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 October 10, 1990, at the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Nevada. The agenda for said meeting is attached hereto and made a part of this notice.

October 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.
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 195 U.S. Highway 50
Zephyr Cove, Nevada

October 10, 1990
9:30 a.m.

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. Adoption of Ski Area Master Plan Guidelines and Related Amendment of Chapter 16, Specific and Master Plans

B. Amendment of Chapter 21, Density, Regarding Residential Development Rights and Adoption of Chapters 41 and 43 Regarding New Subdivisions

C. Preliminary Community Plan for the City of South Lake Tahoe

D. Amendment of Chapter 11, Foundations, to Extend Deadline for Transfer of Development

E. Amendment of Chapter 4, Project Review and Exempt Activities, to Adopt an MOU Between TRPA and the Tahoe City Public Utility District

V REPORTS

A. Executive Director
   1. IPES Line Movement
   2. Status Report on RTP/AQP Update
   3. Other

B. Legal Counsel

C. APC Members

D. Public Interest Comments

VI PENDING MATTERS

VII ADJOURNMENT
October 1, 1990

To: Advisory Planning Commission

From: TRPA Staff

Subject: Adoption of Ski Area Master Plan Guidelines and Related Amendment of Chapter 16, Specific and Master Plans

Proposed Action: TRPA staff is proposing adoption of ski area master plan guidelines to be used in the preparation of ski area master plans pursuant to Chapter 16, Specific and Master Plans. Related amendments to Subsection 16.7 to replace the existing reference to the 1977 CTRPA master plan guidelines with the proposed guidelines will also be required. This item was continued from the September APC meeting.

Background: In August, 1987, the TRPA Governing Board appointed a Ski Area Master Plan Committee to make recommendations to TRPA regarding a revised set of ski area master plan guidelines. The Committee met numerous times and has finalized a proposed set of recommended guidelines which would replace the existing 1977 CTRPA guidelines now in effect (proposed guidelines are attached to this memorandum). The guidelines would be used in conjunction with Chapter 16 to identify the specific contents and analyses required of TRPA ski area master plans.

Following public testimony at the September APC meeting, the APC continued the hearing, and directed the staff to reconvene the Master Plan Guidelines drafting committee. The committee met September 27, 1990 and drafted minor revisions to the guidelines. The revisions are summarized below with page references to the specific guidelines section.
Memorandum to Advisory Planning Commission
Adoption of Ski Area Master Plan Guidelines
and Related Amendment of Chapter 16, Specific
and Master Plans — Page 2

Proposed additions to the guidelines are underlined, while deletions are lined out. The committee voted to forward the guidelines to the AFC with a recommendation to approve them and recommend adoption to the Governing Board. Their recommendation is conditioned on the committee reconvening on or about May 1, 1991 to review and endorse the Ski Area Cumulative Watershed Effects Analysis Methodology (Appendix 5), used to analyze cumulative watershed conditions for each ski area. The Lake Tahoe Basin Management Unit is in the process of adapting the required methodology for use in the Tahoe Region. They are scheduled to complete their work by April, 1991. Staff will provide more discussion on this matter at the meeting. The condition is restated in the staff recommendation located at the end of the staff report. The vote to recommend the guidelines to the AFC was 5-0, with two abstentions.

Listed below is a summary of the proposed revisions recommended by the committee:

1. p.6. Identify under 2. Plan Area Statements, that the Plan Area Statements permit, under certain conditions, the transfer of PAOT allocations.

2. p.10. Identify that TRPA-approved master plans shall be amended prior to approving a proposed expansion of use which is not in the existing master plan.


4. p.14. Under Item C, Amendment of TRPA-Approved Master Plans, add a cross reference to page 10 that existing TRPA-approved master plans must be amended prior to approving a proposed expansion of use which is not in the existing master plan (see #2 above).

5. p.15. #1 Replace "Modifications ...which do not increase the intensity of use...", with "Modifications ...which do not result in an expansion of use as defined in Chapter 2 of the Code." as a category of actions which TRPA may approve prior to master plan adoption or amendment.

6. p.15. #2 Identify the USDA Forest Service as a party to an existing MOU with TRPA.

7. p.20. Add #9 to Planning Criteria identifying that the master plan shall achieve balance between uphill lift capacity, ski run capacity, support facilities and watershed disturbance. This set of criteria was previously located in Appendix 4 on page 25.

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AGENDA ITEM IV.A.
Memorandum to Advisory Planning Commission
Adoption of Ski Area Master Plan Guidelines
and Related Amendment of Chapter 16, Specific
and Master Plans -- Page 3

8. p.23. Identify in #2. Monitoring Responsibilities, that the monitoring
program contains an annual report to TRPA which includes a listing
of activities and projects which were undertaken that year without
master plan amendments.

9. p.26. Add a note in the second paragraph of Appendix 5 that the exact
methodology to be applied to ski areas, including determination of
the coefficients of disturbance, will be reviewed by the guidelines
committee on or about May 1, 1991 for consistency with the method-
ology identified in the adopted guidelines. Identify further that
until this review is complete or until amendments to the guidelines
become effective, construction of new or expanded ski runs will be
prohibited.

10. p.30. Identify that maximum peak use scenarios should be included as part
of the environmental document.

11. p.23. Remove the requirements to provide snow avalanche and safety plans
and emergency evacuation plans from the operations section of the
master plan. Requiring safety-related provisions is beyond TRPA's
authority.

The Regional Plan Goals and Policies establish a direct linkage between expa-
sion of use of ski areas and the preparation of a ski area master plan (excerpts
provided below). Section 16.1 of the Code prohibits the expansion of use of
existing ski areas or the establishment of new ski areas until TRPA adopts a
master plan for the ski area.

"GOAL #1 PROVIDE A FAIR SHARE OF THE TOTAL BASIN CAPACITY
FOR OUTDOOR RECREATION."

The following policy is set forth under Goal #1:

"3. Provisions shall be made for additional developed outdoor recreation
facilities capable of accommodating 6,114 PACT in overnight facilities
and 6,761 PACT in summer day-use facilities and 12,400 PACT in winter
day-use facilities.

To assure that the fair share of remaining capacity is allocated to
outdoor recreation, agencies that have responsibility for such facili-
ties and activities have collectively estimated the opportunities and
needs as reflected in the policy. Ability to build depends on availability
of public funds or the willingness of private investors. Therefore, scheduling is not possible for this Plan. It is estimated
that 71 percent of the capacity may be developed in the first 5 to 10
years. The type and size of each proposed facility are described in
the Planning Area Statements."

10/1/90
The 12,400 additional winter-day use facilities are specifically allocated to five plan areas which either contain ski areas or are adjacent to an existing ski area (see p. 6 of the guidelines). Policy 3 functions as both an expansion target for additional outdoor recreation capacity as well as a Regional Plan allocation limit.

Goal #2 of the Developed Recreation Subelement further states:

"GOAL #2 PROVIDE FOR THE APPROPRIATE TYPE, LOCATION, AND RATE OF DEVELOPMENT OF OUTDOOR RECREATIONAL USES.

The appropriate type of outdoor recreational development should depend on demonstrated need. The rate of development should be responsive to both environmental concerns and site amenities."

Additionally, the following policies set forth under Goal #2 specifically address the issue of ski area expansions:

"1. Expansion of recreational facilities and opportunities should be in response to demand.

This strategy provides for expansion of existing recreational facilities and opportunity for development of new facilities if they meet environmental thresholds. Opportunity may be expanded to respond to public need if physical resources are available and traffic mitigation measures can be implemented."

"11. Expansion of existing ski facilities may be permitted based on a master plan for the entire ski area. The plan must demonstrate (1) consistency with the other goals and policies of this plan and the requirements of the Compact, (2) that the expansion is consistent with the availability of accommodations and infrastructures to support visitors when they are off the ski area, and (3) expansion of existing parking facilities for day use does not occur.

The Lake Tahoe Region excels in snow and topographic conditions for alpine skiing. Existing tourist accommodations can adequately support large numbers of destination skiers. Also in place is a transportation network that is being expanded and improved to handle the large summertime population. This transportation system also could be managed to accommodate wintertime use in the Basin. Development of recreation opportunities emphasizing winter sports activities can, therefore, improve the year-round efficiency of both the transportation system and tourist accommodations. However, alpine skiing does
impact large areas of low capability land. Often the areas include
oversteepened slopes, fragile soils, sparse vegetation, and stream
environment zones. In addition, day user skiers, in particular,
contribute significantly to local and areawide traffic congestion.
Plans to increase skiing capacity would therefore require careful
consideration of on-site impacts as well as off-site impacts on
transportation systems.

All ski area expansion will be evaluated based on a master plan which,
at a minimum, includes consideration of each item listed in the
policy. The master plan will assist in designing the most efficient
operation with the least environmental disturbance, and will direct
phased development where it is appropriate. Since automobile access
to and parking at ski area base facilities has been the source of many
problems, new facilities should be planned to avoid these problems.
Enlargement or construction of new facilities to provide shelter,
sanitation, food service, and first aid would be permitted to serve
skiers on the mountain, but enlarged parking lots would not be per-
mitted.

Although there are numerous undeveloped areas suitable for skiing, a
finding has been made that expansion of existing areas within and
adjacent to the Basin can meet future demand. This would not preclude
construction of satellite parking provided it is part of the transpor-
tation facilities otherwise provided in this Plan."

Findings: Prior to adopting the guidelines, several findings must be made. The
findings and brief rationales for the findings are listed below:

A. Chapter 6 Findings

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 document has been reviewed and has been found consistent
with the Regional Plan. It will aid in the effective imple-
mentation of the Regional Plan by providing specific direction
for the preparation of ski area master plans in coordination
with the Code and other elements of the Regional Plan package.
Memorandum to Advisory Planning Commission
Adoption of Ski Area Master Plan Guidelines
and Related Amendment of Chapter 16, Specific
and Master Plans -- Page 6

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

Rationale: The intent of the guidelines is to ensure ski area master plans will attain and maintain the environmental thresholds and will not cause them to be exceeded. The guidelines themselves are an administrative action by TRPA, and as such will not exceed the environmental thresholds.

Finding 3: 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.

Rationale: Consistent with finding (2), above, the guidelines will require compliance with applicable air and water quality standards as part of ski area master plan adoption.

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

Rationale: Consistent with findings (2) and (3), above, the guidelines will assist ski areas in attaining and maintaining the environmental thresholds.

B. Ordinance 87-8

Pursuant to Article 2.50 of Ordinance 87-8, TRPA may add policies or ordinances to make existing policies and ordinances more effective. The findings set forth in Article 2.40 of Ordinance 87-8 are not applicable to the proposed action.

Environmental Documentation: Staff proposes a Finding of No Significant Effect (FONSE) be made. The proposed guidelines are administrative in nature and require full environmental disclosure and analysis pursuant to the Code and the Rules of Procedure for any ski area master plan or master plan amendments which are prepared under the guidelines.

Recommendation: Staff recommends that the APC recommend to the Governing Board adoption of the proposed ski area master plan guidelines with the condition that the Ski Area Master Plan Guidelines Committee reconvene on or about May 1, 1991 in order to review the Ski Area Cumulative Watershed Effects Analysis procedure for consistency with the adopted guidelines. Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this item.

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AGENDA ITEM IV.A.
Regional Plan For The Lake Tahoe Basin
Ski Area Master Plan Guidelines

TAHOE REGIONAL PLANNING AGENCY

October, 1990
REGIONAL PLAN FOR THE LAKE TAHOE BASIN

SKI AREA MASTER PLAN GUIDELINES

August 22, 1990

September 28, 1990

TAHOE REGIONAL PLANNING AGENCY
CRITERIA FOR THE PREPARATION OF SKI AREA MASTER PLANS
IN THE LAKE TAHOE REGION

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I. Purpose of the Criteria

A. Intent

The Lake Tahoe Region is world renowned for its alpine scenery, invigorating mountain air, the spectacular size and clarity of Lake Tahoe and its tributary waters, and the extent and variety of summer and winter outdoor recreation. The Region is also recognized for its planning and land use controls, all of which are focused toward preservation and enhancement of the unique landscape setting.

Through the Tahoe Regional Planning Compact, Public Law 96-551, the United States Congress together with the states of California and Nevada, has directed the Tahoe Regional Planning Agency (TRPA) to:

"...amend the Regional Plan so that, at a minimum, the plan and all of its elements, as implemented through agency ordinances, rules and regulations, achieves and maintains the adopted environmental threshold carrying capacities."

Ski areas are a major element of Tahoe's outdoor recreation. Collectively, they provide unsurpassed alpine skiing opportunities for hundreds of thousands of people annually. Winter tourism is recognized as a vital component of the regional economy. While providing these positive contributions to the region, if not properly planned, developed, and managed, they can result in the deterioration of the very features people come to enjoy: clean air, clear water, and unspoiled scenic vistas.

Recognizing the significant recreational and economic role skiing plays as well as the potential environmental impacts it can bring, TRPA has established criteria in this document to guide future planning and development of ski areas in order that they may positively contribute to the region.

The criteria set forth in this document are intended to provide the following information to those involved in ski area master planning:

1. The identification of actions on the part of individual ski areas which will require the preparation of a master plan;

2. The planning process requirements to be followed in order to gain TRPA approval of a ski area master plan;

3. The specific format and general contents of the TRPA ski area master plan document, including preparation of necessary environmental documents; and
4. References to recommended and required site planning, design and water quality protection methods to achieve planning goals and objectives, and compliance with TRPA Code of Ordinances.

This handbook was prepared by a committee and chairman appointed by the TRPA Governing Board to develop a set of criteria for ski area master planning. The committee represented a cross-section of public and private sector interests, ski area operators, ski area design and construction professionals, as well as professionals in the areas of planning and environmental protection. Direct quotations from adopted Regional Plan documents appear in quotations and italics.

B. Applicable Regional Plan Goals and Policies

The Recreation Element of TRPA's Regional Plan Goals and Policies (1986), establishes certain regional goals and policies which affect recreation. The recreation environmental threshold adopted in 1982, functions as the overall policy direction for recreational development. The threshold policy statement says:

"It shall be the policy of the TRPA Governing Board in development of the Regional Plan to preserve and enhance the high quality recreational experience including preservation of high-quality undeveloped shorezone and other natural areas. In developing the Regional Plan, the staff and Governing Board shall consider provisions for additional access, where lawful and feasible, to the shorezone and high quality undeveloped areas for low density recreational uses.

It shall be the policy of the TRPA Governing Board in development of the Regional Plan to establish and ensure a fair share of the total Basin capacity for outdoor recreation is available to the general public."

Applicable regional plan recreation goals and policies are listed below, and include specific conditions under which ski area expansion may be permitted by TRPA (see Goal #2, Policy 11).
Regional Plan Goals and Policies Guiding Recreation Development and Ski Area Master Plans

"GOAL #1 PROVIDE A FAIR SHARE OF THE TOTAL BASIN CAPACITY FOR OUTDOOR RECREATION."

The following policy is set forth under Goal #1:

"3. Provisions shall be made for additional developed outdoor recreation facilities capable of accommodating 6,114 PACT in overnight facilities and 6,781 PACT in summer day-use facilities and 12,400 PACT in winter day-use facilities.

To assure that the fair share of remaining capacity is allocated to outdoor recreation, agencies that have responsibility for such facilities and activities have collectively estimated the opportunities and needs as reflected in the policy. Ability to build depends on availability of public funds or the willingness of private investors. Therefore, scheduling is not possible for this Plan. It is estimated that 11 percent of the capacity may be developed in the first 5 to 10 years. The type and size of each proposed facility are described in the Planning Area Statements."

Goal #2 of the Developed Recreation Subelement states:

"GOAL #2 PROVIDE FOR THE APPROPRIATE TYPE, LOCATION, AND RATE OF DEVELOPMENT OF OUTDOOR RECREATIONAL USES."

The appropriate type of outdoor recreational development should depend on demonstrated need. The rate of development should be responsive to both environmental concerns and site amenities."

Additionally, the following policies set forth under Goal #2 specifically address the issue of ski area expansions:

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"11. Expansion of existing ski facilities may be permitted based on a master plan for the entire ski area. The plan must demonstrate (1) consistency with the other goals and policies of this plan and the requirements of the Compact, (2) that the expansion is consistent with
the availability of accommodations and infrastructures to support visitors when they are off the ski area, and (3) expansion of existing parking facilities for day use does not occur.

The Lake Tahoe Region excels in snow and topographic conditions for alpine skiing. Existing tourist accommodations can adequately support large numbers of destination skiers. Also in place is a transportation network that is being expanded and improved to handle the large summertime population. This transportation system also could be managed to accommodate wintertime use in the Basin. Development of recreation opportunities emphasizing winter sports activities can, therefore, improve the year-round efficiency of both the transportation system and tourist accommodations. However, alpine skiing does impact large areas of low capability land. Often the areas include oversteepened slopes, fragile soils, sparse vegetation, and stream environment zones. In addition, day user skiers, in particular, contribute significantly to local and areawide traffic congestion. Plans to increase skiing capacity would therefore require careful consideration of on-site impacts as well as off-site impacts on transportation systems.

All ski area expansion will be evaluated based on a master plan which, at a minimum, includes consideration of each item listed in the policy. The master plan will assist in designing the most efficient operation with the least environmental disturbance, and will direct phased development where it is appropriate. Since automobile access to and parking at ski area base facilities has been the source of many problems, new facilities should be planned to avoid these problems. Enlargement or construction of new facilities to provide shelter, sanitation, food service, and first aid would be permitted to serve skiers on the mountain, but enlarged parking lots would not be permitted.

Although there are numerous undeveloped areas suitable for skiing, a finding has been made that expansion of existing areas within and adjacent to the Basin can meet future demand. This would not preclude construction of satellite parking provided it is part of the transportation facilities otherwise provided in this Plan."

Other provisions of the Developed Recreation Subelement also provide guidance, including Goal #4:

"GOAL #4 PROVIDE FOR THE EFFICIENT USE OF OUTDOOR RECREATION RESOURCES.

Some recreation attractions in the Basin, such as ski areas, beaches, campgrounds, and picnic area, experience wide fluctuations in seasonal and weekday use. This goal would attempt to promote a more balanced use of certain facilities and sites on a year-round and weekly basis."
2. Seasonal facilities should provide opportunities for alternative uses in the off-season, wherever appropriate.

Seasonal facilities tend to be busy only during a particular time of year. Ski areas, for example, are busy in the winter, but much of the associated infrastructure is idle and unused during the summer. This policy would attempt to buffer the variations in use by permitting alternative uses of the facilities during the off-season."

Further, Goal #1 and Policy 5.A of the Conservation Element, Stream Environment Zone Subelement, establishes the conditions under which new land coverage or other permanent land disturbance shall be permitted in stream environment zones.

"Goal #1

PROVIDE FOR THE LONG-TERM PRESERVATION AND RESTORATION OF STREAM ENVIRONMENT ZONES.

The preservation of SEZs is a means for achieving numerous environmental thresholds. Policies that promote their maintenance, protection, and restoration are listed below.

5. NO NEW LAND COVERAGE OR OTHER PERMANENT LAND DISTURBANCE SHALL BE PERMITTED IN STREAM ENVIRONMENT ZONES EXCEPT FOR THOSE USES AS NOTED IN A, B, C, D, AND E BELOW:

A. PUBLIC OUTDOOR RECREATION FACILITIES ARE PERMISSIBLE USES IN STREAM ENVIRONMENT ZONES IF: (1) THE PROJECT IS A NECESSARY PART OF A PUBLIC AGENCY'S LONG RANGE PLAN FOR PUBLIC OUTDOOR RECREATION; (2) THE PROJECT IS CONSISTENT WITH THE RECREATION ELEMENT OF THE REGIONAL PLAN; (3) THE PROJECT, BY ITS NATURE, MUST BE SITED IN A STREAM ENVIRONMENT ZONE; (4) THERE IS NO FEASIBLE ALTERNATIVE WHICH WOULD REDUCE THE EXTENT OF ENCROACHMENT IN STREAM ENVIRONMENT ZONES; (5) THE IMPACTS ARE FULLY MITIGATED; (6) STREAM ENVIRONMENT ZONE LANDS ARE RESTORED IN THE AMOUNT OF 1.5 TIMES THE AREA OF STREAM ENVIRONMENT ZONE WHICH IS DISTURBED OR DEVELOPED BY THE PROJECT.

