated in the Regional Plan.

Mr. Overeynder explained the process started with the definition of standards, then an environmental impact statement to define what the standards are. The second step was the policy plan, and the third step deals with very specific information on ordinances. There is still the flexibility of going back to take a look at approaching it differently. But the way it has been proposed at this point is looking at the broad regional concepts, making a basic determination as to which way the APC may want to proceed, and in turn that gives staff the direction needed to respond to the concerns of the APC; first on the addendum to the EIS, and secondly in the Regional Plan EIS. It is important that staff has a complete list of what the APC's concerns are in order for staff to indicate how we intend to respond to the concerns and what the timetable would be.

Mr. Harper agreed that the APC was not in a position to determine the technical adequacy of the draft EIS, and suggested to the members to seriously consider not taking any action at this meeting. Secondly, provide staff with a proposed timetable for the EIS, and the Regional Plan which needs to be discussed. In
addition, the involvement and opportunity local and state government will have in responding to the Regional Plan and other alternatives. Time should be spent discussing with staff the shortfalls in the EIS such as the financial (sales tax) assessment, impact on bonds, costs to the utility districts, and possible alternative of using Burton-Santini funds for erosion control. Mr. Overeynder stated staff needs to have focus on defining the issues and what the priorities are. Mr. Harper added the APC needs to find out if the EIS does address that particular issue in a manner that is appropriate, and if not, provide the staff with direction on how to handle it.

Mr. McMullen commented that the timing for the review period for the Regional Plan needed to be extended. Mr. Combs added that the APC possibly recommend to the Governing Board that they consider an extension of time on both the entire process and adoption of the Regional Plan, because the degree of detailed review necessary, the amount of time needed is not enough. In the very near future we will be getting down to specific instances, the public will need to know what is being proposed on their lot and that is a very lengthy process which cannot be squeezed into 30 or 60 days.

Mr. Overeynder explained we are dealing with a statutory requirement to complete the Regional Plan by June 19, 1983. Staff put together a time schedule which fits very closely within that timeframe. Mr. Overeynder pointed out that since there is a statutory requirement for completion of the Plan, legal counsel has advised the Governing Board that delaying the adoption of the Plan leaves the Agency vulnerable in terms of challenging the actions of the Agency during this interim period and the APC should be aware of the implications.

Mr. Combs responded he does see future dilemma, and suggested that the Board consider some sort of action seeking concurrence from the local governments who are the permit issuing agencies that they would be agreeable and abide by some sort of continued allocation program during this interim time period. Speaking for his jurisdiction Placer County would be agreeable to keep in effect some sort of growth management program as has been going on for the past several years while in this state of transition.

Jim Kyle, resident of Incline Village, commented that if Lockheed and Detroit can have their dates pushed for their reasons, he did not see why June 19 is sacred; if more time is needed something should be done to see that more time is acquired. The "forest is being lost for the trees" and some of the money should be put in the direction for cleaning up the Lake.

Earl Withycombe, Lake Tahoe Air Basin, commented he had worked with Agency staff in developing some of the air quality figures; that emissions and wood smoke should be reduced, are readily achievable, and that the studies should continue.

The APC members returned their discussion to specific comments on air quality and transportation, focusing on issues, analyzing whether the EIS appropriately, addressed the issues, and to provide staff with suggestions on how to resolve some of the problems. The public in attendance were invited to comment on the EIS if they wished.

Mr. Poppoff commented he thought the air quality data was well done, but he was concerned with the connection between the air quality and transportation
sections. He did not believe the large transportation plan that is being proposed is necessary, unless the federal guidelines or standards of air quality in the Basin were being exceeded. Mr. Popoff further commented only two things have been definitely identified with automobiles in the EIS, the carbon monoxide problem on the South Shore, and the kicking up of road dust which creates the haze. Both of these can be taken care of with a smaller transportation plan, and have Caltrans clean up the highway. The idea that nitrates from automobile exhaust are a leading factor in algal productivity in the Lake may or may not be true. But based on this premise, a large transportation plan was created. It is not clear that the nitrates from the air are really impacting the Lake and there are too many doubts at this moment to use that particular aspect of air pollution to justify such a large transportation plan. There are no public safety or health aspects involved that means we have to rush into this particular aspect. The carbon monoxide problem is different but it can be taken care of in a more modest plan. As far as the nitrates go it is not an emergency situation and sees no reason why we can't wait and get some of the data that is just now being funded and this should be the proper approach. To the extent that the EIS uses air pollution to drive the transportation plan, it is deficient.

Mr. Overeynder responded that the EIS clearly states there is not a situation where we have all the information on nitrogen deposition. We do have some analyses that seems to support the environmental threshold standards adopted last year. Staff attempted to address this in the plan by saying we do need to continue the monitoring and data collection. Also, we need to know more about what the sources of the nitrogens are, what the pathways are, and what is the ultimate disposition of the nitrogen. At the same time staff has tried to address the timing element in the plan by indicating that we are starting with a smaller program in transportation and that the more massive expenditures will come later on in the 20 year capital improvements program. If after two years of developing data on nitrogen deposition it is concluded that the analysis was wrong there is the option to revise the transportation element and go with a less intensive program than was initially thought to be needed. At this point staff felt it was necessary to try and project for a long term. Mr. Overeynder also pointed out that phasing the timing and flexibility is one of the key elements often overlooked for the longer range solutions.

Mr. Randolph commented that a factor being overlooked is that the Compact requires emphasis on transportation. The Air Quality Plan adopted states that in 1987 the Basin will achieve a 9 ppm CO standard. That plan did not call for the number of buses, or the transportation system that is outlined in the baseline, because the growth was not there, programmed for that period of time. We cannot ignore the fact, when discussing an area growing, we are going to have to compensate for it. Mr. Randolph explained the document says that whatever the growth element is, here is the compensating transportation system that it takes to maintain the 9 ppm and we should not subscribe completely to the fact that the nitrogen deposition is driving that magnitude of the transportation system.
Mr. Kortick asked if the full service airport had been defined and if staff looked at the master plan noise and land use study that has been done? Mr. Overeynder responded that staff has looked extensively at the master plan and the Airport Noise Control Land Use Compatibility (ANCLUC) study was the basis for defining the levels of service. Based on the environmental constraints, how many types of planes arriving and departing which meet the noise standards, and some target levels of how many passengers the planes are expected to carry, staff has a general idea on the measurement of the scale of the airport facility of traffic generation. Mr. Kortick suggested staff might want to look at the ANCLUC study where it mentions increasing the impervious surfaces in the airport area. Mr. Kortick commented there was no discussion in the transportation section of the EIS concerning basic transport, particularly Highway 50 between California and Nevada, and he suggested addressing the feasibility of arterial highways that feed into the Basin. Pertaining to the guideway system discussed in the EIS, Mr. Kortick stated the staff preferred alternatives should include approximate dollar amounts. He also commented he thought that the ferry system might be a good way to transport people around the Basin, especially during the winter when Highway 89 is closed most of the time. He suggested the docking systems and other arrangements needed to handle ferries be looked at to meet the thresholds.

Mr. Dodgion asked if the assumption on nitrate deposition proven to be erroneous on the high side and come back to impact water quality with respect to the nitrogen loading from erosion and runoff? If the study that is being undertaken on nitrate deposition shows several years from now that the nitrogen loading to the Lake from atmospheric deposition estimate is high, wouldn't it severely impact some of the land use alternatives in order to achieve the thresholds on water quality? Mr. Overeynder responded the EIS describes the initial estimate for the range of nitrogen deposition are at least verifiable with the best current technology available, and we know that we are still within the range that was estimated. The constraining factors on land use are water quality, land coverage, and transportation. Mr. Overeynder thought it would have to be a significant departure off the range on the estimate to make a major modification of land use at this point, and he explained that a sensitivity analysis of how much range of estimate has not been done in terms of whether or not it will affect the land use. Mr. Dodgion stated he was concerned that the nitrate deposition estimate may be off by a significant factor and the impact it has on the transportation element. Mr. Overeynder replied that perhaps a sensitivity analysis should be conducted.

Mr. Pyle commented that one of the statements made at a recent meeting concerning the full service airport facility was that no more land coverage would be allowed in the watershed association because it is already overcovered. Mr. Pyle asked with what is being proposed in the Regional Plan if more land coverage is not allowed how can a full service airport facility be met, and if there are going to be restraints they need to be brought out in the EIS and trade off coverage to get a full service airport. Mr. Overeynder replied that the full service airport described did not need any additional net coverage; it may need coverage to be redeveloped in that area or rearranged. There may be specific things that the county feels may need to be done to maintain that level of service, which may be in conflict with other provisions. Staff has looked at the level of service, but will have to review further.
Mr. Sawyer commented on the issue of atmospheric inputs contributing to the water quality problems in the Basin. He stated that the State Water Quality Control Board believes their estimates based on total nitrogen loadings may have been overestimated, we still need to reduce atmospheric inputs. The TRPA cannot afford to adopt a plan that assumes atmospheric inputs are of minor importance or are a small percentage by allowing more development to occur and after five years of study discover that a mistake was made after it is too late. Mr. Sawyer urged that a conservative approach should be taken to insure whichever nutrient budget between the estimates presented by the State Water Quality Control Board and the estimates presented by the threshold study report meet the thresholds.

Mr. Sawyer also stated that it was not clear to him that the transportation mitigation measures proposed actually will achieve the reduction in vehicle miles traveled (VMT) and consequent reduction in oxides of nitrogen (NOx). Mr. Sawyer questioned whether a more conservative approach may be desirable to assure that we will actually get a mitigation that the assumptions are based on in compliance with the thresholds. The VMT projections under Alternative 3 showed lower VMT than Alternative 2 and he asked for an explanation. Mr. Overeynder responded there is additional development and recreational development as a result of redirected or redeveloped areas. One of the significant differences of lower VMT reductions in Alternative 3 was an assumption that with redevelopment there would be more density to use transit system/pedestrian/bikeways so that those facilities would become more effective than they would be with a dispersed land use. An area where there is a possible deficiency is that the recreation VMT is not fully counted in the display and the numbers will be revised, and Mr. Overeynder clarified that we are talking about are vehicle miles traveled, not trips generated.

Ms. Michael commented on a number of issues relating to the transportation element of the EIS, suggesting there should be a separation of strategies which are designed to reduce VMT versus those that are to improve traffic flow and reduce emissions. Ms Michael expressed an opinion that there are areas where the TRPA is taking over some operational functions that should be implemented by the Tahoe Transportation District (TTD). Referring to the policy that requires free transit, she suggested rather than specify what kind of service TTD ought to provide, the EIS should discuss various overall goals, such as, how many trips do you want the TTD to carry; how many people diversions do you want to get out of their automobiles; and rather than saying these are the routes you ought to run and these are the fares or no fares, that you should charge. Another area that is lacking is there are no transportation strategies identified that will increase the efficiency of travel to the Basin. The EIS should identify ways that will make it more convenient to bring people in alternative modes to the Basin. The recreation element should be linked to transportation; how is increased vehicle use going to offset the proposed expanded ski areas. More detail is required in the five year plan, particularly sources of funds/financing, transit ridership and route mile goals, and how various measures meet the threshold goals. It is important to get a realistic plan in the short term and spelling it out particularly as it relates to the land use options. Ms. Michael expressed concern with VMT between Alternatives 3 and 2 as discussed earlier; the 9 ppm versus 6 ppm standard should be addressed
in the EIS as to why measures are not designed to meet the 6 ppm standard. She would like to see the concept of a transit mall in South Lake Tahoe be included in all the alternatives, not just Alternative 3, because it is a near term (1-5 years) transportation systems management measure that can be looked at that may enhance the attractiveness of people taking buses to the casinos (which has been implemented in other cities around the country) and encourages pedestrian use as well as alternative mode use.

It was noted that Ms. Michael submitted a copy of her written comments.

Mr. McMullen commented on the external/internal trip identification study and he is concerned with the validity of the Basin user research data. At least for casino identification he would like to have quantified the people who are really being targeted to see what can or cannot be validated. In addition, Mr. McMullen asked for a clear position statement in the real assumptions on nitrogen deposition or nitrate production delineated as to how many tons are produced in-Basin, how they are produced, how it is related to upwind, what the meteorological conditions and assumptions were. Mr. McMullen requested that he would like to have a clear understanding of both wet and dry deposition, what data has been developed and synthesized to this point, especially comparatively. There are certain funding alternatives which need to be looked at because they could have critical impacts that may far outshine anything else we are trying to accomplish. Mr. McMullen also requested documentation of the report and the justification regarding the 6 ppm standard on the California side.

Mr. Randolph explained that the California Air Resources Board is still in the process of reevaluating the 6 ppm and 9 ppm standards. He stated that the State standard is still 6 ppm. The ARB supplied a letter that said there wasn't anything that could they could do to change that at this time and have no option but to say the standard is 6 ppm. The ARB is not requesting that the plan address specific funding to reach the 6 ppm standard, but the plan should discuss how to do it.

Mr. Curtis stated he put together some figures on what kind of an economic impact this could possibly have on the Washoe County portion of the Tahoe Basin. Washoe County is going to lose approximately 1800 lots in Incline Village through one of two sources. First, about 1300 lots are environmentally sensitive due to stream environment zones or high hazard characteristics accordingly to the EIS. Secondly, according to his estimate there will be at least 500 lots that will be lost in the transfer of development rights process because there will be people who find that this will be too expensive. The EIS estimates that the Washoe County contribution to the capital improvements program, just for water quality over the next 20 years, would be approximately $2 million dollars. Assuming these lots will be lost over a 20 year period of time, if they were developed, would have been paying in property taxes an average of $2,000 a year over the next 20 years with a loss of approximately $74 million dollars in Washoe County. Mr. Curtis stated he contacted the Incline Village General Improvement District (IVGID) about what those lots would have paid in sewer hookup fees, user fees and recreation taxes over the same period of time, and he came up with approximately a $25 million dollar figure as a loss to IVGID. Mr. Curtis noted that several people in the audience testified that
they have been approached by the U.S. Forest Service on buyouts of their lots. If these 1800 lots were saleable and buildable they would average about $50,000. The proposed buyout program is in the neighborhood of $25,000 per lot. This amounts to a net loss of worth in Washoe County of about $45 million dollars. The grand total of $152 million dollars over the next 20 years. Mr. Curtis commented that only $10 million is actually addressed in the EIS and he is confused because the EIS states that there will not be much of an impact on the individual communities, whereas his estimates total a figure of at least 10 times the amount identified in the EIS that will be a direct loss to these communities. Mr. Curtis further commented that he is trying to relate as to how the status quo will be maintained as far as services are concerned when the tax base has been lost, and he pointed out somewhere the difference will have to be made up along the line and asked where it will come from. Mr. Overeynder responded staff looked at the economic element from the standpoint of net lost revenues, not at total revenues available, and there are also costs incurred over that 20 year period to service the property which are offsetting costs. Mr. Curtis stated that once the property goes off of the tax roles, somehow they will still have to be maintained and restored, and by taking away the tax breaks from the communities there will additional costs involved in doing this.

