TRPA
APC
PACKETS

JUNE
1990
NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on June 11, 1990, at the Chateau, 395 Fairway Boulevard, Incline Village, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

June 1, 1990

[Signature]
David S. Ziegler
Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Al Tahoe and Tahoe Valley, California.
All items on this agenda are action items unless otherwise noted.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. DISPOSITION OF MINUTES

IV. PUBLIC HEARING AND RECOMMENDATION

A. Amendment of Code Chapters 2, 4, and 50 Through 55 to Implement the Recommendations of the Report Entitled, "Littoral Structure and Its Effects on the Fish Community of Lake Tahoe" and Staff Recommendations in Regards to Dredging and Setback Lines; Amendment of the Prime Fish Habitat Maps

B. Amendment of Regional Plan Land Capability Overlay Maps (Glenbrook Historic Hamlet Area

C. Amendment of Plan Area Statements 085, 089B, 791, 092, and 093 Along the Montreal Road Extension

D. Amendment of Public Services Facility List 1990-1994 for Incline Village Community Center

E. Finding of Technical Adequacy and Recommendation on Certification of the Incline Village Community Center Final EIS

F. Amendment of Boundary Line Between Plan Area Statements 001A and 002 to Include the Grove Street Parking Lot in Plan Area Statement 001A

G. Amendment of Subsection 15.9.G of Chapter 15 (Redevelopment)

H. Adoption of Elks Point Marina Master Plan, Douglas County

I. Amendment of Chapter 4, Project Review and Exempt Activities, to Adopt MOU Between TRPA and Caltrans

V. PLANNING MATTERS

A. Amendment of Chapter 20 (Land Coverage Standards) and Related Chapters Regarding Transfer of Land Coverage for Multi-Residential Facilities

B. TRPA Five-Year Strategy: July 1990 - June 1995
C. Amendment of Article VII of Rules of Procedure Regarding APC Duties

D. Discussion on North Tahoe Public Utility District Dollar Hill to Regional Park Bicycle Trail Draft EIR/EIS

VI REPORTS (No Action)

A. Executive Director
   1. Report on Kelly v. TPPA
   2. Other

B. Legal Counsel

C. APC Members

D. Public Interest Comments

VII PENDING MATTERS

VIII ADJOURNMENT
MEMORANDUM

June 4, 1990

To: Advisory Planning Commission

From: Agency Staff

Subject: Amendment of Code Chapters 2, 4, and 50 through 55 and the Prime Fish Habitat Maps to Implement the Recommendations of the Report Entitled "Littoral Structure and Its Effects on the Fish Community of Lake Tahoe" and Staff Recommendations in Regard to Dredging, Setback Lines, and Other Clean Up Items

PROPOSED ACTION: As a partial follow-up to the December, 1989, APC discussion on proposed shorezone ordinance amendments, TRPA staff is proposing the following ordinance amendments for the APC's consideration. Attachment A contains the exact proposed language and maps showing locations of the additional spawning stream mouths.

- Definitional clarification of boat lift.
- Change in definition of maintenance dredging.
- Clarification of Governing Board review requirements for nonconforming expansions.
- Change in definition of expansion of shorezone structures.
- Match spawning streams in Code and TRPA Prime Fish Habitat Overlay Maps with Overlay Maps showing migratory fish streams.
- Clarification of TRPA setback requirements for piers and buoys.
- Provisions for additional catwalk width on piers within existing pier width limits.
- Measurement criteria for boat ramps.
- Additional jetty and breakwater standards.
- Additional dredging standards.
- Provision for temporary structures during low water periods.
- Prohibitions on siltation of spawning habitat.

At this time staff is not recommending any amendments in regard to prohibitions or additional development in fish habitat or spawning areas. These amendments require further study and analysis and will be scheduled for APC consideration at a later date.

BACKGROUND: After the December APC meeting, staff had planned to bring a complete package of shorezone ordinance amendments back to the APC. However, meetings with the fish study steering committee and other interested parties indicated that the issue of pier construction in fish habitat and spawning areas was not easily resolvable, and there are other issues, such as visual resources and *Rorippa subumbellata*, to be considered. Further environmental documentation is needed. Staff is pursuing this documentation.

GWS:js
6/4/90

AGENDA ITEM IV.A.  -  1
Shorezone Ordinance Amendments
Page Two

In the meantime, it is staff's belief that it would be helpful to TRPA project review staff and applicants to complete the amendment process for the noncontroversial amendments. The amendments noted as clean up in the margin of Attachment A are project review staff's recommended changes to correct the day to day problems of implementing the Code. The dredging amendments (also noted in the margins of Attachment A) are the recommendations of TRPA staff based on the 1989 experience of permitting and monitoring numerous dredging operations. Generally these amendments codify field practices.

CHAPTER 6 FINDINGS: Chapter 6 requires certain findings to be made for Code amendments. The required findings are listed below along with a rationale for making each finding.

1. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code and other TRPA plans and programs.

Rationale: The proposed amendments are further refinements of the existing statutes or are minor regulatory additions recommended by the report "Littoral Structure and Its Effects on the Fish Community of Lake Tahoe" (the Shorezone Fish Habitat Study).

2. The project will not cause the environmental thresholds to be exceeded.

Rationale: The proposed amendments are for the further protection of Lake Tahoe fisheries or are for clarification of existing regulations.

3. Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the compact, the project meets or exceeds such standards.

Rationale: The proposed amendments strengthen water quality standards by adding regulations in regards to siltation and dredging.

4. The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: The amendments provide additional protection by clarifying existing conflicts in the Regional Plan, by implementing recommendations of the Fish Study, and establishing more specific criteria for dredging.

ORDINANCE 87-8 FINDINGS: Ordinance 87-8, Section 2.40, requires certain findings to be made for Code amendments. The required findings and rationale for making each finding are listed below.

6/4/90

AGENDA ITEM IV.A.
1. That the amendment provides for an equal or better means of attainment or maintenance of the thresholds.

Rationale: The proposed amendment provides additional protection for fish spawning habitat in Lake Tahoe and tributary streams.

2. That the amendment is consistent with the Compact and with the attainment or maintenance of the thresholds.

Rationale: The proposed amendment provides clarification and strengthening of regulations consistent with implementation of the Compact and attainment or maintenance of the thresholds for water quality and fish habitat.

3. One or more of the following:

a) There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;

b) That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;

c) That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;

d) That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;

e) That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:

(1) The cost of implementation outweighs the environmental gain to be achieved;

(2) Implementation will result in unacceptable impacts on public health and safety; or

(3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

f) That the provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan Package and complying with the Compact.

6/4/90

AGENDA ITEM IV.A.
Shorezone Ordinance Amendments
Page Four

Rationale: Finding (c) is recommended in that the amendment is designed to respond to new technical and scientific data provided by two years of study. Finding (f) is applicable to the dredging and clean up amendments based on field experience.

ENVIRONMENTAL DOCUMENTATION: Based on the completion of an Initial Environmental Checklist, staff finds the proposed amendments will have no significant effect on the environment.

RECOMMENDATION: Staff recommend that the APC review the proposed amendments, comment as appropriate, and recommend that the Governing Board make the required findings and adopt the ordinance adopting the proposed amendments.
Beach Recreation (Dispersed): Recreation activities associated with a beach that do not require developed support facilities such as road access, picnic sites, or concessions. Dispersed beach recreation usually includes the use of undeveloped shorelines by sunbathers and swimmers where access is limited to foot trails. Dispersed recreation may be supported by sanitation facilities.

Beach Recreation (Intensive): Recreation activities associated with a beach and supported by developed support facilities such as sanitation facilities, parking, picnic sites, and nearshore facilities such as multiple-use piers and buoys.

Bed and Breakfast Facilities: See Chapter 18.

Bedding Planes: In sedimentary or stratified rocks, the division planes which separate individual layers, beds or strata.

Best Available Control Technology: An emission limitation which will achieve the most stringent emission limitation that is achieved in practice by that source. [Amended 5/24/89]

Best Available Retrofit Control Technology: An emission limitation that is based on the maximum degree of reduction achievable, taking into account environmental, energy, and economic impacts by each source. [Amended 5/24/89]

Best Management Practices: Alternative structural and nonstructural practices proven effective in erosion control and management of surface runoff in Lake Tahoe Region.

Blight: See Chapter 15.

BMPs: See Best Management Practices.

Boat Launching Facility: See Chapter 18.

Boat Lift: A mechanical device whose function is to raise and lower water craft in and out of a body of water for temporary storage. Also includes low level boat lift, boat hoist, and boat saddle.

Boat Ramp: A ramp allowing boats to be launched into, or retrieved from, the water.

Body of Water: An area of water, of natural or artificial creation, including but not limited to lakes, harbors, man-made lagoons, reservoirs, ponds and rivers.

Bole: A tree stem that has grown to a thickness capable of yielding saw timber, veneer logs, or large poles.
Lop and Scatter: A slash treatment method where limbs and tops of felled, dead or damaged trees are cut into short lengths and scattered throughout an area without any concentration. The method requires that no portion of the slash shall be more than twenty inches above the ground and that all unmerchantable chunks are scattered.

Lot: See Parcel.

Low Level Boat Lift: A device with forks attached to a pier that reaches under a boat to lift it from the water for temporary storage.

Low Water Elevation: The established lower surface elevation for fluctuation within a body of water. (For Lake Tahoe, the low water elevation is 6223.0 Feet Lake Tahoe Datum.)

Mail Order and Vending: See Chapter 18.

Maintenance: Maintenance is the ordinary maintenance and repair, which is the upkeep, or preservation of the condition of a sign in order to keep the existing sign components, including color, safe, neat and orderly in condition and appearance and to prevent corrosion or deterioration caused by weather, age or other conditions. Maintenance does not include any changes to the sign area which result in a different message, color scheme, or graphic design, or any changes in the external dimensions of the sign or structure. [Amended 9/27/89]

Maintenance Dredging: The dredging of areas that previously have been dredged to maintain authorized lake bottom elevations and authorized dimensions subject to TRPA determination.

Major Arterial: U.S. Highway 50; S. R. 89, California; S. R. 28, Nevada and California; S. R. 267, California; S. R. 431, Mt. Rose, Nevada; S. R. 207 Kingsbury Grade, Nevada; Loop Road (Lake Parkway, Montreal Road from the stateline to Park Avenue, Park Avenue from Montreal Road to Pine Boulevard, and Pine Boulevard to the stateline); Ski Run; Pioneer Trail; Al Tahoe Boulevard; Lake Tahoe Boulevard; Fallen Leaf Lake Road; Tahoe Keys Boulevard; Lake Shore and Country Club Drive, Incline Village, Nevada; Sierra Boulevard; Black Bart; Venice Boulevard; and Village Boulevard.

Major Stream: A continuously flowing water body and its associated hydrologic characteristics, vegetation, fish life and other fauna, and topography. A major stream is usually identified as a permanent stream on a U.S. Geological Survey (USGS) topographic map, 7.5-minute series and are classified by TRPA as third or higher order streams.

Major Structural Repair: See Chapter 52.

Major Use Classifications: The six use classifications listed in the Table of Primary Uses in Section 18.3, being: I. Residential; II. Tourist Accommodation; III. Commercial; IV. Public Service; V. Recreation; and VI. Resource Management.
PROPOSED AMENDMENTS TO CHAPTER 4

VIII. SHOREZONE PROJECTS INVOLVING: Chapter 4, Appendix A

1. Expansion of existing structures, except conforming structures (Chapter 52)

Change to:

Expansion of existing nonconforming structures, except low level boatlift additions and reconfigurations of existing structures to increase conformance (Chapter 52).

Rationale:

The definition of "expansion" includes virtually any modification, reconfiguration or addition to an existing structure. A project involving a simple reconfiguration to bring the structure into conformance with the Code, i.e., changing a "T" shaped pier to a straight pier, or reducing the pier width from 15 feet to 10 feet, is considered an "expansion", and therefore requires Board review. The simple addition of a boatlift on an existing pier is also considered an "expansion". These classes of projects do not warrant Board review and can be satisfactorily dealt with at staff level.
CHAPTER 52
EXISTING STRUCTURES

Chapter Contents
52.0 Purpose
52.1 Applicability
52.2 Definitions
52.3 Existing Structures In The Nearshore Or Foreshore
52.4 Existing Structures In The Backshore

52.0 Purpose: Policy 11, Goal #1 of the Shorezone Subelement, Conservation Element of the Goals and Policies requires that TRPA regulate the maintenance, repair and modification of piers and other existing structures in the nearshore and foreshore. Since some existing structures do not conform to the Code standards for new structures, the policy requires that, for maintenance, repair and modification, the Code set requirements, appropriate for the situation, to correct environmental and navigational problems. This chapter sets forth standards in accordance with that policy.

52.1 Applicability: Structures legally existing in the shorezone or lagoons in the Region prior to the effective date of the Regional Plan or structures legally constructed after the effective date of the Regional Plan, are recognized as existing structures, provided the structure has not been unserviceable beyond the time limits set forth in Subsection 52.3.C. The maintenance, repair, or expansion of existing structures in the shorezone or lagoons shall comply with the provisions of this chapter.

52.2 Definitions: The definitions of the terms listed are as follows.

52.2.A Expansion: An increase-in-size-or-extent— including—an increase-in-the-dimensions-of-a-structure—change-in configuration—of-a-structure— and-the-addition-of-any structure- or- edifice-to-an-existing-structure. For purposes of this chapter, any increase in size, configuration, or dimensions of a structure that affects the weight bearing and strength capacity of the structure.

52.2.B Major Structural Repair: Replacement or reconstruction of, or modification to, the members of a structure that affect the weight bearing or strength capacity of the structure, and the total cost of such repair, including materials and labor, exceeds $5,000.00. Structural members of a pier are members such as piling, crib timbers and rocks, stringer and decking. Rocks placed to create jetties or breakwaters are structural members.
Chapter Contents

54.0 Purpose
54.1 Applicability
54.2 Review Of Support Facilities
54.3 Fish Habitat And Spawning Study
54.4 Piers
54.5 Boat Ramps
54.6 Mooring Buoys
54.7 Floating Docks And Platforms
54.8 Multiple-Use Facilities
54.9 Safety And Navigational Devices
54.10 Structures And Uses In Lagoons And Lakes Other Than Lake Tahoe
54.11 Jetties And Breakwaters
54.12 Marinas
54.13 Shoreline Protective Structures
54.14 Filling And Dredging
54.15 Man-Made Lagoons And Artificial Islands

54.0 Purpose: The Shorezone Subelement, Conservation Element of the Goals and Policies requires TRPA to regulate the placement of new piers, buoys and other structures in the nearshore and foreshore to avoid degradation of fish habitats, creation of navigation hazards, interference with littoral drift, interference with the attainment of scenic thresholds and other relevant concerns. The Goals and Policies also requires TRPA to conduct studies, as necessary, to determine potential impacts to fish habitats and apply the results of such studies and previous studies on shoreline erosion and shorezone scenic quality in determining the number of, location of, and standards of construction for facilities in the nearshore and foreshore. The Shorezone Subelement indicates that provisions should be made to allow multiple-use piers when such uses are intended to reduce the number of single-use piers on adjoining properties. This chapter sets forths standards and provisions in accordance with these policies.

54.1 Applicability: All projects and activities in the nearshore or foreshore of any lake or in lagoons in the Region shall comply with the standards and provisions set forth in this chapter.
Review Of Support Facilities: Whenever review of a structure, use or activity is required pursuant to the terms of this chapter, review shall encompass the structures, uses and activities in the backshore, nearshore, foreshore and on the adjacent littoral parcel to ensure adequacy of all facilities related to the new or expanded structure, use or activity.

Reserved

Fish Habitat And Spawning Study: TRPA shall prepare a study assessing the impacts resulting from the construction and use of structures, including mooring buoys, on fish habitat and spawning areas in Lake Tahoe and the mouths of its tributaries. The study shall also evaluate and recommend methods for restoring fish habitat.

Schedule For Completion Of Study: The study required pursuant to this section shall be completed in accordance with the following schedule:

(1) Funding shall be secured by December 31, 1987.
(2) The final report shall be completed by October 31, 1989.

Reconsideration Of Location Standards: Within 90 days of a determination by TRPA that funding will not be secured by December 31, 1987 or the report completed by October 31, 1989, but not later than January 24, 1990, TRPA shall reconsider the standards set forth in Subsection 54.3.A(2) and (3) for piers, in Subparagraph 54.5.A(2) for boat ramps, in Subparagraph 54.6.A(2) for mooring buoys, and in subparagraph 54.7.A(2) for floating docks and platforms.

Piers: Where otherwise allowed pursuant to Chapters 51 and 52, the placement and design of piers shall conform to the following standards:

Location Standards: Location standards are:

(1) A maximum of one pier may be permitted per existing littoral parcel.
(2) The placement of piers shall be prohibited within 200 feet of the migratory fish stream inlets of the following creeks and rivers:

(a) Third Creek;
(b) Incline Creek;
(c) Wood Creek;
(d) Slaughterhouse Creek;
(a) Upper Truckee River;
(b) Taylor Creek;
(c) Tallac Creek;
(d) Cascade Creek;
(e) Eagle Creek;
(f) Lake Tahoe-tributary-at-mouth-of-Paradise
   Flat Rubicon Creek;
(g) Lonely Gulch Creek;
(h) Meeks Creek;
(i) General Creek;
(j) McKinney Creek;
(k) Quail Creek;
(l) Madden Creek;
(m) Blackwood Creek;
(n) Ward Creek;
(o) Truckee River;
(p) Dollar Creek;
(q) Watson Creek;
(r) Griff Creek;
(s) Baldy Creek; and
(t) Snow Creek.
(u) Glenbrook Creek
(v) Zephyr Creek
(aa) Carnelian Canyon Creek
(bb) Second Creek
(cc) Narlette Creek
(dd) Edgewood Creek
(ee) Burke Creek
(ff) Trout Creek
(gg) Burton Creek

(3) The placement of piers shall be prohibited between
    September 15 to June 15 in areas identified as
    "Feeding And/Or Escape Cover Habitat," "Spawning
    Habitat" or "Areas Targeted For Habitat Restora-
    tion" on TRPA's Prime Fish Habitat map., adopted
    on April 26, 1984.

(4) Piers shall not extend beyond lake bottom eleva-
    tion 6219.0 feet, Lake Tahoe Datum, or beyond the
    pierhead line, whichever is more limiting. The
    pierhead line is established as depicted on the
    TRPA Shorezone Tolerance/Pierhead Line Maps.

(5) Piers shall be placed only within an area that is
    encircled by lines that are parallel to and a
    minimum of 20 feet inward of parcel lines when
    extended inward at right angles from the high
    water-line. The setback for existing piers shall
    be five feet. Piers shall be placed within the
    setback lines established by TRPA. TRPA shall
    establish the setback lines by measuring 20 feet
inward from each property line along the high water line. From this point, a setback line shall be projected lakward and perpendicularr to the tangent of the shoreline. TRPA may adjust angle of projection to compensate for unique circumstances such as a small cove.

(6) The standards set forth in Subparagraphs (1), (4) and (5), above, may be waived for piers recognized by TRPA as multiple-use pursuant to Section 54.8.

