TRPA
GOVERNING BOARD
PACKETS

SEPTEMBER
1990
TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on September 26, 27, 1990, commencing at 9:30 a.m. on the 26th and at 8:30 a.m. on the 27th, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will take place at the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Nevada. The official agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on September 26 1990, at 8:30 a.m., in the same location, the Finance Committee will meet to discuss receipt of the August financial statement, errors and omissions insurance coverage and cost, and allocation of Local Transportation Funds to El Dorado County.

NOTICE IS FURTHER GIVEN that on September 26, 1990 at 8:30 a.m. in the same location the Legal Committee will meet on settlement of TRPA v. Sahadi (Fleur du Lac) and settlement of TRPA v. Williamson.

NOTICE IS FURTHER GIVEN that on September 26, 1990 during the lunch recess in the same location the Rules Committee will meet to discuss Article VII (Advisory Planning Commission) and Article VIII (Conflict of Interest) of the Rules of Procedure.

NOTICE IS FURTHER GIVEN that on September 26, 1990 during the lunch recess in the same location the Capital Financing Committee will meet to discuss committee membership, financing of the 208 water quality program, and other matters properly related thereto.

Date: September 18, 1990

David S. Ziegler
Executive Director

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California.
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

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

September 26, 1990  9:30 a.m.
September 27, 1990  8:30 a.m.

All items are action items unless otherwise noted.

OFFICIAL AGENDA

I    PLEDGE OF ALLEGIANCE

II   ROLL CALL AND DETERMINATION OF QUORUM

III  APPROVAL OF MINUTES

IV   APPROVAL OF AGENDA

V    CONSENT CALENDAR (see page 3)

VI   PROJECT REVIEW
    A.  Incline Village Community Center, Washoe County APNs 127-040-07,
        127-030-02, 127-030-15/16 and 131-024-01  (This item will be acted
        on after action on agenda item VII A.)

VII  PUBLIC HEARING AND ADOPTION OF ORDINANCES AND RESOLUTIONS
    A.  Certification of the EIS for the Incline Village Community Center
    B.  Resolution on Unmet Transit Needs for El Dorado County
    C.  Resolution to Allocate Local Transportation Funds to
        El Dorado County
    D.  Amendment of Chapter 64 to Permit Excavations for Marinas
    E.  Approval of Preliminary Community Plans for Washoe County
    F.  Approval of Preliminary Community Plans for North Tahoe

VIII APPEAL
    A.  Bank of Stockton, Appeal of Staff Determination on
        Expiration of Use, Douglas County APN 11-070-16
    B.  Jenke, Appeal of Staff Denial for a Single Family
        Dwelling Garage Addition, Washoe County APN 131-212-04
        (to be continued to October meeting)
IX PLANNING MATTERS


B. Report on September 19 Transportation Seminar

X ADMINISTRATIVE MATTERS

A. Authorization to Change the November Governing Board Meeting Date from the Third to the Fourth Wednesday

B. Committee Appointments

XI COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee
   1. Receipt of the August Financial Statements
   2. Errors and Omissions Insurance and Cost

B. Legal Committee
   1. Settlement of TRPA v. Sahadi (Fleur du Lac)
   2. Settlement of TRPA v. Williamson

C. Rules Committee on the Rules of Procedure
   1. Article VII (Advisory Planning Commission)
   2. Article VIII (Conflict of Interest)

D. Capital Financing Committee
   1. Committee Membership
   2. Financing for the 208 Water Quality Program
   3. Other

XII REPORTS

A. Executive Director
   1. Status Report on Processed Projects
   2. Movement of the IPES Line (No Action)
3. Status Report and Board Action, If Necessary, on Code Interpretations Made by Executive Director

4. Establishment of Community Planning Team Task Force

5. Other (No Action)

B. Agency Counsel (No Action)

C. Governing Board Members (No Action)

XIII PUBLIC INTEREST COMMENTS (No Action)

XIV ADJOURNMENT

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**CONSENT CALENDAR**

<table>
<thead>
<tr>
<th>Items</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. South Tahoe Public Utility District, Sunset Water Well, Special Determination, TRPA File #520-329-90</td>
<td>Approval With Findings And Conditions</td>
</tr>
<tr>
<td>2. Chaiken, New Residential Pier, Douglas County APN 05-220-13</td>
<td>Approval With Findings And Conditions</td>
</tr>
<tr>
<td>3. Urban/Ford, Residential Pier Relocation and Multiple-Use Recognition, Douglas County APNs 03-080-02 and -03</td>
<td>Approval With Findings And Conditions</td>
</tr>
<tr>
<td>4. Villicana, New Residential Pier, El Dorado County APN 16-101-84</td>
<td>Approval With Findings And Conditions</td>
</tr>
<tr>
<td>5. California Tahoe Conservancy, Lake Tahoe Fish Habitat Enhancement Project, Phase 2, Special Use Determination, El Dorado County, TRPA File #520-111-90</td>
<td>Approval With Findings And Conditions</td>
</tr>
<tr>
<td>6. Placer County Deputy County Counsel, Shorezone Fence Construction, Special Determination TRPA File #530-101-90</td>
<td>Approval With Findings And Conditions</td>
</tr>
<tr>
<td>7. Factory Stores Commercial Addition, Commercial Floor Area Transfer, APN 23-231-25, City of South Lake Tahoe</td>
<td>Approval With Findings</td>
</tr>
<tr>
<td>8. Wells Fargo Bank/Briggs Trust, Completed Land Capability Challenge, 2499 West Lake Boulevard, Placer County APNs 084-010-07, 084-121-01, 084-191-01 (to be continued to October meeting)</td>
<td>Approval</td>
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</table>
Consent Calendar (continued)

<table>
<thead>
<tr>
<th>Items</th>
<th>Recommended Action</th>
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</thead>
<tbody>
<tr>
<td>9. Release of Water Quality Mitigation Funds ($22,500) to Placer County for the Purchase of Specialized Equipment to Maintain Erosion Control Projects</td>
<td>Approval</td>
</tr>
<tr>
<td>10. Release of Water Quality Mitigation Funds ($16,055) to the City of South Lake Tahoe for Use on the Airport Erosion Control Project</td>
<td>Approval</td>
</tr>
</tbody>
</table>

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Governing Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Governing Board member or noticed affected property owner requests that any item be removed from the consent calendar, it will be taken up separately under the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

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

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

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

- Article III(g) Public Law 96-551

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TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Incline Village Community Center

Application Type: Recreation/Public Service

Applicant: Incline Village General Improvement District (IVGID)

Agency Planner: Jerry Wells

Applicant Representative: Doug Doolittle, IVGID

Location: 964 Incline Way, Incline Village, NV

Assessor's Parcel Number/Project Number: 127-040-07, 127-030-02, 127-030-15, 127-030-16 and 131-024-01, Washoe County

Project Description: The proposed project involves the construction of a Community Center building consisting of a 34,619 square foot recreation facility and a 13,450 square foot conference facility. Recreation facilities include a gymnasium, fitness/weight room, gymnastics room, dance studio, an 8-lane, 25 yard swimming pool, therapy pool, jacuzzi, game room, dressing rooms, child care room, food service area, lounge, lobby, and offices. The conference facilities include a ballroom (406 person maximum occupancy), small conference room, offices, and kitchen facilities. In addition, the project includes a 291 space parking lot, 1,080 linear feet of pedestrian/bicycle paths, and installation of all required water quality improvements (BMPs).

Site Description: The project area is approximately 64.2 acres in size consisting of four (4) parcels located south of State Highway 28 and a portion of one (1) parcel located north of State Highway 28. Incline Way borders the project area on the south and Southwood Blvd. borders the project area on the west. Existing development within the project area consists of the Incline Middle School, the IVGID ballfields, the IVGID tennis complex, and a 38 space parking lot. Incline Creek and Third Creek border the proposed development site on the east and west, respectively, and the Tahoe Racquet Club condominiums are located immediately to the north. The site is well vegetated with riparian and coniferous vegetation.

Issues: The proposed project requires the preparation of an EIS and includes uses which are listed as "special uses" in the subject Plan Area, and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Public Service List: The proposed project includes both a recreation facility and a public service facility (conference wing). The recreation portion of the facility is required to be on the TRPA Recreation Facilities List and the conference portion of the

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facility is required to be on the TRPA Public Service Facilities List. The recreation facility was added to the Recreation Facilities List some time ago, but the conference facility was a more recent addition to the project and has yet to be added to the Public Service Facilities List. The TRPA Advisory Planning Commission and Governing Board will be considering adding the conference facility to the Public Service Facilities List at their regularly scheduled July hearings. In order for the Governing Board to approve the proposed project, the conference facility must be added to the Public Service Facilities List.

2. Parking: The proposed project provides a total of 291 new parking spaces in addition to the 38 parking spaces associated with the existing tennis court facilities. Based on the Final EIS, the parking demand associated with peak weekend operations of the proposed project exceeds the amount of proposed parking by 32 spaces. The Final EIS provides for three alternatives to mitigate this parking deficiency: 1) add 32 additional parking spaces to the proposed parking lot, 2) reduce the size of the conference facility to be consistent with the number of proposed parking spaces, or 3) provide a local shuttle service designed to offset the 32 space deficiency and provide for regularly scheduled TART service to the Community Center. If the shuttle alternative is utilized to offset the parking deficiency, it is staff's recommendation that IVGID be required to provide a detailed shuttle implementation plan for TRPA review and approval and that the plan be monitored for a minimum of two years to determine the effectiveness of the shuttle program. In the event the shuttle program is determined by TRPA to be ineffective in meeting the required parking requirements, IVGID would be required to provide the additional 32 onsite parking spaces within one year of TRPA's determination. An adequate amount of allowable land coverage (10,000 square feet minimum) within the project area would need to be held in reserve for this additional parking should it be required by TRPA.

3. Stream Environment Zone/100 Year Flood Plain: The proposed project will create approximately 590 square feet of new land coverage in the Stream Environment Zone (SEZ) for a pedestrian path and bridge. In addition, a portion of the required emergency access road associated with the proposed project will be located within the 100-year flood plain. In order for the Governing Board to approve this coverage in the SEZ and 100-year flood plain, findings 8, 9, 10, 11, 12, 17 and 18 of Section D below, must be made.

4. Building Height: Based on a 4% cross-slope retained across the building site, and a 3:12 roof pitch, the maximum allowed height of the proposed Community Center is 28'-6". Subsections 22.4.A(1) and (2) of the TRPA Code, however, allow additional height for Public
Service buildings provided certain findings can be made. In order for the Governing Board to approve the proposed maximum building height of 36'-6", the project must include a reduction in allowable coverage of 123,362 square feet (20% of total allowable coverage), and findings 13, 14, 15 and 16 of Section D below, must be made.

Staff Analysis:

A. Environmental Documentation: An Environmental Impact Statement (EIS) has been prepared in order to assess the potential environmental impacts of the project. The final EIS is scheduled to be certified by the TRPA Governing Board at the July Board meeting, prior to hearing the subject project. The Final EIS identifies a number of environmental impacts attributable to the proposed project and specifies required mitigations (refer to pages 1-2 to 1-7 of the Final EIS). All required mitigation measures have been incorporated into the conditions of approval for the proposed project. Based on the Final EIS, the proposed project, with mitigation, will not have a significant effect on the environment.

B. Plan Area Statement: The project is located in Plan Area 048, Incline Village Tourist. The Land Use Classification is Tourist and the Management Strategy is Mitigation. Agency staff has reviewed the subject plan area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed uses, recreation center and publicly owned assembly and entertainment, are listed as special uses in the applicable plan area. In order for the Governing Board to approve the proposed project special use findings 4, 5 and 6 in Section D below, must be made.

C. Land Coverage:

1. Land Capability District:

The land capability districts of the project area are Class 1b(S5Z), 4 and 6. The total project area is approximately 2,798,768 square feet (64.3 acres).

2. Existing Coverage:

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<thead>
<tr>
<th>Class 1b</th>
<th>Class 4</th>
<th>Class 6</th>
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</thead>
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<tr>
<td>7,035 s.f.</td>
<td>0 s.f.</td>
<td>264,551 s.f.</td>
<td>271,586 s.f.</td>
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3. Proposed Coverage:

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<tr>
<td>7,625 s.f.</td>
<td>328 s.f.</td>
<td>457,698 s.f.*</td>
<td>465,851 s.f.</td>
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4. **Allowed Coverage:**

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<th>Class 6</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,633 s.f.</td>
<td>2,914 s.f.</td>
<td>606,264 s.f.</td>
<td>616,811 s.f.</td>
</tr>
</tbody>
</table>

(less 20% reduction for additional height) 123,362 s.f. 493,449 s.f.

* Includes 988 square feet of offsite coverage associated with the pedestrian paths and emergency access road in the Incline Way right-of-way.

5. **Coverage Mitigation:** In order to mitigate the water quality impacts associated with the proposed project, the permittee shall be required to pay a water quality mitigation fee of $56,337 based on the creation of 194,265 square feet of new coverage pursuant to Subsection 82.3 of the TRPA Code.