Mr. Combs questioned if the "toll gate" Basin user fee was still being considered as a viable alternative. Mr. Overeynder responded that all of the alternatives are viable, but the question is which ones are acceptable. At this point we have put together a Ways and Means Subcommittee of the Governing Board, asking for participation from community leaders, different interest groups in the Basin, and state legislators to review this concept. It was generally the consensus at the first meeting that the toll gate concept would not be a saleable kind of concept. It would have enough problems associated with it and there are other strategies available that should be evaluated. Mr. Combs stated that the Placer County Public Works and Engineering departments would provide written comments on the EIS with specific details.

Mr. Larry Hoffman, from the audience, commented he is not sure if the EIS sufficiently distinguishes between the three goals on visibility, carbon monoxide (CO), and nitrate loading. What is common to them is the VMT reduction necessary to move in the direction of either the 6 ppm or 9 ppm standard on CO. He stated if all the assumptions are true about nitrate loading and the 10% VMT reduction proposed, and moving at the same time in the direction of redirection/ redevelopment, may not be entirely realistic. He suggested a timing/phasing program for VMT reductions, first by aiming for a smaller target that is reachable. Depending on the funds available, which may not involve the fixed guideway and test that to see if it meets the CO standard. The second step would be to get the additional data on nitrate loading from air. The next step is between visibility and based on that data see if you can proceed to another step, recognizing the threshold of 10% VMT reduction was necessary to meet the visibility standard and the nitrate loading will be costly. Ms. Michael responded she thought the transportation plan is a step by step approach and whether the goal is 10% VMT or 8% VMT, it is clear that the VMT reduction or CO standard will take some time to achieve.
Mr. Popoff commented if the nitrate reduction plan calls for keeping people from using their vehicles on the roads going between north and south by substituting a ferry system there may be a public safety and acceptance problem. There are many times during the year the dangerous condition of the Lake due to weather. Mr. Popoff asked why there isn't a bus system proposed as well or in addition to the ferry system. Mr. Overeynder responded the emphasis is on the reduction of VMT through the ferry system because for a few number of trips reduced there is a high mileage factor associated in addition to a fairly high cost effective reduction of VMT. There are different levels of ferry systems and different levels of disincentives for use of the automobile that staff has not really defined yet. Staff is proposing a system that would carry cars, in addition to people, and perhaps staff should include more details in the plan which addresses the exact intent of the ferry system, the areas to be serviced, and the kinds of services provided. Staff also recognizes there will be situations where people are going to drive around the Lake regardless of a ferry system, but we are trying to influence a large share of the market. Mr. Overeynder explained staff has checked with people that operate ferry systems in different parts of the country to find out what types of boats are available, the conditions they operate under, and backshore facilities required. Staff is satisfied the ferry transportation system is feasible. In other areas there are times when weather conditions are such that will not permit a ferry system to operate. And there are times when driving conditions are not advisable in the Basin, but either way they are not mutually exclusive, one system is backup to the other.

Mr. Sawyer stated the Lahontan Board will be concerned about issues such as no contingency plans and pump out facilities for the ferry system, and he suggested it would be helpful to identify what kinds of projects will have further environmental documentation in addition to whatever is being proposed to the extent that it can be analyzed try to work it in the cumulative impacts assessment, so there isn't the appearance that it is included in the EIS when it is not.

On behalf of the Tahoe Resource Conservation District, Leo Popoff submitted a letter of comments which focused on the aspects of the EIS, along with questions that concerned soils, vegetation, and erosion. Mr. Popoff commented a positive approach should be taken to encourage landowners to manage their portion of the forest, plant native vegetation that requires little artificial watering and fertilizing; incentives should be offered; funds must be available; a creative approach to low-cost housing is needed; local support, a public information and education program should be an important element of the Plan. There are many unknowns in the plan that there is a need to go slowly, develop the plan and implement it as information and funds are obtained, and it should be viewed as a continually developing process.

The meeting recessed at 5:00 p.m. with Mr. Harper indicating the APC meeting would reconvene at 10:00 a.m. on the 14th.
Chairman Harper called the meeting back to order at 10:05 a.m. followed by the roll call.

Members Present: Mr. Kortick, Mr. Renz, Mr. Combs, Mr. Randolph, Mr. McMullen, Mr. Hoefer, Ms. Sparbel, Mr. Sawyer, Mr. McCurry, Mr. Pyle, Ms. McMorris, Mr. Hansen (arrived at 10:20 a.m.) Mr. Curtis (arrived at 10:45 a.m.) Mr. Poppoff, Ms. Michael, Ms. Bogush, Mr. Harper

Members Absent: Mr. Sullivan

VI ENVIRONMENTAL IMPACT STATEMENTS, DETERMINATION OF TECHNICAL ADEQUACY

B. Round Hill Village, Douglas County

Greg George, Chief of Project Review, explained the draft environmental impact statement (DEIS) was prepared for the subject project which evaluates the significant environmental effects and identifies possible methods to mitigate or avoid undesirable impacts. The applicant proposes to construct 295 residential dwelling units, consisting of 14 single family detached residences, and 281 condominiums in 37 multi unit structures on a 116 acre parcel. The project also includes a developed community park and 4 unimproved open space areas. The total project site has been separated into 6 land areas which conform to the TRPA land use classification boundaries. Mr. George referred to each of the parcels that were displayed, further explaining the building site descriptions and locations. Mr. George presented the project history and stated the current proposal represents a second effort by Round Hill General Improvement District (RHGID) to sell the project site to settle its financial obligations, and to take advantage of the special exemption granted by the 1980 Compact. The applicant submitted a tentative map and project proposal to Douglas County for a 330 unit planned unit development. On March 19, 1981 the Douglas County Planning Commission gave tentative approval, listing a number of conditions, to a development of 309 units. The proposal currently before TRPA has been scaled down further consisting of 295 dwelling units.

Mr. George stated one of the major purposes of the EIS is to review possible alternatives to the project and to enable their comparative effects to be identified and assessed. Alternative A is the no project alternative and is based on the assumption that no further subdividing of the property will occur. Alternative A also assumes the development of four estate-type residences, one on each of the four existing parcels. Alternative B was a proposal worked out with the applicant during the preparation of the DEIS. It was generally agreed that a lot and block type of subdivision would be designed for the project site that complied with all local and TRPA regulations, which consists of a 40 lot single family subdivision. Alternative C was designed to incorporate two major goals. First, was an interest expressed by TRPA to include moderately priced rental units in the Round Hill Village development in order to address perceived housing needs in the region. Second, was to reduce the overall scale of possible generalized impacts related to the project by lowering the total
number of dwelling units. This alternative consists of a total of 250
dwellings, which is a slight reduction from the 295 included in the project,
consisting of 12 single family lots, 188 multiple family condominiums, and 50
apartment units.

Mr. George identified all of the significant adverse impacts and mitigation
measures, in addition to an analysis of a Transfer of Development Rights (TDR),
economic feasibility, and financial status of the RHGID as contained in the DEIS
and staff summary. Mr. George stated pursuant to Article VI(b) of the Compact
staff has analyzed the applicable elements for consistency with plans,
ordinances, regulations and standards of federal, state and regional agencies,
listing the findings, in addition to the degree which development of the subject
site is inconsistent with environmental thresholds. Mr. George also pointed out
an issue that was not identified in the APC staff summary was the cumulative
water usage. The EIS on the Environmental Thresholds (1982) concluded that the
amount of water allocated for use in the Nevada portion of the Basin under the
California-Nevada Interstate Water Compact (11,000 acre/feet) is insufficient to
allow full build out of existing subdivisions. Approval of the proposed
tentative subdivision map for 295 units will increase the number of existing
lots that will not have sufficient water supply to permit construction of a
residence. The RHGID does not have sufficient water rights to provide the
necessary water to the proposed subdivision.

The APC members received another copy of a Table Summary of Level of Service
Impact, along with a revised list of recommended conditions. Mr. George stated
conditions 9 and 10 had been amended and he noted the new additions to the
recommended conditions.

Mr. McMullen questioned why the APC members were reviewing a recommended list of
conditions since this project was not an appeal. Mr. Harper stated the APC had
discussed at the March meeting the fact that many of the members were having a
difficult time determining the technical adequacy of an EIS when they did not
have a summary of the project that was being proposed. The staff was requested
to present the project to the APC. The action of the APC would be to determine
the technical adequacy of the EIS and provide any input that they could on the
project realizing that it would be advisory only and had absolutely no
recommendation powers whatsoever. Mr. Overeynder further explained that the
agreement between the APC and Governing Board, as he understood it, in
delegating this additional responsibility was to certify the technical adequacy
of the EIS and make specific recommendations on the conditions that should be
included to mitigate those impacts to a less than significant level, and to
indicate what types of conditions should be imposed.

Mr. George addressed the APC's questions and concerns, explaining staff looked
at the impacts that would result from developing a single family dwelling on
high hazard lands, primarily water quality, in comparison to the same single
family dwelling being developed either as part of this project or on a single
family lot in the Round Hill area on good capability lands which is what this
project proposes to do. Agency staff assessed a good deal of data and they have
generally reached the conclusion that there is approximately a 4 to 1 ratio;
four times the water quality impacts in developing the same project on high
hazard lands versus the same project on lower-moderate hazard lands. Staff also looked at the reduction of vehicle miles traveled during a typical year when a single family dwelling is developed on the fringes of an urban area versus developing that same residential unit within the urban area where daily services are more accessible and shorter trips. Agency staff estimated that it would be approximately a 3.2 to 1 ratio. Staff generally agreed with the applicant that if a TDR program is going to be implemented we would support a transfer ratio of 4 to 1.

Ms. Michael commented the EIS mentions that an extension of STAGE service to Round Hill is not under the applicant's control, and she asked if the District could contract with STAGE to provide the service. Mr. George pointed out there are some difficulties in doing this which are not too easily solved by the applicant as an individual and this mitigation measure would involve cooperation from other public agencies. Staff is trying to identify direct mitigation that the applicant can implement, which requires very little coordination with other regional and local agencies.

Mr. Randolph commented the EIS discusses traffic volumes at the intersection of Elks Point Road and McFaul Way and the applicant is willing to make the improvements at their cost; then it discusses the things that are not under the applicant's control, and he asked how assistance from the developer could bring those things about. Mr. George responded the intersection of Elks Point Road and Highway 50 will accommodate substantially more traffic than is there currently. With some minor improvements, which have been approved by the Nevada Department of Transportation (NDOT) they can increase that capacity very easily. The other intersections assessed in the EIS include Kingsbury Grade, and into California to Ski Run Boulevard which have current capacity problems. To increase the capacity in this area and to mitigate traffic and air quality problems, substantial improvements will be required. Caltrans has looked at the improvements proposed in the EIS and they have indicated to staff these improvements are not part of their long range plans for improving capacity for these areas. Staff agrees that at the intersection of Elks Point Road and Highway 50 the improvements are feasible, but the other intersections are somewhat different in their existing capacity problems. Mr. Randolph stated if there is a way to mitigate some of the VMT through participation in some kind of a program the APC should be discussing it. Ms. Michael added that making sure the roadway design include areas for bus pullouts, pedestrian walkways to the bus stops, and perhaps bicycle paths, would be under the control of the developer, and she recommended these be included in the conditions.

Mr. Randolph asked for clarification of the staff summary which states this project is inconsistent with the Nevada Division of Environmental Protection Air Quality Plan and the Federal Air Quality Standards, and after reading further that the proposal will maintain the 9 ppm standard in all locations. Mr. George responded that the objectives of the 1982 Federal Air Quality Plan and the fact that this project is going to further degrade air quality in the Tahoe Basin, which is a nonattainment area, means that it is inconsistent with the goals and objectives of the Air Quality Plan. Dale Neiman, Senior Planner, clarified that this project will make the goals of attaining the air quality standards more difficult, and he explained that the 9 ppm standard is being exceeded from the casino core area along the Highway 50 Corridor, down past Ski Run, and a few other areas along the Highway 50 Corridor in the City of South Lake Tahoe.
Mr. Pyle suggested the APC needs to consider discussion on two separate documents. First of all to determine the technical adequacy of the EIS. Then if there are problems with the proposed alternatives the APC should consider their recommendations or modifications at that time during project review. Mr. Harper stated since the staff was given very broad direction by the APC to bring the project to them, and to what depth of discussion is something that the APC will have to work out. Mr. Harper agreed with Mr. Pyle's suggestion, and stated in his opinion it is difficult for him to look at an EIS without knowing what the proposed project is. Possibly one of the comments to the Governing Board should be the determination of technical adequacy of the EIS with the following explanation that it covers certain projects, noting the APC feels that a project which is presently being discussed by the staff or presented to the APC is not covered by this EIS, and caution the Governing Board from taking action until that issue has been resolved. Mr. Overeynder explained that the APC is reviewing an EIS which is a disclosure document listing the impacts and what to expect as a result of either the project or alternatives to the project are. In this case the impacts for discussion and issues are clearly before us. The part where there seems to be a problem is that the EIS also lists mitigation measures, what types of activities or actions could be taken as part of either project review, something that either the applicant would initiate or the Agency would require, or some other entity would initiate that would mitigate those adverse impacts. Mr. Overeynder proposed the APC attempt to focus discussion of the mitigating measures that can be incorporated into the project that reduces the impacts to a less than significant level or simply reduce the impacts.

Mr. Harper recommended that staff restructure their presentations, disclosing the mitigating conditions relevant to the EIS. Mr. Sawyer added that the APC needs to review the conditions in order to determine if the EIS properly evaluates the project, not focus on what the conditions should be.

Mr. McCurry stated the subject of water rights/supply was omitted from the EIS and questioned who was responsible for this. Mr. George stated this was an oversight on the part of Agency staff in approving the scope of work. Staff originally discussed the problem of cumulative water usage and water rights, and it was generally agreed at that time, by the applicant's legal counsel and Agency legal counsel, that it was determined that the applicant did not have the water rights and, therefore, it was not necessary to assess that particular item in the EIS at that time. The agreement was that before this project would be allowed to go before the Governing Board, the applicant would have to show proof of adequate water rights to support the project. Currently, the applicant's legal counsel will in the near future be submitting information to the Agency legal counsel for review and make a determination if the applicant does have adequate water rights to satisfy the requirements of the Subdivision Ordinance.