54.4.B Design And Construction Standards: Design and construction standards are:

(1) The width of piers shall be a maximum of ten feet, which shall include all appurtenant structures except for a single low-level boat lift and a single catwalk. A catwalk below the level of the main deck, and not exceeding three feet in width by 45 feet in length, may be permitted. Additional width for a single catwalk may be permitted where TRPA finds it is necessary to facilitate barrier-free access but at no time shall the entire width of the pier and catwalk exceed 13 feet. A low-level boat lift with forks not exceeding ten feet in width may be permitted.

(2) Pier decks shall not extend above elevation 6232.0 feet, Lake Tahoe Datum. Boat lifts, pilings, and handrails and other similar safety devices, shall not extend more than four feet above the pier deck. Pier decks may extend up to elevation 6234.0 feet in limited situations where TRPA finds that the additional height is necessary for safety reasons or that local wave characteristics represent a real threat to the integrity of the structure.

(3) To permit free circulation of water, piers shall be floating, or shall be built on an open piling foundation, but in no case shall a pier be supported on a foundation that is less than 90 percent open.

(4) Superstructures shall not be permitted.

(5) Fueling facilities shall not be permitted on piers located adjacent to littoral parcels on which the primary use is residential.

(6) The standards set forth in Subparagraph (1), above, may be waived for piers recognized by TRPA as multiple-use pursuant to Section 54.8.

54.5 Boat Ramps: When otherwise allowed pursuant to Chapters 51 and 52, the placement and design of boat ramps shall conform to the following standards:
54.5.A Location Standards: Location standards are:

(1) A maximum of one boat ramp may be permitted per littoral parcel.
(2) The placement of boat ramps shall be subject to the prohibitions set forth in Subparagraphs 54.4.A(2) and (3).
(3) Boat ramps shall be placed only within the area prescribed in Subparagraph 54.4.A(5).
(4) Boat ramps shall not extend lakeward beyond an elevation of 6219.0 feet, Lake Tahoe Datum, but not to exceed 75 feet in length as measured from high water line except for marine railways, which may be permitted additional length.
(5) The standards set forth in Subparagraphs (1) and (3), above, may be waived for boat ramps recognized by TRPA as multiple-use pursuant to Section 54.8.

54.5.B Design And Construction Standards: Design and construction standards are:

(1) Boat ramps shall not exceed ten feet in width.
(2) Boat ramps shall be constructed from prefabricated materials. Metal grates or rails are the preferred construction material. Pre-cast concrete shall be permitted only when metal grates are infeasible.
(3) The standard set forth in Subparagraph (1), above, may be waived for boat ramps recognized by TRPA as multiple-use pursuant to Section 54.8.

54.6 Mooring Buoys: Where otherwise allowed pursuant to Chapters 51 and 52, the placement and design of buoys shall conform to the following standards:

54.6.A Location Standards: Location standards are:

(1) A maximum of two mooring buoys may be permitted per littoral parcel.
(2) The placement of mooring buoys shall be subject to the prohibitions set forth in Subparagraphs 54.4.A(2) and (3).
(3) Mooring buoys shall not be located any further lakeward than necessary to provide for safe mooring, but not to exceed 350 feet lakeward of the high water line.
(4) Mooring buoys shall be placed only within an area that is enclosed by lines that are parallel to and a minimum of 20 feet inward of parcel lines when extended lakeward at right angles from the high water line.
the setback lines established by TRPA. TRPA shall establish the setback lines by measuring 20 feet inward from each property line along the highwater line. From this point, a setback line shall be projected lakeward and perpendicular to the tangent of the shoreline. TRPA may adjust angle of projection to compensate for unique circumstances such as a small cove.

(5) The standards set forth in Subparagraphs (1) and (3) may be waived for mooring buoys recognized by TRPA as multiple-use pursuant to Section 54.8.

54.6.B Design And Construction Standards: Mooring buoys shall comply with the construction specifications set forth in the California Waterway Marking System or as otherwise recommended by the U. S. Army Corps of Engineers or Coast Guard.

54.7 Floating Docks And Platforms: Where otherwise allowed pursuant to Chapters 51 and 52, the placement and design of floating docks and platforms shall conform to the following standards:

54.7.A Location Standards: Location standards are:

(1) A maximum of one floating dock or platform may be permitted per littoral parcel.

(2) The placement of floating docks or platforms shall be subject to the prohibitions set forth in Subparagraphs 54.4.A(2) and (3).

(3) Floating docks and platforms shall not extend beyond lake bottom elevation 6219.0 feet, Lake Tahoe Datum, or beyond the pierhead line, whichever is more limiting.

(4) Floating docks and platforms shall be placed only within the area prescribed in Subparagraph 54.4.A(5).

(5) The standards set forth in Subparagraphs (1) and (4), above, may be waived for floating docks and platforms recognized by TRPA as multiple-use pursuant to Section 54.8.

54.7.B Design And Construction Standards: Design and construction standards are:

(1) Floating docks and platforms shall not exceed an area of 100 square feet or a dimension along any side of 15 feet.

(2) Floating docks and platforms shall not project more than three feet above the surface of a lake or other body of water.

54 - 6
(3) Floating docks and platforms attached to a pier shall conform to the standards set forth in Subsection 54.4.B.

(4) Superstructures shall not be permitted on floating docks or platforms.

(5) The standard set forth in Subparagraph (1) above, may be waived for floating docks and platforms recognized by TRPA as multiple-use pursuant to Section 54.8.

54.8 Multiple-Use Facilities: Where otherwise allowed pursuant to Chapters 51 and 52, the placement and design of piers, boat ramps, mooring buoys, and floating docks and platforms designed to serve individuals on a multiple- or commercial-use basis shall conform to the following standards. If any such structure is accessory to a marina, the provisions of Section 54.12 also shall apply.

54.8.A Limitations On Single-Use Facilities When Served By Multiple-Use Facilities: No facility shall be approved which is intended for the use of one individual or family and guests if the following circumstances apply:

(1) Proposed Residential Development: Where the littoral parcel is part of a residential land development which is being developed for use by, or sale or lease, to more than one person or family;

(2) Existing Residential Development: Where the littoral parcel is held in common ownership by owners of parcels within a residential land development, or by an association representing them, or by a person for use of such owners; or

(3) Littoral Property Owners Within An Area Of Common Ownership: Where individual lots fronting the shoreline are within a residential land development served by multiple-use facilities, such as described in Subparagraphs (1) and (2) above.

54.8.B Location Standards: Multiple-use facilities shall comply with the location standards set forth in Subsection 54.4.A for piers, Subsection 54.5.A for boat ramps, Subsection 54.6.A for mooring buoys, and Subsection 54.7.A for floating docks and platforms; except that, for facilities recognized by TRPA as multiple-use pursuant to Subsection 54.8.D, the location standards set forth in Subparagraphs 54.4.A(1), (4) and (5), Subparagraphs 54.5.A(1) and (3), Subparagraphs 54.6.A(1) and (3) and Subparagraphs 54.7.A(1) and (4) shall serve as guidelines.
Design And Construction Standards: Multiple-use facilities shall comply with the design and construction standards set forth in Subsection 54.4.B for piers, Subsection 54.5.B for boat ramps, Subsection 54.6.B for mooring buoys and Subsection 54.7.B for floating docks and platforms; except that, for facilities recognized by TRPA as multiple-use pursuant to Subsection 54.8.D, the design and construction standards set forth in Subparagraph 54.4.B(1), Subparagraph 54.5.B(1), and Subparagraph 54.7.B(1) shall serve as guidelines.

Recognition Of Facilities As Multiple-Use: Facilities recognized by TRPA as multiple-use are subject to the following provisions:

(1) Deviation From Standards: Deviation from those standards identified in Subsections 54.8.B and 54.8.C as guidelines for multiple-use facilities, shall be allowed only if TRPA recognizes such facilities as multiple-use. The extent of deviation from the standards shall be approved by TRPA and shall be dependent on:

(a) The reduction in development potential of shorezone facilities associated with the application such that the facility will be shared by other littoral property owners; and

(b) The number of people utilizing the facility or the extent to which the facility is available for general public use.

(2) Reductions In Development Potential: Reductions in development potential shall be established through the recordation by the owner of permanent deed restrictions or other covenants running with the land, reflecting use agreements and development limitations approved by TRPA on the affected properties.

Safety And Navigation Devices: New safety and navigational structures may be permitted only upon the recommendation of the Army Corps of Engineers or the Coast Guard.

Structures And Uses In Lagoons And Lakes Other Than Lake Tahoe: All projects and activities permitted by this chapter in the nearshore and foreshore of Lake Tahoe may be permitted by TRPA in lagoons and other lakes in the region pursuant to the permissible use regulations set forth in the plan area in which the project or activity is located. The location, design and construction standards for such structures shall be determined using the standards in this chapter as guidelines. These standards may be established in memorandums of understanding between TRPA and appropriate homeowner associations.
Jetties, Breakwaters, Rock Cribss And Fences: Jetties, breakwaters, rock cribs, and fences may be permitted as follows:

54.11 A Location: Jetties, and breakwaters, and rock cribs shall not be permitted in locations where beach erosion or loss of sediment from the shorezone is likely. Fences shall not be permitted lakeward of the high water line of any lake or body of water except to protect the health or safety of the general public or to protect property located adjacent to areas of public access to any such lake or body of water from trespass and provided such fences are approved by agencies having jurisdiction.

54.11 B Design And Construction Standards: The design, construction and maintenance of jetties, breakwaters, rock cribs, and fences shall comply with the following standards:

(1) Except as provided in Subparagraph 54.11 B(2), jetties and breakwaters shall have openings which allow adequate free circulation of water and sediment.

(2) No jetty, or breakwater, or rock cribs shall be a solid or nearly solid structure unless TRPA finds that it will not interfere with littoral processes, degrade fish habitat, cause shoreline erosion, or harm water quality or clarity and;

(a) The solid or nearly solid jetty or breakwater is a necessary part of a marina for which TRPA has approved a master plan; or

(b) The solid or nearly solid jetty or breakwater is necessary to protect the safety of persons using a public boat launching facility.

(3) The size, number and locations of openings in jetties or breakwaters shall be sufficient to avoid interference with littoral drift, shoreline erosion, harm to underlying land and harm to water quality and clarity.

(4) Fences in the nearshore or foreshore shall be at least 90 percent open and shall be maintained to be kept free of debris.

(5) All breakwaters shall have rock boulders or other similar material on the lakeward side. Such surface shall be designed to prevent the reflection of waves from it.

(6) Rock and other material for construction of structures permitted under this subsection shall not be obtained within the shorezone or lakezone of lakes in the region.
54.11.C Report: In order to provide the information required for the findings for the structures described in Section 54.11 TRPA shall use the procedures set forth for environmental assessments in Chapter 5.

54.12 Marinas: Marinas may be permitted as follows:

54.12.A Location: Where otherwise permitted by this Code, applications for new marinas and major expansions of existing marinas shall include an EIS pursuant to Chapter 5 and a master plan pursuant to Chapter 16. At a minimum, the EIS shall assess potential impacts on beach erosion, prime fish habitat, water quality and clarity. The EIS also shall determine the public need for such facilities.

54.12.B Boat Access: Marinas are encouraged to provide public boat launching facilities. All commercial and tour boat facilities shall be located within a marina facility.

54.12.C Marina Support Facilities: All new marinas and expansions of more than ten boatslips in existing marinas shall comply with the standards listed below. TRPA may require projects of modifications of existing marinas to comply with these standards as conditions of approval.

(1) Public restrooms, fueling facilities, chemical fire retardant distribution system, trash receptacles, and pump-out facilities for boat sewage shall be provided at commercial marinas and harbors;

(2) Boat washing facilities if any, shall be connected to a sewer system or an acceptable alternate shall be provided;

(3) Gas pumping facilities shall include emergency and standard shut-off systems to avoid gas leakage to the Lake;

(4) Adequate parking shall be provided to accommodate all uses and activities associated with a marina; and

(5) Water treatment system for waters contained within marinas shall be provided.

54.12.D Monitoring Information Requirements: Monitoring of water quality, current patterns and intensities, wind patterns, shore alterations, and any other conditions which may be altered by the construction of the marina may be required by TRPA for a reasonable period after completion of the construction. Remedial measures shall be required to mitigate adverse impacts, when necessary.
Shoreline Protective Structures: Shoreline protective structures may be permitted as follows:

54.13.A Findings: Shoreline protective structures may be approved by TRPA to prevent erosion in the backshore if TRPA makes the following findings:

(1) Structures in the backshore or environmental threshold values will be enhanced by the construction and maintenance of the protective structures;

(2) The protection of structures in the backshore or the enhancement of environmental threshold values more than offset the adverse environmental effects of the construction and maintenance of the shoreline protective structures;

(3) Each protective structure has been designed to be sloping and permeable; provided, however, that this finding is not necessary if TRPA concurrently makes the findings required under Subparagraph 54.13.B(1); and

(4) Each protective structure has been designed so that backshore erosion on adjacent properties will not be accelerated as a result of the erection of the protective structure.

54.13.B Design And Construction Standards: Design and construction standards are:

(1) Sloping permeable revetments are the preferred design for shoreline protective structures. Bulkheads, gabions and other vertical revetments shall not be permitted unless, in addition to the findings required under Subsection 54.13.A, TRPA finds that;

(a) A sloping permeable revetment is not feasible; and

(b) The alternative structure will not cause significant erosion or modification of the foreshore.

(2) Where a shoreline protective structure is necessary, it shall be of sufficient strength and depth to prevent movement of backfill materials into lake waters; and

(3) Shoreline protective structures shall be constructed of natural materials to blend with the surrounding backshore or, if man-made materials are necessary, will be of earthtone colors.
54.14 Filling and Dredging: Filling and dredging are permitted as follows:

54.14.A Artificial Beach Replenishment: If beaches are to be artificially replenished, only nonorganic, chemically and biologically inert material shall be used. The preferred method of beach replenishment is bypass dredging.

54.14.B Filling: There shall be no fill placed in the lakezone or shorezone, except as otherwise associated with approved bypass dredging, shoreline protective structures, or beach replenishment projects, or as otherwise found by TRPA to be beneficial to existing shorezone conditions or water quality and clarity.

54.14.C Dredging: There shall be no removal or rearrangement of materials within the lakezone or shorezone, except at those locations where such removal or rearrangement is found by TRPA to be beneficial to existing shorezone conditions, and water quality and clarity. Maintenance dredging—may—be permitted where TRPA finds it is necessary to continue an existing use. Except maintenance dredging which may be permitted where TRPA finds that the dredging is necessary to continue an existing use and that the dredging is to a previously authorized depth and dimension.

1. Design and construction standards for dredging:

   a. All dredging projects shall utilize suction methods unless it is demonstrated that suction dredging is infeasible.

   b. Dredging projects shall include the utilization of turbidity screens where necessary to prevent potential negative scenic quality and water quality impacts. Turbidity screen design shall follow the specifications outlined in the TRPA Handbook of Best Management Practices.

   c. Surface water discharge limits outlined in Chapter 81 shall apply to all dredging projects. In addition to those limits, no water within the dredging area having a turbidity greater than 20 NTU's shall be permitted to escape the dredging area nor comingle with the waters of Lake Tahoe.
(d) The limits of dredging (depth, width, volume of material removed) beyond maintenance limits, and the finding that dredging will benefit the existing shorzone conditions and water quality or clarity shall be determined by TRPA based upon the following criteria:

(i) Origin and composition of materials to be removed; TRPA staff may require a pre-dredge substrate analysis to determine the above.

(ii) Effects of newly dredged area on littoral processes, material drift, and shoreline erosion.

(iii) Previously authorized dredging depth and dimension.

(2) Dredging Report: Staff may require a dredging report. The dredging report should address origin and composition of materials to be dredged, feasibility of suction dredging, effects of newly dredged area on littoral processes, shoreline erosion, material dispersion, disposal areas, toxic materials, and other related subjects.

(3) Temporary Structures: Where it is found that low lake levels prevent or significantly reduce access to open water recreation and that dredging cannot be permitted pursuant to Subsection 54.14.C., temporary structures that extend beyond lake bottom elevation 6219 or the pier headline may be permitted to facilitate lake access. Permits for the temporary use of structures shall be subject to the provisions outlined in Chapter 7, with the exception that the temporary use of a structure may be extended indefinitely provided that TRPA finds that lake levels remain at or below a level that prevents or significantly reduces lake access. The use of temporary structures in conjunction with single use piers shall not be allowed.

54.14.D Disposal Of Dredged Material: Where dredging, other than bypass dredging, is permitted, spoil materials shall not be deposited in the lakezone or shorzone, in wetlands or within the 100 year flood plain of any tributary to a lake except as provided under Subsection 54.14.B.
54.14.E  Prohibition of Siltation of Spawning Habitat: No dredging, filling, or other project may be permitted which results in the permanent siltation of spawning habitat. Temporary siltation associated with construction activities may be permitted provided that the spawning area disturbed is subsequently restored.

54.15  Man-made Lagoons And Artificial Islands: Construction of man-made lagoons connected to any lake in the Region and artificial islands is prohibited.
MEMORANDUM

June 4, 1990

To: Advisory Planning Commission

From: Agency Staff

Subject: Amendment of Land Capability Overlay Map by Amendment of the Regional Plan; Glenbrook Company, APN 01-070-06,16,17 & 19 and APN 01-190-05, Douglas County, Nevada.

BACKGROUND

The subject property is referred to as the Historic Hamlet area and is located off of Glenbrook Inn Road in Glenbrook, Nevada. These parcels comprise a 38.85 acre area controlled by the Glenbrook Company.

In April 1989, the Glenbrook Company submitted to TRPA a document entitled Glenbrook Plan for TRPA review and action. The purpose of the document was to serve as a master land coverage plan for lands within the Glenbrook subdivision that the Glenbrook Company either owns or controls. One of the components of this plan is the determination of allowable land coverage to be used by the Project Review Division in review of permit applications. Included in the Glenbrook Plan was a soils report done by Grant Kennedy which identified soil map units and land capability districts for the Historic Hamlet area. The land capability classifications are the basis for determination of allowable land coverage. Since the soils and land capability districts identified in the Kennedy report are different than the TRPA Land Capability Overlay Maps a land capability challenge and amendment to the Regional Plan are required to make such changes.

At the suggestion of TRPA staff, the Glenbrook Company filed a land capability challenge for the Historic Hamlet to determine the correct land capability for this area. TRPA staff and its contract soil scientist processed the land capability challenge pursuant to Chapter 20.2.D. The field investigations were conducted in early October 1989 and found the Kennedy report to be a fairly accurate assessment of land capability in the Historic Hamlet area. Based on additional soil and hydrology investigations by the TRPA team of experts, the Kennedy soil and land capability unit boundaries were further refined.
Memorandum to Advisory Planning Commission
Amendment of Land Capability Overlay Map by Amendment of the Regional Plan; Glenbrook Company, APN 01-070-06,16,17 and 19 and APN 01-190-05
Page 2

Based on the soils reports and hydrologic investigation, new land capability districts would be created and there would be areawide adjustments of land capability districts encompassing more than one parcel.

