TRPA
GOVERNING BOARD
PACKETS

SEPTEMBER
1985
TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on September 25, 26, 1985, commencing at 9:30 a.m. on the 25th and at 10:00 a.m. on the 26th, the Governing Body of the Tahoe Regional Planning Agency will conduct its regular meeting. Said meeting will take place at the Chateau, 955 Fairway Boulevard, Incline Village, Nevada, and the agenda for said meeting is attached to and made a part of this notice.

NOTICE IS FURTHER GIVEN that on Wednesday, September 25, 1985, commencing at 8:30 a.m. in the same location, the Finance Committee will meet to discuss the following: 1) receipt of July and August financial statements; 2) FY 1986-87 California budget submittals; 3) insurance status report; 4) amendment of FY 1985-86 Caltrans/TRPA Overall Work Program; and 5) other.

NOTICE IS FURTHER GIVEN that on Wednesday, September 25, 1985, commencing at 9:00 a.m. in the same location, the Litigation Committee will meet in open session and in closed session to confer with counsel on the following: 1) Forrester et al v. TRPA, Tahoe Keys Convenience Center, Consideration of Settlement, City of South Lake Tahoe; 2) Glenridge v. TRPA; and 3) Lakeview Development v. TRPA.

Date: September 5, 1985

By:

William A. Morgan
Executive Director
Tahoe Regional Planning Agency

NOTE Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

The Chateau, 955 Fairway Boulevard
Incline Village, Nevada

September 25, 1985 9:30 a.m.
September 26, 1985 10:00 a.m.

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV CONSENT CALENDAR

V SPECIAL REPORT

    Tahoe-Transportation District (TTD) Status Report

VI PROJECT REVIEW

    Caltrans, Highway 89 Channelization and Widening, Tahoe City, Placer
    County, TRPA File #84600

VII APPEAL

    Pepper Tree Inn, Appeal of Staff Decision Regarding New Structure,
    Placer County

VIII SPECIAL DETERMINATIONS

    Selection of Consultant for Preparation of an EIS for the Sierra
    Pacific Power Company/Sacramento Municipal Utility District Intertie
    Transmission Project, TRPA File #85030

IX ENFORCEMENT

    A. Show Cause Hearing, Donald Steinmeyer/David Marelich, Lakeside Tennis
       Club, Unauthorized Construction of a Swimming Pool and Deck, 955 Tahoe
       Boulevard, Incline Village, Washoe County

    B. Reports

X PLANNING MATTERS

    Status Report on Consensus-Building Process

XI LITIGATION

    A. Consideration of and Decision on the Following:

       1. State of California/League to Save Lake Tahoe v. TRPA
2. Tahoe Sierra Preservation Council v. TRPA, et al (Eastern District of California and District of Nevada)

3. Forrester et al v. TRPA, Tahoe Keys Convenience Center, Consideration of and Decision on Settlement, City of South Lake Tahoe

4. Glenridge v. TRPA, Consideration of and Decision on Settlement, El Dorado County

5. Lakeview Development v. TRPA

B. Closed Session to Confer on the Following:

1. State of California/League to Save Lake Tahoe v. TRPA

2. Tahoe Sierra Preservation Council v. TRPA, et al (Eastern District of California and District of Nevada)

3. Forrester et al v. TRPA, Tahoe Keys Convenience Center, Consideration of Settlement, City of South Lake Tahoe

4. Lakeview Development v. TRPA

XII ORDINANCES

A. Reconsideration of Ordinance 85-2 (Adopted by Emergency Waiver of Second Reading) Amending Ordinance 84-1, Amendment of Plan Area Statement 027 (Woodvista) to Allow a Library as an Allowed Use

B. Reconsideration of Emergency Ordinance 85-3 (Adopted by Emergency Waiver of Second Reading) Amending Ordinance 84-1, Amendment of Section 2.12 to Extend the Effective Date of Plan Area Statements as Interim Policy Guidelines

XIII ADMINISTRATIVE MATTERS

A. Finance Committee Report and Recommendations

B. Litigation Committee Report and Recommendations

C. Executive Session

D. Other

XIV REPORTS

A. Executive Director

1. Projects Approved at Staff Level

2. Status Report on Exemption Requests in Regional Plan Suit

3. Other
B. Legal Counsel
C. Governing Body Members
D. Public Interest Comments

XV CORRESPONDENCE

XVI RESOLUTIONS

A. Resolution Amending FY 1985-86 Caltrans/TRPA Overall Work Program

B. Resolution Amending Attachment to Ordinance 84-1 ("Projects and Activities That Cannot Be Processed Until Adoption of TRPA Code of Ordinances")

XVII PENDING MATTERS

XVIII SPECIAL WORKSHOP - 10:00 a.m. Thursday, September 26, 1985

Joint Workshop Between TRPA Governing Board Members and Participants in the Consensus-Building Process

XIX ADJOURNMENT

CONSENT CALENDAR

<table>
<thead>
<tr>
<th>Item</th>
<th>Recommended Action</th>
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<tbody>
<tr>
<td>Frybarger Investments, Claim of Vested Right, Placer County APN 90-030-10, TRPA File #85378</td>
<td>Approval</td>
</tr>
</tbody>
</table>
Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III(g) Public Law 96-551
NOTICE OF COMMITTEE MEETING

NOTICE IS HEREBY GIVEN that on Thursday, September 26, 1985, commencing at 9:00 a.m. in the Chateau, 955 Fairway Boulevard, Incline Village, Nevada, the Rules and Regulations Committee of the Tahoe Regional Planning Agency will meet to discuss revision of the Agency’s Rules and Regulations of Practice and Procedure and the Administrative and Fiscal Procedures Manual.

Date: September 17, 1985

By: William A. Morgan
Executive Director
Tahoe Regional Planning Agency

* Rules and Regulations Committee
  Jim King
  Erik Henrikson
  Chester Gibbs
  Tony Clark
  Joe Houghteling, Chairman
MEMORANDUM

September 17, 1985

To: The TRPA Governing Board

From: The Staff

Subject: Consent Calendar - Frybarger Investments,
Claim of Vested Right, Placer County
APN 90-030-10, TRPA File #85378

This item has been continued for further review of the application.

SES:jf
9/17/85

CONSENT CALENDAR
MEMORANDUM

September 16, 1985

To: Governing Board Members

From: Agency Staff

Subject: Caltrans, Highway 89 Channelization and Widening, Tahoe City, Placer County, TRPA File #84600

The subject item was originally scheduled to be heard by the Governing Board at the regularly scheduled meeting of July 24 and 25, 1985. Prior to the scheduled hearing, the applicant requested a 60 day continuance for the project. The purpose of the continuance was to allow ample time for the applicant to meet with the Tahoe City Advisory Committee (TCAC) to resolve pending concerns expressed by the TCAC.

Included as "Exhibit A" of the attached staff summary is a memo submitted by Caltrans regarding the most recent meeting with the TCAC. As set forth in the subject memo, the TCAC passed a motion to go on record to the TRPA in support of the project. The required actions and findings, including recommended conditions of approval, contained in the original project staff summary remain the same.

RA:cs
9/16/85

AGENDA ITEM VI
Project Name: Caltrans, Highway 89 Channelization and Widening, Tahoe City, Placer County, TRPA File #84600

Application Type: Public Works

Applicant: California Department of Transportation (Caltrans)

Location: California State Route 89, Tahoe City from the junction of Route 28 to 0.2 mile north of Fairway Drive.

Review Per Section:

1. Subparagraph D(12), Preliminary Injunction (specific project exemption)
2. Section 3.00, Ordinance 84-1 (Article V(g) findings)
3. Section 4.30(2), Ordinance 84-1 (Review of Other Pending and New Projects)
4. Section 4.12(d), California Side Land Use Ordinance (Public Works Projects)
5. Section 4.31(1) and (2), Ordinance 84-1 (Review Criteria)

Proposal Description: This project would extend the continuous left-turn channelization to include the driveways to commercial operations and provide left-turn channelization at road approaches and the driveway to the Caltrans Maintenance Station. Eight-foot shoulders would extend from the beginning of the project area to where the existing bike path starts and will be designated as bike lanes. Beyond that, the south shoulder would remain eight feet to the Caltrans Maintenance Station driveway and the shoulder on the north would be four feet to better fit existing conditions. The area between the highway and the right-of-way line on the river side would be revegetated and protected from vehicle traffic. In addition, Sierra Pacific Power Company and Pacific Bell are proposing to replace existing overhead utilities within the project area with underground conduit, vaults, cables, and padmount transformers. The proposed utility undergrounding includes installation of the following items:

- 12 Cable Vaults
- 5 SPPCo Vaults (48"Wx72"Lx84"D)
- 5 PT&T Co. Vaults (35"Wx65"Lx24"D)
- 1 SPPCo Box (17"Wx30"Lx24"D)
- 1 PT&T Co. Box (17"Wx30"Lx24"D)

The proposed utility undergrounding has been identified in the Placer County mandated program to replace existing overhead utilities with underground facilities.

RA:mlm
7/16/85
At the request of Placer County, a transit bus turnout has been incorporated into the project south of Station 12 + 75. The addition of this facility necessitated relocating the foot path (walkway) in that area.

At the request of an existing rafting rental operator, an asphalt concrete foot path has been added between the existing foot path and the State's Right-of-Way line south of Station 15 + 40.