Mr. George stated the response period for this DEIS ended on April 11. The APC members received a copy of the Response to Comments document, and Mr. George explained there is a taxation committee meeting in the Nevada legislature in May, prior to the May Governing Board meeting, will set the tax for the Round Hill District for the entire year. Once this tax has been set it cannot be changed, and staff has tried to stay within that timeframe to present the project to the Governing Board before the May meeting.
Mr. George further clarified that the applicant is not proposing to go to the Governing Board with water rights. What is proposed is to present the Agency counsel an indication that they have legal options on water rights of an amount adequate to supply water to the subdivision. Obviously the applicant does not want to go out and buy the water rights until they have some assurances of a valid project. The Agency counsel is going to have to determine if that is adequate to meet the requirements of the Subdivision Ordinance.

Mr. Popoff commented in the staff presentation there was some comparative analysis of the economics of the project, but was not included in the EIS, and he thought that was a deficiency. Mr. Popoff recalled that at the March meeting a gentlemen [John L. Thompson] attended the meeting who objected that part of the project was going to block access to his parcel and inquired if that had been included in the response to comments document. Mr. Popoff objected that the mitigation measures that commit the Basin to an all electric heating policy need to be considered further in this project, as well as in the Regional Plan. Mr. George responded that staff has reviewed both the economic and practical feasibility of all electric heating. Staff chose from the suggested mitigation measures in the DEIS to recommend that space heating be done by gas, but that it be done by low NOx emission burners. Staff further recommended that electric hot water heaters be used in the project. Mr. George stated that the DEIS does contain an entire chapter relative to the financial status of RHGID and what would happen to their financial status with all of the different alternatives are assessed in the DEIS. It was confirmed that a response to Mr. Thompson’s objections had been addressed.

After a brief recess which gave the APC an opportunity to read the Response to Comments on the DEIS for Round Hill Village, there was no further discussion.

MOTION by Mr. Randolph, with a second by Mr Renz, that the DEIS for Round Hill Village disclosed technical adequacy, indicating to the Governing Board that the APC is not implying approval of any particular project, and further that the documentation going to the Governing Board would list the mitigation measures that are likely to be implemented. The motion was amended by Ms. Sparbel, agreed to by Mr. Randolph, to make sure that the Response to Comments on the DEIS for Round Hill Village, dated April 7, 1983 be attached to the EIS, which discloses that no water rights have been allocated to this project. The motion carried on the following vote:

Ayes: Mr. Kortick, Mr. Renz, Mr. Combs, Mr. Randolph, Mr. McMullen, Ms. Sparbel, Mr. Sawyer, Mr. McCurry, Mr. Pyle, Ms. McMorris, Mr. Hansen, Mr. Curtis, Mr. Popoff, Ms. Michael, Ms. Bogush, Mr. Harper

Nayes: None

Abstain: Mr. Hoefer

Absent: Mr. Sullivan
V SPECIAL REPORT

Request by Applicant for APC Comments, Galena Ski Resort, Mt. Rose/Slide Mountain Summit, Washoe County

Mr. Harper stated the applicants approached Washoe County to consider an application for a major project review and some zone changes in the Mt. Rose area for a proposed ski resort called the Galena Ski Resort. The applicants requested to appear before the APC to discuss this item, since a portion the proposed project may be within the Tahoe Basin and the applicants expressed a desire to receive comments from the APC members.

Robert Weise, Project Coordinator, introduced several of the principals associated with the project. Mr. Weise stated the comments presented to the APC should be received as general comments on this project, but also be taken in support of the Environmental Impact Statement for the Regional Plan supporting Alternative 3, which he believes would provide for the elements of the project that may be located in the Tahoe Basin. Mr. Weise explained the reason for this presentation is to get the APC's comments on the indirect impacts, the possible direct impacts, that a portion of the road is an existing road in the Basin, and the fact that they want to be included as part of the ski inventory.

Jack Johnson, Principal Engineer, gave a brief background on the planned recreational development proposed to be located midway between Reno and Incline Village off of the Mount Rose Highway. Mr. Johnson explained the proposed project was designed for the four seasons which will include skiing, a golf course, and equestrian areas.

Bruce Erickson, Governmental Liaison, presented a slide presentation of the master plan concept of Deer Valley, Galena Village, Toiyabe Village, Tamarack Village, and Hidden Lake. Mr. Erickson noted the current state of the road in question is about 18 feet wide with some uncontrolled cut and fill slopes, with no revegetation which could be a substantial potential for erosion, and the uphill slopes are not protected in any manner. The road currently in existence is used by the telephone company and the Forest Service as access. The property controlled by Galena Resort Company that may be in the Basin is approximately 326 acres. The road length is approximately 5 miles, the road length in the area controlled by Galena Resort is approximately four tenths of a mile with the remaining four tenths of a mile in the Basin and the remaining 3 miles outside of the Basin. Mr. Erickson stated they propose to build the road 20 feet wide with 3 foot shoulders on both sides, for a total width of 26 feet. Galena Resort Company is requesting comments on the proposal, in addition to their application of Best Management Practices for sensitive sites, including limits of disturbance, erosion controls, cut and fill slopes, revegetation, drainage, and the timing of construction.

Mr. Weise stated the Galena Resort Company is requesting input on what the developer has to do to satisfy the Agency to improve and upgrade the existing road, if any areas of the development would have an impact on the Basin environment, what type of EIS or project would be required, and would like to be incorporated in the EIS and Regional Plan ski inventory. Mr. Weise responded to questions concerning phasing of the project, skier market, preliminary traffic studies, alternative highway routes, explaining the transportation plan would be a mass transit program oriented to all of the public attractions, and the slope drainage analysis.
The APC members suggested that the applicants weigh different alternatives for vehicle use; keep the water in the watershed; as an alternative analyze closing the road as well as leaving it open or improving it. Mr. Overeynder stated that as part of the public record staff will include the project for the Regional Plan, but at far as including the project as part of the ski inventory he could not answer at this point. Further comments from the APC included the traffic impacts and marketing study should be expanded in an EIS with detailed figures. Mr. Harper stated that when Washoe County and the applicant have agreed on a preliminary scope of work the document be brought back to the APC for further review to coordinate both processes and possibly schedule for the May meeting if the document is available.

A. Proposed Amendments to the Subdivision of Brockway Springs of Tahoe, Pursuant to Settlement of Litigation, Placer County

The APC received an addendum titled Response to Comments to the Subdivision of Brockway Springs of Tahoe, in addition to a revised list of conditions.

Greg George briefly explained the applicant is proposing to construct 52 new condominium units in 17 lowrise clusters as part of a proposed litigation settlement. Three of the existing residential structures will remain on the 21 acre site, consisting of a single family residence, a guest house, and a recently restored historical cottage. The cottage will be retained as the 53rd condominium unit. A lawsuit was filed following certain actions taken by the California Tahoe Regional Planning Agency (CTRPA) that precluded the owners of the property from proceeding to redevelop the site in accordance with a final condominium subdivision map that had previously been approved by CTRPA, TRPA, and the County of Placer. Mr. George stated that a proposed settlement of the litigation was developed and tentatively agreed to between representatives of the plaintiffs, CTRPA, TRPA, and Placer County. Staff identified five general areas of concern relative to the proposed settlement as follows: conformance with land capability system and coverage requirements, application of the permit allocation system, public access to the hot springs on the site, architectural controls, and conformance with the EIS requirements of the Compact. The Governing Board determined that a focused EIS would have to be prepared for the project in order to adequately address these areas of concern.

Mr. George summarized the soil types and the analysis of existing disturbance on the site. Mr. George identified the significant environmental impacts that will result on water quality, primarily due to the fact that the project does not conform to the Agency's land capability system and does not conform to the provisions of the Land Use Ordinance which requires reduction in land coverage when there is nonconforming land coverage with proposed replacement; some vegetation removal; traffic generation and air quality; wildlife; visual and aesthetic; public services/sewage treatment; and Lakeshore access. Mr. George also identified the mitigation measures, alternatives proposed by the applicant in the draft EIS, and responded to questions.

Larry Hoffman, Attorney, representing the applicant, commented on the issue of the EIS process where there is no case law that he is aware of that has ever required an EIS to be done as part of a judicial settlement. The applicant
negotiated a settlement with CTRPA, TRPA, and Placer County. Mr. Hoffman stated that when the project came before the Governing Board, Agency legal counsel advised the Compact would require an EIS, which Mr. Hoffman emphasized did not come under NEPA or CEQA. Then the issue came before the Governing Board as to what the scope of the EIS would be, and out of that discussion before the Board the motion was to focus the EIS on the impacts of the proposed settlement versus the final map.

Mr. Combs commented his position on this issue is that you cannot look at this environmental review in the normal context of a normal project. It has a history to it that colors the entire approach and the issue of the vested project that has been approved influences what sort of environmental review is appropriate and the focus of the environmental review.

Mr. Sawyer commented that in his opinion the way to deal with this unique situation of litigation settlement that when it comes to approve the project to decide if there are overriding considerations, not by taking a short cut on the procedural rules. Mr. Sawyer expressed his concern for the lack of supervision for the preparation of the DEIS, there are no responses to the letter dated March 18, 1983 submitted by the Lahontan Regional Quality Control Board, nor any responses to and APC comments. Mr. Sawyer pointed out the contrasts between the DEIS for Round Hill, noting that he was concerned by the lack of direction of the Brockway DEIS towards water rights, sewage treatment capacity, no proposal of a smaller subdivision, and the discussion of the applicability of the remedial erosion control program. Mr. Sawyer stated there was a need for a full range of alternatives, and that it was inexcusable not to have at least one alternative that complies with land capability coverage restrictions not covered in the DEIS and, therefore, a clear deficiency of the document.

Mr. Harper questioned if the Dillingham litigation settlement, previously reviewed by the APC, and the Brockway Springs DEIS was similar. Mr. Overeynder responded that one of the differences between the Dillingham settlement and this particular settlement was that with Brockway Springs this was the first time staff negotiated a requirement to prepare an EIS. The Dillingham project came later and staff was more advanced in what the scope of the EIS would be. The timing however was such that the APC reviewed the Dillingham project settlement first because of the preparation of the documents. Mr. Overeynder stated that supervision of the scope of work for these litigation settlements has tightened up since Brockway Springs.

Mr. Pyle stated that because it is a very focused EIS, the direction given, and because of the various restraints pointed out to the APC, not that it meets NEPA or CEQA rules as such, that the DEIS is technically adequate.

MOTION by Mr. Pyle, with a second by Mr. Curtis, that the Brockway Springs draft Environmental Impact Statement is technically adequate document.

Mr. Randolph pointed out that because the Governing Board's direction was not adequate this DEIS is in total contrast of what a document should do and he could not agree with the motion. Mr. Pyle responded that the staff gave the applicant the direction for an EIS called for by the Governing Board at the suggestion of the Agency legal counsel and the applicant prepared a focused DEIS within those limitations.

After a brief discussion Mr. Pyle withdrew his motion.
Mr. Harper listed the potential options of the APC: (1) to certify the EIS (2) not certify or send a negative recommendation based on the fact that it does not meet the intent of an EIS (3) request the Governing Board to provide direction as to whether this was their intent which provides an opportunity to the APC to know whether they are in a position to certify the EIS based on a very narrow focus or whether it will be recommend amending the EIS before it comes back to the APC, (4) there be a positive motion with caveats attached. The APC considers this EIS a technically adequate document if the Governing Board's intention was to narrow the scope to that extent. If it was not the Board's intention then the APC has additional reservations regarding the EIS.

MOTION by Mr. Kortick, with a second by Mr. Renz, that the EIS is technically adequate based on the history of the project, that it is focused based on previous meetings with the Governing Board and discussions with staff, and that the intensity of the project has been reduced.

Mr. Sawyer opposed the motion by stating that he did not think the Governing Board gave the direction to focus, and second he did not think they had that discretion since they are the ones responsible for compliance with environmental documentation and every case that has been thrown aside for failure to adequately consider alternatives is because the Governing Body or the decision maker did not consider alternatives.

The motion carried on the following vote:

Ayes: Mr. Kortick, Mr. Renz, Mr. Combs, Mr. McMullen, Ms. Sparbel, Mr. Pyle, Mr. Hansen, Mr. Curtis, Mr. Poppoff, Ms. Bogush,
Nayes: Mr. Randolph, Mr. Sawyer, Mr. McCurry, Ms. Michael,
Abstain: Mr. Hoefer, Mr. Harper
Absent: Mr. Sullivan, Ms. McMorris (left at 11:40 a.m.)

Mr. Randolph explained that from the standpoint of an air quality issue he had no problem, but his vote was based on the discussion and possible precedent setting issue.

Ms. Michael stated she hoped that future EIS's where litigation is involved that the APC will consider alternatives based upon CEQA and NEPA requirements and she would like to see that as the precedent rather than a narrow focused EIS.

Mr. Harper noted that his abstention was based on the fact there appeared to be a legal issue which he thought should be taken care of.

Discussion and comments on the amended conditions for Brockway Springs followed.

Mr. George stated the amended conditions of approval represented all of the mitigation measures recommended in the EIS. There was one additional condition that staff will recommend to the Governing Board which relates to the water quality impact and that is the payment of an offsite water quality mitigation fee based on the amount of new land coverage proposed in excess of what is existing on the site. The calculations relative to each individual land capability district totals $27,715 which would be placed in the Placer County water quality mitigation fund.
Mr. Combs commented that it should be understood that this project would go back to Placer County for review of the technical aspects and the conditions.

Mr. Hoffman clarified that this matter has already been heard by the Placer County Board of Supervisors with the understanding that the detailed plans will have to go through the planning commission and public works department.

Mr. Popoff commented that a set of guidelines and standards which outlines the EIS process would be helpful in order to determine technical adequacy of the documents.

It was suggested that Mr. Sawyer and Gary Midkiff would put together a set of guidelines for the APC based on the Council on Environmental Quality (CEQ) and the National Environmental Protection Act (NEPA) regulations to help determine the technical adequacy for future EIS's.

VIII APPEALS

Bambridge/Fleming Appeal of Staff Determination of a High Risk Rating with Regard to the Case-by-Case Lot Review Criteria, Lot 60, Tyrolia #7, Washoe County, APN 126-082-44, TRPA File #82912

Nora Shepard, Associate Planner, stated the applicant is requesting approval to construct a single family dwelling in Tyrolia #7. There is an offstreet parking plan in Tyrolia which includes separate parking for certain units and other units are required to have parking garages within the building envelope. This particular application has been designated to provide parking. Ms. Shepard noted Agency staff finds that a 6 to 8 foot road cut slope and a slope across the building site of close to 30% would result in excessive excavation with a cut of up to 13 feet at the back of the garage, and will cause access difficulties for either driveways or utilities. In addition a cut of this height requires a retaining wall with supporting footings. Construction of these footings requires substantial excavation and backfill. The drainage system is designed so that roof drainage is discharged into this unconsolidated backfill. This design would not function efficiently and the runoff would eventually discharge at a street level. Cuts such as this cause stability problems as well as potential interference with ground water flows. Based on this criteria the application was therefore rejected which precludes it from further case-by-case review.