D. **Required Findings:** The following is a list of the required findings as set forth in Chapters 5, 6, 18, 20, 22, and 28 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

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.

   a) **Land Use:** The proposed project is consistent with the subject Plan Area Statement. The proposed uses (Recreation Center and Publicly Owned Assembly and Entertainment) are considered special uses in the subject Plan Area. The project requires being placed on the Recreation and Public Service Facilities Lists prior to project approval. Based on the Final EIS, the project, as mitigated, will not have any significant adverse environmental impacts on land use, housing, noise, air quality, water quality or community design.

   b) **Transportation:** The Final EIS states that the project will generate 2,065 additional daily vehicle trip ends (DVTE) and up to 516 additional vehicle miles traveled (VMT). Also, the proposed parking facility is deficient by 32 spaces during peak weekend operations. In order to offset the traffic and air quality impacts associated with the project, the permittee shall be required to pay an air quality mitigation fee of $20,650 based on the creation of 2,065 DVTEs. In addition, the permittee will be required to mitigate the increase in VMT by providing additional shuttle service for regional/national conference.

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activities and to expand the current TART route to include the Community Center, as well as providing all other VMT-related mitigation included in the Final EIS. The parking deficiency will be mitigated in accordance with the mitigation measures listed in the Final EIS and the recommended conditions of approval for the project. Based on the EIS, the proposed project, as mitigated, will not have any significant adverse environmental impacts on transportation and is consistent with the Transportation Element of the Regional Plan.

(c) Conservation: Based on the Final EIS, the proposed project, as mitigated, will not have any significant adverse environmental impacts on vegetation, wildlife, fisheries, soils, shoreline, scenic quality, open space, stream environment zone, cultural or energy resources.

(d) Recreation: The proposed project will provide additional indoor (swimming, aerobics, weight lifting, basketball, etc.) and outdoor (jogging, bicycling, etc.) recreational opportunities in the Incline Village area. Based on the Final EIS, the project, as mitigated, will not have any significant adverse environmental impacts on recreation resources and is consistent with the Recreation Element of the Regional Plan.

(e) Public Service and Facilities: Based on the Final EIS, the proposed project, as mitigated, will not have any significant adverse environmental impacts on public services and facilities and is consistent with the Public Service Element of the Regional Plan.

(f) Implementation: The proposed project has been placed on the Recreation Facilities List and the Public Service Facilities List (pending Governing Board approval), and does not require any development allocations. The project will not have any known adverse impacts on the Implementation Element of the Regional Plan.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.5 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

4. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed project is located on a large heavily timbered parcel which is surrounded by recreation, public service and tourist uses. The proposed recreational uses will complement the existing recreational uses, i.e., ballfields, tennis courts, golf course and jogging/bicycle paths, and the proposed convention use will utilize existing tourist accommodation facilities in the immediate area. The Community Center has been designed in terms of its nature, scale, density, intensity and type to meet the needs of the Incline Village community.

5. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect resources of both the applicant's property and that of surrounding property owners.

Based on the Final EIS, the proposed project, as mitigated, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region. All mitigation measures have been included as conditions of project approval to ensure protection of the resources of both the subject property and that of the surrounding property owners.

6. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed project includes recreation and convention facilities which are consistent with the surrounding uses, i.e., ball fields, tennis courts, golf course, middle school, and tourist accommodation/meeting facilities (Hyatt Hotel). The proposed use is consistent with the subject Plan Area and the Community Center is included in the preliminary working draft of the Incline Village community plan.
7. Changes or alterations have been required in or incorporated into the project which avoid or reduce the significant adverse environmental effects on land use, recreation, economy, population and housing, public services and utilities, soils, geology, hydrology, water quality, transportation/circulation, air quality, noise, wildlife and fisheries, scenic resources, cultural resources, and energy to a less than significant level.

Based on the Final EIS and the information contained in this staff summary, the mitigations included in the project as conditions of approval will avoid or reduce any significant adverse effects on land use, recreation, economy, population and housing, public services and utilities, soils, geology, hydrology, water quality, transportation/circulation, air quality, noise, wildlife and fisheries, scenic resources, cultural resources, and energy to a less than significant level.

9. The project is a necessary part of a public agency's long range plans for public outdoor recreation.

The proposed Community Center is a part of IVGID's long range plans for public recreation and the project is consistent with the Recreation Element of the Regional Plan.

9. The project is consistent with the Recreation Element of the Regional Plan.

The proposed project is included on the TRPA Recreation Facilities List and is consistent with Goal #1, Urban Recreation, of the Recreation Element of the Regional Plan which states "Provide sufficient capacity for local-oriented forms of outdoor and indoor recreation in urban areas".

10. The project, by its very nature must be sited in a stream environment zone, such as bridges, stream crossings, ski run crossings, fishing trails, and boat launching facilities.

The 590 square feet of coverage to be placed in the SEZ is for a pedestrian path and bridge. The primary purpose of the path and bridge is to provide controlled access along and across the existing creek and to connect the Community Center with other existing path systems.

11. There is no feasible alternative which would avoid or reduce the extent of encroachment in the stream environment zone.

The bridge crossing is necessary to prevent uncontrolled pedestrian crossings of the creek. All existing disturbed areas along the creek caused by previous uncontrolled access will be restored as a part of the proposed project.

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12. The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in Subparagraph 20.4.A (2)(e).

The proposed coverage will be mitigated in accordance with Subparagraph 20.4.A (2)(e), which includes the application of BMPs and the restoration of all existing disturbed areas in the SEZ.

13. When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, but not from a distance of less than 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline.

Based on the Final EIS, the proposed Community Center building will not extend above the forest canopy or ridgeline when viewed from Highway 28, scenic turnouts, recreation areas, or Lake Tahoe.

14. When outside a community plan, the additional height is consistent with the surrounding uses.

The proposed project is within a community plan and the additional height is consistent with the surrounding uses. The Hyatt Hotel (110 feet high) is located to the south, a two-story condominium development (35 feet high) is located to the north, and the Incline Village Middle School (35 feet high) is located to the west of the proposed Community Center (36'-6" proposed height).

15. With respect to that portion of the building which is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

Based on the Final EIS, the proposed Community Center building is located in an area predominantly surrounded by mixed conifer trees and has been designed to minimize interference with any existing views to the extent practicable.

16. That portion of the building which is permitted the additional height, is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed.

As discussed above, the proposed Community Center building does not extend above the forest canopy or ridgeline and is located in an area predominantly surrounded by mixed conifer trees.
17. **There is no reasonable alternative which avoids or reduces the extent of encroachment in the flood plain.**

The proposed access road is required to provide emergency fire access for the Community Center. The 100-year flood plain runs the full length of the southern property line along Incline Way, which serves as the primary access to the subject project. The access road crosses the 100-year flood plain off of Incline Way at its narrowest point (approx. 100 feet) and has been designed to avoid any disruption of storm flows. The Final EIS states that an alternative location for the access road was evaluated, but due to the fact that the access would have to be from Highway 28 and the length of the road would have been increased by 1,500 feet it was not considered to be a reasonable alternative.

18. **The impacts on the flood plain are minimized.**

As discussed above, the access road has been designed to cross the 100-year flood plain at its narrowest point and to avoid any disruption of storm flows as a result of a 100-year flood.

E. **Required Actions and Findings:** Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section D above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment Q.

2. Prior to commencement of construction the following special conditions of approval must be satisfied:

   a. The final construction plans shall include, but not be limited to, the following:

      (1) Existing, proposed and allowed land coverage calculations for each land capability district within the proposed project area including delineation of all existing and proposed coverage.

      (2) Temporary erosion control devices and measures.

      (3) Vegetation protective fencing.
(4) Location of all recorded and proposed easements.

(5) Floor plans delineating proposed uses, floor area calculations (sq.ft.), and maximum allowed occupancy figures.

(6) Building elevations delineating proposed height and height calculations consistent with Chapter 22 or the TRPA Code.

(7) Delineation of all trees and vegetation to be saved and removed.

(8) Existing, relocated and new utility lines and facilities including trench details.

(9) Revised site plan eliminating the future tennis courts and associated grading.

b. The permittee shall submit plans, cost estimates, a maintenance program and an installation schedule for the installation of all required water quality improvements (BMPs) in accordance with the TRPA 208 Water Quality Plan for the entire project area. All required permanent BMPs shall be installed upon completion of the project.

c. The security required under Standard Condition 1.2. of Attachment Q shall be determined upon the permittee's submittal of the required BMP plan and related cost estimate. The additional required security to ensure compliance with conditions 2.r and 3.b., below, shall be determined by TRPA. All securities shall be posted prior to commencement of construction.

d. The permittee shall submit a projected construction completion schedule for the project for TRPA review and approval.

e. The permittee shall submit a landscape plan and fertilizer management plan in accordance with the standards required in Subsections 30.7 and 81.7 of the TRPA Code for TRPA review and approval. The landscape plan shall include details of the required sound wall (see condition 4.n, below) and a landscape buffer between the project and adjacent developed properties.
f. The permittee shall provide evidence that all basic service requirements for paved roads, water, sewer, and electricity will be met in accordance with Chapter 27 of the TRPA Code.

g. All parcels comprising the subject project area shall either be legally merged or have recorded against them a deed restriction or other covenant running with the land, permanently assuring that the calculations for land coverage for the parcels shall always be made as if the parcels had been legally merged. Said deed restriction shall incorporate the required reduction of allowable coverage (123,362 square feet) associated with the additional building height and the required reduction of allowable coverage (988 square feet) associated with the offsite coverage being created by the pedestrian paths and emergency access road.

h. The permittee shall submit a snow removal and storage plan in accordance with Subsection 30.5.C and 81.3 of the TRPA Code for TRPA review and approval. Said plan shall include provisions for snow removal on all pedestrian and bike paths providing access to the Community Center.

i. The permittee shall submit an exterior lighting plan, if applicable, in accordance with Subsection 30.8 of the TRPA Code for TRPA review and approval.

j. The permittee shall submit a dust control plan to be implemented during construction and a disposal plan for all construction debris and soil to TRPA for review and approval.

k. The permittee shall submit building material and color samples for TRPA review and approval. Building materials and colors shall be compatible with and complimentary to the natural setting.

l. The permittee shall submit a complete plan of construction for the project, including method of construction, heavy equipment list, material storage, temporary BMPs, street sweeping/site cleanup, spoil disposal, staking/flagging of SEZ setback areas, construction hours/days, construction related parking and site access, sequence of construction, tree removal/disposal, etc.

AGENDA ITEM VI A.
m. The permittee shall submit a construction noise control plan for TRPA review and approval. Said plan shall include best available noise mitigation technology, i.e., muffled equipment, and shall restrict all noise generating construction activities to the hours of 8:00 a.m. to 6:30 p.m.

n. The permittee shall obtain TRPA approval to include the Community Center (Conference Facility) on the TRPA Public Service Facilities List.

c. The permittee shall coordinate all construction activities relative to pedestrian and vehicular traffic issues with local and state law enforcement officials.

p. The permittee shall mitigate all proposed offsite coverage associated with the proposed emergency access road by deducting an equal amount of coverage from the total allowable coverage within the project area.

q. The permittee shall submit a timber harvest plan for the removal of all proposed trees in accordance with Chapter 71 of the TRPA Code.

r. In order to mitigate the 32 parking space deficiency identified in the EIS, the permittee shall either 1) redesign the proposed parking lot to include 32 additional spaces, 2) redesign the conference facility to be consistent with the number of proposed parking spaces, or 3) provide a shuttle service designed to offset the 32 parking space deficiency and provide for regularly scheduled TART service to the Community Center. Alternatives 1 and 2 shall require the submittal of revised plans and review and approval by TRPA prior to commencement of construction. Alternative 3 shall require the submittal of a detailed shuttle implementation plan prior to building occupancy. Said plan shall include, but not be limited to, a routing plan, number and size of shuttles, frequency of shuttles, shuttle pick-up and drop-off locations, parking lot attendant provisions, illegal parking prevention program, pamphlets/newsletters advising attendees of transit opportunities and pedestrian/bike paths, shuttle service to and from lodging facilities for all national/regional type conferences where said lodging facilities are located beyond reasonable walking distance and/or during inclement weather, shuttle service to and from a designated parking lot(s) for all local conferences involving over 317...
conference attendees or any other event that causes the proposed parking lot capacity to be exceeded, and an annual reporting provision to TRPA of all shuttle activities during each calendar year. The annual report shall include the number of attendees at each conference, whether the attendees were drawn from a local or national/regional market, whether shuttles were used, from what location(s) the attendees were shuttled, and how many attendees were transported by shuttle. In the event alternative 3 (shuttle service) is approved by TRPA, the shuttle program shall be monitored for a minimum of 2 years by TRPA and if determined to be an ineffective means of mitigating the parking deficiency TRPA may require the permittee, within one year of TRPA's determination, to provide the required 32 spaces of additional onsite parking. An amount of allowable land coverage (10,000 square feet minimum) necessary to construct the additional 32 parking spaces shall be held in reserve until such time that the permittee demonstrates to TRPA's satisfaction that the shuttle program is an effective and reliable means of mitigating the parking deficiency. An appropriate security, as determined by TRPA, shall be posted by the permittee with TRPA to ensure compliance with this condition.

s. The permittee shall submit the following for TRPA review and approval: 1) an employee ride-share program; 2) a program to provide regularly scheduled TART service to the Community Center; 3) a program to provide shuttle service to fly-in conference groups from Reno Cannon International Airport to local lodging facilities; 4) a program to provide round-the-lake sightseeing tours for conference groups; and 5) a program to extend the existing IVGID: after-school-shuttle service and the existing ski season shuttle service to include the Community Center. In addition, the permittee shall establish a surcharge program on Community Center operations as described in IVGID's August 30, 1990 letter for the purpose of creating a funding source for additional VMT reduction programs in the Incline Village area. All of the above programs shall be implemented immediately upon opening of the Community Center.