**Existing Facility:** The project area begins at the Route 89/28 intersection, which currently has signals and channelization. The roadway transitions from two lanes in each direction at the intersection to one lane each direction just north of the intersection. The left-turn lane at the intersection extends north a short way from the intersection as a continuous left-turn lane to provide storage for traffic turning into the rafting company parking area. Further north, the roadway is two lanes with a varying width paved shoulder.

The existing right-of-way is 100 feet or more through the project limits except where the roadway passes through the 64-acre tract of Federal land. In this area, there is a 60 foot right-of-way plus an additional 20 foot temporary easement on the north.

**Background:** Route 89 at this location is a two-lane conventional highway with varying width paved shoulders running parallel and adjacent to the Truckee River.

There have been a series of events since 1975 that have affected the development of this proposed project. For many years, the area of state owned right-of-way on the south side of Route 89, between the highway and the Truckee River, has been used for parking. In 1975, the County of Placer was granted an encroachment permit from Caltrans authorizing the construction and maintenance of a parking lot on the state's right-of-way between the highway and the Truckee River. The permit for parking was issued on a "non-exclusive" basis. Subsequently, an encroachment permit was issued to a raft rental business to construct and maintain that parking lot. To date, the parking lot has not been constructed and parking continues on the unpaved surfaces.

At the present time, there are two commercial rafting companies operating in the area, under permits issued by Placer County. One of the conditions of these permits limits the number of rafts a company may rent. This limit is based, in part, on available parking space.

The area has become popular with rafters, who enter the Truckee River at this location and raft downstream. In the summer months, it is not unusual for all the state's right-of-way plus adjoining National Forest land to be used for parking.

7/16/85
Caltrans, Highway 89 Channelization and Widening,
Tahoe City, Placer County, TRPA File #84600
Page Three

During the time this area between the highway and the river has been used for parking, a Lake Tahoe Basin Water Quality Plan (208 Plan) has been developed and adopted by the Tahoe Regional Planning Agency and California Regional Water Quality Control Board, Lahontan Region. The 208 Plan considers the Truckee River at Tahoe City as a third order (major) stream and describes the stream environment zone as a buffer strip 100 feet on either side of the stream. The plan also places restrictions on disturbances within stream environment zones. One restriction is that no structure shall be located within the minimum buffer strip for the stream.

This section of Route 89 traverses a 64-acre tract of National Forest land. The proposed project would require additional right-of-way from this 64-acre tract. The U. S. Forest Service's Tentative Development Plan for the 64-acre tract indicates that the area, which is traversed by Route 89, will be stabilized (revegetated) between the highway and the Truckee River. This area to be stabilized is currently being disturbed by motorized vehicle parking.

On August 31, 1983, Caltrans held a public meeting in Tahoe City to describe the proposed project and get opinions and comments from the public. There were favorable comments concerning the widening to provide channelization but unfavorable comments about the removal of parking that is currently within the right-of-way.

On September 26, 1983 at a Tahoe City Public Utility District board meeting, the proposed project was discussed, but no action was taken. The Utility District maintains a bike path in the area between the highway and river.

Staff Analysis:

Land Capability District/Land Coverage: The majority of the project site is located within land capability district 1b, stream environment zone (SEZ). Although the applicant is proposing to install an additional 33,000 sq. ft. of asphalt paving, the majority of the new paving will be located over existing disturbed, compacted areas. Furthermore, the applicant is proposing to revegetate approximately 109,000 sq. ft. of existing disturbed and compacted area (approximately 3 to 1 ratio).

7/16/85

AGENDA ITEM VII B.
Water Quality: The proposed project includes installation of drainage inlets with sediment traps and curb and gutter conveyance systems, which combined with the proposed revegetation, will result in a substantial reduction in the amount of sediment currently discharging into the Truckee River. As the proposed 33,000 sq. ft. of new asphalt will be installed over existing compacted areas, no water quality mitigation fee is required.

Transportation: Goal 4, Policy 1 of the Transportation System Management Subelement of the amended Regional Plan urges improvements to transit system attractiveness through an aggressive bus pullout/shelter construction program, and this project incorporates a bus turnout. Additionally, the Regional Highway System Subelement encourages highway capacity increases through operational improvements to SR 89 between Tahoe City and Truckee. Finally, Goal 1 of the Nonmotorized Subelement urges the development of bicycle and pedestrian facilities, which are provided for in this project.

TRPA staff analysis, including a computer run of the roadway/air quality model, indicates that the extension of the existing left turn lane, the addition of eight-foot shoulders, and the elimination of access and egress conflicts related to the otr highway parking, should increase capacity along this segment by approximately 15%, and reduce congestion accordingly. Assuming identical traffic volumes, this capacity improvement would represent up to an 8% reduction in carbon monoxide emissions. There would be no significant change in oxide of nitrogen emissions.

Parking: This project will involve the revegetation of approximately 109,000 square feet of compacted and disturbed land area currently used for parking. As set forth previously, the primary users of this parking area have been commercial rafting operations. For the 1985 rafting season, it is staff's understanding that all applications to Placer County for commercial rafting permits have included provisions for off site parking.

With respect for the need for parking for private individuals interested in sightseeing and recreation in the Tahoe City area, the staff recommends that the Tahoe City Advisory Council (TCAC), the Chamber of Commerce, the County (both Planning and Public Works), and local merchants work together with the TRPA to identify a suitable and appropriate long range parking program for Tahoe City.

Interagency Involvement:

In the past several months there have been a series of meetings involving Agency staff, Caltrans, Placer County Public Works, USFS LTBMU, Tahoe City Public Utility District (TCPUD) and TCAC to discuss the issues regarding the project.
The purpose of these meetings has been to determine the needs of each agency or interest and attempt to resolve outstanding issues regarding the project and its effects on traffic safety, parking, water quality, and recreation. Also discussed were:

1. Effect of USFS plans for the 64 acre tract and possible conflicts between that plan and this project.

2. Whether parking could continue on the road shoulder.

while the long range parking issues in Tahoe City have not yet been resolved, the USFS has indicated their support for the project (copy attached), which occurs on National Forest lands within the 64 acre tract. In addition, the USFS has stated that they will not allow parking to occur on these lands beyond this current summer.

Article V(g) Findings (Section 3.00, Ordinance 84-1): The following is a list of the V(g) findings as set forth under Section 3.00 of Ordinance 84-1. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

1. The project is consistent and complies with the CTRPA and Agency ordinances, maps, rules, regulations and policies in effect on August 25, 1983 where said ordinances, maps, rules, regulations and policies are not inconsistent or in conflict with the amendments to the regional plan adopted by this ordinance. In the event said ordinances, maps, rules, regulations or policies are inconsistent or in conflict with said amendments to the regional plan, the Agency shall find that the project is consistent and complies with said amendments to the regional plan.

The project is being reviewed under Section 4.12(d) California Side Land Use Ordinance and is consistent and complies with the amendments to the Regional Plan.

2. The project has been processed in accordance with the Agency's Rules and Regulations of Practice and Procedure.

The project is properly before the Governing Board for consideration. Proper application and fees have been submitted.
3. With respect to projects for which an environmental impact statement has not been prepared, the project, including compliance with the conditions of approval, will not have an adverse significant, individual or cumulative impact on the environment.

An environmental checklist has been completed for the project and said checklist concludes that the project will not have an adverse, significant, or cumulative impact on the environment.

4. The establishment, maintenance and operation of the project will not be detrimental to the health, safety, peace, comfort or general welfare of the Lake Tahoe Region.

There is no evidence suggesting that the project will be detrimental to the health, safety, peace, comfort, or general welfare of the lake Tahoe Region.

5. The project is consistent with the goals and policies of the Water Quality, Transportation and Air Quality, Conservation, Recreation, Public Services and Facilities and Implementation Elements of the Regional Plan, as amended.

a. Water Quality - The project includes mitigation measures to ensure compliance with the TRPA 208 Water Quality Plan.

b. Transportation and Air Quality - The project proposes work which will improve both air quality and circulation within the region.

c. Conservation - The project does not propose any work which will be in conflict with the Conservation Element of the amended Regional Plan.

d. Public Services and Facilities - The project is consistent with the goals and policies of the Public Services and Facilities Element of the amended Regional Plan.

e. Implementation - The project is consistent with the development and implementation priorities set forth in the Implementation Element of the amended Regional Plan.

f. Preliminary Injunction - The Preliminary Injunction contains a specific exemption for this project (Paragraph 12).
Required Actions and Findings: To approve the project, the Governing Board must take the following actions and make the following findings:

I A motion for a finding of no significant effect with direction to staff to prepare the necessary certification document to be included with the permit.

II A motion to approve the project subject to the following findings and conditions:

A. Findings:
   1. The V(g) findings listed on Attachment K.
   2. The project, as proposed, is consistent with the transportation element of the amended Regional Plan.

B. Conditions:
   1. The standard conditions listed on Attachment D with the following modifications:

Delete:

20. Water Conservation Devices
21. Water Heater Standards
22. Space Heater Standards
23. Wood Stove Standards

Add:

37. Caltrans will include in the contract for this project these conditions, or comparable conditions, that are appropriate to include in a contract.
Dear Bill:

This letter will summarize a recent meeting between members of your and my staff, Tahoe City Public Utility District, Cal-Trans, and Placer County concerning the proposed Tahoe City Cal-Trans highway widening project. At that meeting, we expressed our support for the Cal-Trans project, which occurs on National Forest lands in the "chimney portion" of the 64 Acre Tract.

To our knowledge, some members of the Tahoe City Advisory Council have expressed opposition to the project. The opposition that we have heard expressed centers on two points: that the area to be surfaced is unnecessarily large, and that the proposal should be postponed until other plans for the Tahoe City area are completed.