Ms. Shepard clarified this application was similar to a project that the APC had review previously. In all of these areas there are designated parking areas away from the residence, and in these cases the residents negotiated with the Homeowners Association they could be allowed one space elsewhere and that they were required to provide only one space. The APC at that time felt that the offstreet parking issue was important enough if you are going to allow coverage for a one car garage might as well allow for a two car garage. Being a similar situation the applicant could possibly negotiate with the Homeowners Association to provide only one extra parking place, but there is still the problem of excavation.
Ms. Shepard also clarified that if the drainage system was designed correctly and with care the runoff could be infiltrated on site. However, because of the excessive amount of excavation, unconsolidated backfill, slope that is close to 30%, and rocky in nature, it would be difficult to design such a system which the preliminary drainage plan does not depict. As a condition of approval something could probably be designed to infiltrate the runoff adequately.

**MOTION** by Mr. Sawyer that the appeal be denied. Discussion followed.

Mr. Overeynder clarified there will be impacts of excessive excavation, the cut and fill of backfilling due to the excavation, that the slope is close to 30%, there is a moderate to high runoff potential, disturbance of vegetation, and the fact that the burden of proof lies with the applicant to demonstrate all of the impacts have been mitigated as part of the case-by-case review, and with these factors staff considers that this particular application has not been satisfied.

Mr. Allen Fleming, the applicant, stated that the TRPA approved the lot next to his with infiltration trenches that did satisfy the criteria requirements. The drainage requirements of the backfill is 90% gravel but it could be 100% if necessary. Mr. Fleming also stated the disturbance of 5 to 6 feet outside the perimeter of the foundation could be incorporated with infiltration trenches and dry wells as part of the system.

Ms. Shepard stated staff has discussed the design for a detailed erosion control plan with the applicant and that additional information will be required. The applicant would rather submit a final detailed plan as part of the conditions of approval.

Mr. McMullen suggested to delay this application for a month and give the applicant clear direction necessary to satisfy the items of concern.

Mr. Fleming stated he believed the project could be mitigated, even though the land stability was rated a high risk.

Mr. Combs commented there might be a problem if the APC takes action that is in conflict with the Board's policy. If the situation is acknowledged that the project is a high risk, but the appeal is that the applicant is in this unattainable position between the CC&R's and ordinances of the Agency, the maybe the Governing Board can grant relief if that is appropriate. Mr. McMullen pointed out that the Governing Board will have the same problem that there is not adequate information relating to the mitigation measures.

Mr. Sawyer withdrew his motion because he felt the applicant was being put through unnecessary barriers.

**MOTION** by Mr. McMullen, with a second by Ms. Sparbel, to continue action on the appeal until the May, 1983 APC meeting, providing the applicant the opportunity to provide further information relating to the mitigation measures. The motion carried on the following vote:
A. Distribution of Draft Environmental Impact Statements

1. Lake Parkway (Loop Road) Completion
2. Third Street and South Avenue Extensions and Improvements

The APC members received copies of both Environmental Impact Statements referenced above.

B. Report on TRPA Public Hearings on Regional Plan Environmental Impact Statement

This report was continued until the May, 1983 APC meeting.

C. Public Interest Comments - None

D. APC Members

Ms. Bogush reported the American Planning Association has a competition each year for awards for planning studies, and she suggested that the Agency submit the Environmental Thresholds Carrying Capacity Study that she would be willing to sponsor. The APC members agreed this would be a good idea.

Mr. Sawyer reported that Carole Onorato, Chairwoman of the California Water Resources Control Board (SWRCB) wrote to Zane Smith, Regional Forester of the U.S. Forest Service requesting that local 15% of the Santini-Burton Remedial Erosion Control Funds be included in the Regional Foresters 1985 budget submittal. Mr. Sawyer was informed that the Regional Forester requested 2.5 million dollars and now the burden is on SWRCB to lobby the Secretary of Agriculture to include the 15% share in the 1985 budget, and in the meantime will be working on the 1984 budget.

Mr. Harper thanked Bill Curtis for making the room arrangements for the APC meeting.

X RESOLUTIONS

A. Lois Shellhammer
B. Maurice Bidart
C. Dennis Schlumpf

Mr. Pyle noted the date the Governing Board originally appointed Maurice Bidart to the APC was incorrect and the resolution needed to be revised.
MOTION by Mr. Pyle, with a second by Mr. Curtis, to approve Ms. Shellhammer's and Mr. Schlumpf's resolutions. Mr. Bidart's was approved with the correction. The motion carried unanimously.

MOTION by Mr. Hansen, with a second by Mr. Pyle, that a resolution be prepared from the APC for Randy Sheffield. The motion carried unanimously.

XI CORRESPONDENCE - None

XII PENDING MATTERS - None

Mr. Harper reopened the public hearing on the Regional Plan Environmental Impact Statement.

Mr. Harper thought there was a great deal of concern of the APC to reevaluate the entire EIS process or at least the APC should make a recommendation to that effect to the Governing Board for their consideration. Mr. Harper read a draft resolution prepared for discussion purposes only. The resolution suggested that there is a need by the APC to review and analyze all comments received, that there is a need to review and analyze staff's responses to those comments and any addendum to the draft EIS, there is a need to review a staff preferred plan that relates to the draft EIS, and recommended that the Governing Board take no action on the DEIS at their April or May meetings, and asked the Governing Board to consider a suggested time schedule for review and certification of the DEIS, in addition to review and adoption of the Regional Plan and implementing draft ordinances/ordinance amendments. Mr. Harper further stated that the resolution recommends to the Governing Board to continue the permit process that is presently in place allocating two-thirds of the number that was allowed under the compact for 1981-82 and, that after 1983 or 1984, no building permits be issued until a Regional Plan and implementing ordinances are adopted by the Governing Board.

Discussion of the resolution and the APC's comments pertaining to the suggested time schedule, permit process and time frames followed. Mr. Overeynder reemphasized legal counsel's concern with the ability of the Agency Governing Board to continue issuing permits, even under a limited allocation system that is consistent with the current Compact limitations, if there is not an adopted Regional Plan and implementing ordinances by June, 1983. The Agency can take the position that a good faith effort and progress is being made towards those actions, but what we are really putting at risk in that process are third parties; people that are the Agency issues permits to for single family dwellings, commercial development, etc. could be challenged because the Agency has not met the mandate of the Compact by having an adopted Regional Plan, and on the other hand whether the Agency has the ability to approve projects without having met that requirement.

MOTION by Mr. McMullen, with a second by Mr. Popoff, to adopt the draft resolution recommending to the Governing Board to consider the suggested time schedule for first consideration of the EIS in June, 1983 and adopt an ordinance amendment to permit continued issuance of building permits for 1983 based upon a prorated monthly share of the permit allocation as set forth in the Compact. The motion carried unanimously.
MOTION by Ms. Sparbel, with a second by Mr. Combs, to close the public hearing. The motion carried unanimously.

Ms. Michael reported that an ad hoc subcommittee had met and discussed various interim transportation strategies suggesting staff analyze for feasibility and impact, and explore what it would take to implement a series of transportation goals. Mr. Gaudette followed up by outlining the conceptual framework which should consist of looking at a 5 year (short term) program; the solution should be Basinwide; it should devote a significant amount of resources in terms of dollars, effort and commitment; it should be a basis for any long term plan; it should be manageable; it should be a public-private partnership; and it should address the quality issue. Mr. Gaudette stated he would like to have authorization to meet and discuss this criteria with staff. The APC members agreed they would like to encourage moving ahead with a 5 year transportation plan in addition to the long range plan.

XIII ADJOURNMENT

The APC meeting adjourned at 4:30 p.m.

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (916) 541-0246.

Respectfully submitted,

Mary Bailey
Secretary II
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Bambridge/Fleming, Appeal of High Risk Rating With Regard to the 1981 Case by Case Lot Review Criteria, APN 126-082-44, TRPA File #81912

Applicant: Robert Bambridge/Alan Fleming (Western Dynamics)

Project Description: The applicant seeks approval to construct a two story single family dwelling with a garage below.

Project Location: Lot 60, Tyrolian Village Unit #7, 1125 Lucerne Way.

Site Description: The subject parcel slopes uphill from Lucerne Way. There is a cut bank which is approximately 6 to 8 feet in height and is stabilized with gunnite. The parcel then slopes up hill at close to 30%. The soil in this area is rocky in nature. The vegetation on site is primarily healthy understory with few trees.

Review Per Section: Section 12.20 of TRPA Ordinance 81-5. Article VI(b) of the Compact.

Land Use District: Low Density Residential

Land Capability Classification: Level 3, UmE Soil Type

Land Coverage:

- Total lot size: 1,200 sq. ft. (30ft x 40ft building envelop)
- Allowable Coverage: 1,200 sq. ft.
- Proposed Coverage: 1,020 sq. ft.

Building Height: Allowable: 35 ft. + 14 ft. cross slope allowance
- Proposed: 31 ft.

Project History: The application was received in August of 1982. A field check was conducted by Agency staff in September. A letter was written to the applicant on September 21, 1982 which states that the parcel was rated as a High Risk with regard to land stability due to a large cut slope adjacent to the building site. This preliminary decision was appealed to Philip Overeynder, Executive Director. He concurred with the staff determination.

Impact Analysis and Mitigation Measures: The Case by Case Lot Review Criteria have been applied to the subject parcel. Because of the 6 to 8 foot cut bank, and slope across the building site of approximately 30%, the parcel is considered a High Risk in at least one of the four criteria:

- Proximity to a Stream or Wetland: Low Risk. The parcel is away from direct area of influence of a stream environment zone.

5-5-83
NS:md

APC Agenda Item IV A.
Runoff Potential: Moderate to High Risk. The soil in the area is rocky in nature; this coupled with the 29% slope may cause infiltration difficulties. Additional information would be required to properly assess the runoff potential. The applicant is designing a drainage system to accommodate the necessary runoff. Details have not been submitted to date.

Land Stability: High Risk. The case by case lot review criteria defines a High Risk with regard to land stability as follows:

High Risk (Class I)

These areas include over-steepened slopes between 30-60% on the construction site, contain some spring and seep areas with the potential for land instability, and contain some lots with steep road cuts or fills causing access difficulties for either driveways or utilities. Conformance with local requirements for on-site parking and setback standards or construction of utilities would require excessive excavation.

A High Risk rating in any one of the four criteria precludes an application from further case by case review. Agency staff finds that a 6 to 8 foot road cut slope and a slope across the building site of close to 30% would result in excessive excavation (a cut of up to 13 feet at the back of the garage), and causes access difficulties as described in the criteria. A cut of this height requires a retaining wall with supporting footings. Construction of these footings requires substantial excavation and backfill. The area of disturbance is therefore much greater than is reflected on the plans. Additionally, the drainage system is designed so that roof drainage is discharged into this unconsolidated backfill. This design would not function efficiently, and the runoff would eventually discharge at a street level. Cuts such as this cause stability problems as well as potential interference with ground water flows. Such a cut is necessary due to the subdivision requirement that this parcel provide its own off-street parking place.

Consistency with Applicable Plans, Ordinances, Regulations and Standards: Prior to approval of this project, the Governing Body must make written findings pursuant to Article VII(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:

Applicable Elements                                Findings
Nevada Side Land Use Ordinance                     Consistent
Nevada Side General Plan and Sub-Elements          Consistent
TRPA 208 Water Quality Plan                        Inconsistent
Nevada Division of Environmental Protection       Consistent
Air Quality Plan                                    Consistent
Federal Air Quality Standards                      Consistent

APC AGENDA ITEM IV A.
This project is not consistent with the 208 Water Quality Plan unless the Governing Board finds that the project fits within the parameters of the Lot Review Criteria for land stability and runoff potential.

**Project Analysis and Issues for Discussion:** Agency staff finds that the impacts resulting from the proposed project are excessive and are not minimized to an acceptable level. The project does not fit within the parameters of the case by case lot review criteria.

The proposal without a garage, thereby reducing excavation, does not meet the off street parking requirements of the subdivision.

However, if the Governing Board determines the project fits within the parameters of the case by case lot review criteria, staff recommends the following special conditions to assure the impacts are more adequately mitigated.

1. *Mitigation Fee $2016.*
2. Final details of the drainage plan shall be submitted by the applicant and approved by Agency staff.
3. All work shall be performed within the foundation limits.
4. Excavated material shall be taken to an approved dumpsite. If material has to be stored on site, the spoil pile shall be covered, and surrounded with temporary erosion control.

**Required Actions and Findings:** Should the Governing Board grant the appeal, and therefore approve the project the following actions and findings are necessary.

I 1. Pursuant to Article III(g)(2) 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 Section12.10 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.

NS:md

APC Agenda Item IV A.
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.

3. Findings required by Section 12.22(a) and (b) of Ordinance 81-05.

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 affects. 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 special conditions as indicated in the summary.

NS:md

APC Agenda Item IV A.
MEMORANDUM

May 5, 1983

TO: TRPA Advisory Planning Commission
FROM: Agency Staff
SUBJECT: Lowry/Pillsbury Appeal of Subdivision Rating, Agenda Item IV B.

Agency staff requests that the subject appeal be withdrawn from the May APC agenda. The applicant concurs with this request. Details on the improvement plans have not yet been finalized. The continuance will give both staff and the applicant an opportunity to more completely review the issues involved.

NLS:md
MEMORANDUM

May 5, 1983

TO: TRPA Advisory Planning Commission

FROM: Agency Staff

SUBJECT: Lake Parkway (Loop Road) Completion, EIS Determination of Technical Adequacy, City of South Lake Tahoe, Agenda Item VI A.

Following this memo is an executive summary for the subject project. The draft EIS for the project was prepared in accordance with the TRPA Rules and Regulations and was made available for the required 60 day review and comment period on March 15, 1983. The circulation period ends on May 14, 1983. As of this date no comments have been received on the draft EIS.

Agency staff recommends that the APC determine that the draft EIS is technically adequate.

GG: md
SUMMARY

The Proposed Action

Completion of a 490 foot connection of the Lake Parkway loop road between the California/Nevada State line and Montreal Road is the objective of the proposed action which is the subject of this Draft Environmental Impact Report/Statement. The project, for purposes of environmental impact analysis is described as the total road system between the intersection of the Nevada Loop Road at Highway 50 and the Highway 50/Chinokis neighborhood intersections with Pioneer Trail. The project includes Park Avenue between Highway 50 and Montreal Road, Pioneer Trail between Highway 50 and Glen Road, the Nevada portion of the Loop Road, Highway 50 between Park Avenue and Pioneer Trail, and the streets in the Chinokis neighborhood.