To the fullest extent possible, recreation facilities must be sited outside of stream environment zones. Some recreation facilities, such as river access points or stream crossings for hiking trails, by their very nature require some encroachment of stream environment zones. However, the six-part test established by this policy allows encroachment of SEZs where such encroachment is essential for public outdoor recreation and precautions are taken to ensure that stream environment zones are protected to the fullest extent possible. The restoration requirements of this policy can be accomplished on-site or off-site, and shall be in lieu of any coverage transfer or coverage mitigation provisions elsewhere in this Plan."
C. Other Applicable Regional Plan Documents

Besides the Regional Plan Goals and Policies, other regional plan documents contain policies or specific standards with which the master plan must demonstrate compliance. The success of the master plan and the projects proposed therein will be dependent upon the ability of the planning team to identify the applicable sections of the regional plan documents, and consider them while drafting the plan.

1. **Code of Ordinances.** The TRPA regulations that are required to implement the policies set forth in the Goals and Policies Plan are found in the Code of Ordinances, the Rules of Procedure, and the Administrative Regulations. The Code is organized by subjects, any of which may apply to specific projects undertaken pursuant to an approved master plan. The guidelines established in this document will not attempt to list each section of the Code which may be applicable to a given project. Rather, they should be determined during plan preparation in accordance with Chapter 16.

2. **Plan Area Statements.** The Plan Area Statements (PAS) provide a description of land use for each area, identify planning issues, and establish specific direction for planning to meet the policy direction of the Goals and Policies Plan. These statements include plan maps setting more specific policy for identified areas consistent with the documents above. Plan Area Statements provide specific regulations for identified areas such as would be found in zoning maps, including PAOT allocations for recreation uses including skiing facilities. Master plans, redevelopment plans, and specific plans consistent with the PAS may be adopted to replace the PAS.

The expansion of winter day use recreation capacity as measured in Persons At One Time, or PAOTS, has been specifically allocated as shown below for ski area expansions pursuant to a TRPA-approved master plan. The PAS identify plan areas to which transfers of PAOT allocations may occur and the conditions of such transfers.

<table>
<thead>
<tr>
<th>Plan Area</th>
<th>Location</th>
<th>Additional PAOT Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>015 Northstar</td>
<td>Placer County</td>
<td>1,000 PAOTs</td>
</tr>
<tr>
<td>052 Ski Incline</td>
<td>Washoe County</td>
<td>900 PAOTs</td>
</tr>
<tr>
<td>087 Heavenly Valley, CA</td>
<td>El Dorado County</td>
<td>5,400 PAOTs</td>
</tr>
<tr>
<td>157 Homewood/Tahoe Ski Bowl</td>
<td>Placer County</td>
<td>1,100 PAOTs</td>
</tr>
<tr>
<td>166 Upper Ward Valley</td>
<td>Placer County</td>
<td>4,000 PAOTs</td>
</tr>
</tbody>
</table>
3. Water Quality Management Plan ("208 Plan"). The 208 plan includes elements of the TRPA Regional Plan package which have been adopted by TRPA. The adopting ordinance, Ordinance 88-23, identifies those parts of the 208 plan that are also enacted as part of TRPA's Regional Plan package. They include the Water Quality Management Plan, the Handbook of Best Management Practices, the Stream Environment Zone Protection and Restoration Program, and the Capital Improvements Program for Erosion and Runoff Control. Each part of the 208 plan listed above, along with the 208 plan policies, may affect the ski area master plan.

Refer to Volume I, section IV.A(5) Stream Environment Zone Encroachment, and section IV.D(2) Outdoor Recreation, for specific plan programs applicable to ski areas. Table 16 of section IV.A(5), which identifies public outdoor recreation facilities which create additional land coverage or permanent disturbance and which by their very nature need not be sited in sensitive lands (1a, 1b, 1c, 2, 3, or SEZ) is reprinted below as an aid to the reader.

The State of California Water Resources Control Board's Lake Tahoe Basin Water Quality Plan contains discharge prohibitions related to the 208 Plan's land use restrictions. Exemptions to the prohibitions require findings to be made by the Lahontan Regional Board.

Excerpt from TRPA Water Quality Management Plan, Volume I:

"TABLE 16. Guidelines Regarding Public Outdoor Recreation Facilities and Activities Which Create Additional Land Coverage or Permanent Disturbance and Which By Their Very Nature Need Not Be Sited in Sensitive Lands (1a, 1b, 1c, 2, 3, or SEZs)

<table>
<thead>
<tr>
<th>Category</th>
<th>SEZs and 1b</th>
<th>(Capabilities 1a, 1c, 2, 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ski Areas</td>
<td>Any activity or facility which causes additional land coverage or permanent disturbance, except for stream crossings for ski runs provided not more than five percent of SEZ area in the ski area is affected by the stream crossings and except for facilities otherwise exempted such as utilities and erosion control facilities.</td>
<td>Activities or facilities such as parking areas, base lodge facilities and offices, and retail shops (unless there is no feasible non-sensitive site available, the use is a necessary part of a skiing facility, and the use is pursuant to a TRPA-approved master plan), except facilities otherwise exempted such as utilities and erosion control facilities.&quot;</td>
</tr>
</tbody>
</table>
The Handbook of Best Management Practices (Volume II, BMP Handbook) contains accepted erosion control and construction practices used on projects which may affect water quality. For ski area projects the BMP Handbook contains accepted methods for temporary construction site use, temporary sediment barriers, temporary and permanent soil and slope stabilization, temporary and permanent runoff control, temporary and permanent sediment retention structures, infiltration systems, runoff collection and conveyance systems, vegetative soil stabilization practices and snow disposal practices.

4. Regional Transportation Plan ("RTP"). Article V(c) of the Compact requires that the regional plan include:

"A transportation plan for the integrated development of a regional system of transportation, including but not limited to parkways, highways, transportation facilities, transit routes, waterways, navigation facilities, public transportation facilities, bicycle facilities, and appurtenant terminals and facilities for the movement of people and goods within the region. The goal of transportation planning shall be:

(A) To reduce dependency on the automobile by making more effective use of existing transportation modes and of public transit to move people and goods within the region; and

(B) To reduce to the extent feasible air pollution which is caused by motor vehicles."

The RTP contains two policies and two action elements which are specifically applicable to ski areas:

Transportation System Management

"Goal #1, Policy 1.
The TRPA shall encourage large employers to provide incentives to increase automobile vehicle occupancies (RTP, p. 88)."

As large employers, ski areas should encourage employees to travel to and from work in car or vanpools. Employers may provide the vans to use in vanpools or provide preferred parking for employees who carpool. Employer-subsidized transit passes is another incentive method which can be offered to employees.

"Goal #5, Policy 6.
The TRPA shall work with local ski area operators to manage ingress and egress from parking lots during peak periods (RTP, p. 90).

Action Element - Transportation System Management

To be implemented during years 1-5 of the RTP (1988-1993):
Use automobile metering from ski area parking lots to reduce peak period highway congestion (RTP, p. 102)."
Automobile metering at parking lot exits and at nearby intersections can be an effective method to reduce congestion and maintain desired levels of service. Squaw Valley, California uses automobile metering and coordinates the flow of cars out of the parking lot and Squaw Valley Road at the end of the day with traffic flows on California 89.

"Action Element - Mass Transit

Ski Shuttles

Ski shuttle service, in the short-term, should continue as is presently provided. Increased coordination between ski areas and additional public and private transportation providers should be developed in the area of scheduling to promote usage."
II. How to Prepare a Ski Area Master Plan

A. Activities Which Require Preparation of a Master Plan

As a general principle, ski areas which are located partly or wholly within the Tahoe Region are encouraged to prepare a master plan for TRPA approval. The master plan is only required to address those portions of the ski area which are within the Tahoe Region, except for findings and conditions which may be made binding as part of plan adoption which are required for threshold attainment and maintenance. Refer to Chapter II, Section 8.4 for required findings. Several benefits to both the ski area and the community can be realized from a master plan. They include:

* The ability for ski area operators to make known their intentions and expectations for future use and development of the area to those most directly affected by it (i.e., the surrounding local community);

* The ability for the community to understand the intentions of the ski area and to participate through public review and comment, in the master planning process;

* The ability to coordinate large-scale improvement plans with other planned community improvements (Example: Locating an aerial tramway between a ski area and a tourist-oriented commercial core;)

* The ability on the part of regulatory agencies to streamline the review and approval of projects which were contemplated and evaluated in the master plan; and

* The ability to disclose and analyze cumulative environmental effects of the ski area.

In addition to the above stated, both Section 16.1 of the Code and Goal #2, Policy 11 of the Conservation Element, Developed Recreation Subelement of the Regional Plan Goals and Policies, require that a master plan be prepared, and adopted prior to the "expansion of use of ski areas, or the establishment of new ski areas." Existing TRPA-approved master shall be amended prior to the expansion of use which is not a part of the approved master plan. Expansion of use of ski areas includes any of the following activities which are within the Tahoe Region:

1. The establishment of a new ski area in a location where none previously existed;

2. The expansion of skiing terrain or support facilities beyond the existing ski area boundary. Note: TRPA defines the term "existing" to include those activities which were legally present or approved on the effective date of the Regional Plan (July 1, 1987) or subsequently legally constructed, commenced or approved pursuant to necessary permits.
3. An increase in the capacity of the ski area as measured in Persons At One Time (PAOTs), of the entire ski area within the Region over the existing amount of capacity as measured in PAOTs, or over the previously approved amount of PAOTs, if applicable. See Chapter III, Appendix E.4 for measurement method.

4. An increase in the amount of uphill capacity as measured in skiers per hour, of the entire ski area within the Region over the existing amount of uphill capacity as measured in skiers per hour, or over the previously approved amount of uphill capacity, if applicable. See Chapter III, Appendix E.4 for measurement method.

5. An increase in the number of off-site parking spaces or an increase in the shuttle or other transit service directly serving the ski area which TRPA finds to increase Regional VMT or other air quality impacts.

Exception: The realignment or replacement of existing lifts, including for the purpose of complying with applicable safety regulations, which does not result in an increase in either PAOT or uphill capacity is not considered an expansion of use. It may be approved as a project without the preparation of or revision to a master plan.

B. The Master Plan Process Pursuant to TRPA Code of Ordinances, Chapter 16

The process for preparing, processing, and adopting master plans, including ski area master plans, is established in Section 16.7 of the Code (provided below). The process consists of four major steps: 1) initiation of the master plan; 2) development and approval of the master plan work program; 3) preparation of the plan itself; and 4) adoption of the master plan and certification of the environmental document by the TRPA Governing Board. Refer also to Chapter 16.

"16.7 Specific And Master Plan Process: Specific or master plans shall be prepared, processed and adopted as follows:

16.7.A Initiation of Process: The initiation process shall be as follows:

(1) TRPA or other agencies of jurisdiction or the owner of the lands subject to the plan may initiate the process. (Hereinafter referred to as the proponent.)

(2) A steering committee shall be formed representing community interests, and shall include a designee of the Executive Director, a representative of the local government in whose jurisdiction the specific or master plan area is located, and a representative
of the U.S. Forest Service if federal lands are within the
specific or master plan area. The steering committee
shall establish a planning team to prepare the specific or
master plan.

16.7.B Approval of Work Program: The planning team shall develop
a specific or master work program consistent with subsection 16.7.C and section 16.8. The steering committee
shall submit a recommended work program to the Executive
Director of TRPA for approval. The Executive Director
shall consider the recommendations of the steering commit-
tee and approve, deny, or modify the proposed work pro-
gram.

16.7.C Specific Or Master Plan Preparation: Upon approval of the
work program, the planning team shall prepare the specific
or master plan as follows, with oversight from the steer-
ing committee:

(1) Prepare a complete assessment of environmental
opportunities and limitations.
(2) Refine inventory and needs assessment.
(3) Identify applicable plan and ordinance standards and
development guidelines.
(4) Develop draft alternative plans, including a pre-
ferred alternative.
(5) Prepare draft environmental documents.
(6) Submit draft master plan and draft environmental
documents to TRPA for circulation and public and
agency review.
(7) Prepare recommended final plan and final environ-
mental documents for TRPA and local government consider-
ation.

16.7.D Approval Of A Specific Or Master Plan: Upon receipt of a
recommended final specific or master plan from the steer-
ing committee, the Advisory Planning Commission shall
review the proposed plan and make recommendations to the
Governing Board. Ski Areas shall be reviewed pursuant to
the applicable portions of "Criteria for Development and
Expansion of Ski Areas, Lake Tahoe Basin", August, 1977,
as a guideline. The Governing Board shall consider the
proposed plan as a regional plan amendment and approve,
deny, or modify the specific or master plan.

16.7.E Alternative Process: The process set forth in sub-
sections 16.7.A and 16.7.B may be modified by TRPA as
follows:
(1) Minor Plans Or Minor Modifications of Existing Plans: If TRPA finds that a specific or master plan, or modification thereof, does not propose any significant expansion of development and does not require an EIS, TRPA may delete the steering committee.

(2) Alternate Process: If TRPA finds that an alternate process to subsections 16.7.A and 16.7.B would better facilitate the planning process while still meeting the objectives of this chapter, a modified process may be approved. Modification of the process shall not alter the requirements of any other section of the Code applicable to specific or master plans."

Before a master plan or amendments to an existing master plan can be approved, the Governing Board must make the following specific findings pursuant to Section 16.9:

"16.9 Findings for Approval: Before approving or amending a specific or master plan, the Governing Board shall find:

(1) The plan is consistent with the Goals and Policies;
(2) The plan is consistent with the Code;
(3) The plan is consistent with the adopted plan area statement or community plan applicable to the area;
(4) The plan does not propose development of residential units, tourist accommodation units, commercial floor area, recreational PAOTs, or other limitations in excess of the limits set forth in the Regional Plan for the plan area. (5) The plan is consistent with the attainment and maintenance of environmental threshold carrying capacities.

16.9.4 Exception: When portions of the area subject to a specific or master plan are outside the Region, the foregoing findings shall apply only to the area within the Region. When the project and activities proposed within the Region, in combination with other projects and activities proposed in the specific or master plan outside the Region, would prevent the attainment or maintenance of environmental thresholds, the finding set forth in 16.9.(5) shall not be made and the proposed specific or master plan shall not be approved."

Projects Reviewed Subsequent to an Approved Master Plan: Individual projects which are undertaken following master plan adoption normally will require TRPA review and approval. Exceptions to this in the form of activities exempt from TRPA review may be contained in a memorandum of understanding (MOU) between TRPA and a public agency having jurisdiction (e.g., USDA Forest Service).
The review of projects which are contemplated by a TRPA-approved master plan will generally be streamlined because much of the information necessary to review the project has been provided in the master plan and environmental document.

Similarly, projects requiring additional FAOT allocations and other additional recreation facilities projects which are identified in a TRPA-approved master plan do not have to first be placed on TRPA's 5-year Public Recreation Facilities List.


C. Amendment of TRPA-Approved Master Plans

TRPA-approved ski area master plans may be amended. TRPA-approved master plans shall be amended prior to the approval of an expansion of use which is not in the existing master plan. See page 10 regarding actions which constitute an expansion of use. Because ski area master plans are considered by TRPA to be Regional Plan documents, the amendment will be processed as a regional plan amendment, and must include environmental documentation. Prior to submitting plan amendment documents to TRPA for action, the proponent should first meet with TRPA in order to discuss the proposed amendments.

TRPA may approve projects subsequent to an approved master plan which are not exactly the same as the project contemplated in the master plan without amending the master plan. Generally, projects which are in substantial compliance with the approved master plan will not require master plan amendments. There is no established TRPA Code definition of substantial compliance, however, TRPA will take into account the following considerations to determine substantial compliance:

1. Whether additional FAOTs or other units of use are needed above the amount approved in the master plan.

2. Whether new or revised Compact Article V(g) findings must be made in order to approve the project compared to those contemplated by the approved master plan.

3. Change in the size, scale, and location of improvements between adopted plan and amended proposal.

4. Change in uphill capacity as measured in skiers per hour between adopted plan and amended proposal.
5. Changes in ski area master plan boundary or permit boundary (if applicable) between old and new proposals. The ski area master plan boundary includes the area used for skiing, base lodge and all other support facilities.

TRPA may approve projects or activities prior to master adoption or not previously addressed by the master plan, which can be reviewed without first approving or amending the master plan. The following activities may be permitted prior to master plan adoption or without first amending an existing master plan, whichever is applicable:

1. Modifications to existing primary and accessory uses which do not result in an expansion of use as defined in Chapter 2 of the Code, increase the intensity-of-the-use, (including placement of additional land coverage).

2. Activities deemed exempt or qualified exempt pursuant to Chapter 4 of the Code, or by an existing Memorandum of Understanding to which TRPA is a party (e.g., USDA Forest Service).

3. Temporary uses, structures, and activities pursuant to Chapter 7 of the Code.

This list applies only to projects proposed within the Tahoe Region.

TRPA will advise the proponent of the steps necessary to prepare the plan amendment and environmental documentation for TRPA action. It is generally not necessary to reassemble the steering committee to draft the amendments, however, in unusual circumstances such as large-scale changes to the existing plan, TRPA may require the steering committee or a portion thereof to first review the proposed amendments prior to TRPA action.

Once the plan amendment is submitted to TRPA for action, it will generally follow the same adoption process outlined above in section B.4 of this chapter.

D. Interagency Coordination During Master Plan Preparation

Due to the nature and location of ski areas, several government agencies will typically have jurisdiction over some or all of the ski area. It is recommended that master plan proponents identify and contact all agencies having jurisdiction over the plan or project area as early in the process as possible. Upon request, TRPA will assist proponents in identifying other agencies having jurisdiction. The master plan steering committee will also be able to assist in identifying other agencies having jurisdiction.

Experience has shown that there are generally two levels of other agencies which must be involved in the planning process. The first level, identified below as Group A, is almost always involved. Individual agencies within this group may also be required through their own rules and regulations to approve the master plan or a specific plan component. The second group, Group B, will generally be involved in a specific issue or the impacts of the master plan on a specific resource. Example: California or Nevada State Office of Historic Preservation may be involved in the planning process to determine whether historic or archeological resources have been found or are thought to exist within the area and what mitigation measures are necessary to protect the resources.
Group A Agencies (Normally Involved)

TRPA
Federal Agencies: USFS;
State Agencies: California Regional Water Quality Control Board or Nevada Division of Environmental Protection;
Local Government: City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, Washoe County;

Group B Agencies (Sometimes Involved)

Federal Agencies: Soil Conservation Service; Fish and Wildlife Service; US Army Corps of Engineers; Environmental Protection Agency;
State Agencies: California Resources Agency or Nevada Department of Conservation and Natural Resources; California or Nevada State Office of Historic Preservation; California or Nevada State Department of Transportation; California Department of Fish and Game, or Nevada Department of Wildlife; California Tahoe Conservancy; Nevada Division of State Lands;
Local Agencies: Local utility/general improvement district (Examples: South Tahoe PUD, Incline Village GID, Kingsbury GID); Local air pollution control district (California side only).

E. Master Plan Document Graphic Standards

As an element of TRPA's Regional Plan, the master plan document which TRPA adopts becomes part of the set of documents which are used on a day to day basis. The layout and format of individual ski area master plan documents must be compatible with the other plan documents (i.e., Code of Ordinances, Plan Area Statements, Water Quality Management Plan, adopted community plans).

Adopted ski area master plans shall be submitted to TRPA using the following graphic standards:

Number of Copies of Adopted Plan: 10

Original Master: One single-sided original master copy of adopted master plan and adopted environmental document for future reproduction.