The project was discussed at length at the recent meeting as to asphalt coverage and the proposed erosion control and landscaping measures which will provide an attractive barrier between the highway and the bicycle trail. The present area between the bicycle trail and road shoulder is delineated by barriers, and consists of an unsightly strip of compacted dirt which serves as a parking area for the public recreation on the river and for some customers of the rafting businesses. It is our position that the widening project will not only lessen traffic congestion, but provide for better water quality by substituting asphalt surfacing and landscaped mounds for the present compacted strip which is heavily used. Because the Cal-Trans project cannot be started before next season, we have agreed to allow Placer County to continue to manage it as a parking area for this year only. We do not intend to continue that use beyond this year, however.

While it is true that some of the plans for the Tahoe City area will be finalized in the upcoming year, including that of the 64 Acre Tract, we do not feel that this is reason enough to postpone those projects which will be of immediate benefit to the community and to water quality. The main loss to the community seems to be that some existing parking will be eliminated due to the project. This loss will occur on the National Forest lands within the project boundaries, in any event. Moreover, parking is an issue that must be faced in plans addressing the Tahoe City area, and the commercial rafters are, in fact, handling this issue in a variety of innovative ways.
We feel that last week's meeting was productive and informative, and that the project is worthy of support in that it will ease some of the traffic congestion, improve the water quality of the Truckee River, and improve visual quality with the installation of the landscaped mounds between the bicycle path and highway shoulder.

Sincerely,

Ralph Cisco

Forest Supervisor

cc: Sam Johnson, Cal-Trans
    John Maccoun, Placer Co. Department of Public Works
    Sandy Coombs, Tahoe City Public Utility Department
    Ron Treabess, Tahoe City Advisory Council
    Erik Henrikson, Supervisor, Placer County
MEMO TO FILE

September 6, 1985

Subject: Tahoe City Advisory Committee Meeting

On September 4, 1985, Tahoe City Advisory Committee held their regularly scheduled meeting at 7:00 p.m. in the Pepper Tree Inn in Tahoe City.

Caltrans was on the agenda for a presentation of the project and to answer questions.

Support of the project was voiced by Sandy Hogan and Bob McDowell, USFS; and John Krogsrud, Placer County. Eric Henrikson, Supervisor, also expressed his support.

Opposition was voiced by Dewey Cedarblade concerning nonconference to the Urban Design plan.

Dissatisfaction was also voiced about lack of sand clean-up on roadway and maintenance of DI's.

Parking problems of Tahoe City was also discussed.

Motion was made and passed that TCAC (MAC) go on record to the TRPA board as supporting the project, with stipulations concerning sand problems and five-year guarantee on planting and revegetation.

Cliff Dunn
Associate Transportation Engineer
Traffic Operations Branch B
MAC - 6 Members including Vint Kapp, attorney
Eric Heinrich - Pla Co. Supervisor & Member of TRPA Law
John Krogerud - Pla Co. Dept of Pct, Water
Sandy Hogan - USFS Tahoe Basin Unit
Bob McDowell
Paul Whiting
Jim Johnson
Brian Smith
Chad Dunn
Renee Stinard
Debbie Cerridono - Interested Public
9-10 Persons
MUNICIPAL ADVISORY COUNCIL
(TAHOE CITY ADVISORY COUNCIL)

COMMITTEE PURPOSE:

Advise the Bd/Sups on matters of concern which relates to the Tahoe City area, including but not limited to land use, public health, safety, public works, law enforcement and recreation.

COMMITTEE COMPOSITION:

Composed of seven (7) members which shall reside in the Tahoe City area as shown as Exhibit 'A' on Resolution 85-86. Members shall serve 2-year terms. Council established March 29, 1985 (Reso 85-86).

COUNTY CONTACT PERSON:

Erik Henrikson, Supervisor
(H. 583-3393) - 823-4641
Don Lunsford - 823-4641

COMMITTEE CONTACT PERSON:

Cindy Gustafson, Sect. - 583-9319
or Walter Kass, Chairman - 583-2859

COMMITTEE MEETINGS:

First and third Tuesday of each month at 7:00 p.m.
at Tahoe City Public Utility District Office

COMPENSATION:

Members shall receive no compensation for their services.
MEMORANDUM

September 16, 1985

To: TRPA Governing Board
From: Agency Staff
Subject: Pepper Tree Inn, Placer County

The appeal of Staff decision regarding a new swimming pool enclosure has been withdrawn by the applicant. An exemption from the Preliminary Injunction to allow our Agency to process this application was granted on September 5, 1985 provided that 2,300 square feet of coverage is removed and the site is retrofitted to comply with the 208 Plan.

The applicant has agreed to these conditions and has since reapplied to the Agency.
MEMORANDUM

September 16, 1985

To: TRPA Governing Board
From: Agency Staff
Subject: Selection of Consultant for Preparation of an EIS for the Sierra Pacific Power Company/Sacramento Municipal Utility District Intertie Transmission Project, TRPA File #85030

The TRPA recently obtained an exemption from the Preliminary Injunction to accept an application from Sierra Pacific Power Company (SPPCo) and Sacramento Municipal Utility District (SMUD) for the purpose of preparing an EIS regarding a proposed intertie power transmission project through the Tahoe Basin. Under Section 6.6(b) of the Agency's Rules and Regulations, if the Agency desires to use a contractor to assist in EIS preparation, it must select that contractor through a competitive process. Only the Governing Board may waive this rule.

SPPCo and SMUD are currently using EDAW consultants as their consultant for preparation of the CEQA EIR and NEPA EIS for the subject project. The Forest Service, as lead federal agency, is also using EDAW to prepare the EIS for its needs. The idea is that one entity is responsible for providing the environmental impact information for all agencies, similar to what was done for the STPUD treatment plant EIS.

Agency staff feels that EDAW holds a competitive edge over other consultants qualified to assist with development of a TRPA EIS, so much so that it will be impossible to get serious competing bids. Furthermore, by getting involved as we are, much later in the process than we would normally be, makes it more reasonable to take advantage of the work already done, rather than select a firm with the difficult task of catching up. We, of course, would require the analysis and documentation be provided to our satisfaction including both range of alternatives and factors to consider as well as the depth of analysis we need upon which to base our findings.

Therefore, staff requests that the Governing Board authorize the staff to pursue a sole-source contract with EDAW, based upon the fact that they are the only qualified contractor available to the Agency within a reasonable time frame and cost. The staff would then proceed to develop an acceptable contract/MOU and scope of work between TRPA, EDAW, SPPCo and SMUD.

RA:cs
9/16/85

AGENDA ITEM VIII
Show Cause Hearing: Donald Steinmeyer/Lakeside Tennis Club/David Marelich, Unauthorized Construction of a Swimming Pool and Deck, 955 Tahoe Boulevard, Incline Village, Washoe County

Property Owners: Tahoe Sierra Development/Donald Steinmeyer

Site Location: 955 Tahoe Boulevard, Incline Village

Land Capability Classification: Class 6 and 1B (stream environment zone), TRPA zoning for this property is Recreation.

Violation Description: On April 29, 1985, TRPA staff received an anonymous complaint stating that a swimming pool had been installed at the Lakeside Tennis Club during the preceding weekend. Inspection of the site showed that excavation work had taken place, and a 28' x 12' fiberglass pool had been set in place. In addition, a concrete deck had been constructed surrounding the pool, creating a total of 1,600 square feet of new land coverage. No permit or approvals had been obtained for this project from TRPA or the Washoe County building and Health Departments. Washoe County has posted a stop work order on the site.

Staff Action to Date: This matter was initially heard at the July 24, 1985 Governing Board meeting. At that time Agency staff presented an outline of the situation surrounding the unauthorized pool. Mr. Steinmeyer and his attorney, Mr. Menchetti responded to questions from the Board and from Executive Director Bill Morgan. The Governing Board continued discussion of the matter to the August meeting where possible Governing Board actions were discussed. The involvement of the general contractor, David Marelich, was considered and the Board decided that due to his direct involvement in installing the pool, he should be officially notified and named in the show cause hearing. The hearing was continued to the September Governing Board meeting.

Mr. Marelich and Mr. Steinmeyer have been notified of the continued hearing (see attached letters of August 30, 1985). Past staff summaries have set forth the basic facts of the matter and the August summary has been included for your reference.

Agreement has been reached with Mr. Steinmeyer on a proposal to retain the pool, substantially reduce coverage and complete 208 Water Quality improvements. Three thousand eight hundred and seventy-nine (3,879) square feet of existing coverage would be removed and the Agency would allow a credit for two thousand, seven hundred (2,700) square feet of coverage previously removed. 208 Water Quality improvements would be completed in conjunction with the coverage removals. Agreement has not been reached on the sum of a monetary penalty. Staff feels that a ten thousand dollar ($10,000) penalty is appropriate. Mr. Steinmeyer's position is that his penalty should be less than that figure.

SC:mlm
9/17/85

AGENDA ITEM IX A.
Staff has discussed the matter as recently as September 13th with Mr. Marelich. He has stated that his involvement was at the direction of Mr. Steinmeyer and that Steinmeyer had told him that he had all the necessary permits, including TRPA's, for the pool construction and for grading prior to May 1st. He assumed he was the second contractor on the job, the first being the contractor who did the required signing of the permit. Mr. Marelich has further stated that until Washoe County posted a stop work order on the site he was unaware that permits had not been issued for the project and that he immediately ceased work when notified.