The Construction Project

The City of South Lake Tahoe proposes to construct approximately 490 feet of highway extending in a northeasterly direction from the present termination of Montreal Road to the California/Nevada State boundary line. The right-of-way would be approximately 60 feet in width. The paved roadway would be approximately 48 feet wide. The roadway would be marked so as to accommodate one lane in either direction together with a continuous two-way turn lane in the center. This configuration would match that of the Nevada Loop Road, and provide the final segment of the Loop.

Consistent with the objective of matching the already completed Nevada section of the Lake Parkway loop road there will be no sidewalks or streetlighting. There will be an approximate 6% uphill gradient from the Montreal Road connection to the existing finished grade at the State line. Sideslopes which will result from the necessary excavations will not exceed a 2:1 slope, and will be hydromulched to reduce soil erosion during the revegetation period.

The City will stripe the traffic lanes on Park Avenue at its intersection with Highway 50, as an interim measure, in conformance with Caltrans' recommendations.

The construction is to be completed during the summer of 1983.

The Alternatives

Three alternatives have been environmentally analyzed. Each alternative is shown graphically on Figures 4-7, 4-9, and 4-11.

The No-Project Alternative represents the existing street system and geometrics.

Alternative 1 provides for a one-way northbound connector between Park at Montreal and the current terminus of Lake Parkway east of U.S. 50. This alternative provides for direct two-way access between Montreal and Park but limits travel on Lake Parkway to northbound travel. It should
be noted, however, that southbound access to Park and ultimately Montreal is maintained via Van Sickle.

Alternative 2 provides for a two-way connector between Park at Montreal and the terminus of Lake Parkway. This alternative does not restrict access northbound or southbound to Montreal from the new loop roadway, but does restrict access southbound into the Chinokis neighborhood by means of a traffic barrier at the intersection of Park and Montreal.

**Significant Impacts and Mitigation Measures**

While no significant adverse environmental impacts have been identified as a result of the construction of the Lake Parkway loop road completion, those impacts which have been of concern Basin wide on which this project might effect a cumulative impact have been addressed and mitigation measures have been incorporated into the project design. The major areas of concern and the corresponding mitigation measures are as follows:

**Impact:** Increased impervious coverage.

**Mitigation:** The City of South Lake Tahoe will acquire 2.75 acres of right-of-way to assure that no more than 20% of the project site is covered.

**Impact:** Long-term erosion potential.

**Mitigation:** Include in project a full program of Best Management Practices (full permanent, temporary and preventative).

**Impact:** Air quality degradation resulting from potential of increased traffic.

**Mitigation:** Reduce number of vehicle trips by improvement in mass transit service, and improved traffic flow.

**Environmental Comparison of Alternatives**

Each of the alternatives has been evaluated assuming that all recommended mitigation measures have been incorporated. Except for the No-Project Alternative, which obviously does not involve mitigation measures, neither of the two project alternatives considered capable of achieving project objectives are viable without the incorporation of the recommended traffic control and environmental mitigation.

For each of the three project alternatives (No-Project, One-Way Access, Limited Access to Chinokis), the traffic, air quality, and other environmental impacts are summarized and evaluated as follows:
The No-Project Alternative

Traffic Impacts: If no project is undertaken, two critical Highway 50 intersections (Park and Pioneer) will degrade level-of-service by 1987. The Nevada (Lake Parkway)/Ski Run intersections with Highway 50 and Stateline intersection with 50 will also be degraded.

Air Quality Impacts: The No-Project Alternative, because of projected reductions in automotive emissions, would result in no decrease in air quality by 1987.

Environmental Impacts: There are no identified significant environmental impacts for the No-Project Alternative.

The One-Way Access Alternative

Traffic Impacts: The key intersections on Highway 50, Pioneer Trail, and Park Avenue will enjoy a significant level of service improvement over the No-Project levels. Little difference will exist between this alternative's traffic impacts and those of the Limited Access to Chinokis Alternative, including the impact on the Chinokis neighborhood.

Air Quality Impacts: This alternative would result in slight increase in air quality at two of the three modelled key stations and a slight decrease in air quality at the third station, by 1987 as compared to the No-Project Alternative.

Environmental Impacts: There are no unmitigated significant environmental impacts for this alternative. The project design incorporates mitigation measures for all identified impacts except for the project's exacerbation of existing watershed impervious coverage violation with respect to the adopted threshold. This increase in coverage ratio is considered too minimal to be a significant impact.

The Limited Access to Chinokis Alternative

Traffic Impacts: The key intersections will have impacts not significantly different than those of the One-Way Access Alternative.

Air Quality Impacts: This alternative would result in slight increase in air quality at two stations and a slight decrease in air quality at a third station in 1987, as compared to the No-Project Alternative. The increase at the third station is significantly greater than that for the One-Way Access Alternative; however, the decrease at one of the other stations is significantly greater for this alternative.
Environmental Impacts: The environmental impacts of this alternative are precisely the same as those for the One-Way Access Alternative.

The Environmentally Superior Alternative

It is concluded that the One-Way Access Alternative and the Limited Access to Chinokis Alternative are equally superior to the No-Project Alternative because of their lesser traffic impacts (improved traffic conditions), because there is no significant differential in air quality impacts between the three alternatives, and because there are no significant unmitigable environmental impact differences between the three alternatives.
MEMORANDUM

May 5, 1983

TO: TRPA Advisory Planning Commission
FROM: Agency Staff
SUBJECT: Third Street and South Avenue, Draft EIS, Determination of Technical Adequacy, City of South Lake Tahoe, Agenda Item VI B.

Following this memo is a staff summary for the subject project. The EIR prepared for the project has previously been circulated in California in accordance with the California Environmental Quality Act (CEQA) requirements. Upon incorporation of responses to comments received during the EIR circulation, including TRPA comments, Agency staff initiated the required 60 day review and comment period on March 30, 1983. The circulation period ends on May 29, 1983. As of this date no comments have been received on the draft EIS.

Agency staff recommends that the Advisory Planning Commission determine that the draft EIS is technically adequate.

JD:md
Third Street and South Avenue Extensions and Improvements, Draft Environmental Impact Statement, City of South Lake Tahoe

The Draft Environmental Impact Statement (EIS) evaluates the environmental impacts of improving and extending Third Avenue and South Street within the City of South Lake Tahoe. The purpose of the project is to alleviate traffic congestion at intersections within one-half mile of the South Tahoe WYE and to provide safer, more direct access to Barton Memorial Hospital.

The first segment of the project is improvement of the existing Third Street and its extension to Tahoe Island Drive. General improvements include widening the street to 32 feet, adding curb and gutter, and improving the existing storm drainage system along Third Street between U.S. Highway 50 and James Avenue. The second segment will be an extension of Third Street south of U.S. Highway 50 through undeveloped property to connect with Second Street, which provides access to Barton Memorial Hospital. Improvements include paving, curb and gutter, and drainage facilities. The third segment involves extension of South Avenue westerly to connect with U.S. Highway 50 one-quarter mile south of the South Tahoe WYE. Improvements include pavement widening, curb and gutter, and drainage facilities.

Environmental Setting: The existing Third Street segment is located in the EfB (capability level 7) and Ev (capability level 1b and stream environment zone - SEZ) soil types. This section of roadway will be widened creating 6,784 square feet of additional land coverage within the SEZ. The extension of Third Street is located in an EfB soil type.

Between Highway 50 and Barton Avenue 9,180 square feet of additional land coverage within an SEZ is proposed. From Barton Avenue to Second Street the soil type is EfB (capability 7).

The southward extension of South Avenue will add 20,822 square feet with an SEZ (Ev soil type). A portion of this extension will be over the existing Tahoe Valley Campground road. The total new impervious surface due to the project is 94,111 square feet. The new land coverage within identified SEZ's is 47,730 square feet. The number of trees proposed for removal is 180. The trees are primarily Jeffrey pine.

Alternatives to the Proposed Project: The draft EIS/EIR evaluated alternative alignments for the portion of the project south of Highway 50 connecting with either Fourth Street or Second Street. Both alignments would result in additional land coverage within the SEZ adjacent to Highway 50. The Second Street alignment is proposed to connect directly with the revised emergency entrance to Barton Hospital. This alignment does not involve adding an additional conflict at the Fourth Street intersection which is now a 4-way intersection. This alignment also involves no removal of structures.

5-5-83
JD:md

APC Agenda Item VI B.
Three alternatives were analyzed for the extension of South Avenue. The first alternative leads between the Lakeside Theatre and McDonalds restaurant adjacent to the South Tahoe Wye. This alignment was rejected for three reasons. First, the alignment would cross a natural drainage channel that is classified as a first order stream. Second, the alignment would conflict with the theatre and McDonalds operations. Third, this alignment would result in traffic movement conflicts along Highway 50 south of and at the Wye. This extension would be located about 500 feet south of the Wye.

The second alternative would extend South Avenue between Mom's Restaurant and the Standard Station. This alignment was also rejected due to proximity to the South Tahoe Wye and encroachment in the first order stream.

The chosen alternative will extend South Avenue to intersect with the existing Tahoe Valley Campground road which avoids crossing the first order stream, utilizes the existing disturbed power pole alignment and utilizes the existing campground road.

Traffic: Currently, traffic accessing the Tahoe Island Drive area from Highway 50 must use Tahoe Keys Boulevard. It is estimated that the proposed Third Street extension will divert approximately 1500 vehicle trips per day from this intersection. This will raise the service level at the Tahoe Keys intersection and result in a reduction of 344 vehicle miles per day. The estimated carbon monoxide emissions reduction is 15 kilograms per day. In addition, the intersection of Third Street and Highway 50 will be signalized with the signal phasing controlled in conjunction with the Tahoe Keys intersection.

The extension of Third Street to interconnect with Second Street will provide more direct access to the residential, commercial and hospital area south of Highway 50. This will confine more of the traffic in this area to a central corridor and provide more direct access to Barton Hospital for emergency vehicles. The South Avenue extension will achieve the same goals. The South Avenue extension is projected to carry approximately 1300 vehicles daily. The total estimated carbon monoxide emission reduction is 29.1 kilograms per day.

Unavoidable Impacts:

1. Removal of approximately 180 Jeffrey pine trees.
2. Creation of 47,730 square feet of land coverage within identified SEZ's.
3. Creation of land coverage in excess of 1% within identified SEZ's.

5-5-83

APC Agenda Item VI B.
Mitigation Measures:

1. The applicant proposes to acquire sufficient land area adjacent to the project to bring the project land coverage to 30%. The project will not comply with the 1% land coverage standard applicable to SEZ’s. Under Section 13.31 of TRPA Ordinance 81-5 public works projects can be allowed to exceed the land coverage standards if the following findings are made:

   The project is necessary to comply with the nonattainment air quality plan, or the transportation element of the Regional Plan, or is necessary for public health, safety and welfare, and all feasible alternatives not involving construction within the SEZ have been exhausted.

2. TRPA Best Management Practices for drainage and erosion control will be implemented for the project impacted areas.

3. Signalization of Third Street and Highway 50 will be completed as part of the project.

4. Evaluation will be undertaken of the need to signalize the South Avenue and Highway 50 intersection.

Recommendation:

Based upon the information submitted as part of the EIR and the responses to comments incorporated prior to circulation of the draft EIS, Agency staff recommends certification of the technical adequacy of the EIS by the Advisory Planning Commission.
TAHOE CITY PUBLIC UTILITY DISTRICT

DRAFT ENVIRONMENTAL IMPACT REPORT ENVIRONMENTAL IMPACT STATEMENT

RUBICON WATER SYSTEM RECONSTRUCTION

APRIL, 1983

BROWN AND CALDWELL
CONSULTING ENGINEERS
SACRAMENTO, CALIFORNIA
SUMMARY

The Tahoe City Public Utility District (District) proposes to reconstruct the water system in the Rubicon Properties subdivision, located on the west shore of Lake Tahoe, near Rubicon Bay, in El Dorado County, California. The existing system is in a state of extreme deterioration and is in need of major renovation. The California Department of Health Services has ordered an improvement in the quality of water supplied to customers.

Project Description

Due to the poor condition of the existing facilities, the District proposes to fully reconstruct the system by developing new sources of supply, replacing most of the transmission and distribution system, and building new storage facilities. New sources of water are needed because water from the existing source, Lonely Gulch Reservoir, does not provide sufficient firm capacity to satisfy present water demands and does not meet the requirements of the California Department of Health Services for total coliform, suspended matter, color, and turbidity. Residents of the area must boil the water to prevent bacterial contamination. Alternative supply sources considered in this study were a Lake Tahoe intake, high elevation springs, Lonely Gulch Creek, and vertical wells. After careful analysis of the alternatives, an intake in Lake Tahoe and wells were chosen as the most environmentally acceptable and economically feasible sources of supply. The high elevation springs were eliminated from further consideration because of the high cost and adverse environmental impacts of developing the springs. The alternatives involving continued use of Lonely Gulch Creek were eliminated because of inadequate firm yield and significant opposition of the State Water Resources Control Board (State Board), Division of Water Rights.

A new transmission and distribution system is needed because the existing system, originally built for summer use only, frequently freezes during the winter months. A great deal of water is wasted by bleeding water mains and service lines to prevent freezing during the winter. Alternatives considered for replacement of the distribution system included complete, partial, and minimal replacement of existing pipelines. The minimal replacement alternative was eliminated because it would not permit adequate fire flows to be delivered throughout the area.

Since the storage reservoir on Lonely Gulch Creek will be eliminated as part of this project, the District must construct new storage tanks with adequate capacity to serve the service
area. Alternatives considered to provide required storage capacity included (1) maintenance of the existing two pressure zone systems and construction of two storage tanks; and (2) creation of an additional pressure zone to reduce existing delivery pressures in the lower zone and construction of three storage tanks.

Water System Alternatives

A preliminary screening of the alternatives resulted in selection of five project alternatives for further study. The key features of these alternatives are presented in Table 1.