3. Prior to building occupancy the following special conditions of approval shall be satisfied:

a. The permittee shall submit a detailed operations plan for the recreation and conference facilities for TRPA review and approval. Said plan shall include, but not be limited
to, provisions for flexible scheduling of events to avoid conflicts with other nearby recreation and conference facilities, scheduling of events to spread out attendance levels throughout the year and to avoid concurrent scheduling of large recreation and conference activities, restrictions on national/regional conference usage to 19,895 delegate days per calendar year in accordance with the ERA economic report, and a requirement to only schedule regional/national conferences for which local tourist accommodation units are reserved in advance for conference attendees. Included in the operations plan shall be an annual reporting program to monitor and report to TRPA the number of delegate days that were actually used for local and national/regional conferences in the preceding calendar year, the number of local and national/regional conferences held, length and duration of conferences, and a projection of conferences, conference length and duration and delegate days for the upcoming calendar year for both local and national/regional conferences. National/regional conferences shall be defined as any conference where the attendees will require the use of local tourist accommodation facilities.

b. The permittee shall submit a noise monitoring plan to TRPA for review and approval. Said plan shall include provisions to monitor noise levels along the north property line periodically throughout the first two years (24 month period) of full operation of the Community Center to determine if additional attenuation of noise may be required. All monitoring shall be performed and documented in a written report by a TRPA-approved professional noise consultant. An appropriate security, as determined by TRPA, shall be required to ensure compliance with this condition. In the event additional noise attenuation is required, the permittee shall be required to modify the project accordingly to comply with the TRPA noise standards.

c. The permittee shall submit an interpretive program related to the pedestrian/bike paths along Third Creek and Incline Creek addressing the issues of fisheries and stream environment zones, and the relocation of the Washoe Indian bedrock mortar to TRPA for review and approval.

d. The permittee shall submit a stream maintenance and restoration program for those portions of Third Creek and Incline Creek that are within the project area to TRPA for review and approval. Said program shall be coordinated with the Nevada Department of Fish and Wildlife.
e. The permittee and Southwest Gas Company shall obtain all required approvals for the construction of the gas line extension located in Incline Way.

f. The permittee shall be required to submit a stream environment zone (SEZ) restoration plan to TRPA for review and approval. Said plan shall include provisions to restore a minimum of 885 square feet (590 s.f. x 1.5) of existing disturbed SEZ (offsite) to offset the new coverage being created in the SEZ. Implementation of the SEZ restoration plan shall be accomplished no later than October 15, 1992.

4. The following special conditions of approval shall be satisfied:

a. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.

b. Permanent BMPs, as provided for in the Lake Tahoe Basin Water Quality Management Plan, including retrofitting of existing facilities, shall be required for the entire project area and shall be completely installed upon completion of the project. Existing BMPs shall be inspected, and if not properly functioning shall be modified to function properly.

c. The adequacy of all temporary and existing BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pregrading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

d. This approval is based on the permittee’s representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

e. Groundwater interception or interference is prohibited. In the event groundwater is intercepted during excavation activities, excavation work shall cease and the permittee shall contact TRPA for further direction.
f. Removal of authorized trees shall be in accordance with Chapter 71 of the TRPA Code and the TRPA-approved timber harvest plan.

g. Open burning for any purpose related to the disposal of building materials or any other debris or waste shall be prohibited.

h. The Community Center, including the convention facility shall continue to be owned and operated by the permittee or other TRPA-recognized public or non-profit entity. Any change from the proposed public ownership and operation of this facility shall require TRPA review and approval for consistency with Chapter 33 of the TRPA Code relative to commercial floor area requirements.

i. No portion of the bottom floor of the building shall exceed five feet below natural grade, measured at the location where the bottom of the excavation meets the foundation wall, exclusive of footing excavation. Any dewatering that may be required during excavation shall be pumped or otherwise routed to a detention basin or settling pond upon TRPA approval.

j. Insulation/HVAC systems shall be designed to comply with local, state and federal requirements.

k. All heating equipment, boilers and appliances shall conform to Chapter 91 of the TRPA Code. Best Available Control Technology shall be applied. Only TRPA-approved heating devices may be used.

l. Grading and excavation activities shall be in accordance with Chapter 64 of the TRPA Code.

m. The emergency access road shall be designed to minimize impacts to the 100-year flood plain and to avoid restricting storm flows that could occur as a result of a 100-year flood.

n. The project shall include the planting of 6 foot tall evergreen trees (8 feet on center minimum - triangular spacing) along the north property line (approx. 700 feet) between the proposed parking lot and the adjacent condominium development. In the event the required noise monitoring (see condition 3.b) concludes that additional noise attenuation is required, the permittee may be required to install a 6 foot high solid sound wall in addition to the required tree planting. All events at the Community Center shall be scheduled to end by 9:30 p.m.
o. This approval does not authorize any new signs within the project area. Any proposed signs for the subject project will require TRPA review and approval.

p. The Washoe Indian bedrock mortar identified in the EIS shall be relocated onsite and an interpretive program shall be provided. Prior to relocation the bedrock mortar shall be drawn and photographed to ensure preservation of information should the mortar break during the relocation process.

q. All mitigation measures identified in the Final EIS are hereby incorporated as conditions of approval.

r. The maximum occupancy rate of the conference facility at any one time shall be restricted to 406 persons to ensure consistency with the Uniform Building Code and the Final EIS for the project.

s. Only "Tourist Accommodation" units (hotel, motel or timeshare) shall be booked by the permittee for the lodging of conference attendees.
MEMORANDUM

September 18, 1990

To: TRPA Governing Board

From: The Staff

Subject: Final EIS for Incline Village Community Center

At the August Governing Board hearing, the Governing Board directed staff to prepare a revised analysis of vehicle miles traveled (VMT) based on the new TRPA transportation model and to analyze the cumulative transportation and air quality impacts as related to the Incline Village Community Center project.

On September 10, 1990, the following information was distributed to all TRPA Governing Board members as well as to all those persons, organizations, and agencies to whom the Draft and Final EIS were circulated:

1. Additional information regarding vehicle miles traveled (VMT); and

2. Discussion of cumulative transportation and air quality impacts as related to the Incline Village Community Center.

Subsequent to the distribution of this information, it was determined necessary to revise and clarify certain portions of the VMT analysis. These revisions and clarifications are included in the attached revised analysis dated September 18, 1990.

TRPA staff will make an oral presentation relating to the VMT and cumulative transportation and air quality impacts at the September 26, 1990 Governing Board hearing.

All questions or comments should be directed to Jerry Wells, Deputy Director, TRPA, P. O. Box 1038, Zephyr Cove, NV 89448.

Attachments
ADDITIONAL INFORMATION REGARDING
VEHICLE MILES TRAVELED (VMT),
AS IT RELATES TO THE PROPOSED INCLINE VILLAGE COMMUNITY CENTER

Prepared for Submittal to:

Tahoe Regional Planning Agency
Governing Board

Prepared By:

Kenneth Anderson, OMNI-MEANS
Keith Norberg, Tahoe Regional Planning Agency
Charles Zeier, Resource Concepts, Inc.

September 8, 1990
Revised, September 18, 1990
INTRODUCTION

The environmental document scoping phase for the proposed Incline Village General Improvement District's (IVGID) Community Center project began in the Fall of 1989. An Administrative Draft of the project's Environmental Impact Statement was submitted to TRPA in December, 1989, and the Draft EIS was circulated by TRPA for public review between March 12 and May 11, 1990. The Final EIS was submitted to TRPA on June 29, 1990, and was reviewed and recommended for approval by TRPA's Advisory Planning Commission on July 11, 1990. The IVGID Community Center project, and its EIS, have been a subject discussed at the July 25th and the August 22nd meetings of the Governing Board. An issue identified during the August 22nd Governing Board meeting was that vehicle miles traveled (VMT) calculations derived using TRPA's recently implemented TranPlan traffic model differ from those contained in the EIS. The TRPA staff was directed by the Governing Board to review the issue and present a conclusion regarding VMT attributable to the IVGID Community Center project based on the new TranPlan traffic model.

Effects of the proposed Community Center project on local transportation and circulation conditions was one of sixteen issues identified during the environmental scoping phase. The consideration of project related VMT was one of several topics discussed under the rubric of Transportation. Other topics included trip generation, intersection levels-of-service, trip distribution and assignment, access, parking needs, and transit and pedestrian use considerations. Of immediate concern is the assessment of VMT. Information provided herein is divided into four sections. The first is an assessment of Peak Summer Day VMT; the approach employed in the EIS and the new TRPA TranPlan model are reviewed, and results of each approach are summarized. Second, an assessment of Peak Winter Day Use is provided. Third, the impact of proposed mitigation measures on projected VMT was assessed. Finally, conclusions are derived as to the VMT related effects of the IVGID Community Center project.

PEAK SUMMER DAY ANALYSIS

The EIS Approach

Arriving at a project specific VMT requires that a method of analysis be agreed upon and that assumptions critical to that analysis be defined. These matters were discussed and refined over the course of EIS scoping, preparation, and review. In the absence of a computerized model, a traffic analysis method was selected which requires two categories
of information: the number of vehicles expected to arrive and depart from the facility on the peak day, and the average distance those vehicles traveled. Multiply one by the other and you arrive at VMT. The users of a facility such as the IVGID Community Center can be, and were, divided into groups. For example, facility employees were considered separate from recreation facility users. Also, conference attendees staying at local accommodations were considered separate from those travelling to the facility daily. Information on recreation related VMT was derived from the TRPA's basin wide travel demand model for the model year 1981. Finally, it was assumed that existing local recreation and conference facilities would remain open and would continue to be used at their present level. Thus, all trips forecast for the project were assumed to be "new", with no adjustment for capture or redistribution of existing trips. Peak Summer Day VMT for two Community Center use scenarios are presented in Table 1: a full conference with average recreation scenario, and a swim meet with an average conference scenario. Based on methods employed in the DEIS, the full conference scenario was projected to result in 6,568 VMT, while the swim meet was figured at 7,018 VMT.

The TRPA Model Approach

Recent availability of the TRPA TranPlan traffic model provided the opportunity to more accurately assess the VMT of separate activities at the Community Center and to account for the capture or redistribution of existing trips. Practically, however, the model only accounts for the characteristics of trips produced within the Lake Tahoe Basin; accounting for trips originating outside the basin requires manual adjustment of modelling assumptions. To assess the Community Center VMT impacts, at least two model runs are necessary. First, local trip generation patterns are modelled based on the ten trip purpose categories inherent to the TRPA TranPlan traffic model. This produces a base VMT assessment against which the project can be judged. Second, trip generation estimates for both the conference and recreation facilities are added to the local patterns and the model is re-run. The net difference between the base and the "project" model runs is then assumed to be the project's VMT impact. Finally, independent runs were performed to determine the VMT impact of the individual components, i.e., recreation and conference facilities, for the Community Center project. As indicated earlier, the model does not have the capability of predicting changes in VMT resulting from trips generated outside the basin. This VMT component was estimated using the trip generation and trip length method employed in the DEIS. This analysis arrived at a Peak Summer Day VMT of 34 for the full conference scenario and 516 VMT for the swim meet scenario.

Analysis

VMT projections for the Community Center in Table 1 allow for the ready comparison of the DEIS and TRPA TranPlan VMT data. VMT are segregated into "local" (i.e.,
TABLE 1

A COMPARISON OF VMT STATISTICS:
THE DEIS AND TRPA APPROACHES

<table>
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<tr>
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<th></th>
<th>Swim Meet Scenario**</th>
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<td>DEIS Approach</td>
<td>TRPA Model</td>
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<td></td>
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<tr>
<td>Swim Meet</td>
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<td></td>
<td>6,568</td>
<td>34</td>
<td>7,018</td>
<td>516</td>
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</table>

* Swim meet related VMT data are not provided for this scenario. Conditions in the DEIS stipulate that a full conference and a swim meet will not co-occur.

** Based on a full swim meet and an average conference scenario, as compared to a full swim meet and a small conference scenario as initially reported in the DEIS.
within the basin) and regional VMT categories. In addition, VMT associated with the recreation facility are separated from those of the conference facility.

As is apparent, the TRPA TranPlan model results in substantially lower VMT projections as compared to methods employed in the DEIS. This is due primarily to the model's ability to "capture" and redistribute local trips. These concepts are not easily calculated given methods employed in the DEIS. One means of doing so would have been to retire a presently used facility as a means of simulating capture. After due consideration, however, this adjustment was not performed. The ability to capture and redistribute traffic is significant, as evidenced by the DEIS projection of 6,118 Peak Summer local VMT as compared to the model's estimate of a -1.094 local VMT. Such a capture rate is reasonable, in that the Community Center would not change the total number of recreation "production" trips generated in the Tahoe Basin. Rather, the center will provide an alternative destination for existing locally generated VMT. In that those redirected trips would be shorter in length than they had been, VMT would be reduced. For example, where as an Incline Village resident may have driven to Sand Harbor in the past, they would now be able to drive to the Community Center.