Document Cover: Layout and minimum information as shown in Figure 1, using cover stock weight paper (60 lb. or greater).

Title Sheet: Layout and minimum information as shown in Figure 2.
Printed double-sided on 8-1/2" x 11" 20 lb. weight (minimum) white paper; typewritten text spaced one or one and one-half space width between lines; pages consecutively numbered; three-hole drilled for use in a three ring binder;

Include at least one vicinity/context map and Maps and Photos (minimum 8-1/2" x 11" sheet) identifying jurisdictional boundaries, existing plan areas and boundaries, major roads or intersections, and other significant landmarks;

Master Plan and environmental document maps and site plans shall be shown in two sheet sizes: 24" x 36" sheets drawn to scale which show existing conditions and master plan elements (may be on separate sheets) and are included in a separate map folio (may be in sleeve inside back cover); The same information shall be shown on photographic or photostat reductions no larger than 11" x 17" sheet size, printed single side only. Reductions shall be legible and shall include a graphic scale. Reductions and other sheets which are larger than 8-1/2" x 11" shall be folded into the document preferably with an accordion fold.

The use of photographs along with explanatory captions in the master plan is encouraged and shall conform to the following standards:
Black and white photographs shall be prepared from half-tone negatives;
Color photographs shall be color xeroxes.
Regional Plan For The Lake Tahoe Basin

( Fill In Name Of Ski Area ) Master Plan

Logo
Supplied
By TRPA

TAHOE
REGIONAL
PLANNING
AGENCY

Date

Figure 1. Sample Master Plan Document Cover
(Fill in Name of Ski Area) Master Plan

Prepared and Adopted Pursuant to TRPA Code of Ordinances
Chapter 16

Adopted by TRPA Governing Board
(Date of Adoption)
(TRPA Adopting Ordinance Number)

This Master Plan has been amended on the following dates:

(Amendment #)   (Date of Amendment)   (TRPA Adopting Ordinance #)
III. Contents of the Master Plan

The master plan shall contain the elements set forth in Sections A. through E. inclusive (pursuant to Section 16.8), of this chapter together with the environmental documentation requirements set forth in Chapter V.

Planning Criteria: The following set of assumptions and criteria shall guide the development of the master plan:

1. Expansion of existing ski areas to meet increased demand and needs is preferable to the development of new ski areas in the Tahoe Region;

2. The location and siting of expanded ski terrain and facilities shall be responsive to both environmental concerns and site amenities;

3. Expansion of existing ski areas is both targeted and limited during the twenty year life of TRPA's Regional Plan (1987-2007), to expansions which accommodate a total of 12,400 new Persons At One Time (PAOTs);

4. Expansion of ski areas shall be consistent with TRPA's Regional Plan;

5. Expansion of ski areas shall be consistent with the availability of accommodations and infrastructure necessary to support visitors attracted to such ski areas;

6. All expansions of existing ski areas shall be implemented so as to not permit the expansion of existing day-use parking facilities at such ski areas;

7. All proposed expansions shall comply with the applicable requirements of other local, state, and federal laws; and

8. The planning time frame for master plans is recommended to be at least ten years; and

9. The master plan shall achieve a balanced facility as measured by the following relationships:

   a. Ski run construction shall not exceed the threshold of concern for each watershed or portion thereof, which is established through the application of the Ski Area Cumulative Watershed Effects Analysis Methodology. The overall goals are to preserve watershed conditions and meet applicable water quality standards.

   b. The design capacity of the ski area in terms of skier density of the ski runs may vary by ski area, however, it should not exceed a density which allows a high quality recreation experience of comfortable and safe skiing conditions.
D. Sufficient uphill lift capacity should be constructed to utilize the ski runs to their designed capacity, but not so as to exceed their capacity.

D. Support facilities on the mountain and at the base area together with other accessory uses to the ski area should be in balance with the designed skiing capacity.

The master plan shall contain a summary analysis of the plan in relation to the assumptions. The summary analysis may be presented in a matrix format.

A. Physical Plan

"16.8.A Physical Plan. The physical plan shall describe all existing and proposed improvements, including but not limited to, buildings, parking areas, roads, trails, temporary or permanent land disturbance, and utility connections. The physical plan shall address the phasing or scheduling of the proposed improvements and any special provisions for project review. For ski areas, the physical plan shall not propose any expansion of parking for day use, pursuant to Goal #2, Policy II of the Developed Recreation Sub-element, Recreation Element of the Goals and Policies."

In addition, to the requirements of Subsection 16.8.A, the physical plan shall also specifically include:

1. **Completed TRPA Ski Area Master Plan Application Form.** The form is available at TRPA. The master plan and environmental document filing fees are established in TRPA's Filing Fee Schedule, as amended. A $540.00 master plan review deposit shall be submitted at the time of application. The balance for each document will be required upon document submittal.

2. **Vicinity Map,** as described in section II.E, Master Plan Document Graphic Standards.

3. **Existing Facilities,** including, the location and description of all parcel or permit area boundaries, existing improvements including but not limited to, ski lifts, buildings and other structures, land coverage, parking facilities, transit or shuttle stops, roads, ski trails and other hiking trails, other areas of temporary or permanent land disturbance, utility lines, snow making facilities, reservoirs and water tanks, helipads, signage, the existing capacity of the ski area in terms of PACTs and the one-hour uphill lift capacity of all lifts. PACTs are calculated pursuant to Chapter III, Appendix E.4.
The physical plan shall also indicate the existing amount and location of other TRPA units of use (including accessory uses), including but not limited to commercial floor area, residential units, tourist accommodation units and other PAOTs not generally devoted to skiing, including but not limited to, commercial floor, residential units, tourist accommodation units and other PAOTs which are not devoted to Winter Day Use activities.

4. Proposed Facilities, including, the location and description of all parcel or permit area boundaries, proposed improvements including but not limited to, ski lifts, buildings and other structures, land coverage, parking facilities, transit or shuttle stops, roads, ski trails and other hiking trails, other areas of temporary or permanent land disturbance, utility lines, snow making facilities, reservoirs and water tanks, helipads, signage, the proposed capacity of the ski area in terms of PAOTs and the one-hour uphill lift capacity of all lifts. PAOTs are calculated pursuant to Chapter III, Appendix E.4.

This information shall be shown both graphically and using appropriate tabular or other quantitative methods in relation to the environmental opportunities and limitations identified in Appendix 2 of the master plan.

The proposed physical plan shall indicate the proposed amount and location of other TRPA units of use (including any amounts use as accessory uses), including but not limited to commercial floor area, residential units, tourist accommodation units and other PAOTs not generally devoted to skiing. The master plan time frame should be at least five years and shall be no longer than the year 2007 (Regional Plan time frame). Master plans should be reviewed every five years and updated as necessary as skier preferences, potential environmental impacts and ski industry technology change.

The proposed physical plan shall also indicate the phasing or scheduling of the proposed improvements and any special considerations which are necessary for its implementation.

Level of Detail. The level of detail shown in the proposed physical plan should at least approximate that shown in a preliminary site plan. TRPA will recognize a certain degree of latitude or flexibility between the proposed physical plan and the actual location, size, and scale of improvements proposed as a project pursuant to an approved master plan. TRPA has copies of master plans (e.g., Ski Incline, Elks Point Harbor) on file which show proposed physical plans using appropriate levels of detail.

B. Operations Plan

"16.3.5 Operational Plan. The operational plan shall describe all existing and proposed operations, including but not limited to, traffic and circulation patterns, commercial operations, primary and accessory uses, periods of operation, and seasonal operations."
In addition to the requirements of Subsection 16.8.B the operations plan shall also include:

1. **Snow-Avalanche-and-Safety-Plans**

2. Fertilizer and Vegetation Management Plans.

3. **Emergency-Evacuation-Plans**.

2.4 Snowmaking Operations Plans.

C. Mitigation Plan

"16.8.C Mitigation Program. The mitigation program shall describe all mitigation measures incorporated into the plan to offset potential impacts identified in the environmental documenta-
tion, including but not limited to, erosion and runoff controls, revegetation and restoration, traffic mitigation, mitigation of shorezone impacts, mitigation of scenic impacts, and mitigation of impacts on fish and wildlife habi-
tat. It shall also include construction schedules, main-
tenance programs, methods of mitigation and dates of com-
pletion."

In addition to the requirements of Subsection 16.8.C, the mitigation plan shall also include:

1. **Water Quality Protection Program**, which identifies and shows the location of all Best Management Practices (BMPs), which are needed to comply with the applicable requirements of TRPA's Regional Water Quality Management Plan, including Code Chapters 25 and 81. The program shall differentiate between existing water quality problems prior to initiation of the master plan, and those anticipated as a result of master plan implementation. The program shall provide a schedule for completing the retrofitting within ten years from the date of master plan adoption, or by the date established in previous project approvals.

2. **Construction Methods Plan**, which identifies and describes the methods to be followed during construction as necessary to permit evaluation of the environmental impacts of the construction activities. The plan shall include descriptions of the areas and facilities to be developed utilizing aerial methods such as helicopter placement of lift towers or trail clearing using high-lead cable systems; locations requiring access by tractor trails or roads; locations of areas needed earth slope grooming and methods of grooming; areas to be revegetated and methods of revegetation; location and methods of trail construction; haul routes for removed timber; location and methods of disposal of removed stumps or slash.
D. Monitoring Plan

"16.8.D Monitoring Program. The monitoring program shall describe all monitoring necessary to ensure that the implementation of the plan is consistent with the Tahoe Regional Planning Compact, the Goals and Policies, environmental threshold carrying capacities, state and federal air and water quality standards, and other applicable standards. The monitoring program shall include a summary of proposed funding sources."

The monitoring plan which shall include:

1. Monitoring Methods, which identify the specific monitoring methods to be used in the monitoring plan, including technical information and specifications of any equipment used; monitoring schedules and sampling plans for each monitoring method; analytical techniques to be used and detection limits; quality assurance and quality control.

2. Monitoring Responsibilities, which identify the entity responsible for each component of the monitoring plan, including the names and qualifications of any contractors or subcontractors involved in the monitoring; a summary of the funding sources necessary to carry out the monitoring; provisions for an annual monitoring report which summarizes each year's monitoring activities and includes a listing of projects or other exempt activities initiated, worked on, or completed for which master plan amendments were not required.

The information contained in 1 and 2, above shall also be summarized in matrix format, and shall be located at the end of this section.

E. Appendices to the Master Plan

The master plan shall contain, at a minimum, the following appendices which shall be adopted as part of the plan:

Appendix 1. Needs Assessment.

The needs assessment shall discuss how the need for the expansion of use was determined, including the specific studies or analyses performed to determine the need for expansion. The needs assessment shall also discuss data sources used in determining need, along with any assumptions made upon which the need for expansion was based.

Appendix 2. Environmental Opportunities and Limitations (Site Analysis).

A description of the site or sites proposed for expansion of use shall be provided, and shall include discussion of the opportunities and limitations posed by the site(s) due to location, topography, geology, climate, hydrology, land capability, and other factors, including economic considerations and applicable TRPA environmental thresholds.
Appendix 3. Consistency With TRPA Regional Plan Documents.

This section shall discuss the master plan's consistency with applicable TRPA regional plan documents, including: Goals and Policies; Plan Area Statements; Code of Ordinances; adopted Community Plan(s); special programs (i.e., Water Quality Management Plan Capital Improvements Program, SEZ Restoration Program, Scenic Quality Improvement Program); and reserved recreational capacity (additional PAOTs proposed by the master plan).

The method of calculating additional PAOTs is provided in Appendix 4. TRPA will determine the specific sections of each document listed above which will apply to the master plan upon request by the master plan proponent.

Specific ordinance standards which would apply to future projects identified in the master plan shall be determined during the project application and review process for each project. TRPA's Recreation Application Packet should be reviewed for basic development standards.

Appendix 4. PAOT Calculations.

The method used to calculate ski area capacity in terms of Persons at One Time (PAOTs), describes a relationship between the actual number of skiers at a ski area on an average peak day (shown as the annual 90th percentile day in terms of use) and the area's one hour uphill lift capacity in terms of skiers. The use to capacity ratio provides a method to analyze a ski area's existing conditions as well as proposed changes.

The ratio also represents the relative efficiency of a ski area's operation compared to other areas. Larger ratios generally indicate a more efficient operation than areas with smaller ratios. Prior to allocating additional recreation capacity to an area with a relatively low use to capacity ratio (i.e., low efficiency) other methods to improve the area's efficiency should be considered. Likewise, a declining trend in efficiency should be analyzed as to its cause prior to allocating additional capacity. Using the assumptions listed below, existing and additional PAOT allocations shall be measured using the following methods.

**Assumptions:**

The master plan shall contain a summary analysis of the plan in relation to the following assumptions. The summary analysis may be presented in a matrix format.


Sufficient-uphill-lift-capacity-will-be-constructed-to utilize-the-ski-runs-to-their-designed-capacity—but-not-so as-to-exceed-their-capacity.


PACT Calculation Methods:

Existing and proposed ski area capacity in terms of PACTs is calculated as follows:

1. For each season of operation from 1982/83 to the present, identify the 90th percentile day in terms of use by summing ticket sales, complimentary tickets, and an estimate of season pass holders at the ski area that day.

2. For each season of operation from 1982/83 to the present, identify the total 1-hour uphill capacity of all ski lifts at the entire ski area (includes both within and outside of the Tahoe Region).

3. For each season of operation from 1982/83 to the present, determine the use to capacity ratio for the entire ski area by dividing step #1 above by step #2 above. This represents the annual use to capacity ratio.

4. Determine the mean annual use to capacity ratio by summing the annual use to capacity ratios and dividing it by the number of seasons of operation from 1982/83 to the present.

Note: The mean annual use to capacity ratio shall be recalculated during each update of individual master plans.

5. To calculate the existing PACT capacity (that which exists at the beginning of the master plan process) multiply the mean annual use to capacity ratio by the 1-hour uphill capacity of all existing ski lifts within the Region. In the case where a ski area is located both
inside and outside the Region (e.g., Alpine Meadows, Heavenly Valley, TRPA will require existing and proposed PAOT capacities to be calculated only for the portion of the ski area (i.e., existing ski lifts) which is within the Region.

6. To calculate the proposed PAOT capacity of the ski area following master plan implementation, multiply the mean annual use to capacity ratio by the 1-hour uphill capacity of all existing and proposed ski lifts within the Region. The difference between existing and proposed PAOTs shall not exceed the PAOT allocation listed in the applicable Plan Area Statement.

Note: When existing lifts are removed or replaced as part of the master plan, the net change in uphill capacity shall be used in order to calculate proposed PAOT capacity.

7. In the case where a master plan proposes to construct additional ski runs or additional ski run capacity (e.g., widening an existing run), without adding uphill capacity, the additional capacity in terms of PAOTs shall be allocated using skier slope density as follows:

Additional PAOTs = acres of additional ski runs x skier slope density/acre using the following densities:

| Beginner/Easiest Runs | = | 35 skiers/acre |
| Intermediate/More Advanced Runs | = | 20 skiers/acre |
| Advanced/Most Difficult Runs | = | 10 skiers/acre |

Individual master plans may elect to propose substitute ski run densities in skiers/acre for use in allocating additional PAOTs where additional run capacity is proposed without additional uphill lift capacity. TRPA shall approve the use of substitute densities based on a recommendation by the appropriate steering committee. Proposed substitute densities shall be documented using actual data from the ski area.

Examples

A. Existing Use and Capacity of the Ski Area

<table>
<thead>
<tr>
<th>Year</th>
<th>90th Percentile Day (Skiers)</th>
<th>1-Hour Uphill Capacity (Skiers)</th>
<th>Annual Use/Capacity Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982/83</td>
<td>6000</td>
<td>12,500</td>
<td>0.48</td>
</tr>
<tr>
<td>1983/84</td>
<td>6250</td>
<td>12,500</td>
<td>0.50</td>
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<tr>
<td>1985/86</td>
<td>6350</td>
<td>13,000</td>
<td>0.49</td>
</tr>
<tr>
<td>1986/87</td>
<td>6500</td>
<td>14,500</td>
<td>0.45</td>
</tr>
</tbody>
</table>
B. Mean Annual Use/Capacity Ratio = 3.67/8 = 0.46

C. 1989/90 Existing Ski Area Capacity

Assume: Existing 1-Hour Uphill Capacity is 15,000 skiers

15,000 skiers x 0.46 = 6,900 skiers
= 6,900 PAOTs

D. Master Plan Proposed Ski Area Capacity

Assume: Proposed 1-Hour Uphill Capacity is 18,600 skiers

18,600 skiers x 0.46 = 8,556 skiers
= 8,556 PAOTs

Net Additional PAOT Capacity = 8,556 - 6,900 PAOTs
= 1,656 PAOTs

E. Assume: Master Plan proposes only additional ski run capacity. Existing PAOT capacity is calculated the same as in steps A through C above.

Assume: 10 acres of new beginner runs,
15 acres of new intermediate runs

Additional PAOT Capacity = 10 acres x 35 skiers/acre + 15 acres x 20 skiers
= 350 skiers + 300 skiers/acre
= 650 skiers
= 650 PAOTs

Appendix 5. Ski Area Cumulative Watershed Effects Analysis.

In determining the appropriateness of the type, location, and timing of new ski runs, and other watershed disturbance, the Ski Area Cumulative Watershed Effects analysis (SWE) will be utilized to calculate the nature and level of disturbance in each watershed within a ski area. See Planning Criteria #9 on page 20. TRPA may approve additional ski runs as part of, or subsequent to master plan adoption when it can be demonstrated a watershed's Threshold of Concern (TOC) established in the master plan will not be exceeded.
Based on USDA Forest Service Region 5 Soil and Water Conservation Handbook, FSH 2509.22, a cumulative watershed effects analysis is prepared using the following-steps procedure listed below (refer to FSH 2509.22 for more information). Note: On or about May 1, 1990, the Ski Area Master Plan Guidelines Committee will review any proposed changes to the procedure, including determination of the coefficients of disturbance, for consistency with the adopted guidelines. Until such time as the committee has completed its review or until any necessary amendments to the guidelines become effective, no additional land disturbance will be permitted.

a. Divide the area which is within the master plan boundary into watersheds and estimate acreage of each.

b. Determine Natural Sensitivity Index (NSI) of each watershed as follows:

i. Measure soil types in acres, and identify sensitive soil types;
ii. Measure areas of mass wasting in acres;
iii. Measure acres of stream channel erosion;
iv. Establish Natural Sensitivity weighting factors for applicable attributes listed in Chapter V, Section D;
v. Sum acres of sensitive areas (based on i., ii., and iii.);
vi. Divide sensitive areas by watershed area within the master plan boundary to determine the Natural Sensitivity Index of the watershed.

c. Determine Land Disturbance History (LDH) of each watershed:

i. Establish Normalized Coefficients of Disturbance for applicable disturbance types listed in Chapter V, Section C;
ii. Measure area of all impervious surfaces and assign each a Normalized Coefficient of Disturbance;
iii. Multiply area of all impervious surfaces by appropriate Normalized Coefficient of Disturbance and sum by watershed within the master plan boundary;
iv. Measure area of all ski runs and other clearings in acres and assign each a Normalized Coefficient of Disturbance based on field transects;
v. Multiply area of each ski run or clearing by Normalized Coefficients of Disturbance and sum by watershed within the master plan boundary;
vi. Sum area of Equivalent Roadded Acres (ERA) of disturbance by watershed (add results of ii. and iv. above for each watershed);
vii. Determine percent ERA for each watershed by dividing ERA (result of v. above) by area of watershed within the master plan boundary.

d. Compare percent ERA to Threshold of Concern\(^\text{\textregistered}\) to determine if additional disturbance capacity exists to construct new ski run(s), or expand existing run(s). If existing ERA is equal to or greater than the watershed's TOC, then additional land disturbance will not be permitted. If existing ERA is less than the watershed's TOC, then additional land disturbance up to the TOC may be permitted.