REPORT

The soils report and hydrologic investigations found the soils in the Historic Hamlet to have two land capability districts associated with four different soil types. There are 29.3 acres of land capability class 1b, stream environment zone (SEZ), with the remaining 9.55 acres classified as land capability class 5. The class 5 areas are comprised of both the JgC (Jabu sandy loam, moderately fine subsoil variant, 0 to 9 percent slopes) and JaC (Jabu coarse sandy loam, 0 to 9 percent slopes) soil types. The SEZ areas are defined by two soil types; the Lo (loamy alluvial land) soil type with groundwater at 18 inches and herbaceous riparian vegetation, and the JbD (Jabu coarse sandy loam, seeped, 2 to 15 percent slopes) soil type with evidence of groundwater at 38 to 44 inches and herbaceous riparian vegetation. Based on the depth to groundwater and wet site vegetation, these two soil types are classified as SEZ.

The geomorphic units mapped for this area are E-3 Alluvial lands and E-2 Outwash, Till and Lake Deposits. The areas mapped as E-3 are the SEZ areas and the areas mapped as E-2 are associated with the Jabu, coarse sandy loam soils. The geomorphic unit E-3 is considered high hazard land and the E-2 areas are moderate hazard lands. The geomorphic units will remain as E-3 for the SEZ areas and E-2 for the Jabu, non-SEZ areas. The boundaries of the geomorphic units would change to reflect the adjustments in the boundaries of the SEZ and land capability class 5 areas as depicted on the site plan map on file with TRPA relating to this Regional Plan amendment.

The Historic Hamlet area is mapped as JaC, land capability class 5 and SEZ. The SEZ area, land capability class 1b, is mapped as JaC and Mh soil types.

There will be no new land capability districts created as a result of the recommended amendment to the Land Capability Overlay maps, nor will there be new geomorphic units created. This recommended action will result in boundary line adjustments of both the mapped land capability districts and the geomorphic units.

RECOMMENDATION

Pursuant to Chapter 20.2.E, based on the findings of the soils report, TRPA staff recommends amending the Land Capability Overlay Maps H-10 and H-11 to reflect the land capability districts and geomorphic units as defined in the attached soils report and as depicted on the site plan map on file with TRPA.

6/4/90

AGENDA ITEM IV.B.
REQUIRED FINDINGS

The following is a list of required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, TRPA staff has briefly summarized the evidence on which the required finding may be made.

A. Chapter 6 Findings

1. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements, the Code and other TRPA Plans and programs.

Rationale and Evidence: The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Maps (sheets H-10 and H-11) is consistent with the method set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code and other TRPA plans and programs are anticipated.

2. The project will not cause the environmental threshold carrying capacities to be exceeded.

Rationale and Evidence: The basis on which this finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Advisory Planning Commission hearing and at TRPA. A sample checklist is attached to each Advisory Planning Commission hearing packet for reference.

3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the TRPA Compact, the project meets or exceeds such standards.

Rationale and Evidence: The basis on which this finding can be made is provided in the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist.
indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Advisory Planning Commission hearing and at TRPA. A sample checklist is attached to each Advisory Planning Commission hearing packet for reference.

4. The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale and Evidence: For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.E. Findings

Finding (1): Minimum Area of Land. An amendment of the Regional Plan pursuant to Subsection 20.2.E shall be limited to an area of land five or more acres in size.

The Historic Hamlet area is approximately 38.85 acres in size.

Finding (5)a: Line Adjustments. Areawide adjustments of land capability district boundaries, other than minor adjustments pursuant to Subsections 20.2.C or 20.2.D, which line adjustments, while not creating new land capability districts, may substantially affect permitted land coverages and apply to more than one parcel.

The recommended land capability units will entail areawide boundary line adjustments of the land capability districts. The recommended land capability units are consistent with the land capability classification system as set forth in the Regional Plan. The reconfiguration of these land capability units will result in allowable land coverage that is different than as mapped. These boundary line adjustments affect five parcels in the Historic Hamlet area.

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments to the Land Capability Overlay Maps for the Glenbrook Historic Hamlet area (maps H-10 and H-11) to adjust the boundaries of the land capability units and the geomorphic units as depicted on the site plan map on file with TRPA.

6/4/90
Memorandum to Advisory Planning Commission
Amendment of Land Capability Overlay Map by
Amendment of the Regional Plan; Glenbrook Company,
APN 01-070-06, 16, 17 and 19 and APN 01-190-05
Page 5

Staff recommends:

(1) The Advisory Planning Commission make a finding of no significant environmental impact based on the conditions as stated under Finding A, above required by Chapter 6.

(2) Recommend TRPA Governing Board approval of the proposed amendments to the Land Capability Overlay Maps (H-10 and H-11).
Soil Investigation
for
Glenbrook Historic Hamlet
APN 01-070-05, 16, 17 & 19 and APN 01-190-05
Glenbrook, Douglas County, Nevada

INTRODUCTION:

A soil investigation was done on the parcels comprising the Historic Hamlet owned or controlled by the Glenbrook Company in Douglas County on October 5 and 6, 1989. This property is located within the Glenbrook subdivision. A site plan map accompanying this report shows the boundaries of the two parcels which have a combined area of approximately thirty-nine acres.

The objective of this study was to examine the soils, determine stream environment zones of these two parcels and relate them to Land Capability and allowable coverage as utilized in the Lake Tahoe Basin.

ENVIRONMENTAL SETTING:

In the Soil Conservation Service Soil Survey of the Lake Tahoe Basin the map sheet of the Glenbrook Quadrangle, shows two soil map units occurring on the area investigated. These are JaC (Jabu coarse sandy loam, 0 to 9 percent slopes) and Mh (Marsh). Both map units are classified 1b in the TRPA land capability maps H-10 and H-11. This land capability class qualifies both parcels as stream environment zones. The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps the area within the geomorphic unit E-2, outwash till and lake deposits and E-3, alluvial land. These parcels lie on sediments of a nearly level old lake terrace which appears to have been modified by dissection by drainage ways and subject to redeposition of recent alluvium.

The vegetation on parcel APN 01-070-19 consists of dominantly wet meadow sedges, rushes and riparian hardwoods that occupy the flood plain of Glenbrook Creek and the steep areas in the north portions of the parcel. The center portion of this parcel occupies a topographically higher landform, and thus supports grasses and herbaceous vegetation that are associated with drier sites.

Parcels APN 01-070-06, APN 01-190-18 and the northern portion of APN 01-070-19 has vegetation and landforms which consist of dominantly riparian hardwoods occupying the lower flood plain adjacent to two branching channels of Glenbrook Creek.

The soils on these parcels comprising the Historic Hamlet were formed from deep sediments derived from fine and medium textured old lake deposits and relatively recent alluvium.

PROCEDURES:

The parcels were inspected and soil borings were made with a soil auger to evaluate general taxonomic soil characteristics. Stream environment zones were
identified with the assistance of Robert Erlich, TRPA Hydrologist. Three traverses were made across the parcels for the purpose of identifying soil types, measuring slopes and establishing soil and SEZ boundaries. A total of over 30 soil borings were made to a maximum depth of 45 inches.

A previously prepared soil investigation report by Grant Kennedy, consulting soil scientist, was used as a reference to the soils found on the parcels. Soil pedon descriptions referenced from the Kennedy report were used to describe the soil types found on the parcels, as no significant difference was found between the soil types identified during this investigation and the Kennedy report. Locations of characteristic pedon descriptions and auger borings are included with the attached map.

Color aerial photography from a September 10, 1983 flight was used in this investigation to identify vegetational changes in the landscape to delineate soil map units and SEZ boundaries. The aerial photography used was at a scale of 1:12000 and a more detailed enlargement at 1:1200.

The presence of small diversion ditches in the meadow area probably has some local influence altering the natural soil moisture regime. This is evidenced by wet vegetation species such as rushes and sedges occurring on some of the drier sites. The determination of SEZ areas by the field team was based on plant and soil criteria (the presence of distinct grey mottles or a high water table above 40 inches in the soil profile).

RESULTS:

There are four soil types occurring in the survey area. These are best described by the JgC (Jabu sandy loam, moderately fine subsoil variant, 0 to 9 percent slopes), Jbd (Jabu coarse sandy loam, seeped, 2 to 15 percent slopes), Lo (Loamy alluvial land), and a minor occurrence of Jac (Jabu coarse sandy loam, 0 to 9 percent slopes). In reference to the Kennedy report, "soils identical to those found at Glenbrook meadow were not defined in the Basin however they closely resemble those soils mapped".

The JgC (Jabu sandy loam, moderately fine subsoil variant), occupies the better drained topographical positions in parcel APN 01-070-16,17 & 19. These soils are characterized by being nearly level, well or moderately well drained and overlie lake sediments. The JgC map unit is elongated perpendicular to the lake. It probably is a remnant of an old lake terrace that has since been linearly dissected, on the north and south sides, by the present drainageways. Distinct mottling was found between 20 and 35 inches in this soil. Vegetation within the JgC map unit was identified to be characteristic of a dry site. The soil pedon descriptions identified as 1 and 3 are representative of these soils.
The Jbd (Jabu coarse sand loam, seeped), occupies the more poorly drained lower topographic position of parcel APN 01-070-19. These soils are characterized, within the meadow area, by being nearly level, somewhat poorly to poorly drained and have a high seasonal water table. The soils of the Jbd map unit are probably the result of relatively recent alluvial fill that has also been weathered by the addition of water from the natural seeps or springs in the immediate area. Distinct mottling was found above 20 inches in this soil. A water table at 5 to 15 inches was found in several areas. In addition, several vegetation species of primary SEZ indicators were found to be abundant throughout the Jbd map unit. The vegetative indicators coupled with the soil characteristics classify the area as a SEZ. Soil pedon description 2 is representative of these soils.

The Lo (loamy alluvial land) map unit occupies the most poorly drained convex lower topographic position of the northern portion of the Historic Hamlet area. These soils are characterized by being nearly level, poorly drained and have a high seasonal water table. The soils of the Lo map unit are the result of recent alluvium accumulation caused by flooding of Glenbrook Creek. Distinct mottling was found above 10 inches in this soil. A high water table was also present in several auger borings, at the date of this survey. Additionally, several primary SEZ indicator vegetative species were found in abundance throughout the Lo map unit. The SEZ vegetative species together with the soils characteristics classify this area as SEZ. Soil pedon descriptions 5 and 6 are representative of these soils.

The JaC (Jabu coarse sandy loam) soils occupy the better drained topographic positions on portions of the north boundary of parcel APN 01-070-06 and 19. The map units of this soil occur as edges and transition zones of much larger JaC map units occurring mainly to the north and outside of the survey area.

Conclusion:

Four soil map units that are defined in the Tahoe Basin were identified and delineated on the accompanying site plan map.

The soil map units that were identified together with the associated land capability classifications are as follows:

<table>
<thead>
<tr>
<th>Land Capability Class</th>
<th>Map Unit</th>
<th>Soil Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>JaC</td>
<td>Jabu sandy loam, moderately fine subsoil variant, 0 to 9 percent slopes</td>
</tr>
<tr>
<td>Land Capability Class</td>
<td>Map Unit Symbol</td>
<td>Soil Name</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>1b</td>
<td>JbD</td>
<td>Jabu coarse sandy loam, seeped 2 to 15 percent slopes</td>
</tr>
<tr>
<td>1b</td>
<td>Lo</td>
<td>Loamy alluvial land</td>
</tr>
<tr>
<td>5</td>
<td>JaC</td>
<td>Jabu coarse sandy loam, 0 to 9 percent slopes</td>
</tr>
</tbody>
</table>

Completed by: Russell Almaraz, Soil Scientist  
Robert Erlich, Hydrologist  

Reviewed and approved by: Joseph Pepi; Certified Professional Soil Scientist, ARPACS No. 2372
INTRODUCTION:

A soil investigation was made on September 26 to 28 on Parcels C and 3 of Glenbrook Properties. This work was done at the request of Milton Sharp P.E. for Glenbrook Properties. The objective of this study was to examine the soils and other features of these two parcels, and relate them to Land Capability and allowable land coverage as utilized in the Lake Tahoe Basin.

Parcels C and 3 include roughly 35 acres of land around the original headquarters buildings and historic hamlet at Glenbrook and adjacent pasture land. A map accompanying this report outlines the boundaries of these parcels.

ENVIRONMENTAL SETTING:

These parcels are shown on TRPA maps as having a delineation of Land Capability 1b on the flood plain of Glenbrook Creek, with the remainder of the parcels being in a delineation of Capability Class 5. These areas are shown on the soil map as delineations of Mh (Marsh) and JaC (Jabu coarse sandy loam, 2 to 9 percent slopes) respectively.

The geologic map for the north half of the Lake Tahoe Basin by Mathews shows these parcels within a delineation of Q1 - recent lake beds. The geomorphic analysis of the Lake Tahoe Basin by Bailey shows the area within the geomorphic unit E-2 (outwash till and lake deposits).

Parcel 3 consists of the locality where the headquarters buildings, barns, corrals and etc. are situated. Parcel C is mostly meadow and pasture land surrounding Parcel 3.

The area of concern consists of an old lake terrace which in part was dissected by Glenbrook Creek. Glenbrook Creek is a slightly entrenched third order stream crossing the north portion of these parcels. A small first order stream flows toward
the lake along the southerly portion of Parcel C. Portions of
the area have been irrigated by water spreading from small
diversion ditches.

The soils on the flood plain of Glenbrook Creek formed in
poorly drained alluvium. The vegetative cover is meadow species
primarily of sedges, juncus and perennial grasses. The natural
cover is mostly grasses, sedges and juncus with some willows
along the creek channel. The soils on the higher ground have
formed in lake sediments under moderately well to poor drainage
conditions. The cover varies from perennial and annual grasses
and forbs on the better drained sites to perennial grasses,
sedges and juncus on the wetter site. The land back of the
headquarters buildings is fenced and is being grazed.

PROCEDURES:

The study area was examined and preliminary borings were
made with a soil auger to determine representative soil charac-
teristics. Six sites were selected for examining and describing
soil profiles that characterize soil conditions on these par-
cels. Four pits were excavated by a backhoe and two sites
which were saturated near the surface were examined using a soil
auger. Soil profile descriptions from each of these locations
are included with this report. The slopes were measured using
a hand level. A small scale block and white areal photo was
available for field use and a colored photo enlargement was
made available to prepare the report. The soil boundaries of
each different soil influencing Land Capability have been de-
lineated on a large scale map. This map also shows the location
of each representative soil profile description.

FINDINGS:

The soils adjacent to Glenbrook Creek are saturated for
much of the time, as would be expected. This soil boundary
approximates the 100 year flood plain shown by the Corps of
Engineers. The soils when moist can be characterized as having
a very dark gray slightly acid loam about four feet in depth,
underlain by a highly mottled olive, sandy clay loam. This soil
most closely resembles the soil unit Lo (Loamy alluvial land)
as defined in the Basin.1) Soil profile Number 6 is representa-
tive of this soil.

1) Rogers, John H. Soil Survey of the Tahoe Basin, California
and Nevada. USDA Soil Conservation Service and Forest Service.
The higher ground south of the Glenbrook Creek flood plain include soils that are associated with an old lake terrace, each soil having formed under different soil drainage conditions. The wetter areas are related to natural conditions, but in part moisture has been supplemented by irrigation practices. Three different soils have been delineated south of Glenbrook Creek.

The strip of land adjacent to the Glenbrook Flood plain including the Historic Hamlet and part of the pasture is well or moderately well drained. The soils in this location have a very dark grayish brown slightly acid sandy loam topsoil that grades into a light yellowish brown, slightly acid clay loam subsoil at about a depth of forty inches. Soils identical to these were not defined in the Basin but they closely resemble the soil unit JgC (Jabu sandy loam, moderately fine subsoil variant) as described in the Tahoe Basin. Soil profiles Number 1 and 3 are representative of these soils.

The southerly part of the area in Parcel C is comprised of soils of somewhat poor, and poor drainage characteristics. A first order stream crosses this area entering the property along the southerly boundary to flow across the area in a westerly direction. Within this part of the parcel there are two locations where the soils are poorly or very poorly drained, and the water is at or near the surface for long periods of the year. These soils have a thick sod and support a meadow cover of sedges, juncus and grasses. The soils consist of a black slightly acid loam that has olive gray mottles and is underlaid by a finer textured substrata. Soils like these are not specifically identified in the Basin, but are most like those described within the soil unit Lo (Loamy alluvial land). Soil profile Number 5 is representative of these soils.

The remainder of the southern portion of Parcel C consists of soils that are somewhat poorly drained. They are on slightly higher topography. Ground water was at about 40 inches or more in depth at the time of this study. These soils have a very dark grayish brown slightly acid sandy loam topsoil underlain by a pale brown mottled slightly acid sandy loam subsoil. These soils are not identical to anything described in the Basin. Their hydrologic characteristics are similar to the soil unit JbD (Jabu coarse sandy loam, seeped, 2 to 9 percent slopes).
CONCLUSIONS:

There are three different kinds of soil areas on Parcels C and 3, in respect to Land Capability Classification. These soils are delineated on the detailed map accompanying this report. The map symbol, Land Capability, and allowable coverage for each delineation is as follows:

<table>
<thead>
<tr>
<th>MAP SYMBOL</th>
<th>SOIL NAME</th>
<th>LAND CAPABILITY</th>
<th>PERCENT COVERAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>JbD</td>
<td>Jabu coarse sandy loam seeped, 2 to 9 percent slopes</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>JgC</td>
<td>Jabu sandy loam, moderately fine subsoil variant, 2 to 9 percent slopes</td>
<td>5</td>
<td>25</td>
</tr>
<tr>
<td>Lo</td>
<td>Loamy alluvial land</td>
<td>lb</td>
<td>1</td>
</tr>
</tbody>
</table>

Respectfully submitted,

[Signature]

GRANT M. KENNEDY
Certified Professional
Soil Scientist No. 855

GMK: mv

Attachments
Soil Profile No. 1

Backhoe Pit - Grazed pasture - partially irrigated.
Cover - Perennial and annual grasses - few rabbit brush clumps

Soil Classification - Fine loamy, mixed, frigid, Ultic Haploxeralfs
Soil Series - Jabu fine subsoil variant

A1--0 to 9 inches, very dark grayish brown (10YR 3/2) sandy loam, very dark brown (10YR 3/1) moist; weak coarse granular structure parting to weak fine granular; slightly hard, friable, slightly sticky and nonplastic; many very fine roots; few fine interstitial pores; slightly acid; 10 percent gravels; gradual smooth boundary.

A2--9 to 16 inches, very dark grayish brown (10YR 4/2) sandy loam, very dark grayish brown (10YR 3/2) moist; moderate medium granular structure; slightly hard, friable, slightly sticky and nonplastic; many very fine roots; common fine interstitial pores; slightly acid; 10 percent gravels; gradual smooth boundary.

B1--16 to 26 inches, yellowish brown (10YR 5/4) sandy loam (near loam), very dark grayish brown (10YR 3/2) moist; moderate coarse subangular blocky structure; hard, friable, slightly sticky and slightly plastic; few very fine roots; common fine tubular and interstitial pores; slightly acid; 10 percent gravels; gradual smooth boundary.

B21t--26 to 40 inches, yellowish brown (10YR 5/6) loam1) dark brown (10YR 3/3) moist; moderate coarse subangular blocky structure; hard, friable; sticky and slightly plastic; no roots; few fine tubular pores; common thin clay films on ped faces and lining pores; slightly acid; 10 percent gravels.

B22t--40 to 60 inches, light yellowish brown (10YR 6/4) sandy clay loam, dark yellowish brown (10YR 4/4) moist; massive parting to weak medium subangular blocky structure; very hard, firm, slightly sticky and plastic; no roots; few fine tubular pores; common thin clay films on ped faces and lining pores; slightly acid; 10 percent gravels.