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Water supply</th>
<th>Storage System</th>
<th>Distribution system</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Number of storage tanks, gallons</td>
<td></td>
</tr>
<tr>
<td>A-1</td>
<td>Lake intake</td>
<td>Reservoir on Lonely Gulch Creek will be abandoned</td>
<td>2 200,000 150,000</td>
</tr>
<tr>
<td>A-2</td>
<td>Lake intake</td>
<td>Reservoir on Lonely Gulch Creek will be abandoned</td>
<td>3 140,000 70,000</td>
</tr>
<tr>
<td>A-3</td>
<td>Lake intake</td>
<td>Reservoir on Lonely Gulch Creek will be abandoned</td>
<td>2 280,000 70,000</td>
</tr>
<tr>
<td>A-4</td>
<td>Lake intake</td>
<td>Reservoir on Lonely Gulch Creek will be abandoned</td>
<td>3 140,000 70,000</td>
</tr>
<tr>
<td>D-2</td>
<td>Well</td>
<td>Reservoir on Lonely Gulch Creek will be abandoned</td>
<td>2 280,000 70,000</td>
</tr>
</tbody>
</table>
Plan A-1. This plan involves the construction of a lake intake, retention of the existing two-zone pressure system, and complete replacement of the distribution system. The intake will consist of a 6-inch buried pipe extending 700 to 800 feet out in Lake Tahoe. A submersible pump rated at 160 gallons per minute (gpm) will be installed at the end of the line. Two new storage tanks will be constructed. One, with a volume of 200,000 gallons, will be located adjacent to Lonely Gulch Reservoir. The second, with a volume of 150,000 gallons, will be located at the existing tank site at the top of the upper pressure zone. One booster pumping station, to lift water from the lower zone to the upper zone, and 62 new fire hydrants will be installed. The District will abandon Lonely Gulch Reservoir and let it gradually fill up with sediment. This should take about ten years. As the reservoir fills up, Lonely Gulch Creek will maintain a stream channel through the sediment and flow down the existing spillway.

Plan A-2. Plan A-2 is similar to Plan A-1 except that the existing lower pressure zone will be divided into two pressure zones. The major difference between Plan A-2 and Plan A-1 is that three new storage tanks will be constructed—a 140,000-gallon tank located on Rubicon Glen Drive to serve the lower elevations of the existing lower zone; a 140,000-gallon tank located adjacent to Lonely Gulch Reservoir to serve a new "middle" pressure zone; and a new 70,000-gallon tank located at the top of the existing upper zone. Two booster pumping stations will be constructed to lift the water from the lower pressure zone to the middle zone, and from the middle zone to the upper zone.

Plan A-3. Plan A-3 is similar to Plan A-1 except that a lesser footage of the distribution system will be replaced and the storage tank adjacent to Lonely Gulch Creek will have a capacity of 280,000 gallons and the tank at the top of the existing upper zone will have a capacity of 70,000 gallons.

Plan A-4. Plan A-4 is identical to Plan A-2 except that a lesser footage of the distribution system will be replaced.

Plan D-2. Plan D-2 is identical to Plan A-3 except that water will be supplied from a well rather than a lake intake. A new well will be constructed in the Meeks Creek area. The new well and the existing well near Meeks Creek will be connected to the Tahoe Hills-Rubicon Palisades system. An existing well in Tahoe Hills will be redrilled.

No Action. Under this alternative, the District will continue to operate the existing water system. All of the deficiencies with the existing system will continue to cause operational problems and increased operating costs for the District and its customers in the Rubicon area.
Growth Scenarios

The Tahoe Regional Planning Agency (TRPA) is currently updating the Regional Plan for the Tahoe Basin. The plan, which will identify the acceptable level of growth for the Rubicon area, is scheduled for completion in June 1983. Since this EIR/EIS will be published before the TRPA Regional Plan is completed and the level of growth for the Rubicon area is known, the growth identified by the State Board in the Lake Tahoe Basin Water Quality Plan (State Board, 1980) has been used as the maximum level of growth in the Rubicon area. Under the State Board plan, there are 19 remaining buildable lots in the project area. Buildable lots were defined as lots on Land Capability Classes 4, 5, 6, and 7. Since the size of the water system is primarily determined by fire flows, rather than by the number of connections, each of the water system alternatives is capable of providing capacity sufficient to serve the existing developed lots and the 19 additional lots if developed in the future.

Direct Environmental Impacts and Mitigation Measures

The direct environmental impacts of the project alternatives are summarized in Table 2 and proposed mitigation measures are presented in Table 3. Five alternatives for the Rubicon Water System Reconstruction project were analyzed in detail in the Project Report (Dewante and Stowell, 1983) and in this EIR/EIS. The best apparent alternative is Plan D-2 which consists of a new well in the Meeks Creek area, reconstruction of the existing Tahoe Hills well, construction of two new storage tanks, and installation of 28,700 feet of new transmission and distribution piping with new fire hydrants and services. Plan A-3, which is identical to Plan D-2, except that an intake will be installed in Lake Tahoe rather than constructing a well near Meeks Creek, is the second best alternative. If the District is not able to obtain an easement for the Meeks Creek well, or if the well does not provide an adequate water supply, the District will construct an intake in Lake Tahoe. The environmental impacts of Plans A-3 and D-2 are discussed in this summary.

Geology and Soils. The intake control structure will be buried on Capability Class 1a land. No ground will be permanently covered by the structure. The Meeks Creek well will be constructed on Capability Class 6 land. Approximately 25 square feet of ground will be permanently covered by the well pad. This will require 0.8 percent coverage of the lot which is well within the 30 percent allowable coverage. Construction of the storage tanks may temporarily increase erosion from the tank sites. The Lonely Gulch tank will be located on Capability
<table>
<thead>
<tr>
<th>Environmental resource</th>
<th>A-1</th>
<th>A-2</th>
<th>A-3</th>
<th>A-4</th>
<th>D-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geology and soils</td>
<td>Intake control structure on 1a land</td>
<td>Intake control structure on 1a land</td>
<td>Intake control structure on 1a land</td>
<td>Intake control structure on 1a land</td>
<td>Well on Class 6 land</td>
</tr>
<tr>
<td></td>
<td>Lonely Gulch tank on 1b land, 0.8 percent coverage</td>
<td>Lonely Gulch tank on 1b land, 0.5 percent coverage</td>
<td>Lonely Gulch tank on 1b land, 1.1 percent coverage</td>
<td>Lonely Gulch tank on 1b land, 0.5 percent coverage</td>
<td>Lonely Gulch tank on 1b land, 1.1 percent coverage</td>
</tr>
<tr>
<td></td>
<td>Upper tank on 1a land, 15.9 percent coverage</td>
<td>Upper tank on 1a land, 14.9 percent coverage</td>
<td>Upper tank on 1a land, 7.3 percent coverage</td>
<td>Upper tank on 1a land, 14.9 percent coverage</td>
<td>Upper tank on 1a land, 7.3 percent coverage</td>
</tr>
<tr>
<td></td>
<td>6.5 miles of pipe replaced</td>
<td>6.8 miles of pipe replaced</td>
<td>5.2 miles of pipe replaced</td>
<td>5.5 miles of pipe replaced</td>
<td>5.2 miles of pipe replaced</td>
</tr>
<tr>
<td>Water quality</td>
<td>Increased sediment and nutrients in Lake Tahoe during construction of intake</td>
<td>Increased sediment and nutrients in Lake Tahoe during construction of intake</td>
<td>Increased sediment and nutrients in Lake Tahoe during construction of intake</td>
<td>Increased sediment and nutrients in Lake Tahoe during construction of intake</td>
<td>May be slight discharge of sediment to Weeks Creek due to erosion during construction of well</td>
</tr>
<tr>
<td></td>
<td>Sediment concentrations in Lonely Gulch Creek will increase after reservoir fills</td>
<td>Sediment concentrations in Lonely Gulch Creek will increase after reservoir fills</td>
<td>Sediment concentrations in Lonely Gulch Creek due to construction of Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
<td>Sediment concentrations in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
<td>Sediment concentrations in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
</tr>
<tr>
<td></td>
<td>May be slight increase in sediment and nutrients in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
<td>May be slight increase in sediment and nutrients in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
<td>May be slight increase in sediment and nutrients in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
<td>May be slight increase in sediment and nutrients in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
<td>May be slight increase in sediment and nutrients in Lonely Gulch Creek due to construction of Lonely Gulch and upper tanks</td>
</tr>
<tr>
<td></td>
<td>May be significant increase in sediment and nutrients in Lonely Gulch Creek due to construction of Rubicon Glen tank</td>
<td>May be significant increase in sediment and nutrients in Lonely Gulch Creek due to construction of Rubicon Glen tank</td>
<td>May be significant increase in sediment and nutrients in Lonely Gulch Creek due to construction of Rubicon Glen tank</td>
<td>May be significant increase in sediment and nutrients in Lonely Gulch Creek due to construction of Rubicon Glen tank</td>
<td>May be significant increase in sediment and nutrients in Lonely Gulch Creek due to construction of Rubicon Glen tank</td>
</tr>
<tr>
<td>Water rights</td>
<td>District must apply to State Board to expand place of use and points of diversion of existing water rights</td>
<td>District must apply to State Board to expand place of use and points of diversion of existing water rights</td>
<td>District must apply to State Board to expand place of use and points of diversion of existing water rights</td>
<td>District must apply to State Board to expand place of use and points of diversion of existing water rights</td>
<td>Water rights permit not needed</td>
</tr>
<tr>
<td>Environmental resource</td>
<td>A-1</td>
<td>A-2</td>
<td>A-3</td>
<td>A-4</td>
<td>D-2</td>
</tr>
<tr>
<td>------------------------</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>Vegetation</td>
<td>25-square feet covered by well pad</td>
<td>25-square feet covered by well pad</td>
<td>25-square feet covered by well pad</td>
<td>25-square feet covered by well pad</td>
<td>25-square feet covered by well pad</td>
</tr>
<tr>
<td></td>
<td>Minor clearing for pipes not in roadways</td>
<td>Minor clearing for pipes not in roadways</td>
<td>Minor clearing for pipes not in roadways</td>
<td>Minor clearing for pipes not in roadways</td>
<td>Minor clearing for pipes not in roadways</td>
</tr>
<tr>
<td>Wildlife</td>
<td>Wildlife habitat permanently removed by Rubicon Glen tank</td>
<td>Wildlife habitat permanently removed by Rubicon Glen tank</td>
<td>Wildlife habitat permanently removed by Rubicon Glen tank</td>
<td>Wildlife habitat permanently removed by Rubicon Glen tank</td>
<td>Wildlife habitat permanently removed by Rubicon Glen tank</td>
</tr>
<tr>
<td>Fisheries</td>
<td>Minor disturbance of fish during construction of intake</td>
<td>Minor disturbance of fish during construction of intake</td>
<td>Minor disturbance of fish during construction of intake</td>
<td>Minor disturbance of fish during construction of intake</td>
<td>Minor disturbance of fish during construction of intake</td>
</tr>
<tr>
<td></td>
<td>May be significant disturbance of fish in Lonely Gulch Creek during construction of Rubicon Glen tank</td>
<td>May be significant disturbance of fish in Lonely Gulch Creek during construction of Rubicon Glen tank</td>
<td>May be significant disturbance of fish in Lonely Gulch Creek during construction of Rubicon Glen tank</td>
<td>May be significant disturbance of fish in Lonely Gulch Creek during construction of Rubicon Glen tank</td>
<td>May be significant disturbance of fish in Lonely Gulch Creek during construction of Rubicon Glen tank</td>
</tr>
<tr>
<td></td>
<td>After reservoir fills in, there may be permanent disturbance of fish due to higher suspended sediment concentrations</td>
<td>After reservoir fills in, there may be permanent disturbance of fish due to higher suspended sediment concentrations</td>
<td>After reservoir fills in, there may be permanent disturbance of fish due to higher suspended sediment concentrations</td>
<td>After reservoir fills in, there may be permanent disturbance of fish due to higher suspended sediment concentrations</td>
<td>After reservoir fills in, there may be permanent disturbance of fish due to higher suspended sediment concentrations</td>
</tr>
<tr>
<td>Archaeological resources</td>
<td>No impacts expected</td>
<td>No impacts expected</td>
<td>No impacts expected</td>
<td>No impacts expected</td>
<td>No impacts expected</td>
</tr>
<tr>
<td>Traffic</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
</tr>
<tr>
<td>Noise</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
<td>Minor disruptions during construction</td>
<td>Minor disruption during construction</td>
</tr>
<tr>
<td>Scenic resources</td>
<td>Rubicon Glen tank will be quite visible</td>
<td>Rubicon Glen tank will be quite visible</td>
<td>Rubicon Glen tank will be quite visible</td>
<td>Rubicon Glen tank will be quite visible</td>
<td>Upper tank slightly visible</td>
</tr>
<tr>
<td>Fire insurance</td>
<td>Fire insurance premiums will decrease by about 42 percent</td>
<td>Fire insurance premiums will decrease by about 42 percent</td>
<td>Fire insurance premiums will decrease by about 42 percent</td>
<td>Fire insurance premiums will decrease by about 42 percent</td>
<td>Fire insurance premiums will decrease by about 42 percent</td>
</tr>
<tr>
<td></td>
<td>Fire insurance premiums will decrease by about 42 percent except in areas where distribution system not replaced</td>
<td>Fire insurance premiums will decrease by about 42 percent except in areas where distribution system not replaced</td>
<td>Fire insurance premiums will decrease by about 42 percent except in areas where distribution system not replaced</td>
<td>Fire insurance premiums will decrease by about 42 percent except in areas where distribution system not replaced</td>
<td>Fire insurance premiums will decrease by about 42 percent except in areas where distribution system not replaced</td>
</tr>
<tr>
<td>Cost</td>
<td>$1,697,500</td>
<td>$1,792,500</td>
<td>$1,504,100</td>
<td>$1,605,400</td>
<td>$1,495,400</td>
</tr>
</tbody>
</table>
Table 3. Proposed Mitigation Measures

<table>
<thead>
<tr>
<th>Environmental resource</th>
<th>Mitigation measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soils</td>
<td>1. Best management practices for erosion control will be used by the contractor.</td>
</tr>
<tr>
<td></td>
<td>2. Excess excavated material will be disposed of at an approved legal point of disposal. A possible site is the borrow pit located adjacent to Highway 89, between Rubicon and Tahoe Hills.</td>
</tr>
<tr>
<td></td>
<td>3. Construction activities will be confined to the smallest area compatible with effective work.</td>
</tr>
<tr>
<td></td>
<td>4. All vegetation removed by construction will be replaced in kind to prevent erosion of unvegetated areas.</td>
</tr>
<tr>
<td></td>
<td>5. Existing erosion problems near the Lonely Gulch and upper storage tank sites will be corrected.</td>
</tr>
<tr>
<td>Water quality</td>
<td>1. Best management practices for erosion control will be used by the contractor.</td>
</tr>
<tr>
<td></td>
<td>2. There may be a slight decrease in the load of nitrate and soluble orthophosphate entering Lake Tahoe from groundwater due to extraction of water from the well.</td>
</tr>
<tr>
<td></td>
<td>3. Lonely Gulch Creek flows will be returned to natural conditions when the reservoir is abandoned as a water supply source.</td>
</tr>
<tr>
<td>Vegetation and wildlife</td>
<td>1. The District will require that all vegetation which is disturbed be replaced with similar vegetation by the contractor at the end of construction.</td>
</tr>
<tr>
<td></td>
<td>2. Construction activities will be confined to the smallest area compatible with effective work.</td>
</tr>
<tr>
<td></td>
<td>3. The District will stabilize and revegetate the immediate areas around the Lonely Gulch and upper tanks which are currently highly disturbed.</td>
</tr>
<tr>
<td></td>
<td>4. Riparian vegetation will eventually fill in the Lonely Gulch reservoir site and return the site to more natural conditions.</td>
</tr>
<tr>
<td>Fisheries</td>
<td>1. Construction activities in and near Lake Tahoe and near streams will be conducted in such a manner as to minimize the potential for erosion and increased suspended sediment concentrations.</td>
</tr>
<tr>
<td>Archaeological resources</td>
<td>1. If potential resources are discovered, the District will issue a Stop Work Order and hire a qualified archaeologist to investigate the site.</td>
</tr>
<tr>
<td>Scenic resources</td>
<td>1. All areas stripped of vegetation will be revegetated.</td>
</tr>
<tr>
<td></td>
<td>2. The storage tanks will be painted dark green and screened with vegetation.</td>
</tr>
<tr>
<td>Traffic</td>
<td>1. A traffic control plan will be developed.</td>
</tr>
<tr>
<td>Noise</td>
<td>1. Work will be limited to normal work hours and contractor will comply with noise regulations.</td>
</tr>
</tbody>
</table>
Class 1b land and will cover 1.1 percent of the District's lot. The upper storage tank will be located on Capability Class 1a land and will cover 7.3 percent of the lot. Both of these tank sites are highly disturbed now, so there will be a net decrease in coverage upon completion of the project. Construction work for replacement of the distribution system will be restricted to existing paved streets so there will be a minimal impact on soils. Proposed mitigation measures include the use of best management practices, confining work to the smallest possible area, and correcting existing erosion problems at the Lonely Gulch and upper storage tank sites.