Footnotes:

* Each master plan steering committee shall, based on the recommendations of its planning team, establish Natural Sensitivity Index weighting factors and Normalized Coefficients of Disturbance for all applicable attributes or conditions listed in Chapter V, Sections C and D, respectively.

\(^\text{\textregistered}\) The Threshold of Concern for each watershed or part thereof within the ski area boundary will be developed separately for each ski area by the individual ski area master plan steering committee, based on the recommendations of its planning team, as part of the master plan process.
IV. Environmental Documentation Standards

Article VII(a) of the Compact and Chapter 5 of the Code require TRPA, when acting upon matters that may have a significant effect on the environment, to prepare and consider a detailed environmental impact statement (EIS) before deciding to approve or carry out any project. TRPA considers as projects, the preparation and adoption of ski area master plans.

Except for planning matters (i.e., items on which TRPA is not taking an action), ordinary administrative and operational functions of TRPA, or exempt classes of projects (refer to Code subsection 5.5.A for exempt classes of projects), TRPA shall use either an initial environmental checklist (IEC), or environmental assessment (EA), to determine whether an environmental impact statement shall be prepared for the project.

Environmental documentation for ski area master plans will generally be either an EA or EIS. The primary goal of either document is to disclose, in sufficient detail, the site-specific environmental effects (both positive and negative) of each master plan alternative being considered, together with measures necessary to mitigate the identified negative effects to a less than significant level. This disclosure will permit TRPA or other lead agency to make an informed decision whether to approve the project, and if appropriate, under what conditions.

Specific environmental documentation standards for EA and EIS documents are adopted by TRPA as Article VI of TRPA’s Rules of Procedure. Master plans in California require review pursuant to the California Environmental Quality Act (CEQA). Master plans located on lands managed by federal agencies require review pursuant to the National Environmental Policy Act (NEPA). TRPA will assist master plan proponents in coordinating joint reviews between TRPA, CEQA, and NEPA when necessary.

TRPA will use the scoping process as provided in the Rules of Procedure to determine the scope of the environmental document necessary to adequately analyze a master plan. The change in the efficiency of a ski area over time as measured using the use to capacity ratio (see Chapter III), will be reviewed as a potential issue to address in the environmental document.

The environmental documentation should include an analysis of direct and indirect potential impacts associated with a ski area’s maximum peak use. The allocation of capacity in terms of PAOTs is based upon an average peak use and not a maximum peak use. See Chapter III, Appendix 4 for further discussion.
V. References To Be Used During Plan Preparation

A. Definitions

The following definitions and terms shall be used in ski area master planning process. Definitions taken directly from the Code of Ordinances are indicated by a "[C]" following the definition.

Accessory Use: A use, building, or other facility customarily a part of any primary use; that is clearly incidental and secondary to the primary use; that does not change the character or intensity of the primary use; and that does not operate independent of the primary use.[C]

Note: Specific examples of accessory uses in all major use categories are provided in Chapter 18 of the Code. Recreation accessory uses include garages, emergency facilities, child care, related commercial sales and services such as ski shops, pro shops, marine sales and repairs, parking lots, maintenance facilities, swimming pools, tennis courts, employee facilities other than housing, secondary residence, outdoor recreation concessions, bars and restaurants, and other uses listed in the definition of a primary use as accessory.

Allocation: An apportionment of additional development opportunity for residential, commercial, tourist accommodation, and certain recreational projects.[C]

Base Lift: Any type of chairlift, gondola, aerial tram, rope tow, T-bar, poma, or other surface lift located within the Region, which provides access from a ski area base facility (includes a lodge and/or parking area), or a satellite base area served by public or private transit to skiing terrain without providing access to other lifts for the purpose of transporting skiers to skiing terrain not served by the base lift.

Best Management Practices (BMPs): Alternative structural and nonstructural practices proven effective in erosion control and management of surface runoff in the Lake Tahoe Region.[C]

Environmental Threshold Carrying Capacities: Environmental standards necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region. Such standards shall include but not be limited to standards for air quality, water quality, soil conservation, vegetation preservation and noise. Such standards were adopted on August 26, 1982 and are set forth in TRPA Resolution 82-11.[C]

PAOT, Winter Day Use: Persons at One Time. A Regional Plan unit of outdoor recreational use which measures the skier capacity of a ski area, and for which other Regional capacities (e.g., tourist accommodations, commercial floor area, roadway capacity, sewer and water capacity) must be reserved.
Parcel: An area of land or in the case of a condominium, separate space, whose boundaries have been established by some legal instrument such as a recorded map or recorded deed and which is recognized as a separate legal entity for purposes of transfer of title. [C]

Note: Refer also to subparagraph 20.3.D(1) of the Code for definition of project area.

Permit Area Boundary: The boundary of the geographic area described in the ski area's U.S. Forest Service Special Use permit or in the permit of other agency having jurisdiction.

Project: An activity undertaken by any person, including any public agency, that may substantially affect the land, water, air, space, or any other natural resources of the Region. [C]

Recreation (Developed): Involves outdoor activities which are enhanced by the use of man-made facilities, including, but not limited to, campgrounds, marinas, and ski areas. [C]

SAOT (Skiers at One Time): A measure of downhill skiing capacity used by the USDA Forest Service.

Ski Area Master Plan Boundary: The boundary of the area used for skiing and ski lifts at any one time, including base lodge and other support facilities which may not be located within or adjacent to the area actually used for skiing.

Transport Lift: Any type of chairlift, gondola, aerial tram, rope tow, T-bar, poma, or other surface lift located within the Region, which provides access from a ski area base facility (includes a lodge and/or parking area), satellite base area served by public or private transit, or other base lift, to skiing terrain or other ski lift.

Tourist Accommodation: Uses, facilities, and activities primarily pertaining to the occupation of buildings for eating, sleeping, and living on a temporary basis by persons whose permanent residence is elsewhere. [C]

Uphill Capacity: The total number of skiers which a ski lift or lifts can deliver to the lift terminal(s) measured over a 60 minute period. A standard measure of ski lift capacity typically provided by ski lift manufacturers.

VTF (Vertical Transport Feet): The change in elevation from the base loading area to the terminal of an individual ski lift.
VTF/hr. (Vertical Transport Feet per Hour): The cumulative change in elevation from the base loading area to the terminal of an individual ski lift measured over a 60 minute period.

B. Reference and Guidelines Manuals

The following list of reference and guidelines manuals is provided in order to assist proponents in certain aspects of ski area planning and design. This list should not be considered exhaustive.

Design Review Guidelines, TRPA (1989): The Design Review Guidelines is a manual of site planning and design methods which meet or exceed the adopted TRPA standards in nine separate chapters of the Code. Of particular interest to ski area planners are the sections which address site planning of new buildings and structures (i.e., lift towers), building design, parking and pedestrian circulation, snow storage, landscaping, exterior lighting, and signage.

National Forest Landscape Management Handbook, Volume 2, Chapter 7, Ski Areas U.S. Forest Service (1984): This document is part of a series of handbooks which contain information regarding use of the USFS' Visual Management System (VMS). The VMS is used on National Forest lands in order to identify and mitigate adverse impacts to visual quality which may result from the development of specific projects and uses, including ski area development and expansion. Although the VMS is not required to be used for projects located on lands other than National Forest, its use will generally be encouraged as an impact assessment method. This volume demonstrates landscape management principles and techniques which are used in the planning, designing, and building processes to achieve and maintain desired visual quality. It also explains and illustrates the planning and design requirements for constructing or expanding winter sports developments.

Planning Considerations for Winter Sports Resort Development, U.S. Forest Service (1973): This document addresses broad policies involving resort development on National Forest and adjacent lands. It identifies and discusses issues related to planning and developing the ski facilities.

R-5 FSH 2509.22, Soil and Water Conservation Handbook, USDA Forest Service, Region 5 (1988): USDA Forest Service Region 5 (includes Tahoe Region), Cumulative Watershed Effects (CWE) Analysis Handbook. It identifies the authority and objectives of CWE, conceptual model development, procedures for application, monitoring and evaluation, and implementation, and shall be used as the procedural method in performing CWE as part of the master plan process.
C. Cumulative Watershed Effects Disturbance Activities and Conditions

Activity or Condition

I. Transportation System

A. Roads and Parking Areas
   1. good drainage
   2. poor drainage
   3. diversion potential
B. Abandoned roads
C. Ripped and Obliterated roads

II. Ski Runs

A. Most difficult (slope range)
   1. Mechanically groomed or cleared with no erosion control treatment initiated (very poor ground cover)
   2. Erosion control treatment initiated but unsuccessful (very poor ground cover)
   3. Erosion control treatment in progress (poor ground cover)
   4. Erosion control treatment complete (fair ground cover)
   5. Slope is stable (good ground cover)
B. More difficult (slope range)
   1. Mechanically groomed or cleared with no erosion control treatment initiated (very poor ground cover)
   2. Erosion control treatment initiated but unsuccessful (very poor ground cover)
   3. Erosion control treatment in progress (poor ground cover)
   4. Erosion control treatment complete (fair ground cover)
   5. Slope is stable (good ground cover)
C. Easiest (slope range)
   1. Mechanically groomed or cleared with no erosion control treatment initiated (very poor ground cover)
   2. Erosion control treatment initiated but unsuccessful (very poor ground cover)
   3. Erosion control treatment in progress (poor ground cover)
   4. Erosion control treatment complete (fair ground cover)
   5. Slope is stable (good ground cover)

III. Ski Lift Corridors

A. Good ground cover
B. Fair ground cover
C. Poor ground cover
D. Very poor ground cover
IV. Structures, Buildings, Lift Towers, and Other Land Coverage

V. Wildfire

A. Crown
B. High Intensity
C. Moderate Intensity
D. Low Intensity
D. Natural Sensitivity Index Attributes

Attribute

I. Attributes Relating To Runoff Processes
A. Horton overland flow
   1. Rock outcrop
   2. Hydrologic soil group D
   3. Hydrologic soil group C
B. Saturation overland flow
   1. Wet meadows
   2. Ponds (less than 5 acres)
   3. Streamside Management Zones (includes inner gorge)

II. Attributes Relating To Sediment Delivery Processes
A. Erosion from highly erosive soils
   1. Soils prone to gully erosion
   2. Soils with a very high erosion hazard rating (EHR) (includes altered/eroded phases)
B. Erosion from mass wasting
   1. All active forms of mass wasting
C. Channel Erosion
   1. Aggradation
   2. Degradation
   3. Lateral scour or bank erosion

III. Drainage Basin and Channel Morphology Relating to
     Sediment Routing Processes
A. Watershed area (acres)
B. Drainage density (by contour line crenulation)
C. Relief ratio (ft/ft)
D. Standing water ratio (acre/acre)
E. Precipitation regime
   snow, rain, rain/snow
F. Rosgengs channel type (percent. unstable)
G. Pfankuch channel rating (percent. poor)
MEMORANDUM

October 1, 1990

To: TRPA Advisory Planning Commission

From: Susan E. Scholley, Special Projects Attorney

Re: Amendment of Chapter 21, Density, Regarding Residential Development Rights and Adoption of Chapters 41 and 43 Regarding New Subdivisions

BACKGROUND: TRPA has been working on completion of its Code of Ordinances relating to subdivisions since 1988. The Goals and Policies Plan sets forth the types of new subdivisions which may be approved in the Region (see Exhibit A). The draft ordinances are needed to provide the details of review and the applicable standards.

PROPOSED ACTION: In order to expedite adoption of the ordinances, TRPA staff has drafted a portion of the ordinances. Chapter 41 sets forth the general rules relating to subdivisions and some specific rules relating to the simpler types of subdivisions (e.g., cemetery lots). Chapter 43 sets forth the rules regarding subdivision of existing structures.

The standards regarding preservation of affordable housing are blank and comments and ideas on this subject will be appreciated. Possible solutions are prohibiting conversions of residential structures in plan areas designated for affordable housing; limiting the number of conversions per year; maintaining certain percentages of rental properties; or payment of an in-lieu fee to mitigate loss of affordable units.

Other issues we would like to discuss are consistency with local procedures and standards and the extent of deviation permitted from other Code standards (e.g., parking and density).

An issue which arose in connection with the subdivision ordinances was the type of parcel which could be modified to permit residential construction. The Chapter 21 amendments make clear that certain "remnant" parcels, or parcels otherwise not intended for residential development, do not receive a residential development right. Assignment of a residential development right in such cases would be a windfall to the parcel and that was not intended. The excluded parcels could be modified (by lot line adjustment) and then developed through a transfer of a residential development right.

SES:jm 10/1/90

AGENDA ITEM IV B.
RECOMMENDATION: Given the unsolved affordable housing issue, it is premature to recommend adoption to the Board, but it may be possible to recommend adoption of at least a portion of the ordinances. Staff will withhold a recommendation pending public comment at the hearing.
As part of the approval, TRPA shall establish the allocation of additional commercial floor area for the period ending December 31, 1996. TRPA shall make the initial allocation of additional commercial floor area taking into consideration such factors as demonstrated need, the expected ability to achieve or maintain environmental thresholds, the reasonableness of projected time schedules, the degree of certainty for obtaining the needed funds for implementation, compatibility with other CPs and plans, and other relevant factors. The amount initially allocated shall be from the 75 percent portion designated for local jurisdictions for planning purposes. (See Development and Implementation Priorities Subelement, Goal #2, Policy 4.)

8. As soon as TRPA has reviewed a sufficient number of proposed community plans, to adequately assess the cumulative impacts of development and proposed mitigation, TRPA shall distribute the remainder of the 25 percent of the additional commercial floor area. This distribution shall reward those CPs which best demonstrate the ability to achieve and maintain environmental thresholds, and have a clearly demonstrated need for the additional allocation. TRPA shall retain a sufficient reserve to adequately address the needs of CPs not yet presented for review. However, it is the Agency's goal, acting in partnership with local interests, to achieve completion of CPs by December 31, 1989 in all areas where sufficient local interest and initiative exists to do such planning. Accordingly, TRPA anticipates the allocation of the remaining unallocated floor area by that date, so long as the allocation is supported by local needs assessments.

9. Before a community plan may be approved, TRPA must certify an environmental impact statement (EIS) for the community plan, except as noted in (10) below. (In California, where the CP is to be adopted as a general plan amendment or a specific plan, a joint EIS/EIR may be utilized.) The EIS may be useful for meeting subsequent environmental documentation requirements for more specific projects consistent with the community plan.

10. Simpler and more streamlined procedures for smaller CPs with insignificant impacts may be provided for in the implementing ordinances. These procedures may allow preparation of appropriate environmental analysis and documentation other than an EIS.

7. NO NEW DIVISIONS OF LAND SHALL BE PERMITTED WITHIN THE REGION WHICH WOULD CREATE NEW DEVELOPMENT POTENTIAL INCONSISTENT WITH THE GOALS AND POLICIES OF THIS PLAN.

This policy does not consider the following divisions of land to be inconsistent when the result does not increase the development potential permitted by this Plan:
A. Division of land for the purposes of conveying a portion thereof to a governmental agency, public entity, or public utility.

B. Division of land for the purposes of creating cemetery lots.

C. Division of land ordered by a federal or state court of competent jurisdiction as a result of bona fide, adversary legal proceedings to which the Agency is a party. Any such division of land or approval of any other project or action resulting from such legal proceedings, shall be pursuant to an evaluation of the effect of such division or approval upon the Regional Plan, the environmental thresholds, and other requirements of the Compact. Based on the above evaluation, appropriate adjustments to the Regional Plan shall be made.

D. A modification to an existing subdivision or a lot-line adjustment or lot consolidation, which does not result in any increase in development potential, or in present or potential land coverage or density, and shall not have an adverse impact upon the health, safety, general welfare or environment of the Region.

E. Conversion of an existing structure, other than a residential structure approved by the Agency after December 19, 1980 and prior to the effective date of this Plan, to a stock cooperative, community apartment, condominium, or any other form of divided interest; which conversion does not result in any increase in development potential, or in present or potential land coverage or density, and will not have an adverse impact upon the health, safety, general welfare or environment of the Region.

F. Redivision, adjustment, or consolidation, of parcels within an existing urban area, as part of a TRPA approved redevelopment plan that does not increase development potential basinwide.

G. Division of land through condominiums, community apartments, or stock cooperatives within an existing urban area in conjunction with the approval of a project associated with an approved transfer of development, or otherwise in accordance with the provisions of this Plan. In order to subdivide a project under this provision, the project itself shall be approved prior to the approval of the division and in no case shall the division result in a greater amount, a different location, or a greater rate of development than otherwise permitted by this Plan.

B. BUILDINGS, WHETHER CONFORMING OR NONCONFORMING, WHICH ARE DAMAGED OR DESTROYED BY FIRE OR OTHER SIMILAR CALAMITY, MAY BE REPAIRED OR REBUILT WITH NO REQUIREMENT FOR REDUCTION IN COVERAGE OR HEIGHT BY WAY OF FEE OR OTHERWISE. THIS POLICY APPLIES ONLY IF THE BUILDING IS RECONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE ORIGINAL STRUCTURE AND, WITH NO INCREASE IN FLOOR AREA, LAND COVERAGE, HEIGHT, OR VOLUME. OTHER PROVISIONS GENERALLY APPLICABLE TO REHABILITATION OR RECONSTRUCTION OF BUILDINGS SHALL APPLY. THIS POLICY IS SUBJECT TO THE NATURAL HAZARDS SUBELEMENT, GOAL #1, POLICY 1. SPECIAL PROVISIONS SHALL APPLY TO BUILDINGS IN THE SHOREZONE, LAKEWARD OF THE HIGHWATER LINE.
CHAPTER 41
PERMISSIBLE SUBDIVISIONS

Chapter Contents

41.0 Purpose
41.1 Applicability
41.2 Definitions
41.3 Limitations on New Subdivisions

41.0 Purpose: In accordance with Goal #2, Policy 7 of the Land Use Subelement, Land Use Element of the Goals and Policies, this chapter establishes limitations on new subdivisions.

41.1 Applicability: This chapter applies to new subdivisions and modifications to existing subdivisions or parcels.

41.2 Definitions: The following terms are defined as follows:

41.2.A Community Apartment: A community apartment is an undivided interest in land coupled with the right of exclusive occupancy of a unit.

41.2.B Condominium: A condominium is an interest in real property, or combination of such interests, recognized under applicable state law as a condominium.

41.2.C Condominium Development: Condominium development is the division of real property into, or use of real property for, condominiums, including all structures relating to such division or use.

41.2.D Development Potential: Development potential is the regional potential for new residential, commercial, tourist accommodation, public service and recreation growth as limited by residential development rights and the Bailey coefficients for land coverage.

41.2.E Parcel Consolidation: Parcel consolidation is the merging of two or more contiguous parcels into one parcel.

41.2.F Parcel Line Adjustments: A parcel line adjustment is a change in the legal boundary or boundaries of a parcel.
41.2.G Public Entity: A public entity is a public or quasi-public entity which is responsible for transportation or linear public facilities, utility services, public health and safety, public education, excluding religious organizations, private schools, and entities involved in a commercial enterprise.

41.2.H Stock Cooperative: A stock cooperative is a form of subdivision in which the buyers hold their right to occupancy through ownership of stock or membership in a cooperative corporation.

41.2.I Subdivision: Subdivision is defined in Chapter 2.

41.2.J Urban Area: Urban areas are those areas designated as residential, tourist or commercial/public service by the plan area statements.

41.3 Limitations on New Subdivisions: New subdivisions shall not create new development potential in the Region. New subdivisions shall be reviewed in accordance with the applicable provisions of this Code. The following types of subdivisions may be reviewed and, if appropriate, approved provided TRPA finds they do not increase development potential:

41.3.A Conveyance to Public Entity: Subdivisions of land for the purpose of conveying the newly created parcel to a government agency, or public entity as defined above, provided the subdivision is in compliance with the following standards:

1) If the original parcel had an existing residential development right, a deed restriction or other covenant running with the land shall be recorded establishing which parcel shall be assigned the residential development right.