WINTER DAY ANALYSIS

The DEIS included estimates of the winter VMT resulting from the Community Center. These estimates assumed that during the winter, conference center activities would be similar to those occurring during the summer, but that the extent of recreational use would be reduced. This analysis arrived at a winter day VMT of 4,449. At present, the TRPA TranPlan traffic model cannot assess winter VMT. Therefore, for purposes of analysis, summer figures are carried over to the winter. This is a conservative approach, in that winter VMT is expected to be less than summer VMT.

MITIGATION CONSIDERATIONS

As part of the draft and final EIS, a variety of mitigation measures were included to reduce VMT related impacts of the Community Center project. The goal has been to reduce those impacts to a less than significant level. The proposed mitigation measures fall within three general categories: bike path and trail system improvements, shuttle services, and fiscal considerations. Specific VMT reduction related mitigation measures are listed below.

1.) Bike Path and Trail System Improvements: A pedestrian oriented measure intended to reduce VMRs associated with both the recreation and conference facilities is included in the initial Community Center design. However, no credit was afforded these
measures in the DEIS VMT analysis. Thus, while not formally mitigation measures, they are considered here since previously undefined VMT credits can be recognized.

a.) Construct a bike path/pedestrian trail that will link the existing Washoe County path system, the Incline Village Middle School, the Hyatt Regency Hotel, and other surrounding tourist accommodations with the Community Center.

Integrating the Community Center into other existing trail systems will make the Center more accessible to recreation minded community members and conference attendees alike. Also, children will be able to participate in Community Center programs without requiring trips by their parents. With regard to mitigation credits, no reduction is included for local residents since this activity has already been incorporated into trip generation estimates. Credits are likely, since the trails will probably be used by conference attendees. If 20% of the attendees at a full conference walked, then a credit of 81 VMT may be expected.

\[(0.20 \times 406 \text{ attendees} / 1.5 \text{ riders per auto}) \times 2 \text{ trips per day} \times 3/4 \text{ miles} = 81 \text{ VMT}\]

2.) Shuttle Services: Mitigation measures 2a through 2c are directed primarily at reducing conference associated VMT. The intent of these measures is to reduce the use of privately owned or rental cars by conference attendees by providing for their regular transportation needs.

a.) IVGID will provide a shuttle service to visiting groups not staying at accommodations within close proximity of the Community Center, and to all groups should the weather be inclement. Assuming that 592 of the 650 trips generated by the conference are "internal" and represent trips between the conference and lodging facility, and that 10 to 20% of the trips could be captured by the shuttle, a credit of from 104 to 207 VMT could be realized.

\[592 \text{ internal trips} \times 0.10 \times 1.75 \text{ miles per trip} = 104 \text{ VMT}\]
\[592 \text{ internal trips} \times 0.20 \times 1.75 \text{ miles per trip} = 207 \text{ VMT}\]

b.) IVGID will provide a shuttle to fly-in conference groups, transporting them between Cannon International Airport and their place of lodging. Assuming that 58 of the 650 trips generated by the conference are "external" and represent trips from outside the basin, and that 10 to 20% of the trips could be captured by the shuttle between the airport and the center, a credit of from 45 to 90 VMT could be realized.

\[58 \text{ external trips} \times 0.10 \times 7.75 \text{ miles per trip} = 45 \text{ VMT}\]
\[58 \text{ external trips} \times 0.20 \times 7.75 \text{ miles per trip} = 90 \text{ VMT}\]
c.) IVGID will provide a privately operated, round-the-lake sight seeing tour to conference groups. Assuming that 30 to 40 of the 406 people attending a conference availed themselves of this service, a credit of from 217 to 289 VMT could be realized.

\[
\left( \frac{30 \text{ people}}{2 \text{ per vehicle}} \right) \times 2 \text{ trips} \times 7.22 \text{ miles per trip} = 217 \text{ VMT} \\
\left( \frac{40 \text{ people}}{2 \text{ per vehicle}} \right) \times 2 \text{ trips} \times 7.22 \text{ miles per trip} = 289 \text{ VMT}
\]

Mitigation measures 2d through 2e are directed primarily at local users of the Community Center, be that use recreational in nature or associated with participation in a program being held in the conference facility. Measure 2f may be of limited advantage in association with conferences, where attendees may wish to visit the ski area. Again, the intent of these measures was to reduce the local use of personal vehicles.

d.) IVGID will coordinate with TART to ensure that a regularly scheduled stop is located at the Community Center. Credits associated with this mitigation measure are likely to be minimal. No attempt was made at enumerating a likely credit.

e.) IVGID will extend its existing after school shuttle service to include the Community Center. If 10 to 20 children per day made use of this service who would otherwise have been dropped off at the Community Center by their parents, a credit of 20 to 40 VMT may be discerned.

\[
\left( \frac{10 \text{ children}}{2 \text{ children per auto}} \right) \times 4 \text{ trips} \times 1 \text{ mile per trip} = 20 \text{ VMT} \\
\left( \frac{20 \text{ children}}{2 \text{ children per auto}} \right) \times 4 \text{ trips} \times 1 \text{ mile per trip} = 40 \text{ VMT}
\]

f.) IVGID will extend its existing ski season shuttle to include the Community Center. If 5% of the conference attendees make use of this service, then a credit of 20 VMT could be earned.

\[
406 \text{ attendees} \times 0.05 \times 1 \text{ mile per trip} = 20 \text{ VMT}
\]

3.) Fiscal Considerations: These mitigation measures are not tied to a presently defined VMT reduction activity, but are more future oriented. In both cases, fees paid to TRPA and excess proceeds from the IVGID surcharge are intended to be used to facilitate VMT reduction activities. No attempt is made at assigning VMT credits to these measures.

a.) IVGID will pay the air quality mitigation fee as prescribed by TRPA.
b.) IVGID will establish a surcharge on Community Center operations. Funds so generated will be used to underwrite the above mitigation measures and to develop and implement additional VMT reduction programs as they are identified.

CONCLUSION

Information on project specific VMT and the offered mitigation measures and their VMT related credits is provided above. These data allow for a consideration of "mitigated" project VMT, which is presented in Table 2 for the full conference scenario and in Table 3 for the swim meet scenario. Several observations are apparent based on these data.

- While recreation facility operations result in a negative VMT (a reduction in VMT as compared to the base), the conference facility produces new VMT. This reflects the fact that the recreation facility would be capturing and reducing the length of existing local trips, while the conference facility would be introducing some new trips.

- The recreation facility VMT reduction and the conference facility increase in VMT nearly offset one another, especially in the full conference scenario.

- Comparatively few of the mitigation measures proposed by IVGID result in recreation related VMT credits. This is significant during a full swim meet since the unmitigated VMT associated with the recreation facility is positive.

- When mitigation credits are applied to the full conference scenario, conference facility specific VMT will be negative, ranging between -56 and -276 VMT for a summer event and between 5 and -215 for a winter event. When combined with the recreation facility, however, the resultant VMT impact of the proposed Community Center project, with mitigation, ranges from -413 to -633 for the summer event and from -372 to -612 for the winter event.

- When mitigation credits are applied to the swim meet scenario, conference facility specific VMT will be negative, ranging between -251 and -471 VMT for a summer event and between -190 and -410 for a winter event. When combined with the recreation facility, however, the resultant VMT impact of the proposed Community Center project, with mitigation, ranges from 69 to -151 for the summer event and from 110 to -130 for the winter event.
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<td>MITIGATED VMT</td>
<td>-357</td>
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<td>-413 to -633</td>
<td>-377 to -397</td>
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# TABLE 3

INCLINE VILLAGE COMMUNITY CENTER VMT ANALYSIS,
SWIM MEET SCENARIO

<table>
<thead>
<tr>
<th></th>
<th>Summer</th>
<th>Winter</th>
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<tbody>
<tr>
<td></td>
<td>Recreation Facility</td>
<td>Conference Facility</td>
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<tr>
<td>UNMITIGATED VMT</td>
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<td>+196</td>
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<td>MITIGATION CREDITS</td>
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<tr>
<td>Measure 1a</td>
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<td>Measure 2a</td>
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<tr>
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<td>45-90</td>
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<tr>
<td>Measure 2c</td>
<td>---</td>
<td>217-289</td>
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<tr>
<td>Measure 2d</td>
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<td>---</td>
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<tr>
<td>Measure 2e</td>
<td>---</td>
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</tr>
<tr>
<td>Measure 2f</td>
<td>---</td>
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<tr>
<td>TOTAL MITIGATION CREDITS</td>
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<tr>
<td>MITIGATED VMT</td>
<td>+320</td>
<td>-251 to -471</td>
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</table>
MEMORANDUM

September 18, 1990

To: TRPA Governing Board
From: Agency Staff
Subject: Discussion of Cumulative Transportation and Air Quality Impact, Proposed Incline Village Community Center

Introduction

During TRPA's review of the Final Environmental Impact Statement for the Incline Village General Improvement District Community Center in July and August, 1990, public commenters have asked for additional discussion of the cumulative transportation and air quality impacts of the proposed facility. This discussion addresses two issues: (1) In a region-wide context, what is the plan for reducing VMT and meeting the TRPA threshold which calls for a 10 percent reduction in VMT from 1981 values, and what progress has been made?, and (2) Is the proposed Community Center consistent with the region-wide plan?

Discussion

1. Region-wide Context

TRPA wishes to control vehicle miles of travel (VMT) in the Tahoe Region for three reasons:

-- VMT is an indicator of our degree of reliance on the private automobile. The Compact directs TRPA to "reduce dependency on the automobile." (Article V(c))

-- VMT is a surrogate for automobile emissions of aerosols and particulates, e.g., oxides of nitrogen (NOx). The Compact directs TRPA to "reduce to the extent feasible air pollution which is caused by motor vehicles," and to attain applicable federal and state air quality standards. (Articles V(c) and V(d))

-- VMT is a rough indicator of local sources of atmospheric deposition of nitrogen on Lake Tahoe. The thresholds call for TRPA to reduce nitrogen loading from this source.
Based on TRPA's Quick Response System (QRS) traffic model, TRPA reported in the EISs prepared on the Regional Plan package that the peak summer day VMT in 1981 was 1.70 million miles. This was an estimate, derived from the traffic model, which predicts traffic volumes on highway segments and is calibrated against known traffic counts. The QRS model predicted that additional travel demand generated by the regional plan, and by growth outside the region, would increase to about 1.98 million, peak summer day. Considering long-term VMT reductions of 237,000 to 375,000 due to mass transit, community planning, and other improvements, resulting VMT in 20 years would be between 1.64 and 1.50 million, compared to a threshold target of 1.50 million. TRPA concluded that transportation systems would have to be carefully monitored, and mitigation would have to be successful, to attain and maintain the threshold value.

In 1989, TRPA purchased an improved traffic model, known as TranPlan. The TranPlan model is now complete for the years 1981 and 1987, and staff is currently building the 2007 model. During development of the TranPlan model, staff found errors in the QRS model and the Caltrans model on which it was based, and concluded that the QRS model overpredicted VMT. TRPA now estimates 1981 VMT was 1.50 million, and 1987 VMT was 1.65 million, based on both the TranPlan model and revisions to the QRS and Caltrans models. The threshold target is now 1.35 million, peak summer day.

Until the TranPlan model is completed for 2007, TRPA does not have a new estimate of the total VMT that must be reduced to both offset future growth and bring about a 10 percent reduction in VMT. However, based on the 1987 and 1981 Tranplan estimates, TRPA will have to reduce VMT by at least 300,000 miles, peak summer day. To state the situation simply, from 1981 to 1987 peak summer day VMT increased 10 percent, and TRPA has a long-term goal to decrease VMT 10 percent. During the first comprehensive Regional Plan evaluation in September 1991, there is a strong likelihood that actual peak summer day VMT will exceed target values established pursuant to Chapter 32 of the Code of Ordinances, even though TRPA predicted that VMT would get worse until about 1988, before starting to get better.

The control plan for VMT, set forth in the Regional Transportation Plan (TRPA, 1988), consists of the following four five-year phases, with the desired VMT reduction (high estimate) in parentheses, and notes regarding implementation status:

- **Phase I**
  - beach bus (1,500)
  - bus extension to Truckee (2,000)
  - airport master plan (9,000)
  - waterborne excursion with shuttle (8,000)
  - education (10,000)
  - ridership incentives (10,000)
  - SRTF (30,000)
  - increase bike and pedestrian (30,000)
  - neighborhood delivery centers (55,000)

- **Phase II**
- **Phase III**
- **Phase IV**
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page 3

Phase II  bus extensions to Round Hill, Kingsbury, Zephyr Cove, Tahoe Keys (8,000)
Tahoe City intrazonal shuttle (2,000)
Northstar-Kings Beach shuttle (3,000)
Kings Beach intrazonal shuttle (3,500)
Heavenly-Stateline people mover (8,000) planning
Long Range Transit Expansion (20,000) planning
Waterborne pt-to-pt (20,000)
casino employee van pools (25,000)

Phase III home mail delivery (40,000) underway
community plans with multi-modal and parking (60,000) underway

Phase IV Light rail (30,000) planning

Since 1981, transit ridership on the North Shore's TART system has increased by about 90 percent. (See Figure I.) Ridership on the South Shore's STAGE system has decreased by about three percent, but since its low value in 1986, it has increased over 40 percent. (See Figure II.) In Incline Village, there are about 480 subscribers to home mail delivery. In the South Shore, of 625 businesses on U.S. 50, 95 percent have said they would like to receive mail delivery, in the program just being started. With respect to employer programs, the South Tahoe Gaming Alliance reports that in the period October 1988 to September 1989, casino shuttles accounted for 650,000 employee rides, roughly the same as the number of STAGE riders during that period. The South Lake Tahoe Redevelopment Plan, approved by TRPA in 1988, was predicted to reduce 1987 trip ends by 2,400 trips. Although the Redevelopment Plan did not estimate what the associated VMT reduction would be, it may be in the range of 7,000 to 12,000 miles.