**Staff Recommendation:** In matters of this nature it is recommended that the Agency seek a remedy through the person in direct control over the property on which the violation occurs. Otherwise the Agency can find itself with the difficult task of determining relative fault if others are involved. Also in most instances, there will be measures required to be carried out on the property. Persons without control over the property would not necessary have the right to do work on the property. We believe $10,000 is an appropriate penalty for Mr. Steinmeyer's offense.

Depending on the evidence presented by Mr. Marelich and Mr. Steinmeyer and/or others at the Governing Board meeting, an additional monetary penalty in lieu of litigation may be recommended for Mr. Marelich. At this time we do not have enough evidence to make a recommendation in his case.

Therefore, staff recommends the following: Mr. Steinmeyer retains the pool and deck, removes 3,879 square feet of existing coverage; a credit would be given for 2,700 square feet of previously removed coverage; 208 water quality improvements are completed; and a monetary penalty in the amount of $10,000 would be paid to the TRPA by Mr. Steinmeyer. The above items to be completed within sixty days.
Show Cause Hearing: Donald Steimemeyer/Lakeside Tennis Club, Unauthorized Construction of a Swimming Pool and Deck, Unauthorized Timeshare Subdivision Project, and Unauthorized Parcelling of Property, 955 Tahoe Boulevard, Incline Village, Washoe County

Property Owners: Tahoe Sierra Development/Donald Steimemeyer

Site Location: 955 Tahoe Boulevard, Incline Village

Land Capability Classification: Class 6 and 1B (stream environment zone), TRPA zoning for this property is Recreation.

Violation Description: On April 29, 1985, TRPA staff received an anonymous complaint stating that a swimming pool had been installed at the Lakeside Tennis Club during the preceding weekend. Inspection of the site showed that excavation work had taken place, and a 28' x 12' fiberglass pool had been set in place. In addition, a concrete deck had been constructed surrounding the pool, creating a total of 1,600 square feet of new land coverage. No permit or approvals had been obtained for this project from TRPA or the Washoe County Building and Health Departments. Washoe County has posted a stop work order on the site.

Staff Action to Date: This matter was initially heard at the July 24, 1985 Governing Board meeting. At that time Agency staff presented an outline of the situation surrounding the unauthorized pool. Mr. Steimemeyer and his attorney, Mr. Menchetti responded to questions from the Board and from Executive Director Bill Morgan. The Governing Board continued discussion of the matter to the August meeting and directed staff to contact David Marelich, the general contractor involved in the matter and to work with Mr. Steimemeyer in resolving this enforcement action.

Staff has corresponded with Mr. Steimemeyer (see attached August 1, 1985 letter). He was informed, in writing, of the Governing Board action to continue and was advised of possible avenues of resolution. In the letter he was told that the Agency would consider proposals to reduce existing land coverage on parcels other than the subject property. The parcel would have to be owned by him or under his direct control and within the same watershed as the parcel with the unauthorized pool. Only currently existing coverage would be considered for coverage reduction credit. The coverage reductions must meet current requirements under the Federal Court Injunction which are one for one (1600 sq. ft. added - 1600 sq. ft. to be removed), plus 10% of the existing nonconforming coverage. Mr. Steimemeyer was further advised that a proposal meeting the above requirements and other 208 Plan requirements to retain the pool does not avoid the probability of payment of a penalty which would be determined by the Governing Board.

SC:mlm
8/21/85
AGENDA ITEM XI A.
Other items referred to in the Agency's letter were parcelization on APN 127-031-13 and timeshare conversions on that parcel and on two other parcels. Mr. Steinmeyer was asked to provide information on these matters and to contact the Agency for further discussions prior to the August Governing Board meeting.

Continued Agency investigation has shown that the parcelization has been reversed. Staff has also learned that some of the timeshare units have been sold. Washoe County directed that the reversal take place and Lynn Luman, Administrator of the Nevada Division of Real Estate advised that his agency will not allow timeshare sales to continue upon request by this Agency. Parcelizations are prohibited and timeshare conversions require review and approval by this Agency. At this time the Preliminary Injunction does not allow the Agency to deal with timeshare conversions. No further action beyond requesting that the Division of Real Estate disallow sales is recommended on this issue.

Staff contacted Mr. Steinmeyer on August 16, 1985 to determine if he had a response to the TRPA August 1 letter. He had not contacted us as of that time. During our telephone conversation we discussed two alternative proposals by Mr. Steinmeyer for a settlement. The proposals were to be sent to us on Monday, August 19. A staff member was sent to Incline Village on that day to pick up the proposals but upon later contacting Mr. Steinmeyer by telephone, we were told that the written proposal would not be ready until Wednesday the 21st. We then asked him to meet with staff on Tuesday the 20th so that we would have an opportunity to discuss them before this summary was sent out.

During the meeting we discussed many aspects of this matter. Mr. Steinmeyer said that he had found out that some of the 208 Plan requirements were installed in 1980, leaving some work remaining. We have not been provided any substantiation of this claim, but will continue to meet with Mr. Steinmeyer to clarify the situation and work on possible solutions prior to the Board meeting. Because at this writing we do not have it, his written proposal for resolution will be given to the Board at the meeting.

The areas for settlement being discussed include: substantial coverage reductions on site and off site within the same watershed; completion of the remainder of the 208 requirements; and a monetary penalty. We hope to have a complete proposal for the Board at its meeting. Staff feels that the proposals merit discussion before the Board and therefore staff recommendations at the end of this summary reflect possible courses of action by the Board.

At the Governing Board's request, staff followed up on their initial discussions with David Marelich, the Nevada contractor who installed the unauthorized pool. During our interview with him, he stated that he had a verbal agreement with Mr. Steinmeyer to install the pool and that he did so with the assurance from him.
that a TRPA permit had been obtained for both the pool and for grading before May 1st. He further stated that until Washoe County posted a stop work order on the site he was unaware that permits had not been issued for the project. Mr. Marelich has said that he will be present and available for questions at the Governing Board meeting.

An important point here is that in Washoe County, building permits on commercial property must be signed by a licensed contractor, as the owner of a commercial property cannot act as an owner/builder. Review of a pool project is required by a number of departments and agencies in Washoe County including Building, Health, Engineering, Planning and the utility district. Ordinarily, only qualified pool companies install pools.

Staff Recommendation: Pending receipt of a written proposal from Mr. Steinmeyer, staff's recommendation will cover two alternatives. The first is that the Board consider the proposal for settlement we are confident we will have for presentation at the Governing Board meeting. The proposal will meet the ordinance requirements for replacement of nonconforming coverage (reduction of coverage on a basis of one for one plus ten percent of the nonconforming coverage), and 208 installation plus a substantial monetary penalty in lieu of civil litigation to be shared by Mr. Steinmeyer and Mr. Marelich. Halting of timeshare sales must also be included.

The second alternative recommendation is that the Board take the following action:

1. require that the pool, deck and all pool equipment be removed within thirty (30) days;
2. that a $10,000 penalty, in lieu of civil litigation, be paid jointly by Mr. Steinmeyer and Mr. Marelich within 15 days;
3. that the site be restored and revegetated within 45 days; and
4. if compliance is not obtained on these items, Agency legal counsel shall be directed to commence civil litigation in this matter.

NOTE: Replaced by recommendation of September 17, 1985.
August 30, 1985

Mr. David Marelich
P. O. Box 5468
Incline Village, NV 89450

Subject: Unauthorized Pool and Deck, Lakeside Tennis Club

Dear Mr. Marelich:

At the August 29, 1985 Governing Board meeting, the TRPA Governing Board heard testimony on the matter of the unauthorized pool and deck at the Lakeside Tennis Club. The Board directed staff to officially notify you that your involvement in the matter would be the subject of a portion of this continued hearing at the September 25, 26 1985 meeting. You will be sent an agenda for the meeting during the week of September 9, 1985.

At the September Governing Board meeting the Board may find that you were in violation of Agency Ordinances and direct you to pay a monetary penalty in lieu of civil litigation. It is in your best interest that you prepare for the meeting with this in mind.

It would be advantageous if we could arrange a meeting within the next few weeks with all of the parties in this matter to possibly iron out a resolution. Please contact me if this is agreeable to you.

Sincerely,

[Signature]

Steve Chilton
Chief, Enforcement Division

SC:cs

cc: Attorney General
Washoe County Building Department
Geno Menchetti
Jim King
Don Steinmeyer
August 30, 1985

Donald Steimeyer  
P. O. Box S  
Incline Village, NV  89450  

Subject: Unauthorized Pool and Deck, Lakeside Tennis Club

Dear Mr. Steimeyer:

At the August 29, 1985 Governing Board meeting the TRPA Governing Board heard testimony on the matter of the unauthorized pool and deck at the Lakeside Tennis Club. After some discussion on the matter the Board agreed to continue the matter to the September 25, 26 1985 meeting to allow sufficient time for the contractor involved to be properly notified. You will be sent an agenda for the meeting during the week of September 9, 1985.

At the September Governing Board meeting the Board may find that you were in violation of Agency Ordinances and direct you to pay a monetary penalty in lieu of civil litigation. It is in your best interest that you prepare for the meeting with this in mind.

It would be advantageous if we could arrange a meeting within the next few weeks with all of the parties in this matter to possibly iron out a resolution. Please contact me if this is agreeable to you.