2) The parcel conveyed to the government agency or public entity shall be permanently restricted, by deed restriction or other covenant running with the land, to public service, public recreation or resource management uses.

3) If the original parcel contains existing land coverage, deed restrictions or other covenants running with the land shall be recorded against the original and newly created parcels ensuring that the allowable and maximum coverages shall not exceed the amount which would have been permitted prior to the subdivision. In the case where existing land coverage exceeds the Bailey coefficients, the restriction shall ensure that future land coverage calculations shall be made as if the parcels had not been subdivided.
41.3.B Cemetery Lots: Divisions of land for the purpose of creating cemetery lots.

41.3.C Litigation: Division of land ordered by a federal or state court of competent jurisdiction as a result of bona fide, adversary legal proceedings to which TRPA is a party or is otherwise legally bound. Any such division of land or approval of any other project or action resulting from such legal proceedings, shall be pursuant to an evaluation of the effect of such division or approval upon the Regional Plan, the environmental thresholds, and other requirements of the Compact. Based on the above evaluation, TRPA shall make appropriate adjustments to the Regional Plan.

41.3.D Modifications to Existing Parcels and Subdivisions: Modifications to existing subdivisions or parcels, including parcel consolidations, which do not have adverse impacts upon the health, safety, general welfare, or environment of the Region. Modifications shall be reviewed in accordance with the applicable provisions of Chapter 42 of this Code.

41.3.E Conversions of Existing Structures: Conversion of an existing structure, as defined in Chapter 2, other than a residential structure approved by TRPA after December 19, 1980 and prior to July 1, 1987, to a stock cooperative, community apartment, condominium, or any other form of divided interest; which does not have an adverse impact upon the healthy, safety, general welfare or environment of the Region. Conversions of eligible existing structures shall be reviewed in accordance with the applicable provisions of Chapter 43 of this Code.

41.3.F Resubdivision: Resubdivision, adjustment, or consolidation, or parcels within an existing urban area, as part of a TRPA-approved redevelopment plan. Such projects shall be reviewed in accordance with the applicable provisions of Chapter 43.

41.3.G Subdivision of New Projects: Subdivision through condominiums, community apartments, or stock cooperatives, within an existing urban area, in conjunction with the approval of a project associated with an approved transfer of development, or otherwise in accordance with the provisions of the Regional Plan and Code. In order to subdivide a project under this subsection, the project shall be new development approved pursuant to the Code prior to the approval of the subdivision. The subdivision shall not result in a greater amount, a different location, or a greater rate of development than otherwise permitted by the Regional Plan and Code. Subdivisions under this subsection shall be reviewed and approved in accordance with the applicable provisions of Chapter 43 of this Code.
Chapter 42

MODIFICATIONS TO SUBDIVISIONS AND PARCELS

(TO BE DONE)
Chapter 43

SUBDIVISION STANDARDS

Chapter Contents

43.0 Purpose
43.1 Applicability
43.2 Subdivision of Existing Structures
43.3 Resubdivisions
43.4 Subdivision of New Projects

43.0 Purpose: The purpose of this chapter is to regulate the creation of new subdivisions to ensure attainment and maintenance of the environmental thresholds and the goals of the Regional Plan.

43.1 Applicability: This chapter applies to new subdivisions of property, including, without limitation, land, air space, structures, or boat slips.

43.2 Subdivision of Existing Structures: Subdivision of eligible existing structures, as set forth in subsection 41.3.E, may be permitted subject to the following requirements:

43.2.A Permissible Use: Subdivisions of existing structures which result in a change of use shall comply with the requirements of Chapter 18. Subdivision of a structure shall be deemed an intensification of use and shall not be permitted if the new use is prohibited in the applicable plan area statement.

43.2.B Affordable Housing: Subdivision of existing residential structures may be permitted provided TRPA makes the following findings:

(1)

(2)

(3)

43.2.C Land Coverage: Prior to approving a subdivision of an existing structure, TRPA shall require submittal of a site plan showing all existing land coverage.

(1) Conversions of existing structures shall be subject to the excess coverage mitigation requirements in Section 20.5 to the extent the subdivision includes, or is approved in conjunction with, building modifications.
43.2.D  **Density:** Subdivision of existing structures which exceed the density standards in Chapter 21 by more than ten percent shall not be permitted.

(1) Conversions of existing structures which exceed the density standards in Chapter 21 by no more than ten percent may be permitted provided TRPA finds that the resultant excess density is not inconsistent with the surrounding uses and the goals of the applicable plan area statement.

(2) For purposes of converting a multi-residential or multi-family structure to a single family structure, the density standard shall be 15 single family units per acre.

43.2.E  **Parking:** Subdivisions of existing structures, other than residential structures, shall comply with the parking standards set forth in Chapters 24 and 30 and Ordinance 97-9, as applicable. Residential structures shall comply with the parking standards to the extent feasible and shall mitigate any parking impacts.

(1) Residential projects which do not, or cannot, conform to the parking standards due to site constraints such as coverage limitations and access, shall submit a parking analysis. The parking analysis shall include alternatives to onsite parking and proposed mitigation measures.

43.2.F  **BMPs:** Existing structures approved for subdivision shall be retrofitted with BMPs within three years of the subdivision approval. Performance of BMP retrofitting shall be secured in accordance with Chapter 8.

43.2.G  **Basic Services:** Subdivisions of existing structures shall comply with the standards in Chapter 27, except that TRPA shall not waive the paved road requirement in Section 27.2.

43.2.H  **Signage:** All signage associated with, or located within the subdivision shall conform to the standards for new signs in Chapter 26.

43.2.I  **Design Review Guidelines:** Existing structures approved for subdivision shall be retrofitted to comply with the standards set forth in Chapter 91 for combustion appliances, including fireplaces. Subdivisions of existing structures shall conform to the following standards in Chapter 30:

(1) Lighting (Section 30.8);
(2) Snow Storage (Subsection 30.5.C); and
(3) Landscaping (Section 30.7).
43.2.J  Air Quality Mitigation Fees: If the subdivision of an existing structure effects a change in use (e.g., multi-family to single family), which results in an increase in daily vehicle trips, then an air quality mitigation fee shall be assessed pursuant to Subsection 93.3.D.

43.2.K  General Standards: Except as otherwise expressly set forth in this section, subdivisions of existing structures shall conform to the standards set forth in the TRPA Code. TRPA shall not approve the subdivision of an existing structure which was not constructed in accordance with the applicable local, regional and state laws.

(1) In conjunction with the subdivision of an existing structure, TRPA may also approve the reconstruction or relocation of the structure as otherwise permitted in the Code.

43.3  Resubdivisions: [Reserved]

43.4  Subdivision of New Projects: [Reserved]
Amendments to Chapter 21

Add new subparagraphs to subsection 21.6.A.

"(6) Parcels which are burdened by an easement or other restriction incompatible with a residential use;

(7) Parcels which were created as a result of an eminent domain or similar government action or are otherwise remnants of a prior transaction, and which do not contain sufficient area to construct a single family residence; and

(8) Parcels which were created for the purpose of public service uses or easements, including, but not limited to, public utilities and public recreation."

MEMORANDUM

October 2, 1990

To: Advisory Planning Commission
From: TRPA Staff
Subject: Preliminary Community Plan for the City of South Lake Tahoe

Proposed Action: Pursuant to Subsection 14.6.B of the Code, the APC is to review the Stateline/Ski Run Preliminary Plan and Work Program and recommend that the Governing Board approve, deny, or modify the Plan and Program. The Draft Preliminary Plan is included in the packet.

Background: In cooperation with the City of South Lake Tahoe, TRPA staff is seeking approval of the Preliminary Community Plan and Work Program for: Plan Area 89B, California South Stateline Resort Area; Plan Area 90, Tahoe Meadows; Plan Area 91, Ski Run; and portions of Plan Areas 92, Pioneer/Ski Run and 93, Bijou.

The Stateline/Ski Run Community Plan Team, which was appointed by the City and the TRPA in January, 1990, began meeting on a weekly basis in February. A public hearing was conducted by the team on August 14, 1990 with over 150 people in attendance.

The purpose of the Preliminary Plan and its approval is to serve as an immediate checkpoint for all agencies and other parties who may be affected by it. No project approvals are considered as part of the Preliminary Plan. Environmental documentation is scheduled to be prepared and circulated as part of the final community plan. No environmental determination is required at this point.

Analysis: Subsection 14.6.B of the TRPA Code (Chapter 14, Community Plans) requires the preparation of a preliminary plan and work program, which shall be approved by the responsible local government (CSLT) and the TRPA. Pursuant to 14.6.B(1), each preliminary plan is required to include the following:
1. **Boundaries:** The Community Plan Team is proposing to expand the boundaries as outlined below. The proposed boundaries include residential property that would become eligible for community plan incentives such as increased land coverage.

   a. The area north of the proposed Montreal Extension and east of Ski Run Boulevard, as well as west of Ski Run running parallel to Blackwood Meadow, has been included for affordable housing and recreational use. Tahoe Meadows has been incorporated within the boundary for SEZ restoration/recreational purposes.

2. **Estimates of Additional Commercial Floor Area and Tourist Accommodation Units (TAUs):** The following recommendations are consistent with the findings of the "Economic Analysis and Opportunities Study for the Community Plan Area within the City of South Lake Tahoe and El Dorado County", which was approved by the City Council in September of 1989 to be used as a basis for preparation of the community plans within South Lake Tahoe.

   a. Laurel Avenue Sub-areas - 10,000 square feet along the north side of Highway 50 from Stateline to the final alignment of the new Park Avenue.

   b. Crescent V Anchor Sub-areas - 15,000 square feet at the SW corner of the new alignment of Park Avenue and Highway 50 at Crescent V Shopping Center.

   c. South Lake Tahoe Boulevard Sub-areas - 5,000 square feet along the south side of Highway 50 from Embassy Suites to the new Park Avenue alignment.

   d. Ski Run/Highway 50 Intersection - 7,000 square feet at the SE corner.

   e. Ski Run at Tamarack - 8,000 square feet to augment recreation related retail, professional offices and possibly a restaurant in the vicinity of Tamarack and Ski Run Boulevard.

   f. No additional TAUs are required; however, the establishment of a TAU pool is proposed as an incentive for the conversion of existing structures to bed and breakfast accommodations.

3. **Public Recreation Objectives:** See Preliminary Plan recreation objectives pp. 4, 6, 8, and 9; and outdoor recreation targets at Appendix C, p. 6. The objectives recommend acquisition of property between the California Stateline and Ski Run Boulevard to provide greater public beach access, as well as active and passive recreational opportunities within the area.
4. **Vehicle Trip Reduction Targets**: See Preliminary Plan Targets Appendix C, p.3.


6. **Level of Environmental Documentation**: An EIR/EIS will be prepared for the final community plan.

7. **Plan Area Themes by District**:
   a. **Lower Lakeside** - South of Sunrise, single family and bed and breakfast; between Lakeshore Boulevard and Sunrise Lane, SEZ restoration and public recreation; between Stateline Avenue and the California/Nevada Stateline, open space with public recreation.
   b. **Upper Lakeside (Missing Link)** - Major tourist accommodation.
   c. **Pedestrian** - Major tourist accommodation and retail with extensive pedestrian amenities.
   d. **Moss** - Single and multi-family residential.
   e. **South Loop Road** - SEZ restoration/public recreation.
   f. **Lower Ski Run** - West portion, major tourist accommodation and retail; East portion, SEZ restoration/public recreation.
   g. **Upper Ski Run** - Tourist accommodation including bed and breakfast, recreation related retail, professional offices with minor concentration of retail, including restaurant, in the vicinity of Tamarack and Ski Run.
   h. **East Ski Run** - Single and multi-family residential with SEZ restoration/recreation.
   i. **West Ski Run** - Single and multi-family residential.


10. **Applicable Standards**: See Appendix A.

10/2/90
Memorandum to Advisory Planning Commission
Preliminary Community Plan for the
City of South Lake Tahoe -- Page 4

When the Community Plan Team held its own hearing in August, the main issue was the increase in public recreation and access through public acquisition of the Tahoe Meadows and Lakeside Park areas (Tahoe Meadows correspondence attached). Other issues include expansion of boundaries to include residential areas and a call for additional height in the Stateline area. The Team supported the plan as now drafted and did not alter the Preliminary Community Plan to address these concerns.

The South Lake Tahoe Planning Commission reviewed the Preliminary Community Plan on September 26, 1990, and recommended approval of the Preliminary Community Plan with the condition that the acquisition of Tahoe Meadows and Lakeside Park be deleted from the Plan. The City Council action will be presented at the APC meeting.

Recommendation: Staff recommends the APC recommend that the Governing Board approve the Preliminary Community Plan with the following conditions:

1. The Planning Team shall consider and address in the final community plan the actions of the City Council and Planning Commission regarding Tahoe Meadows and Lakeside Park. The final community plan should focus on the commercial aspects of the area and secondarily address the recreation/access issue to the extent there is a consensus among the parties concerned.

2. The residential areas included in the Preliminary Community Plan boundaries should be more exactly defined in the final plan and coordinated with an overall TRPA housing strategy. These residential areas should not be permitted any more commercial development than is now permitted.

3. TRPA staff will submit Code amendments addressing additional height in the Stateline area as part of the final plan package.

10/2/90
TRPA ADVISORY PLANNING COMMITTEE  
P O BOX 1038  
ZEPHYR COVE NV 89448-1038

GENTLEMEN, LADIES

WE ARE PROPERTY OWNERS OF TAHOE MEADOWS AND AS SUCH WISH TO ASK YOUR HELP IN THE MATTER OF THE PLANNING COMMITTEE "TO ENHANCE OR IMPROVE COMMERCIAL DEVELOPMENT" AS I ATTENDED THESE MEETINGS WE TOOK NOTE OF THE FACT THAT TRPA HAD REPRESENTATION ON THIS COMMITTEE AND WE ARE THANKFULL THAT SUCH EXPERTISE IS THERE TO HELP GUIDE THE DECISION MAKING OF THIS COMMITTEE. THE THING THAT IS FERPLEXING TO ME IS THAT IT SEEMS THAT THEIR ACTIVITIES IN PLANNING ARE AT COUNTER PURPOSE OF WHAT YOU ARE TRYING TO DO AND WHAT WE HAVE BEEN TRYING TO DO FOR YEARS. WE AS A COMMUNITY HAVE BEEN STRIVING TO STRIKE A PROPER BALANCE TO SAVE THE LAKE AND WET LANDS SURROUNDING IT AND TO ALLOW THE ENJOYMENT OF SUCH A BEAUTIFUL PLACE.

WE HAVE ENJOYED THE AREA FOR OVER 22 YEARS AND FEEL THREATENED BY SUCH AS WE HAVE WITNESSED IN THOSE 3 MEETINGS WHICH WE ATTENDED. WE WOULD URGE YOU TO EXAMINE CLOSELY THE ACTIVITIES AND DETERMINATIONS OF THIS COMMITTEE AND SOMEHOW INTERVENE . AS I HAVE HAD A LITTLE TIME TO THINK ABOUT THIS I FELT THAT A LETTER TO YOUR COMMITTEE MIGHT LET YOU KNOW THE FEELINGS OF MYSELF AND MY FAMILY BUT ALSO ALERT YOU TO PLANNING THAT I FEEL IS AT CROSS PURPOSE TO WHAT TRPA IS ALL ABOUT.

SINCERELY

BILLY C. SPECK
980 WILDWOOD  
TAHOE MEADOWS  
SOUTH LAKE TAHOE

32 CHRISTOPHER CT  
EL SOBRANTE CAL 94803

SEP 21 1990
9/18/90
SUSAN JOHNSON WILLEY
P. O. Box 3773, Carmel-By-The-Sea, California 93921

DEAR BOARD OF GOVERNS:

Travel in the 1970's a group of environmentally con-
scious people set up a homeowners association
known as Three Meadow on the California side of
the state line.
If you take the Train to the top of the Heavenly Hill,
you can easily spot it -- it is the only pristine spot left on
the South Shore! And now the commercial interests
have hatched a plan to make it an annual Cant to
[unreadable text]

Rape, Kill, Build, etc. deadly decease are under-
used. We do not need to destroy this one last beautiful spot.

SUSAN JOHNSON WILLEY

SUSAN JOHNSON WILLEY
P. O. Box 3773, Carmel-By-The-Sea, California 93921

DEAR TRPA Advisory Planning Committee:

It was only a few years ago that I was told there
was no hope of reaching our shores to my cottage
on the lake in Three Meadow because the parking
(limit per permit) would endanger the fragile lakeside en-
vironment.

And now the City Planning Committee is hatching a
plan to take over these meadows for a public beach which
would draw thousands (they think) to support the festival
convention in the commercial building. Does this not pose
a great threat to our fragile eco-system?

SUSAN JOHNSON WILLEY

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MEMORANDUM

October 1, 1990

To:        TRPA Advisory Planning Commission
From:      Susan E. Scholley, Special Projects Attorney
Re:        Amendment of Chapter 11, Foundations, to Extend Deadline for Transfer of Development

BACKGROUND: In April 1988, the Governing Board adopted amendments to Chapter 11 exempting certain old (pre-1983) commercial and multi-residential (five units or more) foundations from complete compliance with the 1987 Regional Plan. The relevant portion of Chapter 11 is attached as Exhibit A.

The Chapter 11 amendments provided for the completion of qualifying foundations, except that foundations located in low capability lands had to transfer the existing development to a new project (or projects) on high capability lands. The application for transfer had to be complete no later than two years after the Governing Board recognized the foundation.

The only qualifying foundation located on low capability land is owned by Ken Kjer. The Board has recognized 42,000 square feet of commercial floor area (CFA) and 52,090 square feet of land coverage. The deadline for submitting a complete application to transfer the CFA and coverage is July 1991. Mr. Kjer has filed an application to amend the Code, specifically §11.11.C(2)(d), to allow for additional time to file a transfer application.

PROPOSED ACTION: The applicant's proposed amendment is as follows:

11.11.C(2)(d) A complete application for transfer of existing development pursuant to Subparagraph 11.11.B(8) shall be filed within one year from the date of Governing Board approval pursuant-to-said-subsection of the Community Plans contemplated for Douglas, and El Dorado Counties and the City of South Lake Tahoe, or by July 27, 1994, whichever occurs first. The Board may extend the filing deadline for a period not to exceed one year if the applicant shows good cause for the extension.
Attached as Exhibit B is the applicant's argument in favor of the amendment. The practical effect of the applicant's proposal is a three-year extension to July 1994.

RECOMMENDATION: Chapter 11 was adopted as a compromise solution to potential litigation of vested rights claims. The application deadline was, in effect, part of a settlement package offered to project applicants. Their other option was litigation to establish a vested right to complete the project without TRPA review.

For that reason, and in order to avoid constant renegotiation of similar compromises, I cannot recommend the proposal. Assuming the APC believes an amendment is appropriate, the grant of a substantial extension of time should be offset by a corresponding concession on the applicant's part. A suggested trade-off is a reduction in the amount of recognized land coverage. Since the land capability of the 2.64-acre site was verified as class 3, the "Bailey" coverage would be 5,750 square feet rather than the 50 percent permitted under the 1979 ordinances.
11.11 Provision for Commercial and Multi-residential Foundations:
Beginning on the effective date of this section, which date is
June 28, 1988, and ending one year from that date, owners of
commercial or multi-residential foundations without current TRPA
approval, which foundations were built on or after January 1,
1979, may apply to TRPA to continue and complete construction on
the project without new allocations, subject to the conditions set
forth below.

11.11.A Exemptions: This section shall not apply to:

(1) Commercial or multi-residential foundations
approved on or after the effective date of this
section; or

(2) Commercial or multi-residential foundations whose
TRPA approval had not expired as of the effective
date of this section; or

(3) Commercial or multi-residential foundations whose
owners were advised by TRPA, prior to the expira-
tion of the permit, that diligent pursuit requires
substantial construction each building season once
construction has commenced.

(4) Commercial or multi-residential projects which were
the subject of litigation to which TRPA was a
party.