**Water Quality.** Construction of the lake intake will temporarily disturb bottom sediments and increase the suspended solids at the construction site. There may be a minor discharge of sediment to Meeks Creek during construction of the well. This will likely be a minor impact since the new well will be about 800 feet from Meeks Creek. Abandoning Lonely Gulch Reservoir as a water supply source will have a beneficial impact on Lonely Gulch Creek because flows will be returned to natural conditions. After the reservoir has filled with sediment, the sediment concentrations in Lonely Gulch Creek will increase by about 20 mg/l since the sediment trapping ability of the reservoir will be lost. The sediment and nutrient concentrations in Lonely Gulch Creek may be temporarily increased during construction of the storage tanks since they are both within a few hundred feet of the creek. Since most of the distribution system construction will occur in paved roads, the impact on water quality will be minimal. Proposed mitigation measures include the use of best management practices, and returning Lonely Gulch Creek to more natural conditions by abandoning the reservoir.

**Groundwater.** An analysis conducted by Dr. Alvin Franks, consulting geologist, showed that a new well in the Meeks Creek area would not deplete the groundwater flowing toward Meeks Creek and would not, therefore, affect the flows in Meeks Creek.

**Water Rights.** The District does not currently have a water right permit to withdraw water from Lake Tahoe in the Rubicon area. The District will apply to the State Board to expand the place of use and points of diversion of their existing water right permits in the Tahoe City, Tahoe Tavern, and Dollar Point areas to include the Rubicon area. The District will not be required to apply for a water right permit to extract water from the Meeks Creek well.

**Air Quality.** Fugitive dust resulting from construction activities will locally increase the total suspended particulates (TSP) concentration. Construction vehicles will emit gaseous pollutants such as oxides of nitrogen,
hydrocarbons, and carbon monoxide in small quantities. These emissions will be comparable to those from any small construction operation and will have a negligible impact on local air quality.

Vegetation. Construction of the intake structure and pipeline, well, storage tanks, and distribution system will result in the loss of vegetation immediately around the construction sites. Approximately 25 square feet will be permanently covered by the well pad. This site is currently in a natural state. The net result of constructing the Lonely Gulch and upper storage tanks will be an increase in vegetation since the District plans to revegetate these currently disturbed sites. All vegetation removed during construction of 500 to 600 feet of the distribution system located outside existing roadways will be replaced. Some loss of vegetation is unavoidable, but most effects on vegetation will be minor and are reversible following the end of construction activities. Proposed mitigation measures include replacing all vegetation that is destroyed during construction, confining work to the smallest possible area, and stabilizing and revegetating the immediate areas around the Lonely Gulch and upper tank sites which are currently devoid of vegetation.

Wildlife. There will be a minor disturbance of wildlife during construction of the project. After completion of the project, the increased vegetation at the Lonely Gulch and upper tank sites will provide more wildlife habitat than currently exists. The overall impact of the project on wildlife will be negligible.

Fisheries. The fisheries of the nearshore zone of Lake Tahoe and Lonely Gulch Creek may be temporarily disturbed due to elevated suspended solids concentrations during construction of the intake, storage tanks, and distribution system. The Meeks Creek fishery will not likely be disturbed during construction of the well since the well will be located about 800 feet from the creek. The two streams and the nearshore zone of Lake Tahoe near the intake site are rated as marginal fish habitat by TRPA. Proposed mitigation measures include the use of best management practices to control erosion and the use of a barrier during construction of the lake intake.

Archaeological Resources. There are no known archaeological resources in the project area. If potential archaeological resources are discovered during construction, the District will issue a Stop Work Order and the work will be modified or deferred.
Scenic Resources. The storage tanks are the only project components that may affect scenic resources. The Lonely Gulch tank will be painted dark green to blend in with the background, and the upper tank will be made of steel and screened with vegetation.

Population, Employment, and Housing. Construction of the water system will provide employment opportunities for about 15 construction workers during the May 1 to October 15, 1984, construction season. Many will likely be drawn from the local labor pool so that impacts on population or housing during construction of this project will be insignificant.

Traffic. Construction vehicles will slightly increase local traffic during construction of the project. During construction of the distribution system, local traffic will be disrupted on most streets in the Rubicon Properties subdivision at some period. There will be some disruption on Highway 89 during construction of approximately 800 feet of pipeline that will be installed along the highway. The District will develop a traffic control plan and obtain the necessary encroachment permits from the County and Caltrans.

Noise. Residents of the project area will be temporarily disturbed by noise from construction equipment. The District will limit work to normal working hours and require the contractor to comply with noise regulations.

Public Services. There may be some temporary disruptions in water supply services during construction. Upon completion of the project, the water supply in the project area will be greatly improved. As a result of the new water system, fire protection will be improved in the project area.

Economics and Financing

A detailed discussion of the project costs is presented in the Project Report (Dewante and Stowell, 1983). The costs of each alternative are summarized in Table 4.

<table>
<thead>
<tr>
<th>Item</th>
<th>A-1</th>
<th>A-2</th>
<th>A-3</th>
<th>A-4</th>
<th>D-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital costs</td>
<td>1,698</td>
<td>1,793</td>
<td>1,564</td>
<td>1,605</td>
<td>1,495</td>
</tr>
<tr>
<td>Operation and maintenance</td>
<td>46</td>
<td>43</td>
<td>47</td>
<td>44</td>
<td>44</td>
</tr>
</tbody>
</table>
The District has been offered a loan, funded under the Safe Drinking Water Bond Law of 1976, to pay for the proposed project. The District has tentatively agreed that 60 percent of the capital costs will be repaid by the District out of general District revenues by means of an increase in the District's present tax rate and 40 percent will be repaid by the property owners in the Rubicon service area. The District-wide tax will increase by $0.0139 per $100 of assessed valuation. The owners of developed or buildable lots in the Rubicon service area will pay an additional $171 per year for 35 years to finance their 40 percent share. The details of the financial plan are presented in the Project Report (Dewante and Stowell, 1983). The cost to homeowners in the Rubicon area will be offset by an estimated 42 percent reduction in their fire insurance premiums resulting from improvements to the water system that upgrade flow capacity to meet fire flow requirements.

Growth-Inducing Impacts

The TRPA is currently in the process of updating the Regional Plan for the Tahoe Basin. The plan is scheduled for adoption by the TRPA Governing Board in June 1983. Since TRPA has not yet identified the allowable level of growth in the Rubicon area, the level identified by the State Board in the 208 Plan (State Board, 1980) was used for the project area. According to the 208 Plan, development is allowed on Capability Class 4, 5, 6, and 7 lands. This results in 19 buildable lots in the project area. Development of these 19 lots is contingent upon project approval by TRPA, CTRPA, and the Regional Board. Development of these lots is not contingent upon the reconstruction of the water system. The objective of the Rubicon Water System Reconstruction Project is to provide a safe, reliable water system for residents of the project area and to provide adequate fire flows. The size of the system is primarily dependent on fire flows rather than on the number of buildable lots, and hence connections in the project area. All of the alternatives analyzed in this EIR/EIS can adequately serve the 19 buildable lots. The environmental impacts of developing the 19 lots are discussed briefly in this EIR/EIS. All of the impacts will be considered by TRPA when they develop the Regional Plan.
TAHOE REGIONAL PLANNING AGENCY

RESOLUTION NO. 83 -

WHEREAS Randall C. Sheffield, hereinafter referred to as Randy, was assigned to the Tahoe Regional Planning Agency through the U.S. Forest Service, Department of Agriculture, in June of 1981 to serve as the Chief of the Agency’s Long Range Planning Division; and

WHEREAS Randy’s principal responsibility while with the Agency was to oversee the preparation and adoption of Environmental Threshold Carrying Capacities for the Lake Tahoe Basin; and

WHEREAS Randy’s ability to assess the scope of work and the requirements of the job soon had the seemingly insurmountable task tied down into a workable program; and

WHEREAS Randy attentively and enthusiastically worked to improve, protect and enhance the quality of Tahoe’s water, air, land, recreation, and wildlife, and to ensure that the mandates set forth in the Tahoe Regional Planning Compact would indeed be accomplished; and

WHEREAS, upon final adoption of the Environmental Threshold Carrying Capacities in August, 1982, and in recognition of Randy’s organizational abilities, he was next assigned the task of laying the groundwork for preparation and development of an Environmental Impact Statement for a Regional Plan for the Lake Tahoe Basin; and

WHEREAS Randy’s regular attendance at the Advisory Planning Commission meetings aided the APC in fulfilling its function of reviewing, analyzing, clarifying and transmitting information on all important planning matters to the Agency Governing Body; and

WHEREAS Randy’s manner of judgment, dedication, knowledge, and professionalism has earned the respect of Agency staff and Commission members alike; and

WHEREAS Randy’s service with the Tahoe Regional Planning Agency has come to an end and he has returned once again to the Forest Service;

NOW, THEREFORE, BE IT RESOLVED that the Advisory Planning Commission of the Tahoe Regional Planning Agency hereby expresses its sincere appreciation to Randall C. Sheffield for his service to the Commission and for his leadership role in the establishment of Environmental Threshold Carrying Capacities for the Lake Tahoe Region.

PASSED and ADOPTED by unanimous vote of the Advisory Planning Commission on the eleventh day of May, nineteen hundred and eighty-three.

Chairman
TAHOE REGIONAL PLANNING AGENCY

RESOLUTION NO. 83 - 12

WHEREAS Glenn Smith was appointed on February 11, 1981, to the Advisory Planning Commission (APC) of the Tahoe Regional Planning Agency to serve as a designee representing the Lake Tahoe Basin Management Unit, U.S. Forest Service; and

WHEREAS said appointment was made in recognition of Glenn's concern for, knowledge of, and long-standing desire to protect the unique qualities and resources of the Lake Tahoe Basin; and

WHEREAS Glenn has attentively and enthusiastically worked to improve, protect and enhance the quality of Tahoe's water, air, land, recreation, and wildlife, and to ensure that the Tahoe of the future would retain the irreplaceable and unique environmental and ecological values for which the Region has become so famous; and

WHEREAS of particular note has been the valuable role played by the APC in preparation and final adoption of Environmental Threshold Carrying Capacities for the Lake Tahoe Basin as called for in Public Law 96-551; and

WHEREAS the APC with Glenn's help has taken on the task and fulfilled the valuable function of reviewing, analyzing and transmitting recommendations on all important planning matters to the Governing Body of the Tahoe Regional Planning Agency; and

WHEREAS Glenn Smith's judgment and his probing and incisive queries have earned the respect of Agency staff and fellow Commission members alike; and

WHEREAS Glenn Smith has recently announced his retirement from the U.S. Forest Service; and

WHEREAS Glenn's dedication to and knowledge of the resources of the Region will be missed;

NOW, THEREFORE, BE IT RESOLVED that the Advisory Planning Commission of the Tahoe Regional Planning Agency hereby expresses its sincere thanks to Glenn for his service to the Agency and for his efforts on behalf of the U.S. Forest Service.

PASSED and ADOPTED by unanimous vote of the Advisory Planning Commission on the eleventh day of May, nineteen hundred and eighty-three.

Chairman
April 15, 1983

To: The TRPA Governing Board

From: The Staff

Subject: Amendments to Ordinance 81-8 to Extend the Allocation System - Agenda Item XIV F. 2.

Background

Pursuant to Article VI of the Bistate Compact (P.L. 96-551; 94 Stat. 3243), the allocation system for building permits for residential units and commercial purposes expires on April 30, 1983, in anticipation of adoption of a regional plan. As the date of adoption for a new regional plan has yet to be determined, it may be in the Board's interest to consider extension of the allocation system limitations through amendment of Ordinance 81-8 pending adoption of the new plan.

In the absence of Board action to extend the Ordinance:

- The City of South Lake Tahoe will have no limitation on commercial applications and must process those currently on its waiting list due to the current allocation system limits.

- Residential construction within Douglas and Washoe Counties will continue to be limited only on high hazard lands.

These factors notwithstanding, the Advisory Planning Commission at its meeting on April 13 and 14 adopted a resolution requesting that the Governing Board permit the Commission additional time to review the EIS on the regional plan and urge the Board to extend the allocation system. The intent of the APC was that an extension of the allocation system would provide an orderly continuation of the project review process by a month-to-month pro-rata extension of the previous year's allocation for each jurisdiction.

Alternatives

1. The Governing Board may proceed to amend Ordinance 81-8 to extend it until adoption of the Regional Plan through standard procedures for ordinance adoption.

If this action is taken, there will exist in the interim, pending ordinance adoption, no permit allocation system to limit the number of permits to be issued in the Basin.