To summarize the success of control programs, four of nine measures planning for Phase I are underway, one has been superseded by a control measure from Phase III, and the balance are in the planning stage. Two phase III measures are underway, and two Phase II measures and one Phase IV measure are in the planning stage.

With respect to growth outside the Tahoe Region, actual traffic counts show that traffic volumes at the entry points (or "cordon stations") increased between 1981 and 1987 at all stations except Brockway Summit (California 267 from Truckee to Kings Beach). During this same period, VMT in the Region grew by 10 percent.
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Actual Traffic Counts at Cordon Stations

<table>
<thead>
<tr>
<th>Cordon Station</th>
<th>1981 Count</th>
<th>1987 Count</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Luther Pass*</td>
<td>2,973</td>
<td>3,300</td>
<td>11%</td>
</tr>
<tr>
<td>Echo Summit*</td>
<td>14,700</td>
<td>16,600</td>
<td>13%</td>
</tr>
<tr>
<td>Kingsbury Grade**</td>
<td>2,490</td>
<td>3,725</td>
<td>50%</td>
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<tr>
<td>Spooner Summit**</td>
<td>11,145</td>
<td>13,361</td>
<td>20%</td>
</tr>
<tr>
<td>Mount Rose**</td>
<td>3,775</td>
<td>4,642</td>
<td>23%</td>
</tr>
<tr>
<td>Brockway Summit*</td>
<td>8,000</td>
<td>7,200</td>
<td>-10%</td>
</tr>
<tr>
<td>CA 89 fr. Truckee*</td>
<td>12,600</td>
<td>12,900</td>
<td>2%</td>
</tr>
</tbody>
</table>

* denotes peak value; source is Caltrans; figures have been adjusted by Caltrans

** denotes average daily traffic (ADT); source is NDOT

Region-wide, the actual increase in traffic volumes over the cordon stations is within 2 percent of the increase predicted in the TranPlan model. In other words, the 1987 TranPlan model correlates well with the actual 1987 condition, and the 1987 VMT estimate can be assumed to reflect actual growth, to date, outside the Region.

Future growth outside the Tahoe Region is likely to contribute to VMT increases inside the Region. However, the magnitude of the increase is not known, since details on future development are generally not available. It is also important to note that TRPA's traffic models assume some level of growth in traffic volumes at the cordon stations, thus taking into account at least a portion of the impacts from development outside the Region.

Conclusion: From the above discussion, staff concludes that Region-wide VMT increased about 10 percent from 1981 to 1987, and increased more rapidly than previous estimates had predicted. The total volume of traffic entering the Region through the seven entry points also increased during the same period. While some VMT control measures are being implemented, including some ahead of schedule, there is a strong likelihood that VMT will exceed TRPA's target values in September 1991, and TRPA's pending transportation/air quality plan update will have to address this. TRPA is currently revising its prediction of traffic volumes and VMT for the year 2007.
2. IVGID Community Center

Given the conclusions, above, what is the impact of the proposed IVGID community center on regional VMT, and is the proposed center consistent with TRPA's plan to control VMT?

TRPA predicts that the proposed community center will affect total VMT differently, depending upon the scenario selected. The scenarios with the greatest impact on total VMT add less than 600 miles to Regional VMT, without mitigation.

Compared to the required reduction in VMT over 20 years of at least 300,000 VMT, to offset growth and decrease total VMT, the additional travel demand created by the community center would be small:

\[
\frac{600 \text{ miles created}}{300,000 \text{ miles to be reduced}} = \frac{1}{5} \text{ of 1 percent (approx.)}
\]

Compared to the predicted average impacts of additional single family homes, the additional travel demand created by the community center, for the worst scenarios, would be roughly equivalent to about 13 homes. The annual allocation of additional residential development to Washoe County in 1986 to 1991 averages 85 units. The total allocation is 512 units.

While the Environmental Impact Statement on the Plan Area Statements and Implementing Ordinances of the Regional Plan (TRPA, 1987), the Water Quality Management Plan (TRPA, 1988), and the Environmental Impact Statement for the Regional Transportation Plan (TRPA, 1988) did not specifically include the proposed IVGID community center, they did assume there would be a "congruent level" of growth in the public service sector, limited to projects needed to serve the other development permitted by this plan. The worst case VMT model in the 1987 EIS included a 300-person "golf course and cultural center" in Incline Village.

Conclusion: In a regional context, the VMT impacts of the proposed community center would be small, compared to the ultimate need to reduce and offset VMT generated by the Regional Plan. The worst-case effect of the proposed center is roughly equivalent to increasing the allocation of residential development to the portion of the Region in Washoe County from 1986 to 1991 by a total of about 2.5 percent. The Regional Plan EIS did contemplate an additional recreational and cultural facility in Incline Village.
AVERAGE ANNUAL RIDERSHIP

TART SYSTEM

RIDERS (Thousands)

MEMORANDUM

September 19, 1990

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution on Unmet Transit Needs for El Dorado County, and Resolution to Allocate Local Transportation Funds to El Dorado County

At the August 22, 1990, TRPA Governing Board meeting, the Board took action to close the public hearing on unmet transit needs in El Dorado County. Following this action, the Board adopted Resolution No. 90-20 approving the release of Local Transportation Funds to El Dorado County for the following: 1) a six month interim period to maintain transportation services to eligible low income elderly and handicapped, and to provide demand-responsive service to areas along Pioneer Trail and Upper Truckee Road; 2) purchase of a wheelchair lift-equipped van; and 3) public transportation services to the south shore beaches and campgrounds and to provide connecting service to Meeks Bay beginning in 1991. The Board deferred action on the finding of unmet transit needs in El Dorado County that are reasonable to meet until the September, 1990 meeting.

El Dorado County is in the process of seeking approval of the necessary contracts to implement the interim six month service funded above. TRPA staff has not received a copy of the contracts and is not able to make a recommendation on a finding of unmet transit needs at this time.

Pending receipt of the executed contracts, TRPA staff will make a recommendation at the Board meeting. At that time, TRPA staff will also make a recommendation in regard to the release of Local Transportation Funds for the street and road projects requested by the County.

If you have any questions in regard to these agenda items, please contact Leif Anderson at (702) 588-6782.
MEMORANDUM

September 14, 1990

To: Governing Board

From: Agency Staff

Subject: Amendment of Chapter 64 to Permit Excavation for Marinas

PROPOSED ACTION: The proposed action is an amendment to Subparagraph 64.7.A(2) of the Code of Ordinances to add another exception to the prohibition of intercepting groundwater to allow for excavation for marinas having master plans approved pursuant to Chapter 16. Attachment A contains the proposed wording within the context of the ordinance.

BACKGROUND: Review of the Code of Ordinances for provisions applicable to marinas revealed that Chapter 64, Grading Standards, prohibits excavation which would intercept groundwater with certain exceptions as noted in 64.7.A(2). There is no exception in the Code for excavation to expand or create a marina.

Shoreward expansion above the high water line of any marina basin would require excavation, and would be assumed to intercept ground water. In some cases, the analysis of alternatives and environmental documentation could find the option of shoreward expansion less disturbing to the environment than expansion offshore. This option would only be available to projects necessary to implement an approved master plan, and only where the environmental documentation for the master plan demonstrates that the excavation would not have an adverse effect on water quality, a stricter standard than for the other exceptions permitted.

The proposed amendment is consistent with the other exceptions designed to achieve otherwise necessary or beneficial ends. This prohibition could affect the Elks Point, Ski Run, Tahoe Keys, Meeks Bay, and perhaps other marinas. The marinas most likely to be affected by this ordinance are in the southern sector of the Lake Tahoe shoreline.

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

1. The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code and other TRPA plans and programs.
Chapter 64 Amendment

**Rationale:** The proposed amendment is to make it clear that excavation for marina expansions to increase public recreational capacity and access to Lake Tahoe may be permitted provided all other Regional Plan and environmental constraints are met.

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

**Rationale:** The proposed amendment is to clarify the existing regulations and allow for expansion of marina capacity within the environmental threshold carrying capacities.

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

**Rationale:** TRPA approved marina master plans with their environmental documentation must provide for attaining and maintaining the air and water quality standards.

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

**Rationale:** The amendment would provide additional protection by clarifying Chapter 64 as it relates to permitting implementation of the Developed Recreation Subelement of the Goals and Policies and the threshold for insuring a fair share of the Basin capacity for recreation.

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

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

**Rationale:** The proposed amendment provides for an equal or better means of attaining the threshold for ensuring a fair share of recreational capacity and increased access to Lake Tahoe consistent with implementation of the Compact and attainment or maintenance of the thresholds. The marina master plan process is directed toward achieving benefits to better attain or maintain the thresholds.

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

**Rationale:** The proposed amendment is consistent with the Compact and the threshold to ensure that a fair share of the total Basin capacity is
available for public recreation while achieving benefits consistent with attaining and maintaining other thresholds.

3. One or more of the following:

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

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

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

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

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

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

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

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

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

Rationale: Finding (c) is recommended in that the Code amendment is designed to respond to technical analysis indicating (1) it may be more beneficial environmentally to upgrade and increase marina capacity at some sites already developed and which are relatively dispersed around the Basin than to create new centers of disturbance or concentrate marina capacity and boating activity; (2) that at some locations, extending a marina into the Lake may be more disturbing than extending into the backshore, (3) the ordinance as it is is an unnecessary limitation of alternatives for meeting the demand for additional recreational capacity, and (4) because of the environmental documentation required for marina master plans, there would be no significant unmitigated negative environmental impacts resulting from the proposed amendment, and the net benefits expected from the proposed projects would be described.
ENVIRONMENTAL DOCUMENTATION:

Completion of the Initial Environmental Checklist indicates the following potential environmental impacts:

1. **Water:** There would be no change in the rate of flow or quantity of groundwater. There could be a small change in the direction of groundwater if the placement of sheet piling or other barrier at the inland edge of a marina redirects groundwater around the marina before the groundwater enters the Lake. Any such redirection would not change the final destination or rate of the groundwater flow. If beneficial for environmental or hydraulic purposes, weep holes could be placed in the marina bulkheads to allow groundwater to enter the marina without changing the direction or quality of the flow.

Excavation would be permissible only if: a) it is necessary to implement a TRPA approved master plan; and b) the master plan environmental documentation shows that there will be no negative effect on water quality.

Nutrient uptake in the final feet of groundwater flow is insignificant, unless it is through a heavily vegetated and unfertilized shoreline area. Most marinas are in developed or disturbed areas supporting little vegetation. If the excavation were downflow and close to an existing infiltration trench, the efficacy of the infiltration trench could be impaired, and the infiltration trench would need to be rerouted to retain its water treatment capability. Such situations would be disclosed in the environmental documents and alternatives or necessary mitigation would be identified in the environmental documentation for the master plan.

2. **Plant Life:** Depending on the location of the marina, there could be some removal of riparian vegetation or other vegetation associated with critical wildlife habitat, and there may be *Rorippa subumbellata* habitat in the area. Most marinas are in developed areas where there is little critical wildlife habitat.

The environmental documentation required for marina master plans would identify any potential impacts on riparian vegetation, critical wildlife habitat, and rare or endangered plant species and specify appropriate mitigation. The requirement for enhancement of sensitive land at a rate of 1:5:1 could result in a net increase in riparian vegetation.

3. **Risk of Upset:** Any expansion of marina capacity carries with it the risk of upset. Spills can be more readily contained in enclosed harbor-type marinas than in open or off-shore marinas. The operations and mitigation plans required in all master plans would provide for improved prevention and management of accidental release of toxic or hazardous substances.

4. **Recreation:** The proposal could have a beneficial impact on the quality and quantity of existing recreational opportunities in that it would facilitate
Chapter 64 Amendment

Page 5

upgrading and expansion of marina capacity, particularly on the southern shoreline of the Lake Tahoe.

Based on the completion of an Initial Environmental Checklist and the V(g) checklist, staff finds the proposed amendment will have no significant effect on the environment.

RECOMMENDATION: Staff and the APC recommend that the Governing Board review the proposed amendment, and following the public hearing:

1. Find that the amendment will not have a significant environmental effect and make the required findings, and

2. Adopt the ordinance adopting the proposed amendment to Chapter 64. (See Attachment B for the adopting ordinance.)
PROPOSED AMENDMENT TO CHAPTER 64

GRADING STANDARDS

64.7 Excavation Limitations: The following excavation limitations apply:

64.7.A Groundwater Interception: Groundwater interception or interference is prohibited except as set forth below:

(1) Excavation is prohibited that interferes with or intercepts the seasonal high water table by:

(a) Altering the direction of ground water;
(b) Altering the rate of flow of ground water;
(c) Intercepting ground water;
(d) Adding or withdrawing ground water; or
(e) Raising or lowering the water table.