1) sands are coarse. Few manganese and iron concentrations at 40 to 60 inches. Gravels predominantly fine. Few prominent Krotovinas in profile.
Soil Profile No. 2

Backhoe pit - Grazed pasture
Cover - Sedges, Juncus, perennial grasses

Soil Classification - Coarse loamy, mixed, frigid, Aquic Haploxeralfs

Soil Series - Not defined in Basin. Similar in Hydrologic Characteristic to Jabu seeped phase

A1--0 to 5 inches, very dark grayish brown (10YR 3/2) coarse sandy loam, black (10YR 2/1) moist; moderate medium granular structure; soft, very friable, nonsticky and nonplastic; many very fine, fine and medium roots, many very fine interstitial pores; slightly acid; clear smooth boundary.

A2--5 to 16 inches, brown (10YR 5/3) coarse sandy loam, very dark brown (10YR 2/2) moist; weak, find granular structure; soft, very friable; nonsticky and nonplastic; many very fine, fine and medium roots; many very fine interstitial pores; slightly acid; gradual wavy boundary.

B1--16 to 38 inches, pale brown (10YR 6/3) coarse sandy loam, dark brown (10YR 3/3) moist with common medium distinct dark brown (7.5YR 3/4) mottles; moderate coarse subangular structure; soft, very friable, nonsticky and nonplastic; common very fine and fine and few medium roots; common very fine and fine tubular pores; neutral; gradual wavy boundary.

B2t--38 to 58 inches, pale brown (10YR 6/3) coarse sandy loam; dark brown (10YR 3/3) moist with many large, faint dark yellowish brown (10YR 4/4) mottles; moderate coarse subangular blocky structure; slightly hard, friable, slightly sticky and nonplastic; common very fine and fine and medium roots; common very fine, fine tubular pores, neutral.

Note: Surface has a thick sod. Few angular cobblestones throughout profile. Pit sides collapsing at 16 to 26 inches. Pit not dug to 60 inches. Ground water at 44 inches.
Soil Profile No. 3

Backhoe Pit - Grazed pasture
Cover - Perennial and annual grasses. Few clumps of rabbit brush

Soil Classification - Fine loamy, mixed, frigid, Ultic Haploxeralfs
Soil Series - Jabu fine subsoil variant

A1--0 to 11 inches, dark grayish brown (10YR 4/2) sandy loam, very dark gray (10YR 3/1) moist; moderate coarse granular structure; slightly hard, friable, sticky and slightly plastic; many very fine, fine and medium roots; many very fine interstitial pores; neutral; 10 percent gravel, clear wavy boundary.

A12--11 to 20 inches, brown (10YR 4/3) sandy loam, dark brown (10YR 3/2) moist; moderate coarse and medium granular structure; slightly hard, friable, sticky and slightly plastic; many very fine roots; many very fine interstitial pores; neutral; 10 percent gravel; gradual smooth boundary.

B1--20 to 36 inches, brown (10YR 5/3) loam; dark brown (10YR 3/3) moist; weak medium subangular blocky structure; hard, friable, sticky and slightly plastic; common very fine roots; common fine tubular and interstitial pores; few thin clay films lining pores; neutral; 10 percent gravels; gradual smooth boundary.

B21t--36 to 48 inches, yellowish brown (10YR 5/4) sandy clay loam, dark yellowish brown (10YR 3/4) moist; moderate coarse subangular blocky structure; hard, friable, sticky and plastic; few very fine roots; common fine and medium tubular pores; common thin clay films on ped faces and lining pores; neutral; 10 percent gravels; clear smooth boundary.

B22t--48 to 72 inches, dark yellowish brown (10YR 4/4) sandy clay loam with common large faint yellowish brown (10YR 5/4) mot-tles; dark yellowish brown (10YR 4/4) moist; weak coarse subangular blocky; hard, friable, sticky and slightly plastic; no roots; common fine tubular pores; common thin clay films on ped faces and lining pores; neutral; 10 percent gravel.

Note: This profile is almost identical to Profile No. 1.
Soil Profile No. 4

Backhoe Pit - Grazed pasture
Cover - Juncus, sedges, perennial grasses, yarrow

Soil Classification: Coarse loamy, mixed frigid, Ultic Haploxeralfs

Soil Series: Not defined in Basin. Similar in Hydrologic characteristics to Jabu seeped phase

A1l--0 to 6 inches, dark grayish brown (10YR 4/2) sandy loam, very dark brown (10YR 2/2) moist; strong fine granular structure; soft, loose, nonsticky and nonplastic; many very fine and fine roots; many very fine and fine interstitial pores; slightly acid; clear smooth boundary.

A12--6 to 12 inches, light brown (7.5YR 6/4) sandy loam, dark brown (7.5YR 3/4) moist; weak fine granular structure; soft, loose, nonsticky and nonplastic; many very fine, fine and common medium roots; many very fine and fine interstitial pores; slightly acid; gradual smooth boundary.

B1--12 to 19 inches, light brown (7.5YR 6/4) sandy loam, strong brown (7.5YR 4/4) moist; massive; soft, loose, nonsticky and nonplastic; common very fine and fine roots; common very fine and fine tubular pores; moderately acid; gradual wavy boundary.

B2t--19 to 39 inches, pale brown (10YR 6/3) sandy loam, dark yellowish brown (10YR 4/4) moist; massive; soft, loose, nonsticky and slightly plastic; few very fine and fine roots; few very fine tubular pores; slightly acid; (pH 6.5); clear wavy boundary.

C--39 to 58 inches, (no dry colors) dark yellowish brown (10YR 4/4) sandy loam with many large faint yellowish brown (10YR 5/6) mottles; massive; soft, loose, nonsticky and nonplastic; few very fine roots; slightly acid (pH 6.5).

Note: Ground water at 44 inches.
Soil Profile No. 5

Auger Hole - Grazed Meadow
Cover - Sedges, juncus, perennial grasses

Soil Classification - Humaquept

Soil Series - Not defined in Basin. Similar to soils included in loamy alluvial land. (moist colors only)

All--0 to 18 inches, black (N 2/0) loam with many coarse prominent very dark grayish brown (10YR 3/2) and brown (7.5YR 4/4) mottles; moderate coarse and medium granular structure; slightly hard, friable, slightly sticky and plastic; many very fine and fine roots; slightly acid; diffuse smooth boundary.

AB--18 to 26 inches, black (N 2/0) loam (near clay loam) with many large prominent olive gray (5Y 4/2) and dark brown (7.5YR 3/4) mottles, hard, friable, sticky and plastic; slightly acid. (No other features noted because of saturated condition).

IIC--26 to 40 inches, dark grayish brown (7.5YR 4/2) sandy clay with many coarse prominent brown (7.5YR 4/4) and yellowish red (5YR 5/6) mottles; very hard, firm, sticky and very plastic.

Note: Swale position - ground water at 18 inches.
Soil Profile No. 6

Auger Hole - Grazed Meadow
Cover - Sedges, juncus, perennial grasses, dark, thistle

Soil Classification: Fine loamy mixed, non-acid, frigid, Fluvaquentic Humaquept

Soil Series - Similar to loamy alluvial land

Soil moist most of time - no dry colors given.

All--0 to 18 inches, very dark gray (10YR 2.5/1) loam, common medium granular structure; soft, friable; slightly sticky and slightly plastic; many very fine, fine and medium roots; slightly acid (pH 6.5); diffuse smooth boundary.

A12--18 to 48 inches, very dark gray (10YR 2.5/1) loam, slightly hard, friable; slightly sticky and slightly plastic; many very fine, fine and medium roots; slightly acid (pH 6.5); diffuse boundary.

Cg--48 to 60 inches, olive (5Y 4/4) sandy clay loam, with common medium prominent black (N 2/0) mottles; hard, friable, sticky and plastic; slightly acid (pH 6.5).

Note: Saturated soil made it difficult to describe most features.
TAHOE REGIONAL PLANNING AGENCY

ENVIRONMENTAL CHECK LIST FOR
THE INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT

I  PROJECT NAME OR IDENTIFICATION  [REDACTED]  [REDACTED]

II  ENVIRONMENTAL IMPACTS - The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "yes" and "no, with mitigation" answers will require further written comments. See Section III of this questionaire.

1. Land. Will the proposal result in:

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<th>Yes</th>
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<th>No, With Mitigation</th>
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<td>a. Compaction or covering of the soil beyond the limits prescribed in the land capability system?</td>
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<td>b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?</td>
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<td>c. Unstable earth conditions during or after completion of the proposal?</td>
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<td>d. Changes in the soil or geologic substructures?</td>
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<td>e. The continuation of or increase in wind or water erosion of soils, either on or off the site?</td>
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<td>f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of a lake?</td>
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<td>g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?</td>
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1/1/86

RMS1: Environmental Check List
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<th>2. Air.</th>
<th>Will the proposal result in:</th>
<th>Yes</th>
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<td>a. Substantial air emissions or deterioration of ambient air quality?</td>
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<td>b. The creation of objectionable odors?</td>
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<td>c. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?</td>
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<td>3. Water.</td>
<td>Will the proposal result in:</td>
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<td>a. Changes in currents, or the course or direction of water movements?</td>
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<td>b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 2 yr. 6 hr. storm runoff cannot be contained on the site?</td>
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<td>c. Alterations to the course or flow of 100 year flood waters?</td>
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<td>d. Change in the amount of surface water in any water body?</td>
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<td>e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?</td>
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<td>f. Alteration of the direction or rate of flow of ground waters?</td>
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<td>g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?</td>
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<td>h. Substantial reduction in the amount of water otherwise available for public water supplies?</td>
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4. **Plant Life.** Will the proposal result in:

   a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability system?

   b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat?

   c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

   d. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, microflora and aquatic plants)?

   e. Reduction of the numbers of any unique, rare or endangered species of plants?

5. **Animal Life.** Will the proposal result in:

   a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects or microfauna)?

   b. Reduction of the number of any unique, rare or endangered species of animals?

   c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?
6. **Noise.** Will the proposal result in:
   
a. Increases in existing noise levels?
   
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b. Exposure of people to severe noise levels?
   
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7. **Light and Glare.** Will the proposal produce new light or glare inconsistent with the surrounding area?
   
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8. **Land Use.** Will the proposal result in a substantial alteration of the present or planned land use of an area?
   
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9. **Natural Resources.** Will the proposal result in:
   
a. Increase in the rate of use of any natural resources?
   
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b. Substantial depletion of any non-renewable natural resource?
   
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10. **Risk of Upset.** Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?
   
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11. **Population.** Will the proposal alter the location, distribution, density, or growth rate of the human population planned for the Region?
   
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12. **Housing.** Will the proposal affect existing housing, or create a demand for additional housing?
   
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13. **Transportation/Circulation.** Will the proposal result in:
   
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TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of
the Tahoe Regional Planning Agency will conduct its regular meeting at
9:30 a.m. on June 13, 1990, at the Chateau, 995 Fairway Boulevard, Incline
Village, Nevada. The agenda for said meeting is attached hereto and made a
part of this notice.

June 1, 1990

David S. Ziegler
Executive Director

This agenda has been posted at the TRPA office and at the following post
offices: Zephyr Cove and Stateline, Nevada, and Al Tahoe and Tahoe Valley,
California.
All items on this agenda are action items unless otherwise noted.

AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PUBLIC HEARING AND RECOMMENDATION

A. Amendment of Code Chapters 1, 4, and 50 Through 55 to Implement the Recommendations of the Report Entitled, "Littoral Structure and Its Effects on the Fish Community of Lake Tahoe" and Staff Recommendations in Regards to Dredging and Setback Lines; Amendment of the Prime Fish Habitat Maps

B. Amendment of Regional Plan Land Capability Overlay Maps (Glenbrook Historic Hamlet Area)

C. Amendment of Plan Area Statements 085, 089B, 091, 092, and 093 Along the Montreal Road Extension

D. Amendment of Public Services Facility List 1990-1994 for Incline Village Community Center

E. Finding of Technical Adequacy and Recommendation on Certification of the Incline Village Community Center Final EIS

F. Amendment of Boundary Line Between Plan Area Statements 001A and 002 to Include the Grove Street Parking Lot in Plan Area Statement 001A

G. Amendment of Subsection 15.9.G of Chapter 15 (Redevelopment)

H. Adoption of Elks Point Marina Master Plan, Douglas County

I. Amendment of Chapter 4, Project Review and Exempt Activities, to Adopt MCU Between TRPA and Caltrans

V PLANNING MATTERS

A. Amendment of Chapter 20 (Land Coverage Standards) and Related Chapters Regarding Transfer of Land Coverage for Multi-Residential Facilities

B. TRPA Five-Year Strategy: July 1990 – June 1995
C. Amendment of Article VII of Rules of Procedure Regarding APC Duties

D. Discussion on North Tahoe Public Utility District Dollar Hill to Regional Park Bicycle Trail Draft EIR/EIS

VI REPORTS (No Action)

A. Executive Director
   1. Report on Kelly v. TEPA
   2. Other

B. Legal Counsel

C. APC Members

D. Public Interest Comments

VII PENDING MATTERS

VIII ADJOURNMENT
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14. **Public Services.** Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas:

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15. **Energy.** Will the proposal result in:

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b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

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16. Utilities. Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

   a. Power or natural gas?
   b. Communications systems?
   c. Water?
   d. Sewer or septic tanks?
   e. Storm water drainage?
   f. Solid waste and disposal?

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17. Human Health. Will the proposal result in:

   a. Creation of any health hazard or potential health hazard (excluding mental health)?
   b. Exposure of people to potential health hazards?

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18. Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to the public view?

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19. Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?

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20. Archeological/Historical. Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building?

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RMS1: Environmental Check List
21. Mandatory Findings of Significance:

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population, to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

   [ ] Yes [ ] No

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time; while long-term impacts will endure well into the future.)

   [ ] Yes [ ] No

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant.)

   [ ] Yes [ ] No

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

   [ ] Yes [ ] No

III DISCUSSION OF ENVIRONMENTAL EVALUATION

All impacts identified with "yes" answers under Section II should be described below and evaluated as to their significance. All "no, with mitigation" responses require a description of the identified impact and the mitigation measure(s) proposed to mitigate the impact so that there is no significant impact.
IV CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

[Signature]

Date

(name of person completing this form)

signature of person completing this form

V DETERMINATION (to be completed by TRPA)

On the basis of this evaluation:

[ ] The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

[ ] The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

[ ] The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedure.

[Signature of Evaluator]

Date

[Title]

30 April 1990

FORMS1: Environmental Check List
MEMORANDUM

June 4, 1990

To: Tahoe Regional Planning Agency Advisory Planning Commission

From: Agency Staff

Re: Amendment of Plan Area Statements 085, 089B, 091, 092, and 093 to Limit Commercial, Tourist Accommodation and Residential Uses and Signage Along the Montreal Road Extension

PROPOSED ACTION: As contemplated by the Redevelopment Agreement (see excerpt - Attachment A), TRPA staff is presenting proposed amendments to affected plan area statements for APC consideration and recommendation. The following options are available:

Option A - This is the simplest and least restrictive option since it uses the language in the redevelopment agreement. It requires adding the following special policy to PASs 085, 089B, 091, 092, and 093.

"Commercial, tourist accommodation or residential uses on parcels abutting the Montreal Road Extension right-of-way shall not be permitted access to Montreal Road Extension except for new single family residences which have no alternative access. New commercial and tourist accommodations uses or signage, abutting the Montreal Road Extension, shall be restricted consistent with the limited access design of the Montreal Road Extension."

Option B - This is a more restrictive amendment and is intended to match the City of South Lake Tahoe's proposed rezoning of the area.

1. TRPA Plan Area Overlay Map H-17 would be amended to show a Montreal Road Extension corridor. The delineation shown on the attached map (Attachment B) is based on the City of South Lake Tahoe's zoning for the transportation corridor, the Caltrans proposed right-of-way, and the existing land uses and ownerships.

2. A special policy would be added to PASs 091, 092, and 085 indicating what uses are not allowed in the corridor. The proposed special policy is intended to limit commercial and tourist accommodation development, protect existing commercial developments which front other roads, and allow for a range of road alignments.

GWB: jm 6/4/90

AGENDA ITEM IV C.
EXCEPT for parcels privately owned as of June 1, 1990, not in or abutting the designated right-of-way for the Montreal Road Extension and which abut Ski Run Boulevard or Pioneer Trail, commercial and tourist accommodation uses shall be prohibited uses within Special Area #4. Except for existing commercial signage, new building and freestanding signs, visible from the Montreal Road Extension, shall be prohibited.

3. PARS 085, 092, and 093 shall have minor PAR boundary adjustments to keep them from having to create very small special areas (see Attachment B).

ANALYSIS: The issue of the construction of the Montreal Road Extension is addressed as part of the TRPA Regional Transportation Plan (RTP) and the impacts are addressed in its EIS. The impacts of the Extension are further addressed in the South Lake Tahoe Redevelopment Plan EIS (1989). The Montreal extension is intended to be a limited access arterial. It is designed to handle through traffic and alleviate congestion on Pioneer Trail and Highway 50. The Extension will be a limited access road (i.e., restrictions on curb cuts and driveways) so as to reduce conflict points and facilitate traffic flow. This, in turn, will provide air quality benefits (e.g., improved LOS on other roads, and lower CO concentrations).

Accordingly, it is necessary to prohibit commercial and tourist accommodation access and signage along the proposed roadway. Based on the adopted PARs for this area, there is a limited possibility for commercial development but there are some commercial uses permissible in PARs 085 and 091. It should be noted that most of the right-of-way is outside community plan areas in residential areas and has limited opportunity for commercial allocations. Some of the lands in the Ski Run area are limited by sensitive land capability. Also, the City's TRC zoning prohibits commercial and tourist development in most of the right-of-way area.

It is difficult to be more specific because the precise location of the extension roadway is unknown. Also, some of the commercial uses are located at the ends of the right-of-way in community plan areas and the Stateline/Ski Run Community Plan has yet to address these areas.

CHAPTER 6 FINDINGS: Chapter 6 requires certain findings to be made for plan area statement amendments. The required findings are listed below.

1. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code and other TRPA plans and programs.
Rationales: The TRPA Regional Transportation Plan and the Transportation Element include the Montreal Road Extension as a limited access arterial. The limitation of commercial, tourist accommodation and residential access along the right-of-way implements the goals of the RTP and assists in the achievement of air quality, transportation and community design thresholds.

2. The project will not cause the environmental thresholds to be exceeded.

Rationale: The amendments implement the RTP and are designed to attain thresholds. The amendments will also be helpful in attaining community design and noise thresholds related to the new roadway.

3. Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the compact, the project meets or exceeds such standards.

Rationale: See Finding #2 above.

4. The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: See Findings #1 and #2 above.

ENVIRONMENTAL DOCUMENTATION: Based on the referenced EISs and the completion of an Initial Environmental Checklist, staff believes the proposed amendments will have no significant effect on the environment.

RECOMMENDATION: Staff recommends the APC recommend Option A to the Governing Board.

If you have any questions, please contact Gordon Barrett at this office.
2.11 Public Transit. The transit plan set forth at pages 26 through 29 of Exhibit 1 shall be implemented by the City and Agency.