(5) Commercial or multi-residential projects located in
the South Tahoe Public Utility District service
area.

11.11.B Hearing and Findings: Prior to approval of permits for
commercial and multi-residential foundations under this
section, the Governing Board shall hold a hearing with
notice to affected property owners in accordance with
TRPA's Rules of Procedure. TRPA shall not approve a
permit unless TRPA finds that:

(1) The original project, plans for which are produced
and included in the record, had received all
required discretionary approvals; and

(2) The county or city permits for the original project
were valid or renewed through at least May 1, 1984; and

Amended 4/27/88,
Section 11.11

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Exhibit A.
(3) The proposed project substantially complies with Chapters 22, 24, 27, 30, 64 and 78; and

(4) The proposed project substantially complies with the interim standards of Section 4.20 or Ordinance 87-8; and

(5) The proposed uses are in compliance with Chapter 18 and the applicable plan area statement; and

(6) In the case of commercial projects, the proposed project area coverage complies with the Bailey coefficients or, if the project was previously approved in excess of the Bailey coefficients, that excess coverage shall be mitigated by a transfer of coverage in conformance with Chapter 20 and that in no event shall coverage exceed 70 percent; and

(7) In the case of multi-residential projects, the proposed project area coverage complies with the Bailey coefficients or, if the project was previously approved in excess of the Bailey coefficients, that excess coverage shall be mitigated by a transfer of coverage in conformance with Chapter 20 and that in no event will coverage exceed 50 percent; and

(8) The proposed project is located in land capability district 4, 5, 6 or 7 or that, if the project is not located in land capability district 4, 5, 6 or 7, the project shall be deemed existing development pursuant to Chapter 34 and shall be transferred to a project area in land capability district 4, 5, 6 or 7 and that the transfer shall be in compliance with Chapter 34 and the application for the transferred project shall be in compliance with the Regional Plan and ordinances; and

(9) The proposed project complies with the applicable provisions of Subsection 11.11.C; and

(10) The proposed project complies with Chapters 1 through 13, inclusive, 23, 25, 27, 62, 65, 75, 77, 81, 82, 91 and 93.
(11) There is a reasonable possibility, based on a factual summary prepared by the Executive Director with the assistance of Agency Counsel, that the applicant would prevail on a claim of vested rights. For purposes of this finding only, evidence of construction in each building season shall not be a prerequisite to making this finding. In making this finding the Board shall consider the following factors:

(a) Extent of construction;

(b) Expenditures in connection with the project;

(c) Extent of reliance on governmental communications; and

(d) Other relevant considerations as defined by applicable case law.

11.11.C Notice and Procedure: Notice of the provisions of this section shall be given as set forth below. The procedure for application and permit issuance, and related matters, shall be as set forth below:

(1) Notice: Notice shall be given to owners of property that may be affected by this section pursuant to Section 11.4.

(2) Procedure: The applicant shall file a complete application with TRPA no later than 5:00 p.m. on June 28, 1989, the date one year from the effective date of this section. A complete application shall include a completed TRPA commercial/multi-residential exemption form as devised by the Executive Director, proof of a construction date of the foundation, a filing fee consistent with the adopted filing fee schedule, and original plans or, if modifications to the project are necessary to comply with Subsection 11.11.B, preliminary plans in conformance with the requirements for new multi-residential and commercial projects, as applicable.

(a) The provisions of Subsections 11.5.B, 11.5.C, 11.5.D, 11.5.E, 11.5.F and 11.5.G shall apply except that the date for filing a complete application in Subsection 11.5.C shall be June 28, 1989, the date one year from the effective date of this section.
The provisions of Section 11.6 shall apply except as set forth below:

(i) Construction shall be complete, as defined by Subsection 11.2.C, within three years from the date of issuance of the permit.

(ii) One extension, of up to one year, to the three-year construction period may be granted provided the request is made in writing prior to the expiration of the three-year period and the Executive Director makes either of the two findings set forth in Subsection 4.12.E.

Modification to original plans may be permitted as set forth in Section 11.7 if the project, as modified, will not result in an increase in the amount of commercial floor area or number of residential units over the original project unless the appropriate allocation is obtained pursuant to Chapter 33 and further provided that:

(i) TRPA makes the findings set forth in subparagraphs (3) through (10), inclusive, in Subsection 11.11.B and finds that the component of the project to be modified results in a net improvement in the environment with respect to that component; or

(ii) Except for the allocation requirements of Chapter 33, TRPA finds that the modified project complies with all provisions of the Regional Plan Package, including the Code.

A complete application for transfer of existing development pursuant to Subparagraph 11.11.B(8) shall be filed no later than one year from the date of Governing Board approval pursuant to said subsection. The Board may extend the filing deadline for a period not to exceed one year if the applicant shows good cause for the extension.
Amended 4/27/80,
Section 11.11

(e) For purposes of Chapter 34, projects approved for construction shall be considered existing development and eligible for transfer in accordance with Chapter 34.

(3) **Abatement of Foundations:** Abatement of foundations shall be pursuant to Section 11.8.

(4) **Appeals:** Appeals shall be pursuant to Section 11.9.

(5) **Applications:** Applications may be lodged with TRPA 30 days prior to the effective date of this section. Lodging an application shall be at the risk of the applicant and shall not be construed to estop TRPA from amendment or revocation of this section prior to the effective date.

(6) In accepting and acknowledging the conditions of a permit issued pursuant to this section, the permittee shall waive, in writing, any claim of vested rights which may then exist such that any future claims with respect to the permitted project shall be limited to claims arising solely out of the permit issued pursuant to this section.
September 24, 1990

Ms. Susan E. Scholley
Special Projects Attorney
TRPA
P.O. Box 1038
Zephyr Cove, NV 89448

Dear Susan:

Thank you for your time in relation to the proposed amendment of Chapter 11 of the TRPA Code of Ordinances. The meeting with Roland and yourself on Friday was most illustrative. While we do not necessarily agree on some of the issues raised, we do appreciate the opportunity to discuss the matter. We will attempt to respond to your concerns with this submittal.

Please find attached the completed application form and environmental checklist. I have also attached some revised language (Exhibit A) which narrows greatly the scope of the proposed Code amendment.

Chapter 11, as you know, was intended to resolve the issue of the hundreds of foundations sitting around the Basin. It was perceived that these foundations, residential and commercial, were contributing to visual, environmental, and economic degradation of the basin. The parties participating in the drafting of the chapter agreed that the projects which the foundations represented should either be completed, or the foundations removed.

In limited instances, it was agreed that existing foundations should be removed, and that no option to complete the project should be offered. This was the case with commercial foundations located on parcels identified as being on low capability lands (Bailey land capability classes 1-3). Foundations in this category were given only the option to have the recognized coverage and commercial floor area transferred to a high capability (Bailey land capability classes 4-7) parcel. In addition, while commercial foundations on high capability parcels were given three years to complete construction, with the possibility of a one year extension, foundations on low capability lands were given only one year to submit an application to transfer to a buildable parcel (also with a one year extension available). It turned out that there was only one set of foundations on low capability lands which
were eligible for approval, and therefore required to transfer to high capability lands recognized as receiving areas. This project, the Kjer Commercial Project known as Kingsbury Palisades, was recognized as having 42,000 sq. ft. of commercial floor area and 52,090 sq. ft. of hard commercial coverage.

At the time Chapter 11 was adopted, it was generally believed that community plans would be complete and the transfer of the development could easily occur within the time allowed. This belief was important since the opportunity to transfer development rights is severely limited except in relation to community plan areas. Only in community plan areas are project proponents able to take advantage of the higher coverage limits and to achieve greater heights which would allow them to take advantage of transferring in additional development.

To argue that adoption of community plans was not an issue in the adoption of Chapter 11 overlooks a point vital to the planning for future commercial activities in the Tahoe Basin. A major issue of discussion during the completion of the Regional Plan and Code was the need to provide for sound future commercial planning. In fact, the argument for community plans, in addition to establishing a cooperative effort between TRPA, business communities and local governments, was that it would provide a market for transfer of development from poor locations and sensitive lands to more desirable locations. Such desirable locations were to be identified as a result of community plans directing growth to proper locations. This was thought to be appropriate since it would provide an incentive and mechanism to rehabilitate and redevelop old, poorly planned and/or maintained sites.

Unfortunately, this was not to be. There is, at this time, not a single adopted community plan. Further, while several preliminary plans have been approved for over a year, no final community plan appears to be close to approval. This was probably the primary reason for the TRPA Governing Board action in June, to approve a one year extension of the deadline for submittal of an application to transfer the floor area and coverage.

We are now requesting that the TRPA recognize the fact that adoption of community plans will take a great deal longer than originally intended. We also think TRPA must recognize its responsibility in fostering sound planning for future commercial development and extend the deadline provisions of the Code which would otherwise undercut the efforts of those who have worked so hard on the south shore community plans. There are several extremely valid reasons for such an extension.
1. Community plans should guide future growth rather than react to existing conditions which may not place development in desired locations. Even worse, development which occurs prior to adoption of community plans could seriously restrict the ability of the plans to place desired uses in appropriate locations. Forcing owners to transfer development and build prior to completion of community plans may result in development inconsistent with plans adopted later.

2. Community plans were conceived as a mechanism to encourage local businesses and governments to work with TRPA to plan for the future of their local areas. Community plans were also envisioned as a way to encourage rehabilitation of older properties and consolidation of development in such a way as to obtain air, water, and transportation benefits by making transit more workable, and reducing vehicle trips. The primary inducements to get local areas to participate in community plans were the provision of incentives such as higher coverage limits through transfer of existing hard coverage, higher height limits, etc. Because sources of hard commercial coverage are very limited, TRPA would be doing local governments and businesses a great disservice if they allowed such a valuable resource to expire.

3. TRPA, local governments, and the business community have established a good working relationship in the process of preparing community plans. The participants have invested a great deal of time, energy, and resources in this process based on the promise of future benefits to the environment, economy, and overall public good. The availability of hard coverage and commercial floor area, as pointed out above, is very important to the implementation of the community plans with their environmental, economic, visual, and other benefits. Given the limited availability of such coverage and floor area, the TRPA should support the work of these volunteers by acting to preserve this resource until completion of the City of South Lake Tahoe, Douglas and El Dorado County community plans.

4. As intended when the Consensus Group agreed on the concept of transfers of development as a planning tool, a market has begun to develop based on transfers to facilitate development consistent with the goals of the Regional Plan. The land bank in California, and private transactions involving the transfer of existing and potential coverage, the transfer of commercial floor area and the transfer of both residential and commercial allocations have become a reality.
The person who purchased this floor area hopes to participate in the community plan rules to provide economic and environmental benefits in the community. Loss of this resource resulting from TRPA's failure to act could undermine public confidence in the TRPA and its willingness to support and implement the community plans. Private transactions which are beginning to establish a market for transfer of development from poor capability areas to good land capability areas will cease if public trust is undermined. The environmental benefits from retirement and transfer of uneconomic and undesirable existing development could also be lost.

Conclusion

The justification for limiting the options available to owners of commercial foundations on sensitive lands was that they would have other economic options through sale and transfer of the coverage and floor area. It was believed owners would be able to transfer the recognized coverage and floor area into community plan areas. This solution seemed to make sense at the time, when we thought community plans would be complete by 1990. Since this has not happened, it is reasonable now to extend the deadline. As only one project is affected by this code section, there is no potential for major environmental impacts. In fact, the potential impacts, had the owner chosen to pursue construction on the site of the recognized foundations, would have been much greater. Under the provisions of Chapter 11, any development which results from a transfer will be on high capability lands in areas much more suitable for development.

The community plans included in the proposed language, but not specifically listed by name, are listed below:

Douglas County
Stateline
   Lower Kingsbury
   Roundhill

El Dorado/City of South Lake Tahoe
Stateline/Ski Run
   Bijou/Al Tahoe
   South Tahoe "Y"
   South Tahoe Industrial Area
   Meyers
Susan Scholley  
September 24, 1990  
Page 5.

At our meeting of Sept. 21, you suggested the need for some outside limit on the life of the recognized development rather than an open ended period tied to the completion of community plans. In response to your request, as indicated above, we propose that the language of the amendment be modified to extend the deadline for submittal of an application to transfer the coverage and floor area for a period of one year after the adoption of the above described community plans, or by July 27, 1994, whichever occurs first. We feel that the added benefit of the above this modified language is to provide an incentive to local governments to complete community plans in order to get access to this additional floor area and hard commercial coverage.

Thank you for your assistance in processing this proposed amendment. I feel that the proposed change will be of great benefit to all concerned. If you require any further information in preparation of the staff report please feel free to give me a call.

Sincerely,

Gary D. Midkiff

cc: Ken Kjer  
    Gary Casteel  
    Scott Brook

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MEMORANDUM

September 20, 1990

To: TRPA Advisory Planning Commission

From: The Staff

Subject: Amendment of Chapter 4, Project Review and Exempt Activities, to Adopt Memorandum of Understanding Between TRPA and the Tahoe City Public Utility District (TCPUD)

Staff proposes an amendment to Chapter 4 of the Code of Ordinances to exempt certain activities of the Tahoe City Public Utility District (TCPUD) from TRPA review.

Description and Discussion

Pursuant to Section 4.8 of the TRPA Code of Ordinances, TRPA may amend Chapter 4 to exempt those activities of public and quasi-public entities as set forth in memoranda of understanding (MOUs) between TRPA and such entities. The format of the MOU 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 attached MOU. TCPUD 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.

The TCPUD has reviewed the proposed MOU and is in agreement with the provisions contained therein.

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.

JW:jf
9/20/90

AGENDA ITEM IV E.
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. This finding is also based on the Article V(g) checklist 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.

9/20/90

AGENDA ITEM IV E.
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 TRPA review. The proposed MOU with TCPUD exempts minor activities undertaken by public utility districts charged with providing essential public services. Under the MOU, TCPUD 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 TCPUD will implement Section 4.8 of the Code which allows amendments to exempt certain activities of public and quasi-public entities.

Staff Recommendation

Staff recommends that the APC make a recommendation to the Governing Board to approve the attached MOU and adopt the amending ordinance.

Please contact Jerry Wells, Deputy Director, at (702) 589-4547 if you have any comments or questions on this agenda item.
MEMORANDUM OF UNDERSTANDING BETWEEN
TAHOE REGIONAL PLANNING AGENCY AND
TAHOE CITY PUBLIC UTILITY DISTRICT

OCTOBER 1990

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 the Governing Board, and the TAHOE CITY PUBLIC UTILITY DISTRICT (TCPUD), by and through its Chief Executive Officer.

All activities described in this Memorandum of Understanding (MOU) shall be in accordance with the Regional Plan package of TRPA as adopted by Ordinance No. 87-9, as amended from time to time. Activities exempt under this MOU shall not result in the creation of additional land coverage, relocation of existing coverage, or an increase in vehicle trips in excess of that otherwise exempt pursuant to Subsection 4.3.B of the TRPA Code. All activities undertaken by the TCPUD pursuant to this MOU shall comply with applicable Best Management Practices (BMPs), and all provisions of the TRPA Code of Ordinances (Code), as it may be amended from time to time, except for the procedural provisions replaced by this MOU, and such guidelines as may be adopted by TRPA.

I. EXEMPT ACTIVITIES

The following activities of TCPUD, in addition to those exempt pursuant to Section 4.2. of the TRPA Code, are not subject to review and approval by TRPA provided any related excavation or backfilling work does not exceed 10 cubic yards (unless modified below), occurs during the grading season (May 1 to October 15) in land capability districts 4 through 7 and/or within an existing paved area, and the site is stabilized and revegetated within 72 hours to prevent erosion.

A. WATER SUPPLY ACTIVITIES

1. Repair and replacement of existing waterworks equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, fire hydrants, pipes, screens, wells, water meters, service connections, service boxes, water tanks, and treatment facilities provided there is no increase in size or capacity and the replacement facilities are similar in type and function.

2. Install new service connections for TRPA-approved projects.

3. Prune vegetation around water facilities and within easement areas provided no vegetation is removed.

4. Install new valves and fire hydrants along existing water lines within existing roadways and easements provided there is no increase in capacity.

5. Locate existing underground lines and appurtenances.
6. Install observation wells for groundwater monitoring, soil investigation, or pilot hole investigation.

B. WASTEWATER COLLECTION ACTIVITIES

1. Repair and replace wastewater collection system related equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, pipes, service connections, odor control facilities, pumping stations, meters, and wet wells provided there is no increase in size or capacity and replacement facilities are similar in type and function.

2. Grouting, sealing and pressure testing of sewer lines, service laterals, and appurtenances.

3. Prune vegetation around existing sewer facilities and within easement areas involving no removal of vegetation.

4. Locate underground lines and manholes.

C. RECREATION ACTIVITIES

1. Repair and replace existing accessory structures associated with public recreation facilities such as parks and campgrounds such as picnic tables, playground equipment, barbeques, bicycle trail auto barriers and bollards.

2. Clean existing bicycle trails and related drainage facilities.

3. Repair, restore and maintain existing dirt in-fields.

4. Patch, seal, overlay, and stripe existing paved surfaces.

5. Landscape and revegetate with TRPA-approved species including installation, repair and replacement of irrigation systems.

6. Annual replacement of sand in existing playground areas.

7. Pruning of vegetation to maintain adequate site distance, removal of hazardous limbs, and maintaining two foot shoulder clearance on bike trails.

D. 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.

E. STRUCTURES

1. Demolition of structures provided the structure is not
designated, or pending designation on the TRPA Historic Resource Map, as amended from time to time.

2. Structural repair or remodeling less than $5,000 per year which does not result in an increase in the dimensions of a structure (including height), a change of use, an increase in commercial floor area, or an increase in density.

F. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of erosion control devices such as:
   a. Sediment basins not exceeding 150 square feet in size.
   b. Swales
   c. Rock slope protection not visible from any TRPA-designated scenic roadway or shorezone unit, class I bike paths, or recreation area.
   d. Rock-lined ditches.
   e. Willow wattling.
   f. Access barriers, i.e., bollards and split-rail fencing.

2. Restoration of disturbed areas of one acre or less provided scarification does not exceed 6" in depth and excavation and filling does not exceed 20 cubic yards.

G. BOAT LAUNCHING FACILITIES

1. Repair and replace existing pier decking, railings and steps provided no increase in height, width or length.

2. Annual boatramp maintenance consisting of concrete crack repairs and removal of obstructions providing no dredging occurs.

H. MISCELLANEOUS ACTIVITIES

1. Land surveys, corner recovery, remonumentation and land-line posting.

2. Use of portable instruments for research and monitoring of sewer and water systems, and park visitor use.

II. QUALIFIED EXEMPT ACTIVITIES

The following activities of TCPUD are not subject to review and approval by TRPA, provided TCPUD certifies, on a form provided by TRPA, that the activity does not result in the creation of additional land coverage or relocation of land coverage, excavation and backfilling does not exceed 25 cubic yards (unless modified below), occurs during the grading season (May 1 to October 15) in land capability districts 4-7 and/or within an existing
paved area, and the site is stabilized and revegetated within 72 hours to prevent erosion, and the activity is in conformance with the applicable provisions of the TRPA Code. The statement shall be filed with TRPA at least five working days before the activity commences. For those activities involving in excess of 25 cubic yards of excavation (as provided below), TCPUD shall submit the statement to TRPA at least 30 days before the activity commences. The following activities are in addition to those activities deemed "Qualified Exempt" pursuant to Section 4.3 of the TRPA Code.

A. WATER SUPPLY ACTIVITIES

1. Replace existing water lines and service connections for a distance of not more than 2,000 lineal feet, provided all excavation is within an existing road right-of-way, there is no increase in capacity or relocation of lines outside of existing paved areas, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.

2. Repair or replace existing water intake lines, vertical wells, horizontal wells, and infiltration galleries with facilities of similar type and function, and no increase in size or capacity.

3. Install new water lines for a distance of not more than 750 lineal feet to intertie existing facilities or extend service to TRPA-approved projects provided all excavation is within an existing road right-of-way, there is no increase in capacity, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.