(2) TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that:

(a) Excavation is required by the Uniform Building Code (UBC) or local building code for minimum depth below natural ground for above ground structures;
(b) Retaining walls are necessary to stabilize an existing unstable cut or fill slope;
(c) Drainage structures are necessary to protect the structural integrity of an existing structure;
(d) It is necessary for the public safety and health;
(e) There are no practical alternatives to groundwater interference, including the possibility of denial of the project;
(f) It is a necessary measure for the protection or improvement of water quality;
(g) It is for a water well;
(h) It is pursuant to Subsection 64.7.B(1) or (3); or
(i) It is necessary to provide two offstreet parking spaces, there is no less environmentally harmful alternative, and measures are taken to prevent groundwater from leaving the project area as surface flow; or

(1) It is necessary to implement a marina master plan approved pursuant to Chapter 16, and the environmental documentation demonstrates that there will be no adverse effect on water quality.
ATTACHMENT B

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 90-

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, BY AMENDING CHAPTER 64 OF THE CODE OF ORDINANCES OF THE TAHOE REGIONAL PLANNING AGENCY RELATING TO GRADING; PROVIDING AN EXEMPTION FOR MARINAS; AND OTHER MATTERS PROPERLY RELATED THERETO.

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

Section 1.00 Findings

1.10 It is necessary and desirable to amend Section 6.60 of Ordinance No. 87-9, as amended, by amending Chapter 64 of the Code of Ordinances in order to further implement the Regional Plan, as amended, pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact, as amended ("Compact").

1.20 The Governing Board has conducted a noticed public hearing on these amendments to the Code, at which hearing oral testimony and documentary evidence were received and considered. In accordance with the Rules of Procedure the Governing Board has decided to proceed without a formal recommendation from the APC. The APC considered the proposed amendment in conjunction with the master plan but did not conduct a noticed public hearing.

1.30 The amendments have been determined to have no significant environmental effect and thus are exempt from the requirement of an environmental impact statement pursuant to Article VII of the Compact.

1.40 The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Section 6.5 of the Code and Article V(g) of the Compact and that such findings are supported by substantial evidence in the record. The Governing Board also finds that, prior to the adoption of this ordinance, the Board made the findings required by Section 2.40 of Ordinance 87-8 and that such findings are supported by a preponderance of the evidence in the record.

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

Section 2.00 Amendment of Chapter 64 of the Code of Ordinances

Subparagraph 64.7.A(2) of Chapter 64 of the TRPA Code of Ordinances is hereby amended to add a new subparagraph (j) as follows:

"(j) It is necessary for a marina expansion approved pursuant to Chapter 16, and the environmental documentation demonstrates that there will be no adverse effect on water quality."

Section 3.00 Interpretation and Severability

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

Section 4.00 Effective Date

This ordinance shall become effective 60 days after the date of its adoption.

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

Ayes:

Nays:

Abstain:

Absent:

Roland D. Westergard, Chairman
Tahoe Regional Planning Agency
MEMORANDUM

September 13, 1990

To: TRPA Governing Board

From: TRPA Staff

Subject: Approval of Preliminary Community Plans for Washoe County

Proposed Action: In cooperation with Washoe County Department of Comprehensive Planning, TRPA staff is seeking approval of preliminary community plans and work program for: Plan Area 032, North Stateline Casino Core; Plan Area 045, Incline Commercial; Plan Area 048, Incline Tourist; and Plan Area 054, Incline Industrial (proposed to be renamed Ponderosa). The preliminary plan, commercial floor area needs assessment and community-wide economic report entitled "Incline 2000: An Economic Blueprint" (separate documents in the Governing Board packet) together comprise the preliminary plan package.

Background: The Washoe County Community Plan Team which was formally approved by the Governing Board in June, 1989, began its work on the community plans in August, 1989. Prior to that date, the team drafted revisions to Washoe County's Tahoe Area Plan. The Area Plan is the County's long range master plan for that portion of Washoe County which is within the Tahoe Region. The Area Plan, adopted in November, 1989, by the Washoe County Commission designated the four community plan areas as specific plan areas in recognition of the subsequent community planning process.

Because Plan Area 032, North Stateline Casino Core, is located in both California and Nevada, a joint community plan is being prepared. The joint plan will contain identical Goals and Objectives, commercial and tourist accommodation unit allocations, and environmental threshold targets. Please refer to the North Stateline Preliminary Community Plan summary found in the North Tahoe Preliminary Community Plan staff report.

AGENDA ITEM VII.E.

AS:rdh
9/13/90
Memorandum to Governing Board
Approval of Preliminary Community Plans
for Washoe County -- Page 2

The purpose of the preliminary plan and its approval is to serve as an interme-
diate checkpoint for all agencies and other parties who may be affected by it. No project approvals are considered as part of the preliminary plan. An Environmental Impact Statement (EIS) is scheduled to be prepared and circulated as part of the final community plan. As such, no findings or environmental documentation are necessary at this point.

Discussion: Subsection 14.6.B of the Code (Chapter 14, Community Plans) requires the preparation of a preliminary plan and work program which shall be approved by TRPA and the responsible local government. Pursuant to 14.6.B(1) each preliminary plan is required to include the following:

1. **Boundaries:** The Incline Commercial plan area is the only one proposing boundary changes. See the proposed boundary map on page 15 of the pre-
liminary plan. Based in part on direction provided in Plan Area Statement 045, the new boundaries would include portions of adjacent residential plan areas 044 and 046. These areas consist primarily of high-density residential uses and make up the community core of Incline Village. They are logical inclusions into the community plan based on the use, density, location and the ability to coordinate transportation, housing, and other public service planning with the commercial areas.

2. **Estimates of Additional Commercial Floor Area and Tourist Accommodation Units:** Based on the analysis contained in the document Incline Village/Crystal Bay Commercial Floor Area Needs Study and the Incline Village Crystal Bay 2000: An Economic Blueprint, the additional needs are estimated as follows:

   a. North Stateline: 9,000 sq. ft. of commercial space plus 7,500 sq. ft. commercial from Placer County for use on the California side. Additional tourist units (specific number to be determined in the final plan), developed through rehabilitation, transfer, and the bonus unit incentive program (Chapter 35) to constitute an amount suitable to serve as a destination resort.

   b. Incline Commercial: 15,200 sq. ft. of commercial space. No additional tourist units.

   c. Incline Tourist: 6,450 sq. ft. of commercial space. No additional tourist units.

9/13/90
Memorandum to Governing Board
Approval of Preliminary Community Plans
for Washoe County -- Page 3

d. Ponderosa: 16,560 sq. ft. of commercial space. 200 additional tourist units through transfer and the bonus unit incentive program.


7. Community Plan Themes:
   a. North Stateline: Major tourist accommodation, retail and services.
   b. Incline Commercial: Major retail and services.
   c. Incline Tourist: Major tourist accommodation, retail and services.
   d. Ponderosa: Entertainment, local serving retail, services and storage.


10. Applicable Standards: See applicable standards summary p. 11 and Appendix D.

Advisory Planning Commission Recommendation: The Advisory Planning Commission (APC) considered the preliminary community plans and work program at their regular September meeting. The APC recommended that the Governing Board approve the preliminary plans and work program.

Recommendation: Staff recommends that the Governing Board approve the four Washoe County preliminary community plans and work program. Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this matter.

9/13/90

AGENDA ITEM VII.E.
MEMORANDUM

September 17, 1990

To: TRPA Governing Board
From: TRPA Staff

Subject: Approval of the North Tahoe Preliminary Community Plan

Proposed Action: Pursuant to Subsection 14.6.B of the Code, the APC is to review the North Tahoe Preliminary Plan and work program and recommend that the Governing Board approve, deny or modify the plan and program. The draft preliminary plan is being mailed direct to you under a separate cover by Placer County.

Background: The Code requires that community plan teams submit a preliminary plan and work program for TRPA and local government approval prior to commencing work on the actual plan and environmental document. The plan team from the North Tahoe area is submitting that plan and program for the following community plan areas:

1. Kings Beach Commercial Area
2. Kings Beach Industrial Area
3. Tahoe Vista
4. Carnelian Bay
5. North Stateline

* In recognition of the fact that Plan Area 032, North Stateline, is located in both California and Nevada, the North Stateline preliminary community plan has been jointly prepared between the North Tahoe and the Washoe County Plan teams. It is intended to serve as an integral part of both the North Tahoe and Washoe County preliminary plans. Due to printing logistics, a summary of the joint preliminary plan is attached to this memorandum. The summary supersedes information which is located in the respective preliminary plans found in this packet.

Analysis: Based on an initial assessment, the preliminary plan is required to include:

1. Boundaries - There are minor boundary adjustments in the Kings Beach Industrial area, increases in the size of the Kings Beach Commercial area for residential uses, and an increase in the size of the Tahoe Vista area for tourist or recreational use.
Memorandum to Governing Board
Approval of Preliminary Community Plans
for North Tahoe
Page 2

2. Estimates of additional commercial floor area and tourist unit requirements based on the ERA Needs Study:

Commercial
K. B. Industrial - 13,000 square feet
K. B. Commercial - 40,000 square feet
Tahoe Vista - 7,500 square feet
Carnelian Bay - 2,000 square feet
North Stateline - 7,500 square feet (additional 9,000 sq. ft. from Washoe County)

Tourist units - as available to Tahoe Vista and Stateline

3. Public recreation objectives - See Goals and Objectives and Targets
4. Vehicle trip reduction targets - See Targets
5. Land coverage reduction targets - See Targets
6. Level of environmental documentation - EIS
7. CP theme

K. B. Industrial - Industrial, Storage, and Service
K. B. Commercial - Major Retail Services
- Major Tourist Accommodation, Retail, & Services
- Residential
Tahoe Vista - Major Tourist Accommodation, Retail, & Services
- Industrial, Storage, and Services
Carnelian Bay - Local and Minor Recreation Area Serving Retail and Services

8. Work program - See Work Program
9. Community Goals and Objectives - See G and P for each area

Also, required as part of the process by the 208 Plan is a remapping of the stream zones.

Advisory Planning Commission Recommendation: The APC considered the preliminary plan at their regular September meeting, and recommended adoption of the plan.

Recommendation: Staff recommends the Governing Board approve the North Tahoe Preliminary Plan and work program.

9/17/90

AGENDA ITEM VII.F.
SUMMARY OF

NORTH STATELINE PRELIMINARY CP

Planning Theme - Major Tourist Accommodation, Retail, and Services

Commercial Allocation - 7,500 square feet from Placer County
9,000 square feet from Washoe County

Boundaries - See attached map

Targets - attached Targets

Goals and Objectives

1. The concept for North Stateline is to develop it into a more complete, family-oriented destination resort area. This would include making the area more human-scaled, encouraging pedestrian uses by developing small parks and green spaces, placing sidewalks and benches throughout, providing child care facilities, and providing a range of entertainment and recreational activities for families.

2. Improving traffic flow, through creation of a loop road system or removal of the traffic light and development of a pedestrian pass, is a priority.

3. The community should create a unique Crystal Bay atmosphere and identity through design, the theme being "Old Tahoe" of the 1930s and 1940s. Visitors would know upon entering Crystal Bay that they are in a specific area. The urban design would achieve this feeling, signs becoming secondary.

4. Development at North Stateline will provide, or assist in providing, employee housing for its employees.

5. The plan should encourage the development of a number of hotel rooms through rehabilitation, transfer, and bonus systems that would constitute a number suitable for a destination resort.

Recreation Objectives

1. Additional access to the lake should be provided for Crystal Bay residents and visitors. Although lake access is outside the community plan area, it should be noted that PAOTs may be required in the future for lake access.

2. Approximately 200 PAOTs (50 spaces) are needed for a proposed recreational vehicle park in this area.
**NORTH STATELINE PRELIMINARY COMMUNITY PLAN TARGETS**

<table>
<thead>
<tr>
<th>Stream Environment Zones</th>
<th>Soil Conservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Preserve existing natural SEZ</td>
<td>- Comply with TRPA land capability coefficients</td>
</tr>
<tr>
<td>- Restore all disturbed SEZ to undeveloped land</td>
<td>- With transfers, maximum 70% allowed coverage on vacant commercial parcels and 50% allowed coverage on developed parcels within Community Plan Areas</td>
</tr>
<tr>
<td>- Increase area of naturally functioning SEZ by 5%</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Status of North Stateline Community Plan Areas</th>
<th>Proposed Community Plan Target</th>
<th>Implementation Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Approximately _ acres of SEZ are within the community plan areas. (Data to be added)</td>
<td>- Complete the SEZ restoration projects listed in Chapter VIII, Volume III of the Regional Water Quality Management Plan, and those in the community plan SEZ, mapping.</td>
<td>- Application of BMPs.</td>
</tr>
<tr>
<td>- Approximately _ of these SEZ areas are disturbed in undeveloped land and _ are disturbed or developed. (Data to be added)</td>
<td></td>
<td>- At least 5% of the water quality mitigation funds collected by each local jurisdiction shall be used for SEZ restoration projects included in the program.</td>
</tr>
</tbody>
</table>

The USFS Forest Service, the California Tahoe Conservancy, and Nevada's Commission on Land Acquisition in the Tahoe Basin also have the ability to fund SEZ restoration projects.