2.12 Montreal Extension Land Use Impacts. It is the intent of the parties that the Montreal Extension function as a limited access road. No later than June 1, 1990, the City shall rescind all property along the Montreal Extension right of way to preclude new commercial or tourist commercial use. All existing development not in conformance with the City's zoning shall become nonconforming as defined in the South Lake Tahoe City Code.

TRPA agrees that commercial, tourist accommodation or residential uses on parcels abutting the Montreal Extension shall not be permitted access to Montreal Extension except for new single family residences which have no alternative access. New commercial and tourist accommodation uses or signage, abutting the Montreal Extension, shall be restricted consistent with the limited access concept. By June 1, 1990, TRPA shall amend its plan area statements and overlay maps, as necessary to implement this policy.

2.13 Noise Generation Measures. The City and Agency will apply the noise mitigation measures set forth in Exhibit 9 to any new projects undertaken under the Redevelopment Plan.

2.14 Design Criteria. The City and Agency will apply throughout the redevelopment area the standards set forth in the Project Area Design Plan and the Final Redevelopment Plan as set forth in Exhibit 1 at pages 15-56.

2.15 Landscaping Standards. The City and Agency shall ensure that all projects within the redevelopment area shall be landscaped in accordance with the Landscape Concept Plan set forth in Exhibit 11.

2.16 Safety Mitigation. The City and Agency shall, at a minimum, implement the traffic and safety measures set forth in Exhibit 14. The City and Agency shall work with the agencies and the business community to implement the additional safety measures described in Exhibit 15.
MEMORANDUM

June 4, 1990

To: The Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Public Services Facility List 1990-1994 for Incline Village Community Center - Agenda Item IV D.

Finding of Technical Adequacy and Recommendation on Certification of the Incline Village Community Center Final EIS - Agenda Item IV E.

These two agenda items are being continued to the July 11 APC meeting.
MEMORANDUM

June 5, 1990

To: The Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Boundary Line Between Plan Area Statements 001A and 002 to Include the Grove Street Parking Lot in Plan Area Statement 001A

This item is being continued to a later APC meeting.
MEMORANDUM

May 30, 1990

To: Tahoe Regional Planning Agency Advisory Planning Commission

From: Susan E. Scholley, Special Projects Attorney

Re: Amendment of Subsection 15.9.3 of Chapter 15 (Redevelopment)

BACKGROUND: On June 7, 1989, TRPA approved the construction of hotels at Ski Run and Stateline (Tahoe Marina and Embassy Suites, respectively) in accordance with the adopted South Lake Tahoe Demonstration Redevelopment Plan for Project Area No. 1 (Ski Run/Stateline) and Chapter 15 of the TRPA Code. The Board also entered into a related agreement regarding the redevelopment plan with the City of South Lake Tahoe, the California Attorney General, the Redevelopment Agency, the project proponents (Embassy Suites and El Dorado Improvement Corporation) and the League to Save Lake Tahoe.

One of the conditions of approval for the hotels, and a requirement of Chapter 15, was that any redevelopment project which relied on the transfer of existing development must accomplish unit of use retirement prior to occupancy. Chapter 34 of the TRPA Code (§34.3) requires the removal of structures, restoration of the land to a natural state and deed restrictions in order to retire a unit of use.

ISSUE: Construction of the two hotel projects is based entirely on transferred existing development. In order to provide the necessary sewer capacity and tourist accommodation units, over 900 existing motel units are being retired. Due to delays in the condemnation, acquisition and demolition of the motels, the City and project proponents are concerned that not all the motel units will be fully retired (i.e., acquired, restricted, demolished and land restored) prior to the date of projected occupancy of the hotels. The delays in acquisition and demolition of the motel units have been caused by the legal proceedings required to obtain possession of the units and contamination of many of the motel sites by hazardous materials.

The City fully expects to have all the motel units acquired prior to occupancy of the hotel projects but, due to the delays in the condemnation proceedings and/or delays in demolition and restoration of the sites, they do not believe it will be possible to have all of the buildings demolished and the sites restored prior to the projected dates of occupancy.

SES: jm
5/30/90

AGENDA ITEM IV G.
The parties to the Redevelopment Agreement have provided for phased demolition and restoration of the motel units. Section 1.7 of the Second Amended Agreement is set forth in Exhibit A.

PROPOSED ACTION: In order to address the delays and difficulties faced by the City in demolishing the units and restoring the sites, TRPA is proposing an amendment to Subsection 15.9.C, and the related subsection 15.11.D, parallel to the Second Amended Redevelopment Agreement. The proposed amendments would allow for phased demolition and restoration of the motel sites, and a reduction in the number of motel units which must be completely retired prior to occupancy of the hotels.

Therefore, TRPA is proposing the following Code amendments.

Amend Subsection 15.9.G as follows (underlined language is new):

15.9.G Transfer of Redevelopment Retirement Requirement: Notwithstanding Subparagraph 34.4.B(6), projects which rely on transfer of existing development shall demonstrate prior to occupancy adequate sewer capacity and unit of use retirement pursuant to Section 34.5, except as otherwise provided in Subsection 15.11.D.

Add new Subparagraph 15.11.D(2) as follows:

(2) Demolition of transferred tourist accommodation units and restoration of the sending sites may be deferred, for not more than 13 percent of the tourist accommodation units to be retired, provided the remainder (87 percent) are retired within 26 months of the project approval and further provided that the units which are not retired by that date meet the following criteria:

(a) The unit has been acquired by the Redevelopment Agency;

(b) Retirement cannot be accomplished prior to occupancy because of one or more of the following factors:

(i) Unlawful detainer proceedings have been instituted following required legal notice to tenants, but the Redevelopment Agency is not legally entitled to possession;

(ii) The presence of hazardous materials requires special demolition and restoration treatment under applicable law.

5/30/90
(iii) The building and foundation have been removed but, due to seasonal factors, revegetation cannot be effectively commenced immediately, in which case temporary revegetation and stabilization shall be provided; or

(iv) Weather factors preclude ground disturbance.

(c) Except where unlawful detainer proceedings are pending, utilities have been disconnected; the property has been fenced or otherwise secured to prevent habitation, intrusion or vandalism;

(d) Deed restrictions have been recorded which restrict use in compliance with the terms of the permit and demonstration redevelopment plan;

(e) A demolition and restoration contract has been let, or an appropriate substitute security has been provided to TRPA; and

(f) In all instances where demolition and restoration does not occur prior to occupancy, the Redevelopment Agency shall exercise due diligence to accomplish retirement and the unit shall be retired immediately upon elimination of any of the above conditions which prevented its retirement prior to occupancy.

Chapter 6 Findings: Chapter 6 requires certain findings to be made for Code amendments. The required findings are listed below:

1. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, plan area statements and maps, the Code and other TRPA plans and programs.

Rationale: The proposed amendments continue to assure the retirement of transferred existing development in the context of redevelopment while recognizing the necessity for compliance with condemnation proceedings and state and federal laws regarding disposal of hazardous materials. The proposed amendments provide for phasing of demolition and restoration based on the Redevelopment Agency's need to comply with these applicable laws. The proposed amendments also provide for recognition of seasonal and weather delays in the restoration and revegetation of retired sites.
The proposed amendments do not change the ultimate requirement that existing development be fully demolished, restored and restricted from further use as a condition of project approval. The proposed amendments also provide additional safeguards, such as all units of use must have been acquired prior to occupancy and further that the bulk of the units have been fully retired prior to occupancy.

2. The project will not cause the environmental thresholds to be exceeded.

**Rationale:** The proposed amendments do not change or modify requirement to fully restore and to appropriately restrict sites from which units of use have been transferred. The proposed amendments affect only the timing of retirement and, therefore, will not affect the thresholds.

3. Wherever, federal, state, and local air and water quality standards applicable for the region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

**Rationale:** The proposed amendment maintains existing water quality standards by continuing to require full restoration of sites from which existing units of use are transferred.

4. The Regional Plan and all of its elements, as implemented through the Code, rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

**Rationale:** See findings 1, 2 and 3 above.

**Ordinance No. 87-8 Findings:** Ordinances 87-8, Section 2.40, requires certain findings to be made for Code amendments. The required findings are listed below:

1. That the amendment is consistent with the Compact and with the attainment or maintenance of the thresholds.

**Rationale:** See finding No. 1 above.

2. One or more of the following:

(a) There is demonstrated conflict between provisions of the Regional Plan Package and the conflict threatens to preclude attainment or maintenance of thresholds;
(b) That legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code;

(c) That technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code;

(d) That the provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds;

(e) That implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons.

(1) The cost of implementation outweights the environmental gain to be achieved;

(2) Implementation will result in unacceptable impacts on public health and safety; or

(3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

(f) That the provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan Package and complying with the Compact.

Rationale: Finding (f) is recommended for the reason set forth in Finding (1) above.

ENVIRONMENTAL DOCUMENTATION: Based on the completion of an initial environmental checklist, staff proposes a finding of no significant environmental affect.

RECOMMENDATION: Staff recommends that the APC conduct a public hearing on the proposed amendments and recommend adoption of the ordinance amendment to the Governing Board.
MEMORANDUM

June 4, 1990

To: The Advisory Planning Commission

From: TRPA Staff

Subject: Adoption of Elks Point Marina Master Plan, Douglas County

This item is being continued to the July 11 APC meeting.
MEMORANDUM

May 29, 1990

To: Advisory Planning Commission
From: Agency Staff
Subject: Amendment of Chapter 4 Project Review and Exempt Activities, to Adopt Memoranda of Understanding between TRPA and Caltrans

Staff proposes an amendment to Chapter 4 of the Code of Ordinances to exempt certain activities of the California Department of Transportation (Caltrans) from TRPA review.

Description and Discussion

Pursuant to Section 4.6 of the TRPA Code of Ordinances, TRPA may amend Chapter 4 to exempt those activities of public and quasi-public entities set forth in memoranda of understanding (MOUs) between TRPA and such entities. The format of the MOUs is similar to that found in Sections 4.2 and 4.3 of the Code. Activities are separated into categories of exempt and qualified exempt. Those activities are described in the MOU. Caltrans may undertake exempt activities without contacting TRPA, and may commence activity on qualified exempt activities provided they give written notice five business days prior to the activity commencing. All activities, whether exempt or not, must comply with the TRPA Regional Plan, including the Code of Ordinances and Handbook of Best Management Practices.

As public agencies, Caltrans is involved with many routine activities requiring TRPA review and approval. This MOU will allow Caltrans to provide more effective and efficient transportation service on Caltrans' highway systems. TRPA staff has been working with both Caltrans to develop an MOU which is both effective and sound in practice.

The TRPA Transportation and Air Quality Technical Advisory Committee will review the draft MOU before the APC meets on June 13, 1990. Agency staff will summarize their comments and recommendations for the APC at that time.

5/29/90
1a
Environmental Documentation

Staff has completed the Environmental Checklist for the Initial Determination of Environmental Impact. Based on the Checklist, staff recommends a finding of no significant effect on the environment.

Chapter 6 Findings

Section 6.5 of the TRPA Code of Ordinances requires the following four findings be made prior to Code amendments:

A. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs;

Section 4.8 of the Code allows for the development and implementation of MOUs to exempt certain activities not otherwise considered exempt or qualified exempt under Chapter 4. The activities described in the proposed MOU are minor in nature, and are subject to all the provisions of the Regional Plan. The proposed MOU is consistent with, and will not adversely affect implementation of the Regional Plan.

B. The project will not cause the environmental thresholds to be exceeded;

Activities undertaken pursuant to this MOU are subject to the provisions of the Regional Plan. The activities are minor in nature, are subject to restrictions, and are geared toward essential activities and maintenance of existing facilities. Therefore, the activities will not cause the environmental thresholds to be exceeded. This finding is also based on the Article V(g) checklist completed for the proposed amendment.

C. Wherever federal, state, and local air and water quality standards applicable to the region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards; and

Activities undertaken pursuant to this MOU are subject to the standards of the Regional Plan and Code. Caltrans is an agency of the State of California and is also subject to the standards set forth in state statutes. Therefore, the stricter standards must be met. This finding is also based on the Article V(g) completed for the proposed amendment.

D. The Regional Plan and all of its elements as implemented through the Code, rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

As explained under findings A, B, and C, above, the Regional Plan will continue to attain and maintain the thresholds.
Amendment to Chapter 4
Page 3

Article VI(a) Findings

Article VI(a) states:

The Agency shall prescribe by ordinance those activities which it has determined will not have a substantial effect on the land, water, air, space, or any other natural resources in the region and therefore will be exempt from its review and approval.

Section 4.8 of the Code allows for the implementation of MOUs with public entities to exempt activities from EIR/SAR review. The proposed MOU with Caltrans exempts minor activities undertaken by state agencies charged with providing essential public services. Under the MOU, Caltrans will be able to more effectively and efficiently provide these services. The MOU has no impact on the regulatory structure and does not result in an increase in development. The minor nature of the activities, coupled with the limitations elsewhere in the Code, assures the MOU will not have a substantial effect on the land, water, air, space, or other natural resources in the Region.

Ordinance 87-8 Findings

Section 2.5 of Ordinance 87-8 provides that findings under Section 2.40 are not needed to add policies of ordinances designed to make existing policies and ordinances more effective. The proposed MOU with Caltrans will implement Section 4.8 of the Code which allows amendments to exempt certain activities of public and quasi-public entities.

Staff Recommendations

Staff recommends the Advisory Planning Commission recommend that the Governing Board approve the attached Memorandum of Understanding and adopt the attached ordinance amendment.

Please contact Leif Anderson at (702) 586-6782 if you have any comments or questions on this agenda item.

S/29/90

AGENDA ITEM IV I.
AN ORDINANCE AMENDING ORDINANCE NO. 87-5, AS AMENDED, BY AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES OF THE TAHOE REGIONAL PLANNING AGENCY RELATING TO EXEMPT ACTIVITIES; PROVIDING FOR A MEMORANDUM OF UNDERSTANDING BETWEEN THE TAHOE REGIONAL PLANNING AGENCY AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO EXEMPT CERTAIN ACTIVITIES FROM TRPA REVIEW; AND OTHER MATTERS PROPERLY RELATED THERETO.

The Governing Board 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. 87-4 by amending Chapter 4 in accordance with Section 4.8 in order to implement the Regional Plan of the Agency, as amended, pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact, as amended ("Compact").

1.20  The Advisory Planning Commission ("APC") has conducted a public hearing on the amendments to be adopted by this ordinance. The APC recommended adoption of the amendments. The Governing Board has also conducted a noticed public hearing on these amendments to the Code. At said hearings, oral testimony and documentary evidence were received and considered.

1.30  The provisions of this ordinance are intended to further implement Chapter 4 of the Code, and do not substantially affect the regulatory provisions of the Code and have been determined not to have a significant effect on the environment, and thus are exempt from the requirement of an environmental impact statement pursuant to Article VII of the Compact.

1.40  The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Section 6.5 of the Code and Articles V(g) and VI(a) of the Compact. The Governing Board further finds that such findings are supported by substantial evidence in the record.

1.50  The amendments to the Code adopted by this ordinance continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.

1.60  Each of the foregoing findings is supported by substantial evidence in the record.
Section 2.00 Amendment of Chapter 4 of the Code of Ordinances

Chapter 4 is hereby amended to add a new subsection 4.8.F, as set forth below:

4.8.F NOU with California Department of Transportation: The following activities of the California Department of Transportation (Caltrans) are exempt from TRPA review and approval upon execution of an MOU with the California Department of Transportation as set forth in Appendix G of this Chapter.

Section 3.00 Interpretation and Severability

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

Section 4.00 Effective Date

This ordinance shall become effective 60 days after the date of its adoption or the execution of the MOU by Caltrans, whichever is later.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held __________________________, 1990, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Roland D. Westergard, Chairman
Tahoe Regional Planning Agency
MEMORANDUM OF UNDERSTANDING BETWEEN
TAHOE REGIONAL PLANNING AGENCY AND
CALIFORNIA DEPARTMENT OF TRANSPORTATION

This Memorandum of Understanding is entered into this __________ day of
__________, 1990, by and between the TAHOE REGIONAL PLANNING AGENCY (TRPA),
through its Executive Director as authorized by its Governing Board, and the
CALIFORNIA DEPARTMENT OF TRANSPORTATION (Caltrans) by and through its designated
representative.

All activities described in this Memorandum of Understanding (MOU) are in
accordance with the Regional Plan package of TRPA as adopted by Ordinance No.
87-9, as amended. It is understood that all activities undertaken by Caltrans
pursuant to this MOU shall comply with applicable Best Management Practices
(BMPs), the Design Review Guidelines, and all other provisions of the TRPA Code
of Ordinances, except for procedural provisions replaced by this MOU.

I. EXEMPT ACTIVITIES

The following Caltrans activities, in addition to those activities exempt
pursuant to Section 4.2 of the TRPA Code, are not subject to review and
approval by TRPA, provided that they do not result in the creation of
additional land coverage or relocation of land coverage.

A. Streets, Roads, and Highways

1. Pavement restriping or remarking.

2. Correction of slick pavement.

3. Paved shoulder grooving.

4. Replacement of existing safety or protective devices, including;
fencing, guardrails, barriers, energy attenuators, guide posts,
markers, safety cables, ladders, light standards, hoists, traffic
signals and controllers, provided replacement devices/materials
are similar in size, coloration, and design to the existing
protective devices.

5. Asphalt/concrete blankets with less than $25,000 in material
costs, and patches on existing paved surfaces, including minor
digouts of up to 7 cubic yards.

6. Repainting of bridges and other highway appurtenances.

7. Crack seals on existing pavement.
2. Water Quality Control Facilities

1. Culvert cleaning utilizing a hydro-jet vacuum system with no direct discharge of materials to the atmosphere, and provided spoil is removed to an agreed upon temporary disposal site, and are subsequently removed from the Tahoe Basin.

2. Cleaning and repairing drainage facilities provided the toe of adjacent slopes or embankments are not disturbed.

3. Repair and maintenance of existing asphalt/concrete roadside gutters or drainage facilities.

4. Earthslide, avalanche debris, or embankment slipout removal and stabilization, provided spoil material is removed to TRPA approved disposal sites.

C. Snow Removal Activities

1. Snow removal from roadway or highway surfaces either by use of a rotary plow, plowing snow to the edge of the paved surface, or plowing to the center of the roadway for removal to existing snow disposal sites.

D. Sidewalks, Pedestrian Facilities, and Bicycle Trails

1. Replacement of existing sidewalks, pedestrian facilities and bicycle trails.

2. Striping and marking of bicycle trails.

3. Handicapped accessibility improvement projects, including: curb cuts and wheelchair ramps.

E. Signs

1. Installation of roadside warning signs related to construction/maintenance activities or needed for safety purposes, provided signs are removed within 10 business days following completion of the activities, or within 10 business days of the removal of the safety hazard.

F. Miscellaneous Activities

1. Monitoring of highway or roadway traffic, including the placement of portable traffic counting equipment or weighing devices.

2. Placement of traffic detection devices in the pavement of a highway or roadway for the operation of traffic control signals or for traffic monitoring.
II. QUALIFIED EXEMPT ACTIVITIES

The following Caltrans activities are not subject to TPRA review or approval provided Caltrans certifies, on a form provided by TPRA, that the activity does not result in the creation of additional coverage or relocation of coverage, or an increase in vehicle trips in excess of that otherwise exempt pursuant to Subsection 4.3.B of the Code, and is in conformance with the applicable provisions of the TPRA Code. The statement shall be filed with TPRA at least 5 business days before the activity commences, or in the event of an emergency, within 3 business days after the date of the emergency.