Sincerely,

Steve Ehlton  
Chief, Enforcement Division

cc:  David Marelich  
     Geno Menchetti  
     Attorney General  
     Washoe County Building Department  
     Jim King
August 23, 1985

Mr. D. G. Menchetti
P. O. Box 7100
Incline Village, NV 89450

Dear Mr. Menchetti:

We have received your letter dated August 22, 1985. I apologize for your not receiving a copy of our letter to your client Mr. Don Steinmeyer. You were meant to be copied, but inadvertently were not. I have enclosed a copy of the letter, though I am certain that your client has provided you with one.

In your letter you offer two proposals for settlement of this matter. We feel that they merit further discussion and per Steve Chilton's telephone conversation with you today, you, your client, Steve and Gary Middiff will be meeting at 11:00 a.m. on Monday August 26. It is in the best interests of all involved that we resolve this matter and get on to other matters at hand.

If you have any questions, please do not hesitate to contact me.

Sincerely,

William A. Morgan
Executive Director

SC:mlm
Enclosure

cc: Don Steinmeyer
Bob Kaufman, Tahoe Savings & Loan
August 22, 1985

Mr. William A. Morgan
Executive Director
Tahoe Regional Planning Agency
Post Office Box 8896
South Lake Tahoe, California 95731

Re: Lakeside Tennis Club Swimming Pool

Dear Mr. Morgan:

On July 26, 1985, I wrote you a letter suggesting a method to negotiate a solution. You apparently felt it inappropriate to respond to my suggestion and wrote a letter to my client indicating certain facts you wanted reviewed prior to any meeting. Since that time, Mr. Steinmeyer has talked to various TRPA staff members. I do not believe the matter has been completely resolved, however, Mr. Steinmeyer reports that he believes he and the staff are close to settlement.

Since you deemed it inappropriate to respond to my request putting a proposal in writing, I have no choice but to make our proposal in writing without benefit of your input. We offer two proposals. One would be to remove an additional 1,600 square feet of coverage on the subject property and do $25,000.00 worth of slope stabilization (approximately 4,000 square feet). It is our opinion that this method would bring the subject property more in compliance with your existing standards and would be a large step toward minimizing erosion and nutrient run-off into the Lake.

Alternatively, we offer to remove the 1,600 square feet of additional coverage on the subject parcel and remove an additional 1,600 square feet on the adjoining parcel where 5,400 square feet has already been removed in anticipation of the pool construction and pay a $5,000.00 fine. (We would expect one-half of the fine to come from the contractor.)

In conclusion, I respectfully submit that the last thing TRPA needs is more litigation. I believe that these offers are

341 Ski Way Suite 103  Post Office Box 7100 Incline Village, Nevada 89450  Telephone (702) 831-6326
fair offers and not having receiving any concrete proposals from your Agency, we are attempting once again in good faith to resolve this matter.

Very truly yours,

D. G. MENCHETTI
Counselor at Law

DGM:jl
cc: Mr. Donald Steinmeyer
August 1, 1985

Donald Steinmeyer
P. O. Box S
Incline Village, NV 89450

Subject: Unauthorized Swimming Pool and Deck, Lakeside Tennis Club

Dear Mr. Steinmeyer:

I have received your letter of July 24, 1985 in response to the action taken by the Tahoe Regional Planning Agency Governing Board on July 24, 1985. At that meeting the Board directed staff to work with you towards resolution of this enforcement matter. A 30 day extension of this item was granted with that purpose in mind. This particular matter will again be presented to the TRPA Board at the August 28 and 29, 1985 meeting. Therefore, I would like you to review the following prior to our having a meeting.

If we had received an exemption from the injunction permitting us to review and approve the pool project there would have been certain conditions applicable. One would have been the requirement to install the 208 Plan Water Quality measures. Another would have been reductions in land coverage.

We will consider proposals to reduce existing land coverage on parcels other than the subject property, where the swimming pool was constructed. We are willing to review such a proposal, as long as the parcel is owned by you, or under your direct control and lies within the same watershed. Such proposal can not include land coverage that may have been removed in the past. Only currently existing coverage would be considered for coverage reduction credit.

In addition, any proposal for reduction of existing nonconforming land coverage must be based upon an accurate plot plan and coverage calculations. The parcels owned by you and Tahoe Sierra Development are classed as land capability 6 and 1B (stream environment zone). You are allowed 30% coverage on the class 6 portion of your property, not 50% as indicated on the plot plan that you submitted. Also, the class 1B portion of the property allows only 1% coverage, and must be delineated on the plot plan and figured into the allowable coverage calculations. We need this information in order to inform you just how much coverage would need to be removed.
Current requirements under the Court Injunction would dictate that an application for reduction of existing nonconforming land coverage be filed with this Agency. The coverage reduction would be on a one for one basis (1,600 sq. ft. added - 1,600 sq. ft. to be removed), plus 10% of the existing nonconforming coverage. If you wish to present a case for retaining the pool you will need to show how you would satisfy those requirements and the 208 Plan requirements.

If you are interested in installing the 208 Plan requirements on the property we would be happy to meet with your engineer and explain what is needed.

Your agreement to meet the above described conditions and any other additional water quality measures you may offer in return for keeping the pool does not avoid the probability of payment of a penalty. You should not expect to achieve by illegal means what is not possible under the current rules without being subject to punitive measures. The actual amount of penalty would be determined by the Governing Board.

Additional items that we want to discuss concern recent information of unauthorized parcelization and time share conversions on the Ski Etude and Lakeside Tennis Club properties. Washoe County Planning Department meeting agendas show that these activities may have been reviewed and approved by that agency, without the required review and approval of TRPA. Please provide us with all information concerning these planning matters, since they are directly affected by Agency ordinances, and come under TRPA jurisdiction.

Staff is willing to review your own ideas and proposals regarding this matter. We would like you to review this letter, and then contact Gary Midkiff or Steve Chilton of our office. We can then establish the time and place of a meeting to discuss the matter.

If you should have any questions in the interim, regarding these matters, feel free to call. Also, please note that Tahoe Savings and Loan Association will be made aware of all correspondence and Agency requirements, since they apparently hold title to the property.

Sincerely,

[Signature]

William A. Morgan
Executive Director

WAM:cs

cc:  Bob Kaufman,
     Tahoe Savings and Loan
     Jim King
July 26, 1985

Mr. William A. Morgan
Tahoe Regional Planning Agency
Post Office Box 8896
South Lake Tahoe, CA 95731

Re: Steinmeyer Alleged Violation

Dear Bill:

Pursuant to the thirty (30) day extension given by the Tahoe Regional Planning Agency Board on July 24, 1985, I would like to make the following proposal. We would like to meet with you, appropriate staff members and your counsel at the site on a date to be mutually agreed upon. At that time, we would like to have prepared for you a written proposal setting forth our position and would request that you have a written proposal setting forth specifically the matters that you would require to be accomplished to settle this matter. I hope in doing this that we will each have definitive positions so that we can tell if in fact there is reason to expend more time and effort in going forward. I would like to have this meeting accomplished at least ten (10) days prior to the next Board meeting so that if we differ on our proposals (and I assume that we will), we have a reasonable amount of time to try to work out those differences.

If you or your staff need any additional information from us, please feel free to give this office a call, and I will attempt to provide you with whatever we have.

I thank you in advance for your cooperation.

Very truly yours,

[Signature]

D.G. MENCHETTI
Counselor at Law

DGM/slp
cc: Gary Owen, Esq.
    Don Steinmeyer

RECEIVED
BY
JUL 29 1985
TAHOE REGIONAL PLANNING AGENCY
July 16, 1985

Mr. Donald P. Steinmeyer
P. O. Drawer 5
Incline Village, NV 89450

RE: Unauthorized Swimming Pool Installation

Dear Mr. Steinmeyer:

The installation of a new swimming pool on your property at Lakeside Tennis, 955 Tahoe Blvd., Incline Village was done without plan review or approval from this Department. It is required that this office take action to correct this violation of the Nevada Revised Statutes (NRS) Chapter 444.080 and Nevada Administrative Code Chapter 444.100.

You are hereby notified that you have ten (10) days from receipt of this notice to submit to this office (1) plans, (2) an "Application for Permit to Construct a Swimming Pool" along with the applicable fee of $66.00.

An application is enclosed along with an attachment stating the requirements for plans needed for the construction permit.

Should the conditions above not be met within ten (10) days after receipt of this letter, a misdemeanor citation may be issued to you per NRS 444.120, and each day that conditions are in violation shall be deemed to be a separate offense.

Should you have any questions, please feel free to call.

Sincerely,

DAVID J. MINDEW
Director, Environmental Health Services

By

BOB L. TANKERSLEY
Public Health Environmentalist

c.c. Ed Dannan, Deputy District Attorney

1001 EAST NINTH STREET / P.O. BOX 11130, RENO, NEVADA 89520 (702) 785-4290
WASHOE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER
June 25, 1985

Mr. William A. Morgan  
Executive Director  
Tahoe Regional Planning Agency  
P. O. Box 8896  
South Lake Tahoe, CA 95731

Dear Mr. Morgan:

This will acknowledge receipt of your letter outlining the agenda in our negotiations relative to the pool installation at Lakeside Tennis Club.

Please be advised that we have commissioned the survey you requested on the two properties that have been the subject of our negotiations.

While this survey is being completed, I suggest that someone from your offices, that can evaluate 208 considerations on these properties, meet with us as soon as convenient to discuss possibilities. By meeting with us now we may be able to accelerate the planning which could lead to an early settlement of this matter.

Thank you for your continued cooperation.