- Complete the SEZ restoration projects listed in Chapter VIII, Volume III of the Regional Water Quality Management Plan, and those in the community plan SEZ, mapping.

- Application of BMPs.

- At least 5% of the water quality mitigation funds collected by each local jurisdiction shall be used for SEZ restoration projects included in the program.

- The USFS Forest Service, the California Tahoe Conservancy, and Nevada's Commission on Land Acquisition in the Tahoe Basin also have the ability to fund SEZ restoration projects.

- Application of pavement and restoration beds to all developed and disturbed parcels within plan areas.

- Implementation of excess coverage mitigation program.

- Implementation of CIP projects listed in Water Quality Targets.
<table>
<thead>
<tr>
<th>Constituent</th>
<th>Max. Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dissolved Inorganic Nitrogen</td>
<td>0.025 mg/l</td>
</tr>
<tr>
<td>Dissolved Phosphorus</td>
<td>0.007 mg/l</td>
</tr>
</tbody>
</table>

- **Tributaries**: No tributaries in this area.

- **Surface Runoff**:
  - **Constituent** | **Max. Concentration** |
  - Total Nitrogen as N | 0.5 mg/l |
  - Total Phosphate as P | 0.1 mg/l |
  - Suspended Sediment | 250.0 mg/l |
  - **Status** | **Proposed Community Plan Target** |
  - Surface runoff threshold status unknown.

- **Implementation Technique**:
  - Implement Volume II, TMDL Water Quality Management Plan Capital Improvement Program for Erosion and Runoff Control (shown on Figures VIII-11 and 14) in the community plan areas as follows:
    - Rocklined ditches, revegetation, curb gutter, storm drain pipes, rock slope stabilization, and pavement.
    - Implement the Lake Vista Project within CP (Figure D-10).
## North State Line Community Plan Targets

### Status of North State Line Community Plan Areas

<table>
<thead>
<tr>
<th>TPAA Threshold</th>
<th>Proposed Community Plan Target</th>
<th>Implementation Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Air Quality</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Maintain carbon monoxide levels at or below 0.1 ppm/year.</td>
<td>- Attain carbon monoxide threshold (following data collection).</td>
<td>- Implement applicable air quality measure, identified in Regional Air Quality Plan and Regional Transportation Plan.</td>
</tr>
<tr>
<td>- Maintain ozone levels at or below 0.08 ppm/hr.</td>
<td>- Maintain ozone threshold</td>
<td>- Pedestrian improvements: centralized parking areas; prioritize allocation of new commercial floor area to projects incorporating VMT reduction measures; develop multi-modal transportation facility; develop full services destination impacts.</td>
</tr>
<tr>
<td>- Maintain NOx emissions at or below 0.5 lb/veh.</td>
<td>- Attain NOx threshold (following data collection).</td>
<td>- Implement applicable highway and pedestrian improvements identified in Chapter VII of the Regional Transportation Plan.</td>
</tr>
<tr>
<td>- Reduce Regional VMT by 10% of 1991 levels. TTPA’s Regional Transportation Plan requires EPA to reduce to 85,000 VMT.</td>
<td>- Reduce VMT from 1991 levels by 2,114 VMT.</td>
<td>- Install TTPA-approved wood-burning heaters or decorative gas appliances on all new structures within plan areas.</td>
</tr>
<tr>
<td>- Maintain Level of Service (LOS) B or better at key urban intersections.</td>
<td>- Maintain existing levels of service.</td>
<td></td>
</tr>
<tr>
<td>- Reduce wood smoke emissions by 1% of 2011 level.</td>
<td>- Attain wood smoke emissions threshold (following data collection).</td>
<td></td>
</tr>
</tbody>
</table>
### North Stateline Community Plan Targets

**Page 4**

<table>
<thead>
<tr>
<th>Resource</th>
<th>Proposed Community Plan Target</th>
<th>Implementation Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noise</strong></td>
<td>1. Attain the TNO threshold in the portions of the travel routes which are within the community plan areas. Ensure compliance with TNO threshold values.</td>
<td>Implement TNO design guidelines to equal or exceed threshold values.</td>
</tr>
<tr>
<td></td>
<td>2. Maintain all other shorelines through aesthetic and shoreline threshold values.</td>
<td>For all new medium density developments, incorporate design improvements to meet and exceed TNO standards.</td>
</tr>
<tr>
<td></td>
<td>3. The entire area limit is 60 CNEQ.</td>
<td>TNOA shall require application of techniques for noise control such as use of setback, use of barriers, site design, use of vegetation, use of sound absorbing materials, and building design.</td>
</tr>
</tbody>
</table>

**DPA Threshold**

<table>
<thead>
<tr>
<th>Resource</th>
<th>Status of North Stateline Community Plan Areas</th>
<th>Proposed Community Plan Target</th>
<th>Implementation Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Roadway Units:</strong></td>
<td>Each travel route covers areas greater than the community plan area boundaries, however, threshold areas of concern are generally within community plan boundaries.</td>
<td>Maintain all other shorelines and roadway and shoreline SRT threshold values.</td>
<td>Maintain all other shorelines through aesthetic and shoreline threshold values.</td>
</tr>
<tr>
<td>Unit 30, Tahoe Vista</td>
<td>TNR 19</td>
<td>SRT 2</td>
<td>1 point</td>
</tr>
<tr>
<td>Unit 22, Bridge</td>
<td>TNR 19</td>
<td>SRT 2</td>
<td>2 points</td>
</tr>
<tr>
<td>Unit 21, Crystal Bay</td>
<td>TNR 10</td>
<td>SRT 2</td>
<td>3 points</td>
</tr>
</tbody>
</table>

**Ecological Resources**

- Maintain and improve scenic resource thresholds (CRS) numerical rating assigned each roadway and shoreline travel route.

- Ensure that design elements are compatible with the natural, scenic, and recreational values of the region.

- Attain roadway travel routes with a threshold (TNR) of at least 10 and shoreline travel routes rating of at least 8.

- Attain the TNO threshold in the portions of the travel routes which are within the community plan areas. Ensure compliance with TNO threshold values.

- The entire area limit is 60 CNEQ.

- Implement TNO design guidelines to equal or exceed threshold values.

- For all new medium density developments, incorporate design improvements to meet and exceed TNO standards.

- TNOA shall require application of techniques for noise control such as use of setback, use of barriers, site design, use of vegetation, use of sound absorbing materials, and building design.
### North Stateline Community Plan Targets

**Page 5**

<table>
<thead>
<tr>
<th>TRPA Threshold</th>
<th>Status of North Stateline Community Plan Areas</th>
<th>Proposed Community Plan Target</th>
<th>Implementation Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreation</td>
<td>o Preserve and enhance high quality recreational experience, where possible, including additional shoreline access.</td>
<td>o No shoreline access in/near PAS 032.</td>
<td>o PAS 032: Washoe County and/or TRPA acquire parcels or access easements identified for lake access through condemnation, donation, lease or purchase.</td>
</tr>
</tbody>
</table>
TRPA RESPONSE TO APPEAL BY BANK OF STOCKTON

Subject: Appeal of Executive Director decision regarding loss of nonconforming use due to lack of use for more than one year.

Property Owner: Bank of Stockton, represented by Attorney James Pace

Project: APEX Realty building

Location: 680 Kingsbury Grade, APN 11-070-16, Douglas County

BACKGROUND: See factual background referred to in appellant's opening statement.

DISCUSSION: The Bank of Stockton admits that more than one year has lapsed since the building was used for real estate purposes. But the Bank wants the TRPA Governing Board to ignore its Section 18.5 of the Code of Ordinances and allow the nonconforming use to continue. This also is contrary to Plan Area Statement (PAS) 082 which applies to this parcel (a copy is attached hereto as Exhibit 1). Permissible commercial uses in this PAS do not include real estate offices.

The purpose of the one-year loss of use provision is to eventually curtail uses that are not compatible with the PAS. It is an important part of the planning process. If the Board grants this appeal, it will be in direct contradiction to Subsection 18.5.A(1) of the Code of Ordinances.

The Bank of Stockton is not precluded from using the site. It can be used for food and beverage retail sales or a single family dwelling. This site also has value based on the commercial floor space allocated to it.

The Bank asserts that if it would have filed a lawsuit against Douglas County, it could have tolled the running of the one-year statutory period. This is not entirely true. There was the one-year period from May 1988 to May 1989 wherein the building was not used at all. This is prior to the dispute arising with Douglas County in June 1989. If the Bank did sue Douglas County on some theory, it could toll the statute. However, if the Bank was unsuccessful, it would lose the use anyway.

This is not a "legal action" delay and should not be considered as such by the Board.
CONCLUSION: Once the use of the structure as a real estate office stopped, there was only a one-year period in which the use could reoccur. The one-year period lapsed and so did that use. Other uses are available to the owner.

For the reason stated above, the Board should deny the appeal.

By: Jeffrey S. Blanck
Jeffrey S. Blanck
Agency Counsel
PLAN DESIGNATION:

Land Use Classification: RESIDENTIAL
Management Strategy: MITIGATION
Special Designation: SCENIC RESTORATION AREA

DESCRIPTION:

Location: This is the residential area above Logging Road Lane on Kingsbury Grade and is located on TRPA map I-16.

Existing Uses: The area contains several newer subdivisions and one condominium development. The area is about 55 percent built out.

Existing Environment: The area is 85 percent high hazard and 15 percent SEZ. The total area coverage is 15 percent plus an additional 25 percent disturbed. The higher coverage and disturbance is in the condominium development.

PLANNING STATEMENT: This area should continue to be residential, generally retaining the existing character with some Scenic Improvement.

PLANNING CONSIDERATIONS:

1. The area is not up to minimal BMP standards.
2. The Summit Village development has inadequate parking due to multi-density parcels and is severely constrained by available land coverage.
3. Scenic Roadway Unit 44 is within this Plan Area and is targeted for scenic restoration as required by the scenic threshold.

SPECIAL POLICIES:

1. Any further development in Summit Village shall be at one unit per parcel.
2. Commercial development shall be limited to parcels whose use was commercial at the effective date of the plan. Change in use shall be limited to neighborhood serving uses which reduce vehicle miles traveled.
3. Land coverage reduction is a high priority in this area.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.
General List: The following list of permissible uses is applicable throughout the Plan Area:

- **Commercial**: Food and beverage retail sales (S).
- **Public Service**: Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), local post offices (S), and day care centers (S).
- **Recreation**: Participant sports facilities (S), day use areas (A), and riding and hiking trails (A).
- **Resource Management**: Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and runoff control (A).

**MAXIMUM DENSITIES**: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

**USE**

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
</tbody>
</table>

**RESIDENTIAL BONUS UNITS**: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 0 units.

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL**: The maximum community noise equivalent level for this Plan Area, including the Highway 207 corridor, is 55 CNEL.

**ADDITIONAL DEVELOPED OUTDOOR RECREATION**: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

**SUMMER DAY USES 0 PAOT**  **WINTER DAY USE 0 PAOT**  **OVERNIGHT USES 0 PAOT**

**IMPROVEMENT PROGRAMS**: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by the Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan.
2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

3. Stream zone restoration as indicated in the Stream Environment Zone Restoration Program. (To be completed.)

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway 207 corridor. (To be completed.)
TAHOE REGIONAL PLANNING AGENCY
P.O. Box 1038
Zephyr Cove, Nevada 89448-1038
(702) 588-4547

APPEAL APPLICATION FORM

Name: Bank of Stockton Phone: (209) 941-1444
Mailing Address: P.O. Box 1110 City: Stockton, California
Property Location: 680 Kingsbury Grade, Nevada
State: California Zip Code: 95201
Authorized Representative: Steven T. Walther, Esq.
Mailing Address: P.O. Box 30000 City: Reno
State: Nevada Zip Code: 89520

Final Action of Executive Director which is the subject of appeal:

TRPA Staff determination that the professional
office use is non-conforming and has been discontinued
for longer than one year.

County: Douglas Assessor's Parcel Number 11-070-16

Statement of Appeal (Describe in detail the bases and arguments for appeal. Arguments and bases not included in statement of appeal shall not be considered by the Governing Board. For more information see TRPA Rules of Procedure, Article XI, Appeals, Sections 111., and 11.5., and 11.6.):

See attached.

Appeal App
SDFORM
11-2-87

Page 1 of 2
Governing Board  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, Nevada 89448  

Re: STATEMENT OF APPEAL, Permanent Closure of  
680 Kingsbury Grade, Real Estate Sales Office  
Douglas County APN 11-070-16  

Honorable Members of the Board:

This letter constitutes our Statement of Appeal in this case. Your staff has recently taken the position that professional office use at 680 Kingsbury Grade (hereinafter the "Subject Property") is non-conforming and has been discontinued for longer than one year. While we believe that your staff is not unsympathetic, apparently they feel constrained by the terms of the Code from allowing the property to be used as a real estate sales office as it has been in the past. The property is technically non-conforming and was not in active operation for in excess of one year. Under §18.5.A(a) of the Code, a non-conforming use which is "discontinued" for a period of one year or more loses all grandfathered rights.