The following activities are in addition to those activities deemed qualified exempt pursuant to Section 4.3 of the Code.

A. Streets, Roads, and Highways

1. Chip seals and fog seals of the existing pavement, provided that BMPs are in place that include dust control measures which will effectively reduce the amount of entrained dust to insignificant levels.

2. Reconstruction, resurfacing or overlaying of existing pavement.

3. Replacing existing bridge rails, provided there is no increase in height, and there is no deterioration of scenic views.

4. Maintenance or repair of existing bridge structures, provided there is no change in the width or length of the existing structure.

B. Water Quality Control Facilities

1. Shoulder grading, provided the toe of adjacent embankments, slopes, or cutbanks are not disturbed, and spoil material is removed to TRPA approved temporary disposal sites and subsequently removed to outside the Tahoe Basin.

2. Embankment repair, provided the activity occurs during the grading season (May 1 to October 15) and the repaired site is stabilized either during the repair activity or within 72 hours of the repair to prevent further erosion.

C. Signs

1. Alteration of existing signs or placement of additional signs, provided Caltrans determines they are needed for safety reasons.
III. LANE CLOSURES

Lane or highway closures for exempt or qualified exempt activities are limited to the minimum amount of time needed to complete the activity and do not occur during holidays or holiday weekends.

IV. LOSS OF EXEMPTION

Caltrans acknowledges that any exempt or qualified exempt activity set forth herein may be designated a project requiring TRPA review if the Executive Director of TRPA determines that, because of cumulative impacts or unusual circumstances, the activity may have a substantial effect on the land, air, water, space, or any other natural resource in the Region.

V. AMENDMENT

This Memorandum of Understanding may be amended by written agreement of both parties.

VI. TERMINATION

This Memorandum of Understanding may be terminated by either party upon sixty (60) days written notice.

CALIFORNIA DEPARTMENT OF TRANSPORTATION

__________________________________________  Date:________________________

__________________________________________

TAHOE REGIONAL PLANNING AGENCY

__________________________________________  Date:________________________

David S. Ziegler, Executive Director
June 4, 1990

To: Advisory Planning Commission.

From: TRPA Staff

Subject: Amendment of Chapter 20, Land Coverage Standards, and Related Chapters Regarding Transfer of Land Coverage for Multi-Residential Facilities

Proposed Action: TRPA staff is considering amendments to Chapter 20 of the Code of Ordinances and other related elements of the Regional Plan in order to assist public and private entities in providing certain types of multi-residential housing in the Region. The staff summary contains three alternative approaches involving Regional Plan amendments in order to meet the goal identified above.

Discussion: On April 17, 1990, based on the recommendation of the South Tahoe Housing Study Group, the City of South Lake Tahoe City Council requested that TRPA review its existing regulatory structure for definitional and language changes in order to assure maximum eligibility for housing subsidies at the local, state and federal levels (see Attachment A).

At least the following options are available in order to assist public and private entities in providing certain types of multi-residential housing:

1. Comprehensive Package of Regional Plan Amendments: This alternative would take a comprehensive approach to providing increased regulatory opportunities through possible amendments to Goals and Policies, 208 Plan, Plan Area Statements, and Code of Ordinances.

Changes to the Goals and Policies could include:

a) amend the Land Use Element (the Land Use Subelement and the Housing Subelement) to strengthen TRPA's responsibilities in the provision and maintenance of regional affordable housing;

b) amend the Land Use Element to allow increased land coverage outside of community plan areas. The latter amendment would require amending the 208 Plan, and

AS: rdn
6/4/90

AGENDA ITEM V.A.
c) amend the Implementation Element (Development and Implementation Subelement and related Code Chapter 34) to provide more opportunities to transfer coverage.

Possible Plan Area Statement amendments include:

a) increase the number of plan areas eligible for receiving transfer of development;

b) increase the plan areas permitting multi-family housing; and

c) change certain existing plan area statements which permit multi-family housing from special (S) to allowed (A).

Possible Code of Ordinances amendments could include:

a) Chapter 2, Definitions, to broaden the definition of affordable housing so that more development incentives could be applied;

b) Chapter 18, Permissible Uses, to increase multi-family densities under certain circumstances;

c) Chapter 20, Land Coverage Standards

- to provide increased coverage outside community plan areas (related to 208 Plan amendments);

- to provide for phasing of multi-residential development on small parcels within community plan areas;

d) Chapter 22, Height Standards, to provide additional building heights;

e) Chapter 35, Bonus Unit Incentive Program, to reduce the mitigation measure cost multiplier, or increase the bonus points awarded; and

f) protection of existing affordable units during condominium conversion (Chapter 43 draft subdivision ordinances).
Memo to the ABC
Amendment of Chapter 20
June 4, 1990
Page Three

Advantages:

- Opportunity to develop a comprehensive solution to a Region-wide issue and involve all affected public and private entities.

- One time only package of amendments.

- Could become a model for similar problems in other resort communities.

Disadvantages:

- Most difficult alternative to implement based on longer time frame to develop and level of staff time and support resources required to develop the package would take away resources from other priorities.

- May require amendment of core provisions of Regional Plan per Ordinance 87-8, and the 20S Plan. Core provisions include the Goals and Policies Land Use Element, Land Use Subelement, Goal #3; Implementation Element, Development and Implementation Subelement, Goal #3; and certain sections of Chapters 13 and 34. Amending core provisions requires that additional findings be made, and would likely involve parties to the original Consensus Building Workshop. Amending the 20S Plan would require action by the EPA and the two respective State agencies responsible for the 20S Plan.

- May not be supported by all affected interest groups.

2. Expand Community Plan Boundaries: Under this alternative, the community plan boundaries could be expanded to include nearby high density residential areas. This would make the nearby areas eligible for land coverages of up to 50% which are currently available to multi-residential uses of five or more units, and would be allowed the 1.5 bonus unit multiplier.

Advantages:

- Can be implemented today. The decision to expand the boundaries would be made by individual planning teams as part of each community plan.

- Easiest for TRPA to implement with respect to time and staff resources.

- Solution fits within existing regulatory structure.
Disadvantages:

- Partial solution to larger problem.
- Requires community plan to be adopted.
- May require further amendments as new problems and methods to solve them are identified.

3. Additional Land Coverage Transfer for Small Parcels: This alternative would create a new set of allowable land coverages for multi-residential uses on small parcels. The alternative is based on the assumption that each multi-residential housing unit requires a minimum of approximately 1,450 square feet of coverage (750 square foot building footprint including stairwells, 100 square feet of outside walkways, two parking spaces at 300 square feet each, including maneuvering area) to be functional. Existing allowed densities of fifteen units per acre at 1,450 square feet per unit needs approximately 21,750 square feet (or 50%) of coverage for a one story project, or roughly half of that for two story projects. The existing land coverage table (Section 20.3.B) for 1 to 4 residential units allows 3,600 square feet of coverage on a two acre parcel. This would result in an average of 900 square feet of allowed coverage for each of four units.

The alternative would require amendments to the Goals and Policies Land Use Element, Land Use Subelement, the 208 Plan, and Chapter 20. The 1972 TRPA land use ordinance had a similar provision where lots 2 acres or less in size were allowed 35% or 50% coverage when developed for medium and high density residential uses (8 units per acre and 15 units per acre, respectively). The concept for Alternative #3 would be the same, however, the parcel size and allowable coverage may be different, and transfer of land coverage would be required.

Advantages:

- Moderate in terms of time required for TRPA staff to draft and implement.
- Solution addresses the exact need identified by the South Tahoe Housing Study Group.
Disadvantages:

- Partial solution addressing land coverage needs only, perhaps requiring further amendments.

- Requires amendment of core provisions of the Regional Plan (Land Use Element, Land Use Subelement, Goal #3 Policy 2, and 208 Plan).

Recommendation: No action at this time. Based on the above stated options, staff recommends developing the comprehensive approach identified in Alternative 1, which would involve amendments to several elements of the Regional Plan, including the 208 Plan. At this time, Alternative 2 can be pursued by those community plans which are in progress. The current community plans are Tahoe City, Kings Beach/Tahoe Vista, Washoe County, Douglas County, and Ski Run/Stateline. At this time, staff is seeking discussion and direction by the APC. Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments.
STAFF REPORT
City Council Meeting of April 17, 1990

TO: Members of the City Council
FROM: Kerry Miller, City Manager
RE: TRPA Code Provisions Regarding Affordable Housing

RECOMMENDATION:
Submit request to the Executive Director of TRPA that the Agency consider revisions to its Code of Ordinances regarding the definition of affordable housing and land coverage provisions for multi-family housing development.

ISSUE STATEMENT AND DISCUSSION:
On January 29th, the South Tahoe Housing Study Group discussed the various regulatory requirements that effect the provision of affordable and multi-family housing in the community. Based upon that discussion and presentations by TRPA and the City, the Study Group tentatively approved on February 21st the following draft policy statement:

Review the existing regulatory structure for definitional and language changes in order to assure maximum eligibility for housing subsidies at the local, state and federal levels.

The Study Group's concern was twofold. First, it seemed obvious that the current definition of "affordable housing" in the TRPA Code of Ordinances was so restrictive as to preclude the ability to qualify new development for available low and moderate income housing subsidies and still benefit from certain development incentives available under the TRPA code. It was agreed that this was probably not the intended outcome of the code provisions and appropriate changes to the affordable housing definition would remove this barrier.

Second, it was discovered that the coverage bonuses available under the code for eligible multi-family development existed only in identified community plan areas. This is problematic since the City's community plan areas are primarily zoned for commercial development and offer little opportunity for residential development without significant boundary adjustments, nor do they necessarily represent the most desirable location for multifamily housing land uses. The Study Group determined that TRPA's land coverage provisions for multifamily housing should be revised to allow for greater flexibility.

Although the Housing Study Group has yet to draft its final report and policy recommendations, these concerns are brought to the Council's attention because
of their possible impact on the 1990 building season. TRPA staff is aware of these concerns and has expressed their cooperation in developing and evaluating possible revisions to the code.

The recommendation is that the City Council officially transmit its request to the Executive Director of TRPA to commence discussions leading to possible revisions to the code provisions alluded to above.

FINANCIAL IMPLICATIONS:

None

______________________________
Kerry Miller, City Manager
MEMORANDUM

June 4, 1990

To: Advisory Planning Commission

From: Agency Staff

Subject: TRPA Five-Year Strategy: July 1990 - June 1995

TRPA is in the process of developing a five-year strategy, which TRPA needs to implement the Tahoe Regional Planning Compact and the Regional Plan package efficiently and effectively.

The five-year strategy is a budgeting and planning document. Its purpose is to identify, for planning purposes, TRPA's priorities, approaches, and objectives for the next five years.

Attached to this memo is a draft of the five-year strategy. At the June APC meeting, the staff will make a brief presentation of the strategy and ask for comments. The staff presented the draft to the Governing Board at the May meeting, and will discuss the strategy with the Board again in June.

Please contact Dave Ziegler at (702) 588-4547 if you have any questions or comments on this agenda item.

/dz
6-4-90

AGENDA ITEM V.P
FIVE-YEAR STRATEGY
July 1, 1990 to June 30, 1995

DRAFT

Tahoe Regional Planning Agency
April 23, 1990
Revised June 1, 1990
# TABLE OF CONTENTS

I. INTRODUCTION 1
II. MISSION STATEMENT 2
III. EVALUATION OF PROBLEMS AND CHALLENGES 4
   A. ENVIRONMENTAL
   B. INSTITUTIONAL, FINANCIAL, AND PROGRAMMATIC 11
IV. TRPA PRIORITIES: July 1990 - June 1995 16
V. STRATEGIC THRUSTS AND APPROACHES 19
VI. THE BASIC PROGRAM: July 1990 21
VII. SPECIAL PROJECTS AND INITIATIVES:
     July 1990 - June 1995 26
VIII. FIVE YEAR CALENDAR
      [to be completed] 28
IX. RESOURCE REQUIREMENTS
    [to be completed] 29
Tahoe Regional Planning Agency

FIVE-YEAR STRATEGY:
July 1, 1990 to June 30, 1995

I. INTRODUCTION

A. PURPOSE

The purpose of this five-year strategy is to identify, for planning purposes, the priorities, approaches, objectives of the Tahoe Regional Planning Agency for the next five years. The strategy is the cornerstone of budgeting and work planning. It also provides a vehicle for discussing priorities, approaches, and necessary resources. TRPA will update the five-year strategy annually.

TRPA invites comments on the strategy at any time. Address your comments or questions to: Executive Director, Tahoe Regional Planning Agency, P.O. Box 1038, Zephyr Cove, NV 89449.

B. RELATIONSHIP TO THE REGIONAL PLAN

The five-year strategy is a budgeting and planning document. It is not a part of the Regional Plan package, which includes the threshold standards, the Goals and Policies, the Code of Ordinances, the Water Quality Management Plan, and numerous other documents. TRPA needs this strategy to implement the Tahoe Regional Planning Compact and the Regional Plan package efficiently and effectively.

C. THE SYSTEMS APPROACH

A systematic approach to long-range planning and problem solving includes five basic steps:

-- problem assessment
-- strategy development
-- work program development
-- implementation
-- evaluation

This strategy, which incorporates a problem assessment, is the first step in problem solving within the Tahoe Region. TRPA will use the strategy to develop annual work programs and budget requests.

Evaluation is an important part of problem solving. It provides the essential feedback into the problem assessment and strategy, and it allows TRPA to adjust its strategy to changing conditions. TRPA has begun a complete evaluation of the Regional Plan package, scheduled for completion in September 1991. Chapter II of this strategy summarizes TRPA's current evaluation of environmental, institutional, financial, and internal problems and challenges.
II. MISSION STATEMENT

TRPA's mission is set forth in the Tahoe Regional Planning Compact (P.L. 96-551, 94 Stat. 3233, December 19, 1980). Article I of the Compact, Findings and Declarations of Policy, says in part:

The waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region. (Art. I(a)(1))

By virtue of the special conditions and circumstances of the region's natural ecology, developmental pattern, population distribution and human needs, the region is experiencing problems of resource use and deficiencies of environmental control. (Art. I(a)(4))

Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, educational, scientific, natural and public health values provided by the Lake Tahoe Basin. (Art. I(a)(6))

In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to insure an equilibrium between the region's natural endowment and its manmade environment. (Art. I(a)(10))

In order to enhance the efficiency and governmental effectiveness of the region, it is imperative that there be established a Tahoe Regional Planning Agency with the powers conferred by this compact including the power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing for orderly growth and development consistent with such capacities. (Art. I(b))

In August 1982, TRPA adopted threshold standards for the Tahoe Region. The thresholds cover water quality, soils, air quality, vegetation, wildlife, fish, noise, recreation, and scenic resources. Some of the key thresholds are:

-- a requirement to reduce dissolved inorganic nitrogen (DIN) loads to Lake Tahoe by 25 percent of the 1981 value,

-- a 10 percent reduction in vehicle-miles-travelled (VMT) from the 1981 value for a peak summer day,

-- a 7 percent reduction in winter traffic volume on the U.S. 50 corridor.
restoration of 25 percent of the disturbed, developed, or subdivided stream environment zones in the Region,

-- a 15 percent reduction in wood smoke emissions and a 30 percent reduction in suspended soils particles in the air from 1981 values,

-- requirements to maintain fish habitat and to establish in-stream flow standards, and

-- a requirement to maintain or improve the numerical scenic rating assigned to each roadway and shoreline unit in the Region.
III. EVALUATION OF PROBLEMS AND CHALLENGES

A. ENVIRONMENTAL PROBLEMS AND CHALLENGES

The Compact directs TRPA to adopt "environmental threshold carrying capacities," which are standards corresponding to desired conditions in the Tahoe Region. TRPA adopted threshold standards in 1982 covering water quality, soil conservation, air quality, vegetation, wildlife, fisheries, noise, recreation, and scenic resources.

Monitoring programs assist in determining whether the Tahoe Region attains and maintains the threshold standards. The Region does not attain some key thresholds, including water quality and air quality thresholds. Therefore, TRPA's Regional Plan must reduce the factors which cause the Region to fall short of its goals. These causative factors are, generally, the result of man's presence in and around the Tahoe Region.

The following paragraphs cover threshold-related problems; additional problems are discussed later:

Water Quality. Lake Tahoe does not attain standards related to its trophic state (i.e., level of algal productivity). Algal productivity will continue to increase, and clarity will continue to decrease, until the nutrient budget of Lake Tahoe is balanced, a goal that will take many years to reach under any feasible water quality management policies. Increasing algal productivity of Lake Tahoe results from accelerating eutrophication, which in turn is the result of liberation and reduced filtration of nutrients in the watershed; altered hydrology; vegetation displacement; addition of nutrients from fertilizer and sewage; and atmospheric deposition.

The status of compliance with state water quality standards for the tributaries varies from stream to stream, where data are sufficient to assess compliance. Violations of certain state tributary standards are common. Violations of TRPA and state standards for the quality of urban runoff at the point of discharge are also common.

Nutrient concentrations in groundwater appear to be significant in some locations in the Region, contributing to the eutrophication of Lake Tahoe.

The water quality challenge for the Tahoe Region is to roll back loads of sediments and dissolved nutrients reaching Lake Tahoe and its tributary streams through surface runoff, groundwater, and atmospheric deposition. Much of the control program to protect water quality relies on non-structural controls (e.g., fertilizer management) and decentralized structural controls on erosion and runoff (e.g., sedimentation and detention basins). These controls are known collectively as Best Management Practices or BMPs.
More research is needed on water quality cause-and-effect relationships, particularly with respect to the nutrient budget of Lake Tahoe and the role of atmospheric deposition in that budget. TRPA has been funding research aimed at development of a water quality model for Lake Tahoe.

Soil Conservation. The Tahoe Region includes a band of land of varying width near Lake Tahoe which is fairly tolerant of development and urbanization. These lands are known as good capability lands. The Region includes lands of moderate and low capability in the foothills and the mountainous areas farther from Lake Tahoe. The good capability lands near Lake Tahoe are interspersed with marshes, wetlands, and other stream environment zones (SEZs) which are sensitive to disturbance and require a high level of protection.

Development in SEZs has resulted in approximately 10 times the amount of development that TRPA's threshold standards would allow today. (TRPA thresholds limit impervious land coverage in SEZs to one percent of the land area.) Coverage in other low capability lands is roughly equal to what the standards would allow. Compacted or denuded areas which are unpaved are larger than the area covered by roofs and pavement.

The existing situation includes many examples of soil conservation problems: unstable cut and fill slopes, particularly associated with roads; denuded and compacted areas; stream channelization; and damage from outdoor recreation, off-road vehicles, and grazing.

The challenge in soil conservation is to install and maintain appropriate management practices, control the contributions of additional development, protect and restore SEZs and native vegetation, and manage the impacts of outdoor recreation (including off-road vehicle use) and other activities in natural areas. In addition, better mapping of stream environment zones is needed to plan restoration programs.

Air Quality and Transportation. The El Dorado County portion of the Region does not attain the federal air quality standard for carbon monoxide, due to the presence of a "hot spot" near the Stateline-California monitoring station. The hot spot corresponds to an area of severe traffic congestion during peak periods, the intersection of Park Avenue and U.S. 50 in South Lake Tahoe.