Sincerely,

Donald T. Steinhemeyer  
President

DPS/pc
June 19, 1985

Donald Steinmeyer
P. O. Box S
Incline Village, NV 89450

Subject: Lakeside Tennis Club, Unauthorized Pool and Patio

Dear Mr. Steinmeyer:

On June 17, 1985 a meeting was held at the Tahoe Regional Planning Agency (TRPA) offices to discuss the unauthorized swimming pool installed at the Lakeside Tennis Club in Incline Village. In attendance were yourself; your attorney Geno Menchetti; TRPA Executive Director Bill Morgan; TRPA Enforcement Division Chief Steve Chilton; and Administrative Assistant Julie Frame. Items discussed were:

1. Who was responsible for the pool project.
2. Past occurrences relevant to the current situation.
3. Latitude afforded the Agency in resolving enforcement matters.
4. Show cause hearing before TRPA Governing Board and staff's possible recommendations.
5. Settlement alternatives.
6. Who has control over the property now.
7. Present conformance of the property with the 208 Plan.
8. Temporary security for the equipment shed.
9. Continuation of the matter until a future Governing Board meeting.

It was agreed that you would arrange to survey the property, produce site plans showing land coverage which exists compared to what is authorized and a proposal for 208 Plan retrofitting of the property. Agency staff will assist you to develop an effective 208 Plan for the tennis club. When that information is complete we will meet again and discuss the options available in resolving the situation.
It was agreed you could install temporary protection around the electrical and pumping equipment for security and safety purposes.

The matter has been continued to a future Governing Board meeting to allow sufficient time to produce these plans and proposals. When we are satisfied with the documentation and proposal for settlement we will reschedule the matter for action by the Governing Board.

Please contact Steve Chilton or myself if you require any further information on this matter.

Sincerely,

[Signature]

William A. Morgan
Executive Director

WAM:cs

cc: Geno Menchetti
June 6, 1985

TAHOE REGIONAL PLANNING AGENCY

Tahoe Regional Planning Agency
P. O. Box 8896
South Lake Tahoe, California 95731

Attention: Bob Pavich

Dear Bob:

On April 23, 1985, I was approached by Don Steirmeyer of Incline Village regarding the installation of a swimming pool at Lakeside Tennis Club. At that time, he told me he had the permit to put in the pool, and that it would be a rush job for the opening of the Club in a week or so.

With that understanding, we entered into a verbal agreement to install the pool as soon as possible. I was able to locate a pool through Blue Dolphin Pools in Reno and by the weekend of April 27-28, we installed the pool at the Club. I paid for all material and labor needed to complete the job through my company.

Again, it was with the assurance from Don Steirmeyer that he had the necessary permit that I proceeded with the work. It wasn't until the Washoe County Building Department put a Stop Work Order on the job that I found out there was no valid permit.

If I can be of further assistance, please don't hesitate to contact me.

Sincerely,

David P. Marelich
Owner

DPM: sm
MEMORANDUM

September 17, 1985

To: The TRPA Governing Board

From: The Staff

Subject: Status Report on Consensus-Building Process

At its August meeting, the Governing Board expressed certain concerns about the consensus-building process and asked the staff to communicate these concerns to the consensus-building workshop. Specifically, the Board was concerned that the workshop group was trying to address too many issues in too much detail, creating timing problems and other problems for the Board.

Bill Morgan told the workshop about the Board's concerns at the consensus-building sessions on September 9 and 10. The workshop members shared the Board's concerns to a great degree and agreed on two methods to deal with them. First, the consensus-building group established a drafting committee to work on the exact language of agreements as they are reached. Second, the group agreed to break up into small groups more frequently for the purpose of generating options more efficiently.

At the September 9-10 meeting, the consensus-building group decided to leave the issue of regulation of impervious coverage for now, and move on to the issue of regulating the rate of single family development in the Region. The group felt that it had gone as far as it could with the coverage issue at that time. At the September 18-19 meeting at Granlibakken, the group plans to wrap up the rate of single family development issue; review all previous agreements (on the Regional Plan Framework, level of detail in Plan Area Statements, and coverage sub-issues); and prepare for the September 26 joint workshop with the Board.

Minutes of all the consensus-building meetings are being forwarded under separate cover. If you have any questions on the process, please contact Gordon Barrett, Dave Ziegler or Bill Morgan at (702) 588-4547.
MEMORANDUM

September 16, 1985

To: The TRPA Governing Board
From: The Staff
Subject: Reconsideration of Ordinances

Attached are copies of ordinances introduced and adopted with emergency findings at the regular August 29, 1985 meeting. While these ordinances were effective immediately upon adoption, the Agency's Rules and Regulations of Practice and Procedure (Section 4.9) require that any ordinance adopted as an emergency be reviewed by the Governing Body at its next regular meeting, and any comments of the county and incorporated city governing bodies and their respective civil legal advisers be considered at that time.

Copies of these ordinances were transmitted to local governments with requests to submit any comments by September 25. As of this date, no comments have been received. No Governing Board action is necessary unless the Board wishes to take additional action based on any comments received prior to the date of the meeting.

Attachments
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 85-2

AN ORDINANCE AMENDING ORDINANCE NO. 84-1 OF THE TAHOE REGIONAL
PLANNING AGENCY AMENDING THE REGIONAL PLAN AMENDING PLAN AREA
STATEMENT #027 (WOODVISTA) TO INCLUDE CERTAIN PUBLIC SERVICE
USES AS AN ALLOWED USE, AND PROVIDING FOR OTHER MATTERS PROPERLY
RELATING THERETO.

The Governing Body of the Tahoe Regional Planning Agency does ordain as
follows:

Section 1.00 Findings

1.10 It is necessary and desirable to amend Ordinance No. 84-1 of the
Tahoe Regional Planning Agency, amending the Regional Plan, to
amend Plan Area Statement 027 Woodvista to refine and clarify its
policy guidelines in regards to certain public service uses.

1.20 As required by law, the Governing Body of the Tahoe Regional
Planning Agency, prior to the adoption of this ordinance,
conducted a duly noticed public hearing, at which hearing all
persons desiring to present oral testimony or documentary
evidence were permitted to do so.

1.30 This ordinance is necessary and desirable to promote, and is
reasonably related to, the public health, safety and general
welfare of the Lake Tahoe Region, complies in all respects,
procedural and substantive, with the Tahoe Regional Planning
Compact and the regional plan, as amended, ordinances, rules,
regulations and policies of the Tahoe Regional Planning Agency,
and is necessary to effectuate and implement the same.

1.40 By virtue of the nature and purpose of the provisions of this
ordinance, this ordinance will not have a significant effect on
the environment of the Tahoe Region and is thus exempt from the
requirement of preparation of an environmental impact statement
pursuant to Article VII of the Tahoe Regional Planning Compact,
as amended.

Section 2.00 Amendment to Plan Area Statement 027 - Woodvista

The Special Direction section of Plan Area Statement 027 is
hereby amended to read as follows:

<table>
<thead>
<tr>
<th>New Language</th>
<th>Old Language</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>The maximum density is one unit per lot or parcel of record.</td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td>Commercial uses are a low priority.</td>
<td></td>
</tr>
<tr>
<td>Public Service</td>
<td>Libraries are an allowed use.</td>
<td></td>
</tr>
<tr>
<td>Tourist</td>
<td>Tourist uses are low priority.</td>
<td></td>
</tr>
<tr>
<td>Recreation</td>
<td>Outdoor recreation compatible with residential uses is acceptable.</td>
<td></td>
</tr>
</tbody>
</table>
Section 3.00  Interpretation and Severability

The provisions of this ordinance and the amendments to the regional plan adopted by this ordinance shall be liberally construed to effect their purposes. If any section, clause, provision or portion of this ordinance or said amendments is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance or said amendments, as the case may be, shall not be affected thereby. For this purpose, the provisions of this ordinance and said amendments are hereby declared respectively severable.

Section 4.00  Effective Date

This ordinance shall be effective immediately upon second reading adoption.

FIRST READING: August 29, 1985

SECOND READING ADOPTED WITH EMERGENCY FINDINGS: August 29, 1985

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at a regular meeting held August 29, 1985, by the following vote:

Ayes:  Ms. Becker, Mr. Stewart, Mr. Pruett, Ms. Roberts, Mr. Hibdon,
       Mr. Henrikson, Ms. Twedt, Mr. Westergard, Mr. Houghteling,
       Mr. Gibbs, Mr. Hansen

Nays:  None

Abstain: None

Absent: Mr. Reed, Mr. King, Mr. Haagen

Chairman Stanley G. Hansen
Tahoe Regional Planning Agency
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 85 - 3

AN ORDINANCE AMENDING ORDINANCE NO. 84-1 OF THE TAHOE REGIONAL
PLANNING AGENCY AMENDING THE REGIONAL PLAN; EXTENDING THE EFFECTIVE
PERIOD OF THE PLAN AREA STATEMENTS AS INTERIM POLICY GUIDELINES;
AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

The Governing Body of the Tahoe Regional Planning Agency does ordain as
follows:

Section 1.00  Findings

1.10  It is necessary and desirable to amend Ordinance No. 84-1 of the
Tahoe Regional Planning Agency, amending the Regional Plan, to
extend the effective period of the Plan Area Statements as
interim policy guidelines until Plan Area Statements are amended
as required by Section 2.12.

1.20  As required by law, the Governing Body of the Tahoe Regional
Planning Agency, prior to the adoption of this ordinance,
conducted a duly noticed public hearing, at which hearing all
persons desiring to present oral testimony or documentary
evidence were permitted to do so.