4/15/83
GM:jf

Agenda Item XIV F. 2.
2. The Board may act to extend Ordinance 81-8 as an emergency ordinance including the allocation system as contained in the Compact or some variation thereof. Such emergency extension takes effect immediately.

In order to adopt an emergency ordinance, the Compact requires a unanimous vote of all members present and voting.

3. Should the Governing Board choose to take no action, the Agency would have no allocation system in effect from April 30, pending adoption of the regional plan and any allocation system it may contain.

4. REFER TO LOCAL GOV'TS.
   - MONITOR SITUATION -

NEW ISSUE:

DEN'N OF SUBDIVISION - 81-8
  81-5

COMB'S
- 1/3
- STRIKE ISSUANCE OF BUILDING PERMIT
- STRIKE COMM'L

HOFFMAN
- DEFER TO LOCAL SYSTEMS

JANIS
- SUPPORTS TPFA BRD. ABILITY FOR LOCALS TO ADOPT OWN SYSTEM

HARPER

4/15/83

Agenda Item XIV F. 2.
MEMORANDUM

TO: Members of the Advisory Planning Commission
FROM: Michael A. Harper, Chairman
RE: May 11, 1983 Meeting
DATE: May 2, 1983

As many of you are aware by now, the Governing Board generally accepted our recommendations as expressed through the Resolution adopted on the 14th of April, 1983. It is my understanding that the Governing Board has not adopted the dates contained within that Resolution, but has adopted the process expressed through that Resolution. It is also my understanding that in a de facto manner the time frame for adoption of the Regional Plan and implementing ordinances will probably also be followed. It is further my understanding that there is an appetite to certify the Environmental Impact Statement and adopt the Regional Plan at the same time, i.e., August or September of this year.

Therefore, the meeting of May 11, 1983 may need to be devoted to a couple or three items. Obviously the first item would be to continue review of the Environmental Impact Statement, possibly with a view toward suggesting ways of making it an acceptable document, but not necessarily certifying it at that time. Also, I believe some of our discussion at the May meeting should be devoted to Regional Plan concepts, to which I believe the staff will have at least internally given consideration. I think an objective of our May meeting should be to discuss some General Plan options that the Advisory Planning Commission should be considering for review and also to discuss some implementation strategies that have been either expressed or not expressed through the Environmental Impact Statement. I have asked the staff to clear the afternoon of our May meeting in order to devote time to these topics.

I would also like to discuss at our May 11th meeting the possibility of holding another meeting in either May or June in addition to our regular meetings to discuss the Environmental Impact Statement further and the Regional Plan, which I believe will be surfacing as a draft sometime in mid-to-late May.

P.O. Box 1331 / 241 Ridge St. / Reno, NV 89504 — 1331 / (702) 785-4043
On a separate matter, the Governing Board has essentially given the task to the Advisory Planning Commission to develop a set of guidelines for environmental impact statements. The discussion that ensued on the Brockway project at the Governing Board meeting brought to light the problems with which our commission has been wrestling regarding different styles of environmental impact statements for each project. As you may recall, at the April meeting certain members of the planning commission agreed to review this problem. I believe the Governing Board now wants us to expand that informal process to a more formalized process. Therefore, we may also want to consider establishing a more formal subcommittee in May to assist the staff in developing guidelines for environmental impact statements.

As a last comment to this memo, it is apparent to me that the Governing Board is looking to the Advisory Planning Commission to provide it with a great deal of assistance regarding the Environmental Impact Statement for the Regional Plan and the Regional Plan itself. I am confident that we are in a position to fulfill that need of the Governing Board. In fulfilling that need, I suspect that we will be devoting a great deal of time during the summer months to these items. Therefore, I am urging you to plan flexible schedules which will enable you to provide such time.

Will see you at the May 11th meeting.

MAH/mbt

Xc: Phil Overeynder, Executive Director

TRPA
MEMORANDUM

TO: Chairman James Reed and Members
    of the Tahoe Regional Planning Agency Governing Board

FROM: Michael A. Harper, Chairman
       Advisory Planning Commission

RE: Attached Resolution

DATE: April 15, 1983

Please find enclosed a resolution that is respectfully submitted to your board for consideration. This resolution was unanimously adopted on April 14, 1983 by the Advisory Planning Commission. This resolution recommends to the Governing Board that it strongly consider amending the current time frame being utilized for the review and certification of the Environmental Impact Statement and adoption of the Regional Plan, plus its implementing ordinances.

To summarize the resolution, the APC is recommending that the Governing Board amend its time frame to allow for certification of the EIS in June 1983, adoption of a regional plan in September 1983, and adoption of implementing ordinances in November 1983. Further, this resolution recommends that the current method of issuing building permits be continued, based upon a monthly prorata share of the allocation expressed through the Bi-State Compact for the years 1981-1982. Finally, this resolution recommends that no building permits be issued in 1984 and after until a regional plan and implementing ordinances are adopted.

This resolution was taken after due and careful consideration by the APC of the numerous issues surrounding the EIS and regional plan and because the APC is experiencing, as I am sure the Governing Board is, the frustration that the time for due and careful consideration of these very important items cannot be pursued under its current time frame. This resolution is also recommended to you based upon the considerable collective experience of the members of the APC in the planning process. This resolution is only a recommendation to stimulate discussion of this very important item. Of course, the APC hopes that the Governing Board will find the recommendations in the resolution helpful and of assistance should it consider amending the current time frame for certification of the EIS and adoption of the regional plan.

P.O. Box 1331 / 241 Ridge St. / Reno, NV 89504 — 1331 / (702) 785-4043
I and members of the APC intend to be at your April meeting to discuss this item and I hope that there is an opportunity to reserve some time on the schedule for us to make a brief presentation. Should you have further questions regarding this item, please do not hesitate to contact me.

MAH/mbt
TAHOE REGIONAL PLANNING AGENCY

RESOLUTION NO. 83 -

WHEREAS, the Advisory Planning Commission (APC) of the Tahoe Regional Planning Agency (TRPA) has conducted two public hearings on a draft Environmental Impact Statement (EIS) for amendments to the Regional Plan for the Lake Tahoe Basin; and

WHEREAS, all of the Planning Commissioners have attended one or more public hearings on the draft EIS, in addition to the public hearings conducted by the APC; and

WHEREAS, all of the Planning Commissioners have heard and read a considerable amount of testimony on this draft EIS, in addition to reviewing the draft document; and

WHEREAS, the APC has given due and careful consideration to a considerable amount of written and oral material that has been submitted to date; and

WHEREAS, the APC finds that the draft EIS is an appropriate method to review broad alternatives concerning the direction of development for the Lake Tahoe Basin for the next twenty years and assess the impacts of those alternatives, but

WHEREAS, the APC finds at this time that the draft EIS is not in a complete enough form for the Planning Commission to recommend certification of technical adequacy; and

WHEREAS, the APC's above finding is based upon the fact that the comment period for the draft EIS has not closed at this date, that there is a need by the APC to review and analyze all comments received, that there is a need by the APC to review and analyze staff's response to those comments and any addendum that may be prepared for the draft EIS, and that there is a need by the APC to review a staff-prepared plan that relates to the draft EIS; and

WHEREAS, the APC is of the firm belief that a plan resulting from this planning process must be able to meet a number of needs, including compliance with the adopted Environmental Threshold Standards, compliance with the legislative intent of the Bi-State Compact, and protection of the unique environment of the Lake Tahoe Basin, and still be responsive to all of those who enjoy the Lake, both permanent resident and visitor; and

WHEREAS, the APC is of the firm belief that sufficient time must be provided to develop, analyze, review and adopt a regional plan that will deal with the numerous issues affecting the Lake Tahoe Basin; and
TRPA RESOLUTION NO. 83-

WHEREAS, the APC has concluded that a sufficient time for all interested parties, including those who are legally responsible to review and adopt this plan, is not being provided under the current time frames,

NOW, THEREFORE, BE IT RESOLVED by the Advisory Planning Commission that it recommends to the Governing Body of the Tahoe Regional Planning Agency that it consider amending the current time frame in order to accommodate the necessary due and careful consideration of a final Environmental Impact Statement and Regional Plan; and

BE IT FURTHER RESOLVED, that the APC recommends to the Governing Body that it consider the following amended schedule as a means to accomplish the above purpose:

April Governing Body meeting: Public hearing on draft EIS.
May APC meeting: Review of comments and staff response to draft EIS; review of addendums to draft EIS; review of a first draft of a regional plan.
May Governing Body special meeting: Review of comments and staff response to draft EIS; review of any addendums to draft EIS; review of a first draft of a regional plan.
May Governing Body regular meeting: Public hearing on final draft of EIS.
June APC meeting: Certification of final EIS; public hearing on a first draft of a regional plan.
June Governing Body meeting: Certification of final EIS; public hearing on a first draft of a regional plan.
July APC meeting: Public hearing on the draft of a regional plan.
July Governing Body meeting: Public hearing on the draft regional plan.
August APC meeting: Public hearing and recommendation of a regional plan.
August Governing Body meeting: Public hearing and review of APC's recommendation of a regional plan.
September APC meeting: Public hearing on draft ordinances and ordinance amendments.
TRPA RESOLUTION NO. 83-

September Governing Body meeting: Public hearing and adoption of a Regional Plan.

October APC meeting: Public hearing on draft ordinances and ordinance amendments.

October Governing Body meeting: Public hearing on draft ordinances and ordinance amendments.

November APC meeting: Public hearing and recommendation of draft ordinances and ordinance amendments.

November Governing Body meeting: Public hearing and adoption of ordinances and ordinance amendments.

BE IT FURTHER RESOLVED, that the APC recommends to the Governing Body that it direct the planning staff to notice the appropriate public hearings based upon an amended time schedule that may be adopted by the Governing Body, and that the staff also be encouraged to conduct public hearings on these items in addition to regular meetings conducted by the APC and Governing Body; and

BE IT FURTHER RESOLVED, that the APC recommends to the Governing Body that it adopt an ordinance amendment to permit continued issuance of building permits for 1983 based upon a prorated monthly share of the permit allocation as expressed in the Bi-State Compact for the years 1981 and 1982, should it adopt an amended time frame as suggested by the APC; and

BE IT FURTHER RESOLVED, that the APC recommends to the Governing Body that should the above-suggested permit system be continued for 1983, the rules and regulations that are currently governing the permit issuance process be continued for 1983; and

BE IT FURTHER RESOLVED, that the APC recommends to the Governing Body that commencing January 1, 1984 no building permits be issued for the Lake Tahoe Basin until the Regional Plan and implementing ordinances are adopted by the Governing Body.

PASSED AND ADOPTED by the unanimous vote of the Advisory Planning Commission on the 14th day of April, 1983.

AYES: Kortick; Renz; Combs; Randolph; McMullen; Hoefer; Sparbel; Sawyer; McCurry; Pyle; Hansen; Curtis; Popoff; Michael; Bogush; Harper.

NAYS: None.

ABSENT: Sullivan; McMorris.

[Signature]
Chairman

-3-
The Placer County Board of Supervisors enacts the following ordinance:

WHEREAS for calendar years 1981, 1982, and the first third of calendar year 1983, Placer County has administered a program for the allocation of development rights for single family dwellings, pursuant to the requirements of Article VIc of the Tahoe Regional Planning Agency Compact (Public Law 96-551); and

WHEREAS that number of permits has been limited to no more than two hundred and seventy eight (278) permits per full calendar year; and

WHEREAS Placer County has taken action to allocate one-third of that number of permits through the first one-third of calendar year 1983, pursuant to Article VIc.4 of the Compact; and

WHEREAS the provisions for an allocation system as defined in the Compact expire as of April 30, 1983; and

WHEREAS Placer County recognizes the need for orderly and controlled growth in the Tahoe Basin during the current time preceding the adoption of the new Tahoe Basin Regional Plan, expected later this year; and

WHEREAS that plan is expected to continue an annual permit allocation program in the future, although on a modified basis perhaps.

THEREFORE, be it resolved that the County of Placer shall continue to administer an allocation program for the next one-third of the calendar year (May 1 through August 31, 1983), allowing for the issuance of no more than a total of 184 permits (2/3 of 278), through that time period. At or around, September 1, the County will re-evaluate the allocation program in light of the development of the Regional Plan by that time.
BE IT FURTHER RESOLVED that no allocation limitations other than those constraints normally determinant shall apply to the development of commercial projects during this time, giving consideration to the fact that the Draft Environmental Impact Statement for Adoption of the Regional Plan proposes no such allocation program.

With regard to daily administration of the Ordinance, the provisions of Ordinance-3016-B shall generally apply, with appropriate adjustments for time deadlines.

Further, it is expressed that the allocation program shall apply to the number of development sets for single-family dwellings made available during the specified time period, rather than to the actual issuance of building permits.
RESOLUTION NO. 83 -

WHEREAS Randall C. Sheffield, hereinafter referred to as Randy, was assigned to the Tahoe Regional Planning Agency through the U.S. Forest Service, Department of Agriculture, in June of 1981 to serve as the Chief of the Agency's Long Range Planning Division; and

WHEREAS Randy's principal responsibility while with the Agency was to oversee the preparation and adoption of Environmental Threshold Carrying Capacities for the Lake Tahoe Basin; and

WHEREAS Randy's ability to assess the scope of work and the requirements of the job soon had the seemingly insurmountable task tied down into a workable program; and

WHEREAS Randy attentively and enthusiastically worked to improve, protect and enhance the quality of Tahoe's water, air, land, recreation, and wildlife, and to ensure that the mandates set forth in the Tahoe Regional Planning Compact would indeed be accomplished; and

WHEREAS, upon final adoption of the Environmental Threshold Carrying Capacities in August, 1982, and in recognition of Randy's organizational abilities, he was next assigned the task of laying the groundwork for preparation and development of an Environmental Impact Statement for a Regional Plan for the Lake Tahoe Basin; and

WHEREAS Randy's regular attendance at the Advisory Planning Commission meetings aided the APC in fulfilling its function of reviewing, analyzing, clarifying and transmitting information on all important planning matters to the Agency Governing Body; and

WHEREAS Randy's manner of judgment, dedication, knowledge, and professionalism has earned the respect of Agency staff, Commission members, and the general public alike; and

WHEREAS Randy's service with the Tahoe Regional Planning Agency has come to an end and he has returned once again to the Forest Service;

NOW, THEREFORE, BE IT RESOLVED that the Advisory Planning Commission of the Tahoe Regional Planning Agency hereby expresses its sincere appreciation to Randall C. Sheffield for his service to the Commission and for his leadership role in the establishment of Environmental Threshold Carrying Capacities for the Lake Tahoe Region.

PASSED and ADOPTED by unanimous vote of the Advisory Planning Commission on the eleventh day of May, nineteen hundred and eighty-three.

Chairman