B. WASTE WATER COLLECTION ACTIVITIES

1. Replace existing sewer lines and service connections for a distance of not more than 750 lineal feet, provided all excavation is within an existing road right-of-way, there is no increase in capacity, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.

2. Install new sewer lines for a distance of not more than 750 lineal feet to intertie existing facilities or extend service to TRPA-approved projects provided all excavation is within an existing road right-of-way, there is no increase in capacity, the amount of excavation is the minimum necessary, and all stockpiling of spoil material is accomplished in accordance with TRPA BMPs.

C. RECREATION ACTIVITIES

1. Replacement of existing fences, provided there is no increase in height, and the fence is consistent with the TRPA Design Review Guidelines.
2. Tree removal for public health and safety pursuant to Section 71.4.E(2) of the TRPA Code.

3. Install directional and informational signs in TCPUD-operated recreation areas, provided the signs are consistent with Section 26.6.A(2)(a), (b), and (c) of the TRPA Code, and an inventory of existing signage is completed prior to the installation of any new signs.

4. Install bike path signs in accordance with the Caltrans Highway Design Manual (Bikeway Uniform Signs, Markings and Traffic Control Devices, Section 7-1004), provided the signage is the minimum amount required, and an inventory of existing signage is completed prior to the installation of any new signs.

D. ROADS, TRAILS AND PARKING LOTS

1. Reconstruction, resurfacing or overlaying of existing pavement provided that BMPs are in place, including dust control measures.

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

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

E. EROSION CONTROL AND RESTORATION ACTIVITIES

1. Installation of retaining walls not exceeding 200 feet in length and 2 feet in height, provided that if located within a TRPA-designated scenic roadway or shoreline unit, the wall design is consistent with the TRPA Design Review Guidelines (Chapter 1, Section C(7) and Section 30.13.C(2) of the TRPA Code, and an inventory of existing retaining walls is completed prior to the installation of any new walls.

2. Restoration of disturbed areas not exceeding 2 acres, provided scarification does not exceed 6" in depth.

F. TREATMENT AND ACCOUNTING OF COVERAGE

It is understood by the TCPUD and TRPA that the activities set forth herein may result in a requirement to mitigate existing excess coverage. Further, many of the activities involve removal of existing land coverage or restoration of disturbed lands.

Chapter 38 of the Code provides for the accounting, tracking, and banking of coverage in conjunction with Chapter 20. The TCPUD shall report to the Executive Director of TRPA annually on the status of compliance with all excess coverage mitigation, coverage removal and restoration requirements as related to all activities undertaken pursuant to this MCU.
G. LOSS OF EXEMPTION

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

H. TERMINATION

This MOU may be terminated by either party upon sixty (60) days notice in writing.

TAHOE CITY PUBLIC UTILITY DISTRICT

DATED: _____________________________

David C. Antonucci
General Manager/Chief Engineer

TAHOE REGIONAL PLANNING AGENCY

DATED: _____________________________

David S. Ziegler
Executive Director
MEMORANDUM

October 2, 1990

To: TRPA Advisory Planning Commission

From: Susan E. Scholley, Special Projects Attorney

Re: Movement of IPES Line

For the past several months, TRPA staff has been meeting with the 208 Plan consensus group regarding the findings for moving the IPES line. Before lowering the IPES line in a jurisdiction, five findings must be made with respect to the affected jurisdiction. The five required findings are:

1. Parcels in the top rank are otherwise eligible for development under the applicable state 208 plans and other legal limitations.

2. The number of parcels with IPES scores below the top rank, divided by the number of parcels deemed sensitive on January 1, 1986, does not exceed the following percentages: Douglas and Washoe Counties 33 percent, and Placer and El Dorado Counties 20 percent.

3. A monitoring program is in place pursuant to Chapter 32 and the TRPA monitoring plan.

4. Demonstrable progress is being made on capital improvement programs for water quality.

5. The level of compliance with conditions of project approvals is satisfactory.

Attached is an excerpt of the 208 Plan which elaborates further on the findings. TRPA staff hopes to make a recommendation on moving the IPES line to the Governing Board in November. As required by Resolution 89-23, we have notified the SWRCB, NDEP, and EPA of our intent to consider lowering the IPES line in Douglas and Washoe Counties, effective January 1, 1991.

Since the movement of the IPES line affects the local jurisdictions and is conditioned on certain achievements within a jurisdiction, APC review and comment will be helpful. No action is requested this month. The summary is intended to acquaint the APC with the issues in advance of the November meeting.

SES:jm
10/2/90
Finding Regarding Vacant Lot Equation:

Based on TRPA's computer data in January 1986, the number of parcels deemed sensitive (i.e., more than 50 percent low capability land) on that date was:

- Douglas: 1067
- Washoe: 1700
- Placer: 1667
- El Dorado: 4363

These numbers constitute the fixed denominator.

The numerator (vacant lots with IPES scores below the line) changes monthly as parcels are retired (e.g., by transfer of development, acquisition).

Using June 1990 estimates, the equations are as follows:

<table>
<thead>
<tr>
<th>County</th>
<th>Numerator</th>
<th>Equation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas</td>
<td>255</td>
<td>255/1067 = 23.9%</td>
</tr>
<tr>
<td>Washoe</td>
<td>597</td>
<td>597/1700 = 35%</td>
</tr>
<tr>
<td>Placer</td>
<td>1159</td>
<td>1159/1667 = 69.5%</td>
</tr>
<tr>
<td>El Dorado</td>
<td>1952</td>
<td>1952/4363 = 44.7%</td>
</tr>
</tbody>
</table>

The numerators need to be updated with respect to built or retired case-by-case projects; USFS and state acquisitions; and an estimate of unscored parcels.

Findings Regarding Monitoring:

Attached as Exhibit B is a summary of the IPES-related monitoring. The sufficiency of the IPES-related monitoring is a difficult issue. Also, a difficult issue is the requirement that data be collected for a "representative" water year. See attached 208 Plan excerpt, pages 118-119.

Findings Regarding Capital Improvement Program:

Although this finding is relatively straightforward, staff has not yet compiled all the necessary information for each county. See attached 208 Plan excerpt, pages 119-120 and pages 184-185 (benchmarks).

Finding Regarding Compliance With Project Conditions:

To determine satisfactory compliance levels, the 208 Plan (page 120) requires the setting of numerical standards for four subparts:

1. Percentage of projects which commenced construction three or more years earlier but have not had securities returned.

10/2/90
1986 Securities Posted

Unreturned Securities/Total Securities

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas</td>
<td>43%</td>
<td>21/37</td>
</tr>
<tr>
<td>Washoe</td>
<td>42%</td>
<td>35/61</td>
</tr>
<tr>
<td>Placer</td>
<td>35%</td>
<td>81/125</td>
</tr>
<tr>
<td>El Dorado</td>
<td>30%</td>
<td>125/178</td>
</tr>
</tbody>
</table>

Staff is working on statistics for 1985 securities posted.

2. Number of projects behind approved schedules for BMP retrofit versus those on schedule.

Since the requirement of a BMP retrofit schedule has only been in effect since mid-1987, very few projects are on schedules. Further, Chapter 25 permits five- to ten-year schedules, so deadlines have not been reached. Staff is compiling a list of projects which require BMP retrofit plans and will make it a divisional priority to set schedules and monitor compliance in the future.

3. The number of projects requiring TRPA issuance of cease and desist orders for non-compliance with project conditions versus the number of projects inspected. Data for FY 88-89 (July 1, 1988 through June 30, 1989) is as follows:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas</td>
<td>6%</td>
<td>3/48</td>
</tr>
<tr>
<td>Washoe</td>
<td>5%</td>
<td>5/112</td>
</tr>
<tr>
<td>Placer</td>
<td>3%</td>
<td>5/161</td>
</tr>
<tr>
<td>El Dorado</td>
<td>5%</td>
<td>6/111</td>
</tr>
</tbody>
</table>

4. The number of unresolved project violations versus resolved violations. Data is again for FY 88-89 as follows:

<table>
<thead>
<tr>
<th>Unresolved Violations/Resolved Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas</td>
</tr>
<tr>
<td>Washoe</td>
</tr>
<tr>
<td>Placer</td>
</tr>
<tr>
<td>El Dorado</td>
</tr>
</tbody>
</table>
Thus, the percentage of unresolved violations is:

<table>
<thead>
<tr>
<th>Region</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Douglas</td>
<td>41%</td>
</tr>
<tr>
<td>Washoe</td>
<td>46%</td>
</tr>
<tr>
<td>Placer</td>
<td>48%</td>
</tr>
<tr>
<td>El Dorado</td>
<td>32%</td>
</tr>
</tbody>
</table>

Staff is reviewing the compliance logs to survey the unresolved violations.

**SUMMARY:** The next meeting of the IPES Line Committee is October 29. Any comments or suggestions APC members may have will be transmitted to the Committee.
adequate highway access, shall have or provide employee housing in the vicinity, and shall be suitable for continued or increased levels of commercial activity (Goals and Policies, p. II-6).

Before initiating work on the community plan, TRPA and the appropriate unit of local government shall approve a preliminary plan and work program which set targets for reductions in vehicle trips and land coverage and other threshold-related targets (Code, Subsection 14.6.B).

Each community plan shall include (1) an assessment of needs, opportunities, limitations, and existing features, (2) goals and objectives, (3) maps, and (4) an integrated plan addressing land use, transportation, traffic, parking, public service, housing, recreation, implementation, consistency with the Plan Area Statements, coordination with monitoring, and other programs. Each plan shall also set forth a schedule showing how development is to be coordinated with public projects, including water quality improvements and other remedial projects, so that applicable goals and standards are achieved (Goals and Policies, p. II-7).

The Plan Area Statements and community plans will assist the TRPA in carrying out its programs to protect water quality by directing additions and changes in land use to the most appropriate areas. There are also other land use plans which help to attain the same goals, including the Forest Service's draft Land and Resource Management Plan (USFS, 1985).

d. Residential Development Priorities (regulatory)

[40 CFR 130.6(c)(4)(ii), (iii)(E) and (G)]

One method available to TRPA to help protect water quality in the Region is to direct all residential development first to those areas most suitable for development in accordance with the thresholds and other considerations, such as infrastructure capacity and progress toward completing water quality capital improvements (Goals and Policies, p. VII-3). To accomplish this goal for new single-family development, TRPA will utilize the Individual Parcel Evaluation System (IPES).

TRPA began the evaluation and ranking of vacant residential parcels under IPES in 1987, and will complete these tasks by December, 1988. Commencing January 1, 1989, all new single-family construction will be evaluated in accordance with IPES, which will rank vacant parcels with respect to their relative suitability for development (Goals and Policies, p. VII-3).

IPES is an objective and scientific system which evaluates a parcel with respect to the following criteria: (2) relative erosion hazard, (2) runoff potential, (3) degree of difficulty to
access the building site, (4) water influence areas, (5) condition of the watershed, (6) ability to revegetate, and (7) the need for water quality improvements in the vicinity of the parcel (Goals and Policies, p. VII-4).

IPES includes an element, separate from the criteria used to rate parcels, which encourages physical mitigation of existing water quality problems by individual property owners. The rating of a parcel may be increased, to a limited and finite degree, by the property owner constructing off-site water quality improvements (Goals and Policies, p. VII-4). According to Chapter 37 of the TRPA Code, TRPA must approve any such water quality improvement projects; the project must be located off-site; and the project must be completed prior to the construction of the single-family dwelling under IPES (Code, Subsection 37.2.I).

IPES shall be implemented as follows (Goals and Policies, pp. VII-4 through 7):

-- A team of experts shall evaluate each parcel using a standardized approach.

-- For parcels of 1/3 acre or less, the team shall evaluate the entire parcel, except that SEZs shall be excluded from the area evaluated. For parcels with less than 5000 square feet outside an SEZ, the IPES rating shall be reduced by a factor equal to the ratio of square feet of land available for construction to 5000 square feet.

-- For parcels greater than 1/3 acre, but less than five acres, the IPES team shall select and evaluate the 1/3 acre portion that results in the highest rating. If the selected area contains an SEZ, the rating shall be reduced as set forth above. If the property owner desires to locate the residence outside the area evaluated, a reevaluation shall be required.

-- For parcels of five acres or greater, the property owner shall be notified and asked to identify the desired building site. Once a building site is identified, the IPES team shall evaluate the best 1/3 acre portion containing the identified building site. If the selected area contains an SEZ, the rating shall be reduced as set forth above.

-- Ratings of parcels may change, subsequent to the initial rating, as a result of installation of water quality improvements in the vicinity of the parcel or changes in the condition of the watershed.
Property owners may appeal their parcel's rating to an independent body of qualified experts not involved in the initial field evaluation of that parcel. These independent experts shall apply the IPES criteria, and their decision shall be final unless the property owner appeals to the TRPA Governing Board. The Board may change a rating only upon finding that the IPES criteria were not applied correctly.

TRPA shall rate all vacant residential parcels numerically and rank them from most suitable to least suitable, by jurisdiction. TRPA shall also establish a level in the ranking immediately above the most sensitive parcels, based on recommendations from the IPES technical committee. Only parcels above this level, as it may be subsequently adjusted, comprise the "top rank" and may pursue a building permit (Goals and Policies, p. VII-6).

The numerical level defining the top rank for any jurisdiction shall be lowered annually by the number of allocations utilized in that jurisdiction during the previous year, provided that the following conditions are met (Goals and Policies, pp. VII-6, -7):

--- all parcels in the top rank are otherwise eligible for development under state water quality plans and other legal limitations,

--- a monitoring program for that jurisdiction is in place as set forth in the Monitoring and Evaluation Subelement of the TRPA Goals and Policies,

--- demonstrable progress is being made on the Capital Improvements Program for water quality within that jurisdiction,

--- there is a satisfactory rate of reduction in the inventory of vacant parcels; the IPES line shall not move down in any jurisdiction unless the number of parcels below the line in that jurisdiction, compared to the number deemed sensitive on January 1, 1986, does not exceed 20 percent in El Dorado and Placer Counties, or 33 percent in Washoe and Douglas Counties, and

--- the level of compliance with conditions of project approvals within that jurisdiction is satisfactory.

With respect to the requirement that a monitoring program be in place in a given jurisdiction, the Goals and Policies require TRPA to monitor representative tributaries to provide a basis for evaluating the relative health of the watershed within which development is contemplated and progress toward meeting thresholds. The monitoring program will monitor stream flows and
concentrations of sediments and dissolved nutrients to determine annual pollutant loads. This monitoring program shall be in place in a local jurisdiction, and shall establish baseline water quality conditions, before the numerical level defining the top rank for the jurisdiction is lowered (Goals and Policies, p. VII-25). The term "in place" means that a TRPA-approved monitoring system, with established procedures and responsibilities, is physically located on the selected tributaries, and samples have been collected and analyzed for at least one representative water year.

The location of sampling sites, frequency of sampling, and financial responsibilities for monitoring will be set forth in TRPA's Monitoring Program pursuant to the Goals and Policies (p. VII-25) and the TRPA Code of Ordinances (section 32.10), based on the recommendations of the TRPA Monitoring Committee. The objectives of the monitoring program are to:

1. Characterize the water quality of streams drainage affected residential areas in relationship to the overall water quality observed in the watershed,

2. Identify short-term changes in water quality from affected residential areas, and

3. Ensure that TRPA and state water quality standards are being attained and maintained.

The monitoring program will include quality control and quality assurance (QA/QC) procedures to ensure that the data accurately represent the actual water quality conditions.

Monitoring will normally occur not only at the mouths of streams, but also at locations in closer proximity to residential subdivisions. While the stream mouth monitoring will generally cover the entire year, monitoring at other locations higher in the watershed will be geared toward the spring snowmelt period and the fall storm season to contain costs. In addition to the presently established monitoring stations, TRPA estimates that 30 to 40 additional stations will be required throughout the Region to support the IPES conditions.

With regard to the requirement that demonstrable progress is being made on the Capital Improvements Program within a given jurisdiction, TRPA's evaluation will be based on the programs adopted in Volumes III and IV of the 208 plan, including lists of SEZ restoration and capital improvement projects for erosion and runoff control, with priority designations, for each jurisdiction. Pursuant to the Goals and Policies, TRPA has established benchmarks against which the progress can be evaluated (Goals and Policies, p. VII-26). These benchmarks are found in Section 1, Chapter VII of this volume, Plan Evaluation and Revision.
To make a finding of demonstrable progress in a local jurisdiction, TRPA will review the progress of that jurisdiction over a three-year period covering the previous year, the current year, and the upcoming year. For the demonstrable progress criteria to be met, TRPA must make one of the following findings: (1) funding is committed and there is a strong likelihood that construction will commence on one or more high priority watershed improvement projects in the current or upcoming year and construction of one or more high priority projects has taken place in the previous or current year, or (2) the performance of the local jurisdiction on implementation of SRR restoration and capital improvement projects is consistent with progress necessary to meet the benchmarks established on pp. 183 and 184. In this context, the term "high priority project" means a project with a substantial water quality benefit.

To determine whether the level of compliance in a jurisdiction is satisfactory, TRPA will evaluate: (1) the percentage of projects which commenced construction three or more years earlier but which have not had their securities returned for water quality-related practices, (2) the number of projects which are behind approved schedules in project approvals for BMP retrofit, compared to those on schedule, (3) the number of projects which required TRPA issuance of cease and desist orders for failure to observe conditions of approval within the previous fiscal year, as compared to the number of projects inspected, and (4) the number of projects on which violations remain unresolved, compared to the number resolved. TRPA will review compliance data at the end of the 1989 building season, and will then set specific numerical performance standards for the four criteria above. The specific numerical performance standard shall reflect TRPA's goal of achieving a very high level of compliance with conditions of project approval.

Since it is possible (though unlikely) that individual appeals of IPS scores may result in a significant shift in the number of single-family parcels eligible to pursue construction permits by virtue of being in the top rank, TRPA shall, in a given local jurisdiction, and provided that IPS scores increase the size of the top rank in that jurisdiction by three percent or more, subtract the number of parcels added to the top rank by appeals during the first year from the number of parcels which would be added to the top rank any year that the IPS line is lowered, until the number of parcels added to the top rank by appeals equals the number of parcels which would have been added to the top rank due to the lowering of the IPS line.

For TRPA to approve a project on a parcel rated and ranked by IPS, the parcel must be served by a paved road, water service, sewer service, and electric utility. However, Chapter 27 of the TRPA Code of Ordinances sets forth provisions for waiver of the paved road requirement, as provided for in the Goals and Policies (p. VII-8).
Targets (20-years): Pursuant to Volume IV of this plan:

City of South Lake Tahoe: $58.9 million
El Dorado County: $49.8 million
Placer County: $78.0 million
Washoe County: $19.3 million
Douglas County: $14.6 million
Caltrans: $18.4 million
NDOT: $25.2 million
USFS/LTBMU: $25.3 million

Interim Targets (1991): Pursuant to Volume IV of this plan, by December 30, 1991:

City of South Lake Tahoe: $10.0 million
El Dorado County: $7.8 million
Placer County: $7.6 million
Washoe County: $3.9 million
Douglas County: $2.9 million
Caltrans: $3.7 million
NDOT: $5.0 million
USFS/LTBMU: $5.1 million

In addition, TRPA will set performance targets for indicators (2) and (3), above, by January 1, 1991.

2. Category: water quality
Parameter: implementation of Best Management Practices
Indicators: Based on a stratified random survey of
residential, commercial, public service, and recreation
properties, percentage of properties with: (1) BMPs in
place in accordance with the Handbook of Best
Management Practices and (2) revegetation of areas
disturbed (e.g., denuded or compacted without
structures) as of July 1, 1989.

Targets (20-years): For indicator (1), 100 percent of
properties in the survey; for indicator (2), 80 percent
of properties in the survey.

Interim Targets (1991): For indicator (1), 15 percent
of properties in the survey; for indicator (2) 12
percent of properties in the survey.