Although there have been no recent recorded violations of the federal standard for ozone, more stringent state and TRPA standards have been violated several times in recent years. Ozone is a secondary pollutant, formed from the combination of oxides of nitrogen, hydrocarbon gases, and sunlight, and is normally found in the summer, downwind of sources of NOx and hydrocarbons. Ozone concentrations in the Tahoe Region are influenced by transport from upwind areas outside the Tahoe Region.
TRPA has adopted standards to preserve good visual range, or visibility, in the Region. Visibility degradation is a complex phenomenon involving many variables. TRPA is establishing a state-of-the-art visibility monitoring program and will, over time, develop additional data for evaluating compliance with the threshold standards.

Known collectively as NOx, oxides of nitrogen are gases and particulates from motor vehicle emissions, combustion heaters, industry and other sources. They occur in the Tahoe Region from both local and distant sources. TRPA has set threshold standards for NOx emissions to reduce atmospheric loading of nitrogen on Lake Tahoe. NOx is also an ozone precursor and a factor in visibility degradation.

The air quality challenge for the Tahoe Region includes reducing emissions of CO, NOx, and hydrocarbons from motor vehicles and other sources; reducing blowing dust; and reducing emissions from stationary sources of air pollution. Control of motor vehicle emissions is especially challenging. Traffic congestion is common in certain areas in both summer and winter, and TRPA estimates that 1.5 million vehicle miles were travelled in the Region on an average peak summer day in 1985. To reduce dependency on the private automobile, TRPA thresholds call for a 10 percent reduction in vehicle miles travelled (VMT) from 1981 levels.

Meeting the VMT threshold is a major challenge, since the additional development the Regional Plan allows must be more than offset by programs, such as transit, that reduce VMT, and since additional development outside the Tahoe Region contributes VMT to the Region. TRPA must develop additional parking policies which address the challenges presented by congestion and a high level of dependence on the private auto.

Vegetation. Vegetation in the Region suffers from poor diversity, a result of the even-aged timber stand left by logging in the late 1800's and of current fire suppression practices. Insects have attacked the forest, already weakened by drought, cold, and other factors, and have killed many trees. Runoff of road salt from highways has also killed many trees, and TRPA is working with Caltrans and NDOT on tests of alternate deicing compounds.

One sensitive plant listed in TRPA threshold standards, the Rorippa subumbellata ("Tahoe Yellow Cress"), is found in moist backshore and in dry sandy soils on the shore areas of Lake Tahoe, and is susceptible to damage from human disturbance and inundation.

With respect to vegetation, the challenge for the Tahoe Region is to preserve populations of the endangered R. subumbellata; to manage the forest stand to control tree mortality and the risk of wildfire; and to manage the removal of dead trees to minimize adverse environmental impacts.
Fish. Siltation, channelization, dredging, removal of rock and gravel, culverts, bridges, diversions, urban runoff, snow disposal, and trash have all degraded stream habitat for fish. Boat traffic, siltation, and alteration of the lake bottom have contributed to degraded lake habitat. Neither stream nor lake habitat presently meets TRPA’s threshold standards for protection of fish. The challenge is to develop and implement habitat restoration programs, and to protect habitat from further damage. TRPA should also adopt in-stream flow standards pursuant to the thresholds.

Wildlife. TRPA thresholds name six wildlife species of special interest: goshawk; osprey; bald eagle; golden eagle; waterfowl; and deer. Habitat modification and disturbance; noise; harrassment; and dogs all interfere with maintenance of population sites. The challenge with respect to wildlife is to prevent further habitat damage, and to restore habitat, particularly in wetland areas.

Noise. Noise data indicate that violations of TRPA noise thresholds occur. Some commercial and general aviation aircraft operating at the Lake Tahoe Airport violate the single-event noise standards for aircraft. Communities, particularly those near transportation corridors or in urbanized areas, suffer from elevated cumulative noise levels caused by traffic, snow making, power transformers, pets, aircrafts, playgrounds, outdoor loudspeakers, beaches, boats, and natural wind and waves. With respect to noise, the challenge for the Tahoe Region is to preserve the quiet, tranquil atmosphere of a mountain resort area.

Since TRPA adopted the noise thresholds in 1982, it has been difficult to interpret the single-event aircraft noise threshold and the cumulative noise threshold (CNEL) because of ambiguities in the language of the thresholds themselves and in the administrative record. An additional challenge for TRPA is to resolve these issues promptly, to facilitate completion of the airport master plan and the community plans now under development in each local jurisdiction.

Recreation. Outdoor recreation facilities are heavily utilized during the peak winter and summer periods. During peak summer months, there is a shortage of developed and wilderness campsites, day use facilities, and trails. During peak winter days, capacity constraints at developed ski areas are sometimes exceeded. Particularly in the North Tahoe-Truckee area, highway capacity constrains the public’s enjoyment of winter recreation facilities. The challenge for the Tahoe Region is to provide additional access to outdoor recreation during both summer and winter.

Scenic Resources. The outstanding scenic attributes of the Tahoe Region are reduced by roads, buildings, signs, powerlines, and fences stemming from the urbanization of the Tahoe Region and subsequent demand for services, utilities, and recreation. The Regional Plan designates about 50 plan areas for scenic restoration. The scenic resource challenge is to restore the
targeted areas and to maintain scenic quality in other areas. Amendments to TRPA’s height ordinance are also needed to refine regulations relating to heights of large public service, commercial, and other buildings.

The following environmental problems are not directly related to TRPA’s threshold standards, but are nevertheless important elements of this problem assessment and strategy:

Natural Hazards. Because man has developed the Tahoe Region in a rugged, mountain environment, there is human exposure to natural hazards from earthquakes, landslides, avalanches, floods, and fires. The Tahoe Region is located in a region of active and potentially-active faults, with evidence of movement along faults, and earthquakes in and around the Region. Steep slopes increase the potential for landslides and mudslides. Travellers on the highway network are exposed to avalanche hazard. A high potential for fires exists in both natural and urbanized areas. There have been large floods in the Region in 1955, 1963, 1964, and 1969. In the area of natural hazards, the challenge is to recognize natural hazards, prevent damage to property, and protect public health.

The Shorezone. The shoreline of Lake Tahoe is 71 miles long, with about 70 percent in private ownership. The shorezone contains about 72 beaches (half of them public), and 14 marinas with a total of about 950 boat slips. Nine marinas have indicated a desire to expand. There are about 1300 littoral parcels on Lake Tahoe, 511 single-use piers, 122 multi-use piers, and 25 boat launching facilities including the marinas.

Since piers, marinas, buoys, breakwaters, floating docks, and jetties are found in the water less than 30 feet in depth, which is also the location of most prime fish habitat, there is a potential for damage to fish habitat by shorezone development. Also, where natural erosion of backshore bluffs is interrupted by man, beach erosion and deep water beaches result. With regard to the shorezone, the challenge is to provide access to Lake Tahoe while preserving the vital natural processes which occur in the shorezone.

Sewage Treatment and Collection. The discharge of wastewater to the surface waters and groundwaters of the Tahoe Region is prohibited, with some minor exceptions approved under state law. The five major wastewater collection and treatment districts in the Region all have reserve capacity. However, the South Tahoe Public Utility District (STPUD) will soon have committed all of its capacity. STPUD is pursuing financing and permits to upgrade and expand its collection, treatment, and export systems. The challenge for TRPA is to work with utility districts to provide the required level of sewage treatment for development allowed under the Regional Plan.

Water Supply. There are approximately 85 water companies, utility districts, independent domestic suppliers, and private suppliers providing water to development within the Tahoe Region. Water is obtained from public
and private wells, intakes in Lake Tahoe, and other surface water diversions. Intakes from streams or from Lake Tahoe are affected by new U.S. EPA regulations, and water suppliers may have to provide additional treatment (or seek alternative supplies) by 1993 to comply with those regulations. Many systems need upgrading to supply adequate quantities of water for domestic and fire suppression purposes. The challenge for TRPA is to work with water suppliers to provide the required water supply for development allowed under the Regional Plan.

The Economy. The Tahoe Region's economy is highly dependent on tourism. The principal market areas are the San Francisco and Sacramento metropolitan areas. Secondary markets include northern Nevada and California and the Los Angeles-Orange County area. The Tahoe Region's economy declined from 1978 to 1986. Retail sales declined, and hotel and motel properties had lower revenues, reflecting declining tourist visitation to the Region.

Other resort areas with newer and better facilities place the Tahoe Region at a competitive disadvantage. The Region's visitor profile is dominated by day and overnight users who spend less and have more environmental impacts than destination visitors. Reversing the economic trends will require a coordinated effort between the public and private sectors to improve visitor-serving facilities. Unless a substantial reversal is achieved, visitor numbers and expenditures could continue to decline. The challenge for TRPA is to monitor and evaluate economic trends, and encourage--where possible--a reversal of recent economic trends.

Housing. Housing construction costs in the Tahoe Region are high, and there is a shortage of affordable housing. The demand for affordable housing, which already exceeds the supply, is expected to increase. Maintaining a diversity of housing types is important to the economy of the Region. The challenge for TRPA with respect to housing is to coordinate with local governments on policies designed to accomplish a healthy housing mix.

Drought. For approximately five years, the Tahoe Region has been suffering from a drought, resulting in stress on vegetation and wildlife, elevated fire danger, and low levels in Lake Tahoe. The drought has led to an increase in requests from marinas and boat ramps for dredging permits. If the drought continues, downstream water users may request permission to divert water from Lake Tahoe or its tributaries. Although the Compact gives TRPA no authority over the interstate allocation of water, TRPA would still be involved in environmental assessments and, possibly, permitting of diversion structures. The challenge, with respect to the drought, is to anticipate an elevated level of dredging requests and the need to review and comment on drought-related environmental issues.
Cultural, Historic, and Architectural Resources. TRPA maps and records designate historic resources in the Region. These include 73 named, mapped sites and numerous Washoe cultural sites. The majority of sites are in or near urbanized areas. The challenge is to identify and preserve sites of historical, cultural, and architectural significance, and to conduct additional research and mapping of those sites.

Solid Waste Management. California and Nevada both prohibit the disposal of solid waste within the Tahoe Region. Wastes from the Region are exported to Gardnerville, NV; Truckee, CA; and Jarison City, NV. There are nine solid waste haulers and two transfer stations within the Region. The challenge, with respect to solid waste, is to encourage community clean-ups and recycling; to review waste disposal programs with local government and land managers such as the U.S. Forest Service; and to ensure that these programs meet the needs of new development.

Toxic and Hazardous Wastes. Federal, state, and local units of government with jurisdiction in the Tahoe Region are developing hazardous waste management plans. Uncontrolled disposal of household hazardous wastes (e.g., waste oil, paints) and some commercial wastes (e.g., degreasers, cleaning fluids, solvents) jeopardize water quality. The challenge is to evaluate hazardous waste management plans in the context of the September 1991 evaluation and, if they are lacking, take steps to cause the responsible entities to upgrade them.

Spill Prevention and Response. Accidental releases of sewage from sewage collection and treatment systems, and spills of toxic and hazardous substances during transport and storage, have occurred in the Tahoe Region. They endanger water quality and public health and safety. The challenge, with respect to these spills, is to: ensure that sewage collection and treatment districts have approved spill contingency and prevention plans; work with those districts to prevent spills due to inadequate capacity; ensure that underground tanks meet standards set forth in state, local, and TRPA regulations; and work with the Forest Service, U.S. EPA, the U.S. Coast Guard, state water quality and health agencies, and local units of government to develop programs to prevent and respond to spills.
B. INSTITUTIONAL, FINANCIAL, AND PROGRAMMATIC PROBLEMS AND CHALLENGES

In addition to the environmental problems and challenges addressed in the preceding pages, institutional, financial, and programmatic problems create additional challenges for the next five years. These institutional, financial, and programmatic problems add to, and complicate, the environmental problems.

Land Use and Urban Infrastructure. Development of the Tahoe Region has generally occurred in the area adjacent to Lake Tahoe and in the wide, gently-sloping valleys in the southern portions of the Region. Existing land uses, in some areas, are obsolete and poorly maintained. The land use pattern suffers from strip development; loss of view corridors; inefficiency in the distribution of uses; and automobile dependency.

Although the Regional Plan places controls on additional development, the land use challenge for TRPA is to encourage redirection, rehabilitation, and redevelopment of existing land uses, and to maintain the momentum already established in these areas.

Transportation Institutions and Financing. In the face of major, and growing, transportation problems and a public outcry for solutions, the institutional framework for solving transportation problems is fragmented among two states, five counties, one incorporated area, a bi-state transportation district, and numerous joint powers authorities and private transportation providers.

The existing institutions address the high capital and operational costs of transportation systems piecemeal. Coordination is difficult, and economies of scale are forfeited. Although public transit in the Region is relatively successful, in terms of farebox revenues, the Tahoe Transportation District (established by the Tahoe Regional Planning Compact as a special district) lacks an operating budget and funds for implementation.

The challenge for TRPA is to coordinate and integrate the provision of transportation in the Region, to ensure efficient, economical, and appropriate services for residents and visitors alike. It may be necessary to propose amendments to the Tahoe Regional Planning Compact to enhance the ability of the TTD to carry out transportation programs.
The High Cost of Environmental Quality. Given the harsh climate, mountainous landscape, and extreme environmental sensitivity, the costs of doing business within the Tahoe Region are high. Because large portions of the Region were originally developed as summer retreat areas, much of the existing development took place without attention to long-term maintenance, erosion and runoff control, drainage, and other needs. Roads are particularly troublesome (TRPA estimates that 40 percent of runoff comes from streets and roads) and are expensive to rehabilitate.

With an estimated cost for erosion and runoff control, wetlands restoration, and transportation improvements of approximately $500 million, the challenge for TRPA is: to plan the financing and construction of capital improvements; to plan for their ongoing operation and maintenance; to consider the burden of these improvements on other necessary public facilities, such as schools; and to spread the financial burden not only to residents but also to the larger non-resident population of the Region during peak periods.

The dynamic nature of the Regional Plan. Although TRPA and other agencies know much about environmental cause-effect relationships and the carrying capacities of the Region, there is also much to learn. There is an element of risk in the Regional Plan stemming from uncertainty about the effectiveness of environmental programs. TRPA's threshold standards call not only for the maintenance of environmental quality, but also the enhancement of quality in those areas where the Tahoe Region's unique values have been lost or damaged.

The Compact requires TRPA to identify and document the means and time schedule for attaining every threshold standard and applicable federal, state, and local air and water quality standard. TRPA must keep this documentation up-to-date, and make related findings on every project approval.

With this background, TRPA must ensure that a comprehensive monitoring and evaluation program is in place. Such programs are expensive and complex. Air and water quality monitoring alone now cost approximately $1 million each year. With the information gained from monitoring programs, TRPA must amend the Regional Plan periodically (at least every five years) to account for changing conditions.

The challenge for TRPA is to ensure that cost-effective and comprehensive monitoring programs are in place; that researchers conduct timely and relevant research; that TRPA and others evaluate data objectively and impartially; and that all the affected parties reach consensus on necessary plan amendments.
Complexity of the Regional Plan and increasing demands on TRPA's project review, compliance, and support functions. The Regional Plan package is large and complex. It includes: environmental threshold carrying capacities for nine environmental categories; a Goals and Policies plan; a Code of Ordinances; rules of procedure; land use controls; a water quality management plan; air quality and transportation plans; monitoring and evaluation programs; erosion control and design review guidelines; and other documents.

One element of the 1987 Regional Plan, the Individual Parcel Evaluation System (IPES), is new, and difficult for some members of the public to understand. TRPA needs to give more attention to explaining IPES, which is a screening system to determine eligibility of vacant parcels for building permits for new single-family homes.

The Regional Plan often overlaps with plans and programs of local governments and agencies such as the Forest Service. Tahoe's short building season, local permit deadlines, pent-up demand for building permits, limited allocations of additional growth, long permit processing times, and expense of permit processing also increase the difficulty of implementing the plan.

The Regional Plan has created an increasing volume of permits to be issued and enforced (see Table 1), including permits for large and complex projects, such as redevelopment projects, ski area improvements, and marina expansions.

The result is a heavy and increasing workload on TRPA's permit and compliance functions, and corresponding demands on the budget, physical plant, vehicle fleet, administrative staff, legal staff, and information managers. The challenge for TRPA is threefold: the delegate activities, streamline permit processing, and simplify the Code and the rules; to anticipate change and gear up in advance; and to educate and inform the public about the requirements of the Regional Plan, and ways to minimize impacts on the public.
TABLE 1

NEW CATEGORIES OF PERMITS RESULTING FROM
1987 REGIONAL PLAN

Signs
Redevelopment Projects
Stationary Sources of Air Pollution
Master Planned Ski Areas and Marinas
Structures Housing Gaming
Grazing and Timber Operations
Five and Ten Year BMP Retrofit Schedules
Remedial Action Plans (Chapter 9)
Foundation Abatement
Hazardous Waste Management
Large Volume of Information. Prior to the adoption of the 1987 Regional Plan, the volume of plan-related information which TRPA managed was already high. Since 1981, TRPA has pursued the development of computerized information processing for geographic, permit, and compliance data. After the adoption of the the 1987 plan, however, TRPA's information processing demands increased.

Information systems must accommodate data on transfers of development rights, transfers of impervious land coverage, banking of land coverage and units of use, compliance schedules for retrofit of Best Management Practices, mitigation of existing environmental impacts, and other items not in effect prior to 1987. TRPA has used time-sharing and cooperative agreements for computer space at other agencies, but as information processing needs have grown, such arrangements have become less suitable. In addition, there is no coordinated Region-wide system for storing and retrieving interrelated data, and no effective network of data system users.

The challenge for TRPA is this area is: to provide a cost-effective, reliable, and up-to-date geographic information system; to use such a system to help manage the complexity of the Regional Plan and to support delegation of permit processing activities; and to improve networking, communications, and coordination among those who use data from TRPA's data set.

Legal Challenges to the Regional Plan. The potential for legal challenges to the Regional Plan always exists. TRPA's record in the defense of Plan-related litigation has been good, but every challenge to the Regional Plan creates a need for legal defense. In fiscal year 1989-90, the defense of a single case in trial cost TRPA over $250,000, about 80 percent of that year's legal budget.

TRPA's litigation roster includes about 10 inverse condemnation cases, which carry the potential for costly defense actions and, potentially, liability for TRPA, California, and Nevada. The September 1991 evaluation of the Regional Plan package and subsequent Regional Plan amendments may initiate additional Plan-related litigation.

The legal challenge for TRPA is: to use consensus-building methods to develop plan amendments which have broad-based public support; to use day-to-day "preventative medicine" to ensure that routine permitting and
compliance functions do not result in litigation; to anticipate legal challenges and budget accordingly; and to vigorously defend TRPA from legal challenges.

Resource Demands Related to Environmental Disclosure Laws. At least three state and federal laws create resource demands on TRPA related to the disclosure of environmental impacts of proposed activities: the National Environmental Policy Act ("NEPA"), the California Environmental Quality Act ("CEQA"), and the Tahoe Regional Planning Compact itself. All of these laws require, at least for large projects, the preparation of Environmental Impact Statements (EISs) or Reports (EIRs).