1.30  This ordinance is necessary and desirable to promote, and is
reasonably related to, the public health, safety and general
welfare of the Lake Tahoe Region, complies in all respects,
procedural and substantive, with the Tahoe Regional Planning
Compact and the regional plan, as amended, ordinances, rules,
regulations and policies of the Tahoe Regional Planning Agency,
and is necessary to effectuate and implement the same.

1.40  The extension of the effective period of the Plan Area Statements
as interim policy guidelines is necessary to allow for the
complete evaluation of the Plan Area Statements, both
individually and cumulatively. Numerous public hearings have
been held and will continue to be held within the individual Plan
Areas so that all interested persons and entities may testify and
participate in the adoption of the Plan Area Statements as final
land use regulations. Due to great public interest, said public
hearings have taken more time and will continue to take more time
than foreseen at the time of the adoption of Ordinance No. 84-1.
1.50 By virtue of the nature and purpose of the provisions of this ordinance, this ordinance will not have a significant effect on the environment of the Tahoe Region and is thus exempt from the requirement of preparation of an environmental impact statement pursuant to Article VII of the Tahoe Regional Planning Compact, as amended.

Section 2.00 Amendment Extending Effective Period of Plan Area Statements

Subsection 2.12 of Ordinance No. 84-1 of the Tahoe Regional Planning Agency is hereby amended to read as follows:

2.12 Plan Area Statements

The document entitled Draft, Regional Plan for the Lake Tahoe Basin, Part I: Plan Area Statements, Tahoe Regional Planning Agency, is adopted as an interim policy guideline, until the Plan Area Statements are amended as required by this paragraph. The Governing Body shall amend said document and the Plan Area Overlay Maps referred to in subsection 2.13(1), pursuant to at least one duly-noticed public hearing, the subject of which hearing shall be the adoption of said document and said maps, as they may be amended, as final land use regulations.

Section 3.00 Interpretation and Severability

The provisions of this ordinance and the amendments to the regional plan adopted by this ordinance shall be liberally construed to effect their purposes. If any section, clause, provision or portion of this ordinance or said amendments is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance or said amendments, as the case may be, shall not be affected thereby. For this purpose, the provisions of this ordinance and said amendments are hereby declared respectively severable.
Section 4.00  Effective Date

This ordinance shall be effective upon adoption after first reading if emergency findings are made to waive second reading. If said emergency findings are not made, this ordinance shall be effective immediately upon second reading.

FIRST READING:  August 29, 1985

ADOPTED WITH EMERGENCY FINDINGS:  August 29, 1985

PASSED and ADOPTED by the Governing Body of the Tahoe Regional Planning Agency at a regular meeting held August 29, 1985, by the following vote:

Ayes:  Mr. Stewart, Mr. Pruett, Ms. Roberts, Mr. Hibdon, Mr. Henrikson, Ms. Tweddle, Mr. Westergard, Mr. Houghteling, Ms. Becker, Mr. Gibbs,

Nays:  None

Abstain:  None

Absent:  Mr. Reed, Mr. King, Mr. Haagen

Chairman Stanley G. Hansen
Tahoe Regional Planning Agency
MEMORANDUM

September 16, 1985

To: TRPA Governing Board
From: Agency Staff
Subject: TRPA/Caltrans 1985-86 Overall Work Program Amendment

Enclosed you will find the TRPA/Caltrans 1985-86 Overall Work Program Amendment. The Amendment reflects the addition of three tasks to be performed in the transportation planning effort for the Tahoe Basin. These tasks will be reviewed by the Finance Committee and will need to be endorsed by resolution.

If you have any questions, contact Leif Anderson or Jim Brennan at (702) 588-4547.
TAHOE REGIONAL PLANNING AGENCY
FISCAL YEAR 1985-86 OMP

WORK ELEMENT: 201.05 - Section 8, TTD SRTP Review and Update

OBJECTIVE: To revise and update TTD's Short Range Transit Program to account for changing operational and financial conditions, as well as TRPA's Regional Plan update.

PREVIOUS WORK: Prepared maintenance policies and facility plan, implementation plans, project control plan and financial plans in anticipation of the passage of a sales tax election in the fall of 1984. Conducted operations planning consistent with adopted TRPA Regional Plan.

TASKS: See Attached.

PRODUCTS: Revised SRTP (5 year program for capital and operating expenditures) for FY 1986-87 through 1990-91, reflecting review of goals, policies, operations and finances.

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<td>2. Review Plan &amp; Existing Conditions</td>
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<td>5/150</td>
<td>20/800</td>
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<td>3. Gather Data/Conduct Analysis (i.e. develop service improvement and financial alternatives)</td>
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<td>10/300</td>
<td>230/9200</td>
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<td>4. Prepare/Review Draft SRTP</td>
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5. Prepare Final SRTP  

6. Presentations to Boards/Committees  
   10/200  3/100  25/1000  1300

Total  100/2000  33/1000  375/15,000  18,000

TIME LINE

TASK

Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun

1. 

2. 

3. 

4. 

5. 

6. 

A. Review Plan/Existing Conditions

The consultant should review the existing SRTP, the existing RTP and existing Basin transit operations. Consultant should also become familiar with Basin entities and their roles pertinent to the project.

B. Gather and Present Data

The consultant should gather necessary existing data to update portions of the SRTP identified below and bring issues to the TTD TAC technical review sub-committee; TTD TAC; and TTD Board for input and concurrence.

C. Conduct Analysis/Prepare Draft Report

1. Introduction

- Bring background data up to date;
- Ensure goals/policies are coordinated with TRPA RTP update;
- State existing objectives and completion status/dates;
- Determine if additional objectives are necessary, develop measurable ones and present for review, input and concurrence;
- Review, reaffirm and revise goals, objectives and policies as necessary.
2. Existing Systems Description

- Update existing data describing each operator by functional area;
- Identify system deficiencies/needs by functional area (operations, capital equipment/facilities, marketing/planning, administration/management).

3. Service Improvement Alternatives

- Develop alternatives (using various funding and operating scenarios) to address goals and objectives and identified system deficiencies by functional area;
- Include information on ridership projections for each alternative.

4. Financial Plan

- Update/revise existing financial data and projections;
- Prepare various financial scenarios corresponding to alternative improvement plans, stating all issues and assumptions.

5. Recommendations

- Revise/prepare recommended service improvement plan, corresponding five-year financial program and specific implementation steps with a time frame(calendar for each.

D. Prepare Final Report

The draft should be revised to respond to comments from the TTD TAC technical review sub-committee, the TTD TAC and TTD Board. One original and nine (9) copies of the final report should be submitted.
TAHOE REGIONAL PLANNING AGENCY
1985 - 86 WORK PROGRAM

CATEGORY: 100 - PLAN IMPLEMENTATION
SUB-CATEGORY: 101 - TRANSPORTATION
WORK ELEMENT: 101.06 - TTD FINANCIAL SUPPORT

OBJECTIVE: TO ASSIST THE TTD IN OBTAINING A CONTRACT FIRM/POSITION TO ASSIST IN ADMINISTERING AND/OR COORDINATING THE SCHEDULED SALES TAX ELECTION EFFORT IN 1986. ALSO, THESE FUNDS MAY BE USED TO HELP ADMINISTER THE DAILY ACTIVITIES OF THE TRANSIT DISTRICT. THE LOCAL MATCH IS TO COME FROM THE 1985-86 FUNDS APPROPRIATED TO THE TTD FROM THE STATE OF NEVADA.

PRODUCTS:
- A WORK PROGRAM DESIGNED TO PROMOTE THE SHORT RANGE TRANSIT PROGRAM FOR THE PURPOSES OF GAINING SUPPORT OF THE TRANSIT DISTRICT SALES TAX ELECTION
- AN EMPLOYEE OR CONTRACTOR RESPONSIBLE AS STAFF TO THE TAC AND TTD BOARD
- AN EMPLOYEE OR CONTRACTOR RESPONSIBLE FOR COORDINATING THE EFFORTS OF THE TAC, TTD BOARD AND TRPA STAFF WITH RESPECT TO ACHIEVING THE GOALS OF THE SRTP AND THE TRPA TRANSPORTATION PLAN

TASKS
- PREPARE A WORK PROGRAM FOR THE PURPOSES OF GAINING SUPPORT OF THE TRANSIT DISTRICT SALES TAX ELECTION
- BEGIN IMPLEMENTATION OF THE WORK PROGRAM TO GAIN SUPPORT OF THE SALES TAX ELECTION
- COORDINATE THE EFFORTS OF THE TAC, TTD BOARD AND TRPA STAFF WITH RESPECT TO ACHIEVING THE GOALS OF THE SRTP AND TRPA TRANSPORTATION PLAN

FUNDING SOURCES: EXPENDITURES:

STATE SUBVENTION $20,000 TTD CONTRACTOR OR EMPLOYEE $28,572
NEVADA MATCH $8,572

$28,572
TAHOE REGIONAL PLANNING AGENCY
1985 - 86 WORK PROGRAM

CATEGORY: 400 - ENVIRONMENTAL MONITORING

SUB-CATEGORY: 401 - TRANSPORTATION

WORK ELEMENT: 401.03 - HIGHWAY SYSTEM DATA BASE

OBJECTIVE: THE TRPA NEEDS TO UPDATE ITS DATA BASE WITH RESPECT TO THE EXISTING HIGHWAY SYSTEM. UPDATES ON VEHICLE MIX, TRIP END SUMMARIES AND TRIP GENERATION ESTIMATES PERTINENT TO THE UNIQUE LAND USES IN THE TAHOE BASIN NEED TO BE DOCUMENTED.