As reported in Volume IV of this plan, 65 erosion and runoff
control projects have been completed in the Tahoe Region, with
funding from a variety of federal, state, and local sources:
federal Clean Lakes Grants, federal forest highways funds,
erosion control grants under the Burton-Santini program
administered by the LTBMU (USFS), California state assistance
grants administered by the Lahontan Board, site improvement and
land acquisition grants from the California Tahoe Conservancy,
state transportation improvement funds, local general funds,
benefit assessment districts, and CTRPA and TRPA mitigation
funds. Except for California state assistance grants (which have
been entirely committed) and CTRPA mitigation funds (which no
longer are collected), TRPA expects these funding sources to
continue to support erosion and runoff control projects in the
future, with the addition of Nevada Bond Act grants for erosion
and runoff control starting in 1989.
TRPA will work with all other entities involved in implementing the capital improvements program to develop dedicated long-term funding sources which will allow the responsible agencies to meet their 20-year CIP targets. The assurance of long-term funding is necessary to allow units of local government and other implementing agencies to increase their annual outlays on erosion and runoff control projects to a level commensurate with the 20-year targets. For more discussion of long-term funding strategies, see Volume VI (p. 42) of this plan, Responsiveness Summary and Response to Comments.

No less often than once a year, TRPA will also meet with representatives of local public works departments, local elected officials, Caltrans, NDOT, the LTBMU, and other affected entities to review progress on the CIP; problems encountered within the past year; new information on project design and construction techniques; possible cost-reduction methodologies; project expenditures and cost estimates; additional sources of funding; and related topics. Subsequent to these meetings, TRPA shall prepare annual status reports on the progress of the capital improvements program.

D. ASSESSMENT OF EFFECTIVENESS AND ADEQUACY

If the 208 plan produces the expected benefits to the environment sooner than anticipated, or more slowly than anticipated, as determined by evaluation of the indicators in C, above, TRPA shall make adjustments to the Regional Plan. Based on results of scientific studies, TRPA may also adjust the targets to make them consistent with the latest scientific information (Goals and Policies, p. VII-23).

No later than September 1991, and every five years thereafter, TRPA shall issue a progress report covering: (1) the amount and rate of progress toward the targets in C, above, (2) the cumulative impacts on each indicator of projects approved by TRPA from the date of approval of the 208 plan, (3) the extent to which the Region and applicable sub-regions are making progress toward the thresholds and standards listed in C, above, and (4) recommendations for implementation of supplemental or contingency measures necessary to attain and maintain the targets and standards, or modification or elimination of compliance measures in place to attain and maintain the targets and standards. For a list of supplemental compliance measures and contingency measures which TRPA has identified as of November 1988, see Appendix O in Volume VII of this plan, Technical Appendices. TRPA may amend these supplemental compliance measures from time to time, pursuant to Chapter 32 of the TRPA Code of Ordinances.
MEMORANDUM

June 26, 1989

To: File

From: Dan Greenlee

Subject: IPES-Related Water Quality Monitoring

Introduction

Implementation of the Individual Parcel Evaluation System (IPES) is scheduled to begin sometime this summer. An important element of IPES is the establishment of the numerical score delineating those parcels eligible to receive a building allocation from those that are ineligible. TRPA may lower this score provided certain conditions are met as outlined in TRPA's Regional Plan.

One of those conditions is the establishment of an IPES-related tributary water quality monitoring program in each of the five jurisdictions (Washoe, Douglas, El Dorado, and Placer Counties, plus the City of South Lake Tahoe). Pursuant to the Monitoring and Evaluation Subelement of the Goals and Policies (pp. VII-6, 7, and 25) and TRPA's Water Quality Management Plan (Volume I, p. 119), this program shall be designed to meet the following objectives:

1. Evaluate the relative health of the watershed within which development is contemplated;

2. Monitor progress made toward meeting the thresholds;

3. Characterize the water quality of streams draining affected residential areas in relationship to the overall water quality observed in the watershed;

4. Identify short-term changes in water quality from affected residential areas;

5. Determine if TRPA and Nevada and California water quality standards are being attained and maintained; and

6. Incorporate adequate quality assurance and quality control (QA/QC) procedures to ensure accurate water quality data.
Methodology

Site Selection

The tributary monitoring sites selected must fulfill a number of objectives. In addition to those listed above, data collected from the sites will 1) be integrated into and complement the existing water quality monitoring program, and 2) provide the information needed to determine a subdivision's impact on tributary water quality.

The United States Geological Survey and the Tahoe Research Group (USGS/TRG) operate the existing tributary monitoring program. These monitoring locations are listed in Table 1 and provide data to estimate annual nutrient and sediment loads to Lake Tahoe. Table 2 lists the parameters sampled for and analytical techniques used by the USGS/TRG.

The IPES-related monitoring program will use the data generated from the existing tributary monitoring program to help meet its objectives. Additional IPES-related monitoring stations will be established in five of the watersheds currently monitored (Incline, Trout, Ward, and Edgewood Creeks, plus the Upper Truckee River) to provide additional data for evaluation purposes. Table 3 lists the locations of these additional sites.

Contractor Selection

Selection of the contractor to perform this work is critical to the success of this program. Proper sampling techniques, sample timing, and analytical techniques guided by an appropriate QA/QC program is crucial to providing water quality data that is representative and comparable to the data already being collected. This program will require a high degree of conformance and coordination with the ongoing tributary monitoring program. To achieve these goals, TRPA has chosen the USGS to run this program. This will not only ensure consistent, accurate data, but also provide better data access and management.

Sampling Schedule

Sample collection frequency will be dependent upon tributary flow. Simultaneous samples will be collected for those sites on the same tributary. Approximately 30 samples per monitoring site per year will be collected. During low, steady flow conditions, sampling will be performed monthly. Daily, or more frequent sampling will occur during runoff events. The water quality samples will be analyzed for the "Sample A" parameters listed in Table 2.
**Data Management**

All data collected will be entered into the data bases of the USGS National Water Information System (NWIS) and into the EPA STORET data base. The data will also be available in the USGS annual report along with the data from the existing program. In addition, if funding continues, the USGS may provide a separate document addressing the objectives of the IPES monitoring program.

**Funding**

TRPA has received $75,000 for FY 88-89 to initiate this program. California and Nevada have agreed to fund this program provided local jurisdictions each provide $5,000 as a match. The same level of funding has been requested for FY 89-90 and FY 90-91. The outlook is encouraging that the two states will continue to provide this money.

For FY 88-89, the USGS is unable to match the available funds. But beginning in FY 89-90, the USGS will be able to match on a one to one basis each dollar that TRPA provides them.

Estimated costs to run this program have yet to be fully determined. Discussions with the USGS have indicated that they would be able to run this program for the available funds with a preliminary cost breakdown as follows:

<table>
<thead>
<tr>
<th>Per Unit or Sample Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sample collection and data reduction</td>
</tr>
<tr>
<td>Laboratory analysis-nutrient and sediment</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Overhead and report writing costs have yet to be determined.
<table>
<thead>
<tr>
<th>Location</th>
<th>Stream Site</th>
<th>Drainage Area (sq mi)</th>
<th>Channel Length (ml)</th>
<th>% of Stream Basin Monitored</th>
<th>Operating Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Trout Creek Basin, total</td>
<td>40.97</td>
<td>12.20</td>
<td>98.61</td>
<td>USGS</td>
</tr>
<tr>
<td>El Dorado</td>
<td>at Highway 50</td>
<td>40.40</td>
<td>10.70</td>
<td>98.61</td>
<td>USGS</td>
</tr>
<tr>
<td></td>
<td>at Black Bart Road</td>
<td>36.70</td>
<td>9.45</td>
<td></td>
<td>USGS</td>
</tr>
<tr>
<td></td>
<td>Heavenly Valley Creek tributary inflow</td>
<td>--</td>
<td>--</td>
<td></td>
<td>USGS</td>
</tr>
<tr>
<td>California</td>
<td>U. Truckee R. Basin, total</td>
<td>56.64</td>
<td>21.45</td>
<td>96.81</td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>El Dorado</td>
<td>at Highway 50</td>
<td>54.80</td>
<td>19.68</td>
<td></td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>California</td>
<td>General Creek Basin, total</td>
<td>7.56</td>
<td>9.17</td>
<td>98.41</td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>Placer</td>
<td>at Highway 09</td>
<td>7.44</td>
<td>9.13</td>
<td></td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>California</td>
<td>Blackwood Creek Basin, total</td>
<td>11.18</td>
<td>6.20</td>
<td>99.81</td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>Placer</td>
<td>at Highway 09</td>
<td>11.16</td>
<td>6.12</td>
<td></td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>California</td>
<td>Ward Creek Basin, total</td>
<td>9.74</td>
<td>5.90</td>
<td>99.61</td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>Placer</td>
<td>at Highway 09</td>
<td>9.70</td>
<td>9.70</td>
<td></td>
<td>USGS USGS TRG</td>
</tr>
<tr>
<td>Nevada</td>
<td>Third Creek Basin, total</td>
<td>6.06</td>
<td>7.05</td>
<td>99.81</td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Washoe</td>
<td>below Highway 20</td>
<td>6.05</td>
<td>6.94</td>
<td></td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Nevada</td>
<td>Jugolino Creek Basin, total</td>
<td>6.76</td>
<td>4.66</td>
<td>99.71</td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Washoe</td>
<td>below Highway 20</td>
<td>6.74</td>
<td>4.55</td>
<td></td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Nevada</td>
<td>Glenbrook Creek Basin</td>
<td>4.09</td>
<td>3.92</td>
<td>99.81</td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Douglas</td>
<td>below Highway 50</td>
<td>4.00</td>
<td>3.83</td>
<td></td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Nevada</td>
<td>Logan House Creek Basin</td>
<td>2.18</td>
<td>3.30</td>
<td>95.41</td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Douglas</td>
<td>above Highway 50</td>
<td>2.00</td>
<td>3.00</td>
<td></td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Nevada</td>
<td>Edgewood Creek Basin</td>
<td>6.59</td>
<td>5.53</td>
<td>84.71</td>
<td>USGS USGS USGS</td>
</tr>
<tr>
<td>Douglas</td>
<td>near Stateline</td>
<td>5.50</td>
<td>4.67</td>
<td></td>
<td>USGS USGS USGS</td>
</tr>
</tbody>
</table>

**Lake Tahoe Basin**
- Total Area = 506.69 sq mi
- Lake Area = 172.14 sq mi
- Tributary Basin = 314.55 sq mi
- Total Tributary Basin = 77.91 sq mi

**Monitored in 1989**
- Total Area = 142.45 sq mi
- Lake Area = 47.1 sq mi
- Tributary Basin = 24.53 sq mi
- Total Tributary Basin = 17.65 sq mi
<table>
<thead>
<tr>
<th>Sample</th>
<th>Field data:</th>
<th>USGS/STORER Parameter Code</th>
<th>Method Number</th>
<th>Minimum Reporting Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Gage height</td>
<td>00065</td>
<td>--</td>
<td>0.01 ft</td>
</tr>
<tr>
<td>A</td>
<td>Rated streamflow</td>
<td>00060</td>
<td>[a]</td>
<td>cis (2-3 sig. fig.)</td>
</tr>
<tr>
<td>A</td>
<td>Air temperature</td>
<td>00020</td>
<td>--</td>
<td>0.5 degree C</td>
</tr>
<tr>
<td>A</td>
<td>Water temperature</td>
<td>00010</td>
<td>--</td>
<td>0.5 degree C</td>
</tr>
<tr>
<td>A</td>
<td>Specific conductance</td>
<td>00095</td>
<td>--</td>
<td>1 microsiemen/cm</td>
</tr>
<tr>
<td>A</td>
<td>pH</td>
<td>00400</td>
<td>--</td>
<td>1 unit</td>
</tr>
<tr>
<td>A</td>
<td>Oxygen, dissolved</td>
<td>00300</td>
<td>--</td>
<td>1 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>percent saturation</td>
<td>00301</td>
<td>--</td>
<td>1 %</td>
</tr>
<tr>
<td>A</td>
<td>Ambient barometric pressure</td>
<td>00025</td>
<td>--</td>
<td>5 mm Hg</td>
</tr>
</tbody>
</table>

**Lab data:**

**Nitrogen, as N:**

<table>
<thead>
<tr>
<th>Sample</th>
<th>Field data:</th>
<th>USGS/STORER Parameter Code</th>
<th>Method Number</th>
<th>Minimum Reporting Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Kjeldahl, total</td>
<td>00625</td>
<td>I-4552-86</td>
<td>0.1 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>Kjeldahl, dissolved</td>
<td>00623</td>
<td>I-4552-86</td>
<td>0.1 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Organic, total</td>
<td>00608</td>
<td>I-2552-85</td>
<td>0.1 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Organic, dissolved</td>
<td>00607</td>
<td>[b]</td>
<td>0.1 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>Ammonia, total</td>
<td>00610</td>
<td>I-2552-86</td>
<td>0.002 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Ammonia, dissolved</td>
<td>00608</td>
<td>I-2552-86</td>
<td>0.002 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>Nitrite + Nitrate, total</td>
<td>00630</td>
<td>I-2552-86</td>
<td>0.005 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>Nitrite + Nitrate, dissolved</td>
<td>00631</td>
<td>I-2552-86</td>
<td>0.005 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Nitrogen, total</td>
<td>00600</td>
<td>[c]</td>
<td>0.1 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Nitrogen, dissolved</td>
<td>00602</td>
<td>[c]</td>
<td>0.1 mg/L</td>
</tr>
</tbody>
</table>

**Phosphorus, as P:**

<table>
<thead>
<tr>
<th>Sample</th>
<th>Field data:</th>
<th>USGS/STORER Parameter Code</th>
<th>Method Number</th>
<th>Minimum Reporting Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>Hydrol. + Ortho (organic) P,</td>
<td>00638</td>
<td>I-4602-85</td>
<td>0.01 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>total</td>
<td>00677</td>
<td>I-4602-85</td>
<td>0.01 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>dissolved</td>
<td>00670</td>
<td>[d]</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Organic P, total</td>
<td>00671</td>
<td>[d]</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>dissolved</td>
<td>00657</td>
<td>[d]</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Ortho-P, total</td>
<td>00671</td>
<td>I-2602-86</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>dissolved</td>
<td>00665</td>
<td>I-2602-86</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>Phosphorus, total</td>
<td>00666</td>
<td>I-2602-86</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>dissolved</td>
<td>00666</td>
<td>I-2602-86</td>
<td>0.001 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>Iron, total recoverable</td>
<td>01045</td>
<td>I-1352-85</td>
<td>0.01 mg/L</td>
</tr>
<tr>
<td>B</td>
<td>dissolved</td>
<td>01046</td>
<td>I-1352-85</td>
<td>0.01 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>Sediment concentration:</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>A</td>
<td>suspended, or total</td>
<td></td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>A</td>
<td>TSS</td>
<td>00615</td>
<td>--</td>
<td>1 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>TSS</td>
<td>00616</td>
<td>--</td>
<td>1 mg/L</td>
</tr>
<tr>
<td>A</td>
<td>TSS</td>
<td>00617</td>
<td>--</td>
<td>0.1 mg/L</td>
</tr>
</tbody>
</table>

---

101
SAMPLES:

A -- Determinations run on all samples.

B -- Supplemental nutrient speciation for 1989, to be run on about half the total samples.

C -- Nevada sites only for 1989.

Calculated and estimated parameters:

[a] -- Instantaneous rated streamflow will be calculated from the gage height at time of sampling and the current rating curve at the gage. Initial discharge estimates will be revised in the annual review of discharge records at the gage.

[b] -- For A samples,
   estimated total organic N = total Kjd N - dis. NH3 N,
   otherwise organic N = Kjd N - NH3 N (total and dissolved).

[c] -- For A samples,
   estimated total N = total Kjd N + dis. NH3 N + dis. (NO2+NO3) N,
   otherwise, N = Kjd N + NH3 N + (NO2+NO3 N) (total and dissolved).

[d] -- Added for FY89 to determine distribution of total or dissolved phosphorus species included in the phosphorus determination;
   organic P = P - (hydrolyzable + ortho P).
<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Tributary</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washoe County</td>
<td>East Fork</td>
<td>Just above Tyrolian Village and where it crosses Country Club Drive.</td>
</tr>
<tr>
<td></td>
<td>Incline Creek</td>
<td></td>
</tr>
<tr>
<td>Douglas County</td>
<td>Edgewood Creek</td>
<td>Two locations, one on the North Fork and one on the South Fork just above their confluence.</td>
</tr>
<tr>
<td>City of South Lake</td>
<td>Trout Creek</td>
<td>Upstream from where it crosses Pioneer Trail and before its confluence with Heavenly Valley Creek.</td>
</tr>
<tr>
<td>Lake Tahoe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>El Dorado County</td>
<td>Upper Truckee River</td>
<td>At Alpine Campground and where it first crosses Highway 50 in Meyers.</td>
</tr>
<tr>
<td>Placer County</td>
<td>Ward Creek</td>
<td>Near the Ski Lift Area and where Ward Creek Boulevard begins to diverge away from Ward Creek.</td>
</tr>
</tbody>
</table>
June 13, 1990

To:       IPES Line Committee
From:     Dan Greenlee, TRPA Hydrologist
Re:       Supplemental IPES Monitoring in Douglas County

As a supplement to the overall IPES monitoring program, TRPA has also contracted with Great Basin Laboratories (Reno) for synoptic tributary water sampling on Edgewood Creek in Douglas County. TRPA intends to rotate the synoptic sampling program through the other participating jurisdictions over the next three years.

The synoptic water sampling program is designed to give additional water quality data during the spring runoff when nutrient and sediment concentrations are typically at their highest.

Attached is a memorandum setting forth the scope of work for the program.
Scope of Work: IPES-Related Synoptic Water Quality Monitoring -- Page 2

Task 2 The consultant shall be responsible for having each water quality sample analyzed for the following constituents:

- Total Kjeldahl nitrogen
- Nitrate/Nitrite
- Ammonia
- Total Phosphorus
- Orthophosphate
- Suspended Sediment

In addition, discharge measurements will be required at each site at the time of sampling.

Task 3 The consultant is responsible for following proper QA/QC procedures for both the sampling and analytical portions of this program.

Task 4 The consultant will be responsible for providing TRPA a report summarizing the results of this monitoring program.

Task 5 The sampling frequency shall be once a week, beginning April 13, 1990 and continuing until June 30, 1990. Any changes in this frequency schedule shall be requested, in writing, and signed by both TRPA and the consultant.

DG:rdh
Scope of Work: IPES-Related Synoptic Water Quality Monitoring

The Individual Parcel Evaluation System (IPES), which is intended to resolve the issue of allowing development of single-family homes on sensitive lands in the Tahoe Region, includes a requirement for monitoring the water quality of representative tributaries in each jurisdiction to provide information on the relative health of each watershed and the success of the IPES program. This monitoring program is designed to monitor stream flows and concentrations of nutrients and sediments.

The Tahoe Regional Planning Agency (TRPA) has initiated partial implementation of this monitoring program through a Joint Funding Agreement (JFA) with the United States Geological Survey (USGS). Under this agreement, the USGS has established three permanent IPES monitoring stations on representative tributaries. Monitoring of the three stations on each tributary covers the entire year.

To completely implement the IPES-related monitoring program, additional stations have been selected to better fulfill the following objectives of this program:
1. Characterize the water quality of streams draining affected residential areas in relationship to the overall water quality observed in the watershed,  
2. Identify short-term changes in water quality from affected residential areas, and  
3. Ensure that TRPA and state water quality standards are being attained and maintained. The monitoring program will include quality control and quality assurance (QA/QC) procedures to ensure that the data accurately represent the actual water quality conditions.

The scope of work for this contract will be the following:

Task 1: The consultant shall be responsible for performing a synoptic survey on Edgewood Creek. This will involve sampling 10 sites (as selected by TRPA) during a one day period. Sampling methodology will either be by grab or depth integrated sampling depending upon stream flow.