Proposed activities within the Tahoe Region which may have significant adverse environmental impacts must be analyzed in an Environmental Impact Statement pursuant to Article VII of the Compact and, for portions of the Region in California, an Environmental Impact Report pursuant to CEQA. If these activities involve federal actions, an Environmental Impact Statement must be prepared pursuant to NEPA. Also, activities outside the Tahoe Region may have impacts upon the Tahoe Region, necessitating TRPA's review and comment on related EIRs and EISs.

While there is no argument with the appropriateness of the environmental disclosure statutes, preparation, review, and comment on EIRs and EISs represents a very significant and increasing workload for TRPA. To improve the efficiency and effectiveness of TRPA's involvement in environmental disclosure documents, it may be necessary to dedicate a separate staff within TRPA to handle review and comment functions.

The challenge for TRPA is to anticipate the workload associated with environmental disclosure documents, and make sure that environmental reviews are complete and consistent.

The Evolving State-of-the Art and the Need for Training. TRPA is sometimes described as an agency on the cutting edge of environmental protection and regulation, and is frequently cited as an example in university courses and national environmental literature. Nevertheless, there is a need for continuing education and training for the staff. In recent years, the staff training budget has decreased (on a per-employee basis) due to other demands on the budget, particularly in the permitting and compliance functions.

In the area of training, the challenge for TRPA is to maintain a cost-effective, ongoing training and educational program for the staff.
IV. TRPA PRIORITIES: July 1990 - June 1995

Environmental Protection and Remedial Priorities

-- implementing BMPs for erosion and runoff control and dust control on all lands in the Region; maintaining those BMPs

-- restoring SEZs for their water quality, scenic, fish, and wildlife benefits; improving SEZ maps

-- financing capital improvements and operating costs for public sector erosion and runoff control, transportation improvements

-- coordinating and integrating transportation programs and policies to enhance effectiveness and reduce overlap

-- reducing CO, NOx, and hydrocarbon emissions; reducing VMT; improving LOS, so that the Tahoe Region meets air quality standards and basic transportation needs

-- implementing a noise control program to preserve tranquility within the Tahoe Region; resolving issues having to do with the language of the noise thresholds themselves

Institutional and Programmatic Priorities

-- monitoring, evaluating, and amending the Regional Plan to respond to changing conditions; conducting additional research

-- educating and informing the public about the Regional Plan, to implement voluntary programs, to reduce permit processing times, and to improve the public's perception of TRPA

-- delegating, streamlining, and simplifying project review to improve service to the public while reducing and controlling TRPA's costs

-- continuing to develop and utilize a GIS to facilitate information exchange, support evaluation efforts, and enable TRPA to fulfill the promise of Regional Plan (e.g., land coverage banking; coverage transfers)

-- continuing and expanding redevelopment as the most prominent example of rehabilitation efforts; expanding redevelopment to the North Shore of Lake Tahoe; also, continuing master planning for marinas, ski areas, parks, airport, other
V. STRATEGIC THREATS AND APPROACHES

The following paragraphs describe six approaches to the priorities described on the preceding page. These approaches help set a philosophical tone and guide the development of goals and objectives for the next five years.

A. Streamlining and Simplifying Processing

TRPA will convene a task force to investigate the possibilities for streamlining the requirements of the Goals and Policies, Code of Ordinances, and Plan Area Statements, to simplify the permitting process and subsequent compliance efforts.

B. Delegation of Selected Project Review Activities

TRPA will attempt to delegate most project review activities related to single family homes to units of local government. TRPA will attempt to complete one delegation agreement each year for the next five years. Under the Tahoe Regional Planning Compact, TRPA must retain the ultimate approval authority, but local government can carry out most review functions in conjunction with their own permitting processes.

C. Financing Implementation Programs

TRPA will complete a comprehensive financing strategy for erosion and runoff control, SEZ restoration, and transportation improvements in 1990, and keep the strategy current with respect to election results, new funding commitments, completed projects, and other information. TRPA will be an advocate for financing of these programs, and will work with California, Nevada, and the U.S. government to develop appropriate legislation. TRPA will review and update water quality and air quality mitigation fees as required by the Regional Plan.

D. Environmental Education

To enhance the effectiveness and efficiency of environmental control measures, TRPA will carry out a vigorous environmental education program. Improved awareness of TRPA’s Regional Plan will increase community support for water quality, air quality, and other programs, will shorten processing time on project applications, and will reduce the need for enforcement. Attaining several of TRPA’s threshold standards depends upon voluntary public actions.
E. Automated and Integrated Information System

To accommodate its growing data base system, TRPA will acquire an appropriate computer and phase out existing time-sharing arrangements with the U.S. Geological Survey. TRPA will use the information system to serve its own needs and those of other public agencies interested in TRPA's geographic data. TRPA will convene a geographic data base users group to help accomplish its information system goals and objectives.

F. Monitoring, Evaluating, and Adjusting the Regional Plan

The first five-year evaluation of the 1987 Regional Plan will take place in September 1991, and is one of TRPA's highest short-term priorities (along with the completion of the transportation/air quality plan update and community plans). The evaluation system described in Chapter 32 of TRPA's Code of Ordinance forms the foundation of the evaluation, which will also include a sub-committee on economic indicators and a separate evaluation of the Individual Parcel Evaluation System (IPES). TRPA will amend the Regional Plan after September 1991 in response to the recommendations of the five-year check-up.
VI.  THE BASIC PROGRAM: July 1990

As TRPA enters the first year of the five-year period covered by this strategy, the following list of functions describes TRPA's basic program. To fulfill its mission as set forth in the Tahoe Regional Planning Compact, TRPA must carry out each of these functions.

The organization chart for the basic program is shown in Figure 1. Under the director's office and legal staff, TRPA is organized into the Long Range Planning, Project Review, Compliance, and Management Support Divisions.

A. Long Range Planning Division

1. Standards Setting
   a. evaluate threshold standards
   b. recommend threshold revisions
   c. recommend revisions to other standards

2. Regional Planning
   a. amend Goals and Policies
   b. amend Plan Area Statements
   c. complete community plans
   d. prepare master plans and specific plans
   e. adopt recreation and public service five-year lists
   f. refine historic resource inventory and maps
   g. prepare integrated air quality and transportation plan
   h. conduct special transportation studies
   i. update BMP handbook
   j. update CIP for erosion and runoff control
   k. update and refine SEZ protection and restoration program
   l. prepare integrated plan financing program

3. Ordinances
   a. amend the Code of Ordinances
   b. complete additional Code chapters

4. Regional Plan Implementation
   a. administer TDA program (California)
   b. participate in STIP process (California)
   c. administer mitigation funds
   d. coordinate restoration/mitigation projects
   e. implement IPES
   f. administer land capability classification system
   g. assist land banking and transfer programs
5. Regional Plan Evaluation

a. run TRPA monitoring committee
b. prepare annual monitoring reports
c. implement/administer monitoring programs
d. monitor implementation of IPES and movement of
IPES line
e. evaluate implementation of BMPS
f. conduct traffic counts and special studies
g. conduct comprehensive five-year evaluation

6. Program Support and Integration

a. provide technical support to other divisions
b. maintain official TRPA maps
c. publish and distribute TRPA documents
d. operate/expand computerized data base
e. participate in environmental disclosure documentation

B. Project Review Division

1. Residential Projects

a. review new single-family homes
b. review plan modifications
c. review single-family additions and modifications
d. review parcel line adjustments
e. approve development right transfers

2. Commercial and Public Works Projects

a. review new projects
b. review changes in use and modifications
c. review plan modifications

3. Gaming-related Projects

4. Shorezone Projects

a. review pier repairs
b. review new piers
c. review shorezone protective structures
d. review plan modifications
e. review dredging, marina, jetties, etc.

5. Emergency Projects

6. Remedial Erosion Control Projects
7. Field Verifications and Ranking

8. Environmental Impact Analysis and Disclosures

9. Redevelopment Projects

C. Compliance Division

1. Conditions of Project Approval
   a. conduct required inspections
   b. verify construction status
   c. determine compliance with project approvals
   d. anticipate and prevent environmental impacts

2. Exempt and Qualified Exempt Activities

3. BMP Requirements for Projects
   a. determine compliance with BMP retrofit schedules
   b. insure BMPs are installed correctly
   c. refine BMP requirements
   d. determine BMP requirements for resolution of violations

4. Violations
   a. investigate violations; post notices
   b. negotiate resolutions
   c. prepare and present show cause hearings
   d. support litigation

5. Remedial Programs
   a. initiate action plans pursuant to Code Chapter 9
   b. approve action plans
   c. monitoring implementation of action plans

D. Management Support Division

1. Communications
   a. answer incoming telephone calls
   b. provide reception services at front counter
   c. open, log, and route mail
   d. maintain information packets
2. Clerical--Project Review
   a. determine completeness of applications
   b. log in applications
   c. make application files
   d. type correspondence and permits
   e. assist with front-counter inquiries
   f. perform clerical aspects of securities
   g. determine mapped land capability classifications
   h. prepare receipts
   i. input application data into computerized data base

3. Clerical--Advisory Planning Commission and Governing Board Meetings
   a. prepare and mail agendas
   b. prepare and post required notices
   c. type and mail meeting packets
   d. take and prepare meeting minutes
   e. service subscribers to packets

4. Clerical--General
   a. type and mail correspondence
   b. file documents
   c. schedule meetings and appointments
   d. copy documents

5. Special Events Host

E. Director's Office

1. Administration
   a. prepare annual report
   b. conduct budget defense
   c. prepare five year strategy
   d. prepare work program and management objectives
   e. pursue grants
   f. track legislation
   g. conduct Governing Board and elected official correspondence
   h. coordinate and oversee staff
   i. approve Governing Board and APC packets
   j. pursue delegation to local governments
   k. prepare memoranda of understanding
   l. conduct intergovernmental relations
   m. manage personnel
n. oversee training program
o. oversee effectiveness and excellence programs
p. maintain physical plant, fleet, and daily operations
q. conduct employee wellness program
r. conduct community relations
s. coordinate streamlining task force

2. Finance Department
   a. procure and administer insurance
   b. conduct accounting
   c. manage payroll
   d. manage procurement
   e. manage audits
   f. prepare budget; assist budget defense
   g. manage contracts and grants
   h. prepare financial statements
   i. manage investments
   j. administer securities
   k. manage mitigation funds
   l. administer retirement system
   m. administer special funds (TTD, airport master plan)

3. Environmental Education Program/Ombudsman

F. Legal Staff
   1. Oversee outside counsel
   2. File enforcement actions
   3. Develop additional ordinances
   4. Manage litigation
   5. Meet and confer on stipulation for entry of judgment
   6. Develop rules of procedure
   7. Develop personnel policies and procedures
   8. Support the staff with preventive legal advice
VII. SPECIAL PROJECTS AND INITIATIVES: July 1990 - June 1995

In addition to the basic program, described in the previous section of this strategy, TRPA will conduct a variety of special projects and initiatives during the next five years. These special activities are generally supported by special appropriations from the states, state and federal grants, or other specialized funding sources.

Special projects and initiatives generally cannot be accomplished without special funding support. Most research-related activities fall into the category of special activities.

A. Current Special Projects and Initiatives—July 1, 1990

a. environmental monitoring program: water quality, air quality (visibility), noise; IPES-related water quality monitoring [funded by special appropriations from California and Nevada through June 1991; includes federal matching funds from U.S. Geological Survey]

b. integrated five-year evaluation of the Regional Plan, to be completed by September, 1991 [funded by special appropriations from California and Nevada through June 1991]

c. re-mapping of stream environment zones and flood plains [funded by special appropriations from California and Nevada through June 1991]

d. community planning support [funded by special appropriations from California and Nevada through June 1990; included in California budget for FY 90-91; not presently included in Nevada budget for FY 90-91]

e. development of Tahoe Environmental Geographic Information System (TEGIS) [funded by special appropriations from California and Nevada through June 1990; included in California budget for FY 90-91; not presently included in Nevada budget for FY 90-91; includes federal matching funds from U.S. Geological Survey]

f. Study of Littoral Structure and its Effects on the Fish Community of Lake Tahoe (Phase III) [funded by state and federal grants administered by state wildlife departments]

g. Inventory of Nevada-side historical resources (Phase II) [funded by grant administered by Nevada State Historic Preservation Office through September 1990]
B. Desired Special Projects and Initiatives—July 1990 to June 1995

1. continuation of the ongoing water quality, visibility, and noise monitoring programs

2. completion and ongoing operation of the Tahoe Environmental Geographic Information System (TEGRIS)

3. tracer study to determine the importance of long-range transport of air pollutants into the Tahoe Region

4. continuation of research aimed at completing a dynamic water quality model for Lake Tahoe; investigation into utility of using existing available water quality models to predict water quality conditions in Lake Tahoe

5. research on the effectiveness of Best Management Practices

6. continuation of stream environment zone and floodplain mapping

7. natural hazards study to support development of natural hazards chapter of the Code of Ordinances

8. transportation-related studies:
   a. study of access management needs on the U.S. 50 corridor in El Dorado County and the City of South Lake Tahoe
   b. study of transit demand on the South Shore
   c. study of existing transportation mode splits in the Tahoe Region
   d. study of rental car operations in the Tahoe Region
   e. preparation of a transit marketing plan
   f. research into mitigation of diesel bus and truck exhaust

9. continued research and mapping of cultural and historical sites

10. study of possible methods of fish habitat restoration
VIII. FIVE YEAR CALENDAR: July 1990 to June 1995

[To be completed.]
IX. RESOURCE REQUIREMENTS

A. External
   1. environmental CIP costs
   2. environmental operating costs
   3. new programmatic thrusts
   4. monitoring

B. Internal
   1. basic program
   2. special initiatives

[to be completed]
MEMORANDUM

June 1, 1990

To: Tahoe Regional Planning Agency Advisory Planning Commission

From: Susan E. Scholley, Special Projects Attorney

Re: Amendment of Article VII Rules of Procedure Regarding Advisory Planning Commission Duties

The Rules Committee (Governing Board) and members of the APC met last month to discuss amendments to Article VII which would expand the scope of APC duties. Pursuant to that discussion, attached is the proposed draft of the amended Rules of Procedure relating to the Advisory Planning Commission. Prior to presentation to the Governing Board Rules Committee, the input and comments of the APC are desired.

Although not set forth in the proposed draft, the Rules Committee and several members of the APC suggested a change in the regular meeting date of the APC from the second Wednesday of each month to the first Wednesday of each month. The purpose for such a change would be to allow additional time for staff to summarize and include additional detail on APC recommendations in the Board packet which is mailed one week prior to the Governing Board meeting (fourth Wednesday of each month).

Based on APC comments and input, the draft amendments will be modified for presentation and consideration to the Rules Committee at its June 27, 1990 meeting. If you have any questions regarding this matter, please contact Susan Scholley at (702) 588-4547.
ARTICLE VII - ADVISORY PLANNING COMMISSION

7.1 PURPOSE: This article sets forth the functions, duties and procedures of the Advisory Planning Commission (APC).

7.2 PROCEDURES: The APC shall be governed by these Rules of Procedure. To the extent practicable, the rules relating to the Governing Board shall also govern the APC. The APC may adopt different rules in those situations where the Rules of Procedure are not applicable or would be impractical for the APC to follow. The APC shall notify the Governing Board, in writing, of any such rule which the APC has determined to be inapplicable or impractical when applied to it, and the change or substitution for such rule or regulation adopted by the APC.

(a) The APC shall not prepare tentative agendas.

(b) Pursuant to Article III(h) of the Compact, a majority of the members constitutes a quorum. A majority vote of the quorum present shall be required to take action.

7.3 MEETINGS: The APC shall meet the second [first?] Wednesday of each month. If a regular meeting day falls on a holiday, the meeting shall be held on the next business day which is not a holiday. Meetings may be continued by those members present on a determination that a quorum cannot be expected on the regularly scheduled date.

7.4 ENVIRONMENTAL IMPACT STATEMENTS: The APC shall review and consider the technical adequacy of environmental impact statements prepared pursuant to Article VII of the Compact. Based upon such consideration, the APC shall make a recommendation to the Governing Board on the certification of the environmental document.

7.5 PLANNING MATTERS: Pursuant to Article V(a) of the Compact, the APC shall review and consider planning matters prior to presentation to the Governing Board. Based upon such consideration, the APC shall make a recommendation to the Board regarding action on such matters. Planning matters include amendments to the Regional Plan, including Goals and Policies, Regional Transportation Plan, the Code of Ordinances, maps, and other TRPA plans and programs as appropriate.

7.6 ADDITIONAL MATTERS: The Executive Director may determine that, because of special circumstances, a project or other matter would not otherwise be submitted to the APC, shall be considered by the APC prior to presentation to the Governing Board. Such determinations shall be based on a consideration of the nature or extent of controversy, the technical complexity, local and regional planning issues, and similar concerns.

7.7 PROJECT REVIEW: Those projects for which an EIS has been prepared pursuant to Article VII shall be considered by the APC in conjunction with a review of the EIS. The APC may make recommendations on the project to the Governing Board concerning mitigation measures, conditions of approval, and related matters.
7.8 **TRANSMITTAL OF RECOMMENDATIONS:** The staff summary for a project or matter which has been submitted to the APC for recommendation to the Governing Board, shall include a summary of the APC comments on said matter. The summary shall also include the final vote of the members of the APC.

7.9 **CONSIDERATION BY GOVERNING BOARD:** The Governing Board shall consider the recommendations of the APC prior to action on the project or matter. The Governing Board may hear additional testimony and argument concerning any matter or project.

7.10 **PARTICIPATION BY GOVERNING BOARD:** Members of the Governing Board may attend and participate in APC meetings, but their presence shall not be counted in determining a quorum, nor shall Governing Board members be entitled to vote.

7.11 **EXTRA TERRITORIAL ENVIRONMENTAL DOCUMENTS:** The APC shall, in conjunction with the Executive Director, make recommendation to the Governing Board regarding which out-of-Basin environmental documents merit comment by TRPA. The APC shall assist the Executive Director in the preparation of draft comments on out-of-Basin environmental documents for Board consideration and transmittal.
MEMORANDUM

June 4, 1990

To: TRPA Advisory Planning Commission

From: Agency Staff

Subject: Discussion on North Tahoe Public Utility District Dollar Hill To Regional Park Bicycle Trail Draft EIR/EIS

On March 29, 1990, copies of the subject document were mailed to all Advisory Planning Commission (APC) members. The 60-day public comment period commenced on April 2, 1990 and concluded on May 31, 1990.

At the June 13, 1990 APC meeting, TRPA staff and the EIR/EIS consultants, K.B. Foster, will make a presentation of the document for the APC’s review and comment. Although the public comment period has closed, staff is not requesting the APC for a recommendation for certification at this time. All comments received at the June 13, 1990 APC meeting will be incorporated into the Final EIS. If you have any questions regarding this matter, please contact Rick Angelocci of the TRPA staff at (702) 588-4547.
MEMORANDUM

June 4, 1990

To: Advisory Planning Commission

From: Agency Staff

Subject: Report on Kelly v. TRPA

As time allows at the June APC meeting, Executive Director Dave Ziegler will give a brief oral report on the trial in the matter of Kelly v. TRPA, which took place in February, 1990. The purpose of this report is to share with the APC the issues at trial and the evidence presented by both plaintiffs and defendants.

Please contact Dave Ziegler at (702) 588-4547 if you have any questions or comments on this agenda item.