PRODUCTS:
- AN INVENTORY OF VEHICLE TYPES IN THE TAHOE BASIN
- AN INVENTORY OF 49 STATE vs. 50 STATE VEHICLES ON THE ROAD
- AN INVENTORY OF AUTOMOBILE FLEET BY YEAR
- AN INVENTORY OF UNIQUE LAND USE TRIP GENERATION FIGURES
- A TRIP END SUMMARY TABLE.

TASKS:
- CONDUCT AN INVENTORY OF VEHICLE TYPES (e.g., AUTOMOBILES, LIGHT DUTY TRUCKS)
- CONDUCT AN INVENTORY OF VEHICLES THAT ARE 49 STATE vs. 50 STATE POLLUTION CONTROL EQUIPPED
- CONDUCT AN INVENTORY OF VEHICLE FLEET BY YEAR
- CONDUCT TRIP GENERATION STUDIES FOR UNIQUE LAND USES
- CONDUCT A TRIP END SUMMARY TABLE FOR CALIBRATION OF THE TRPA MODEL

FUNDING SOURCES
---------------------
STATE SUBVENTION $14,000
LOCAL MATCH $6,000
---------- $20,000

EXPENDITURES
-------------
TRPA SENIOR 0.25 P.M.
TRPA ASSOC. 0.25 P.M.
TRPA ASSIS. 1.0 P.M.
TRPA TECH. 6.0 P.M.
---------- $20,000
MEMORANDUM

September 16, 1985

To: The TRPA Governing Board
From: The Staff
Subject: Projects Approved at Staff Level

Because of the delay in hooking up the computer in the new TRPA office, a report on projects approved at staff level has not been included in the packet for this month. A two-month update will be presented to the Board in October.
WHEREAS, the Tahoe Regional Planning Agency (TRPA) has been designated the Regional Transportation Planning Agency for the California portion of the Tahoe Basin; and

WHEREAS, all Regional Transportation Planning Agencies are eligible for California State Subvention Funds; and

WHEREAS, the TRPA assembled an Overall Work Program for Fiscal Year 1985-86 which identifies work elements and tasks to be performed for that fiscal year; and

WHEREAS, the Overall Work Program incorporates the comments of State of California Department of Transportation; and

WHEREAS, the TRPA has prepared an Overall Work Program amendment which incorporates an additional $34,000 in State Subvention Funds and a $13,000 UMTA Section 8 planning grant.

NOW, THEREFORE BE IT RESOLVED that the TRPA Governing Board submits a FY 1985-86 Transportation Planning Overall Work Program amendment to the California Department of Transportation and the California Transportation Commission.

PASSED AND ADOPTED THIS ______________ day of September, nineteen hundred and eighty five by the Governing Board of the Tahoe Regional Planning Agency by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENTES:

Stanley G. Hansen, Chairman
Tahoe Regional Planning Agency

AGENDA ITEM XVI A.
TAHOE REGIONAL PLANNING AGENCY
RESOLUTION NO. 85-

AMENDING DOCUMENT ATTACHED TO ORDINANCE 84-1 ENTITLED "PROJECT REVIEW UNDER ADOPTING ORDINANCE"

WHEREAS, on April 26, 1984 the Governing Board adopted Ordinance Number 84-1, which included an attached document entitled "Project Review Under Adopting Ordinance", which set forth activities and projects not to be processed until adoption of the Tahoe Regional Planning Agency Code of Ordinances; and

WHEREAS, said document may be amended by resolution pursuant to Section 3.40(2) of Ordinance Number 84-1; and

WHEREAS, restraining orders in California/League to Save Lake Tahoe v. Tahoe Regional Planning Agency have enjoined Tahoe Regional Planning Agency from approving any projects or construction under the amended regional plan from May 1, 1984 until the present; and

WHEREAS, Tahoe Regional Planning Agency has delayed adoption of the Code of Ordinances for over one year pending resolution of the above-referenced litigation; and

WHEREAS, the plaintiffs and Tahoe Regional Planning Agency have, and continue to, exempt various projects and activities from the injunction to mitigate the impact of the court order; and

WHEREAS, due to the length of the unforeseen delay in finalizing the Code of Ordinances it has become necessary and desirable to process applications for certain projects and activities which were originally to be delayed; and

WHEREAS, the Goals and Policies document of the amended Regional Plan provides sufficient guidance and standards for review, in addition to which standards and conditions are provided in the orders granting exemptions from the Preliminary Injunction; and

NOW, THEREFORE, BE IT RESOLVED THAT, in view of the foregoing circumstances, the document entitled "Project Review Under Adopting Ordinance" be, and hereby is, amended to delete certain items and add certain clarifications as noted on Exhibit "A", attached hereto and incorporated herein by reference.
PASSED AND ADOPTED by the Governing Body of the Tahoe Regional Planning Agency on _____________ by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Stanley G. Hansen, Chairman
Tahoe Regional Planning Agency

AGENDA ITEM XVI B.
PROJECTS AND ACTIVITIES THAT CANNOT BE PROCESSED UNTIL ADOPTION OF TRPA CODE OF ORDINANCES*  
(Appendix A)

1. **Transfers-of-land-coverage**

2. Reconstruction of structures creating nonconforming density or a use, nonconforming if reconstruction exceeds 50% of replacement value.

3. Division of land for tourist accommodation units.

4. Changes in shorezone tolerance district based on man-modified designation.

5. Extensions for grading after October 15 except for emergencies and/or erosion control projects.

6. Tree removal or harvesting within streams environment zones, land capability districts 1, 2, and 3, or on areas of 5 acres or more, unless exempt under applicable memorandum of understanding (MOU) or where determined by Agency staff to be dead, dying, diseased, hazardous or necessary for the health of the forest.

7. Tree removal for solar access.

8. Tree removal for purposes of enhancing scenic viewpoints from public roadways.

9. Permits for new livestock grazing.

10. Prescribed burning, unless exempt under applicable MOU.

11. Landscaping with other than approved species listed in Handbook of Best Management Practices.

12. Modifications to stream channels or other uses that may physically alter the natural characteristics of a stream, except stream improvement projects.

13. Modifications to wetlands, except the creation of artificial nesting sites for waterfowl.

14. **Approval-for-the-use-of-holding-tanks-or-other-no-discharge-systems.**

15. **Approval-of-sewage-spill-contingency-plans.**

16. Approval for the use of pesticides, except use in connection with prevention and eradication of structural pests such as termites and carpenter ants in buildings, which is exempt from Agency review. Also excepted is use of pesticides for mosquito abatement, treatment of plague sources, control of park beetles and treatment of other pests that are detrimental to public health and to the preserving of wildland conditions.
17. New development requiring water unless it is demonstrated that there is adequate water supply with an existing water right.

18. New development that does not employ appropriate devices to conserve water and reduce water consumption.

19. New development requiring water unless there exists adequate storage and distribution systems to deliver adequate quantity and quality of water for domestic consumption and fire protection.

20. Transfer of a single family residence or commercial allocation issued under the amended regional plan.

21. Transfers of development rights except in conjunction with settlement of litigation or enforcement.

22. Projects that are not included in Phase I Priorities in the amended regional plan.

23. Redevelopment projects.

24. New piers, mooring buoys—or-other-foreshore/nearshore-structures.

25. Structural repairs to nonconforming structures in the nearshore and foreshore unless the applicant agrees to remove the nonconforming structure by 1999.


28. New designations of areas for use of off road vehicles.

29. New signs, except where provided under existing MOU’s.

30. New aviation facilities.


32. Increases in noise levels from the Lake Tahoe Airport.

33. Disturbance within stream environment zones or the removal of riparian vegetation, except as necessary to implement stream enhancement of fish and wildlife enhancement projects subject to plans approved by TRPA staff and as may be otherwise permitted by Policy #1, Goal #4 of the Land Use Subelement, Land Use Element, and Soils and Stream Environment Zone Subelements, Conservation Element of the Regional Plan.

34. Removal of vegetation in the interface between the backshore and foreshore.
35. New projects that restrict public access to the shorezone.

36. New hydroelectric projects.

37. New approvals for snowmobile use, except for private, individual use over the snow only, on existing improved roads where permitted by individual Plan Area Statements.

38. Expansion of existing ski facilities.

39. Density credits.

*Some projects or activities not listed may require individual review to determine if they can be processed.
MEMORANDUM

September 17, 1985

To: The TRPA Governing Board

From: The Staff

Subject: Joint Workshop Between TRPA Governing Board Members and Participants in the Consensus-Building Process

On September 26 at 10:00 a.m., during the Governing Board's meeting at the Chateau in Incline, there will be a special workshop with the participants in the Regional Plan consensus-building process. This workshop will probably last between two and three hours.

At the time of this mailing, the staff and consensus-building participants have not finalized the plans for the workshop. However, there will likely be presentations by Bill Morgan and other participants on the issues addressed to date:

- framework of the Regional Plan
- level of detail in Plan Area Statements
- regulation of impervious coverage for new single family homes pertaining to (a) small lots and (b) enhanced architectural design and siting
- rate of single family dwelling (SFD) development (i.e., allocations for SFD's).

The Board will be given the opportunity to ask clarifying questions and provide feedback on the tentative agreements and the process itself.

If you have any questions on this agenda item, please contact Gordon Barrett, Dave Ziegler, or Bill Morgan at (702) 588-4547.