There is, however, within the Board's discretion, a way of allowing the continued use of the property and rectifying the inequities of this situation. We urge the Board to recognize that the Bank of Stockton was precluded by operation of law from utilizing the property for a period in excess of one year. Since the Bank of Stockton was precluded by the concurrent jurisdiction of Douglas County, the Board should recognize that the lapse in operation is not a "discontinuance" as the term is used under the Code. The Bank of Stockton should not be penalized here as they have been prevented from reinstituting the use by Douglas County and have diligently pursued their rights in the property.

FACTUAL BACKGROUND

For approximately 25 years, the Subject Property was used for a real estate marketing office. The building on the Subject

1. See Exhibit "A" attached which is a copy of Code §18.5.A(a).
Property was originally used as a sales office for the development on Kingsbury Grade and was an integral part of that development. When the Kingsbury Grade development was sold out, the Subject Property continued to be used as a general real estate office.

On May 19, 1988, Leonard and Gail LeBrun, then owners of the Subject Property, filed for bankruptcy under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court for the District of Arizona. At the time the bankruptcy Petition was filed by Mr. and Mrs. LeBrun, the LeBruns were in default under an obligation owed to the Bank of Stockton which was secured by the Subject Property. As a result of the filing of the Chapter 11 Petition on May 19, 1988, the Bank was precluded by operation of law from taking any steps to foreclose upon its interest in the Subject Property or insuring that the prior use continued. However, as late as August of 1988, the Subject Property was occupied.

In 1988, the Bank of Stockton filed a Motion to Lift the Automatic Stay under Chapter 11. On October 5, 1988, the Bankruptcy Court entered its "Order Granting Relief from Stay" "to allow Stockton to pursue and complete a Trustees' sale pursuant to the terms of this Deed of Trust in state law or to pursue other foreclosure remedies with respect to the debtor's property which is the subject of this Deed of Trust."

On November 1, 1988, the Bank of Stockton filed its Notice of Default under the Deed of Trust and Election to Sell. On March 1, 1989, after the appropriate notice period had expired the trustees sale was held and the Bank of Stockton became owner of the Subject Property.

Immediately following the acquisition of title by the Bank of Stockton, a prospective tenant was procured, one Louis Martin ("Mr. Martin"), and entered into an agreement for the sale of the Subject Property to Mr. Martin. At that time, the Kingsbury

2. See Exhibit "B" attached which is a copy of the bankruptcy Petition filed on behalf of Leonard and Gail LeBrun in the bankruptcy proceeding.

3. See Exhibit "C" attached which is a copy of the bankruptcy court's Order Granting Relief from Stay.
General Improvement District was contacted by Mr. Martin about sewer use in order to regain occupancy. The Kingsbury General Improvement District determined that a dye test was to be performed on the sewer system to determine that it was functional. The first and second dye tests were taken but were inconclusive. In May of 1989, a third dye test was run by the Kingsbury General Improvement District where a camera was inserted into the sewer system. As a result of that third test, it was determined that the building had not been hooked up to the sewer system even though sewer fees had been paid for a number of years. The Bank of Stockton immediately employed a plumber to hookup the sewer to the building. In June, 1989, the final sewer hookup was obtained. This expenditure by the Bank of Stockton was $3,211.32.

On June 15, 1989, after a lengthy delay from the sewer hookup, the Douglas County Planning Department, through John Renz as Chief Planner, determined six months had elapsed since the Subject Property had last been occupied, and accordingly, that a rezoning application was required to resume occupancy under the provisions of the Douglas County Code. The Bank elected to make an application for rezoning rather than filing suit and litigating the claim that the six-month period had been tolled during the pendency of bankruptcy.

The Bank of Stockton next prepared and filed an Application for Change of Land Use Master Plan Amendment with the Douglas County Planning Division. After considerable administrative delays, in a letter dated April 16, 1990, Douglas County's Chief Planning official, John Renz, informed the Bank of Stockton that the Douglas County Board of Commissioners had approved their request for a change of land use designation.

TRPA's counsel, Mr. Jeff Blanck has conceded that should the Bank of Stockton have elected to pursue the more costly judicial remedy by filing suit, against Douglas County the TRPA's one-year statute would have been tolled. By merely electing the more

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4. See Exhibit "D" attached which is two bills from Overli Plumbing.

5. See Exhibit "E" attached which is copy of the above-mentioned letter.
efficient method of obtaining use under the Douglas County Planning ordinance, your counsel now asserts that the Bank of Stockton is not entitled to continued commercial use of the property. This position merely encourages litigation.

We urge the Honorable Members of the Board to consider that there is simply no important policy reason for TRPA to take such a hard-line position against the Bank of Stockton. It is within the Board's discretion to decide that Douglas County's planning ordinances which prohibited the Bank of Stockton from utilizing the property for commercial real estate offices tolled the running of the one-year, non-use statute. The alternative is to allow the bureaucratic procedure to swallow the commercial value of this property. Accordingly, the Bank of Stockton respectfully requests that you grant our appeal and allow the continued commercial use of this property.

Sincerely,

James P. Pace

JPP/1b
19.5 Existing Uses: The following rules apply to existing uses:

19.5.A Right To Continue Existing Uses: Uses legally commenced prior to the effective date of the Regional Plan are recognized as existing uses and may be continued, except as otherwise set forth in subparagraphs 19.5.A(1) and 19.5.A(2). Continuation of an existing use includes a change in ownership, tenancy, or management, where the nature and character of the existing use remain substantially unchanged. Short-term or seasonal uses existing pursuant to legally-issued TRPA permits may continue only for the duration of the permits authorizing them. Neither this section nor this chapter shall be construed as a limitation upon TRPA's authority to regulate all uses, present or future, by permit, prohibition or otherwise.

1. Nonconforming Uses: If an existing nonconforming use is discontinued for a period of one year or more, any subsequent use shall comply with the use regulations set forth in the plan area statement. In the event a use is discontinued because a structure destroyed by fire or other calamity is being reconstructed, the period of time between the calamity and completion of reconstruction shall not be considered a discontinuance of use.

2. Changes, Expansions Or Intensifications Of Existing Uses: Changes, expansions and intensifications of existing uses, or changes in uses, to the extent permitted by this chapter, are subject to the requirements for a permit set forth in Chapter 4. Modifications, expansions and other changes to structures are governed by other provisions of this Code and also are subject to the requirements of Chapter 4.

1. Allowed Uses: Uses identified as allowed uses may be changed, expanded or intensified in conformance with this Code. Any change, expansion or intensification, resulting in a special use, shall be subject to the special use requirements.
U.S. BANKRUPTCY COURT, DISTRICT OF ARIZONA
230 North First Ave, 5th Floor, Phoenix, Arizona 85026

In Re a Petition FOR Relief under Chapter 11 of Title 11, U.S. Code, filed by
against the below-named Debtor(s) on May 19, 1988:

DEBTOR: LEONARD RAY LEBRUN OF 211 W. BECK LANE, PHOENIX, AZ 85023,
SSN: 556-66-9636

JT. DEBtor: GAIL RAE LEBRUN, SSN:344-40-3521

CASE NO. 88-03818-PHX-)

You must file a proof of claim if your claim as scheduled is disputed, contingent, unliqdated, unlisted or you do not agree with the amount. See USC Sec 1111 & Bankruptcy rule 3003.
Bar date is not yet fixed.

ATTY FOR DEBTOR: , ,

ITEM NO. 1 - §341(a) MEETING DATE: June 29, 1988 at 11:30 A.M. in OFFICE
OF THE U.S. TRUSTEE, 320 North Central, Suite 105, Phoenix, AZ 85004

ITEM NO. 2 - FILING DEADLINE FOR §523(c) COMPLAINTS: August 29, 1988

NOTICE IS HEREBY GIVEN THAT:
The United States Trustee has called a meeting of creditors pursuant to 11
U.S.C. §341(a) to be held at the time and place specified in ITEM NO 1 above a
which time creditors may examine the debtor and file claims. Attendance by
creditors is welcomed but not required.

Claims may be filed by mailing to, U.S. Bankruptcy Court, Clerk's Office,
10 North First Ave., Phoenix, AZ 85025. If a claimant desires to have his claim
acknowledged, he must provide an extra copy of the claim and a stamped self
addressed envelope.

The debtor [and joint debtor, if any] and attorney for debtors(s) shall be
in attendance at the §341(a) meeting. A partnership shall appear by a general
partner, a corporation by its president or other executive officer.
Failure of the debtor or his attorney to appear at the §341(a) meeting or
to timely file schedules and statement of affairs shall result in dismissal.
The date specified in ITEM NO. 2 above is the last day for filing a
complaint to determine dischargeability under 11 U.S.C. §523(c).
Unless extended, objection to debtor(s) claim of exempt property must be
filed within 30 days after the §341(a) meeting.

Upon filing of the petition, certain acts and proceedings against the
debtor and the estate are stayed as provided in 11 U.S.C. §362(a).

Dated: May 29, 1988

KEVIN E. O'BRIEN, CLERK OF COURT

COPY: 50¢ PER PAGE
NO OF "A" SCHEDULE PGS. /

CPS. MAILED: JUN 10 1988
JENNIFER MANNING
DEPUTY CLERK

EXHIBIT B
**BANKRUPTCY PETITION COVER SHEET**

**INSTRUCTIONS:** This form must be completed by the debtor or the debtor’s attorney and submitted to the clerk of court upon the filing of the petition.

<table>
<thead>
<tr>
<th>Name of Debtor (Last, First, Middle)</th>
<th>Name of Joint Debtor (Spouse) (Last, First, Middle)</th>
</tr>
</thead>
<tbody>
<tr>
<td>LeBrun, Leonard Ray</td>
<td>LeBrun, Gail Rae</td>
</tr>
</tbody>
</table>

All other names, including trade names, used by the Debtor in the last 6 years

None

Social Security No. and/or Employer’s Tax ID No

555-66-9636

Address of Debtor (Street, City, State, and Zip Code)

211 W. Beck Lane, Phoenix, Az. 85023

Address of Joint Debtor (Street, City, State, and Zip Code)

211 W. Beck Lane, Phoenix, Az. 85023

Name of County

Maricopa

**CHECK PROPER BOXES**

<table>
<thead>
<tr>
<th>Type of Petition</th>
<th>Nature of Debt</th>
</tr>
</thead>
<tbody>
<tr>
<td>☑ Voluntary Petition</td>
<td>☑ Business - Complete A, B, C below</td>
</tr>
<tr>
<td>☑ Involuntary Petition</td>
<td>☑ Non-business/Consumer</td>
</tr>
</tbody>
</table>

Chapter of The Bankruptcy Code Under which The Petition is Filed (Check One Box)

- ☑ Chapter 7
- ☑ Ch. 11
- ☑ Ch. 12
- ☑ Ch. 9

- ☑ Railroad
- ☑ Sec 304

**DEBTOR’S ESTIMATES**

<table>
<thead>
<tr>
<th>Estimated Number of Creditors</th>
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</thead>
<tbody>
<tr>
<td>11-50</td>
</tr>
<tr>
<td>51-99</td>
</tr>
<tr>
<td>100-999</td>
</tr>
<tr>
<td>1000-over</td>
</tr>
</tbody>
</table>

Assets will be available for distribution to creditors

<table>
<thead>
<tr>
<th>Estimated Assets (In Thousands of Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 50</td>
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<tr>
<td>50-99</td>
</tr>
<tr>
<td>100-499</td>
</tr>
<tr>
<td>500-999</td>
</tr>
<tr>
<td>1000-over</td>
</tr>
</tbody>
</table>

Estimated Number of Employees — Chapter 11 and 12 only

<table>
<thead>
<tr>
<th>Estimated Liabilities (In Thousands of Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 50</td>
</tr>
<tr>
<td>50-99</td>
</tr>
<tr>
<td>100-499</td>
</tr>
<tr>
<td>500-999</td>
</tr>
<tr>
<td>1000-over</td>
</tr>
</tbody>
</table>

Estimated No. of Equity Security Holders — Ch. 11 & 12 Chs.

Attorney for the Debtor (Firm Name, Address, Tel No.)

Attorney for the Petitioner (If involuntary petition) (Firm Name, Address, Tel No.)

☒ No Attorney

Filing Fee (Check One Box) ☑ Filing Fee

Filing fee to be paid in installments by individuals only. Must attach signed application for the court’s consideration indicating that the debtor is unable to pay fee except in installments. Rule 1006-2.

**RELATED BANKRUPTCY CASE (IF ANY)**

Debtor

District

Divisional Office

Name of Judge

Date

5/19/88

Print Name

LEONARD RAY LEBRUN

GAIL RAE LEBRUN

Signatures of Attorney and Debtor

69
UNITED STATES BANKRUPTCY COURT
FOR THE _____ DISTRICT OF _____

In re

Leonard Ray LeBrun and
Gail Rae LeBrun
Debtor
Include all names used by Debtor within the last six years

VOLUNTARY PETITION UNDER CHAPTER ELEVEN
☐ Individual      ☑ Joint     ☐ Corporation      ☐ Partnership

1. Petitioner's post office address is 211 W. Beck Lane, Phoenix, Az. 85023

2. Petitioner (1) Leonard Ray LeBrun
   (2) Gail Rae LeBrun

3. Petitioners are qualified to file this Petition and are entitled to the benefits of Title Eleven, United States Code as voluntary debtors.

4. ☑ A copy of petitioner(s) proposed plan, dated ______________________, is attached or
   ☐ Petitioner intends to file a plan pursuant to Chapter Eleven of Title Eleven, United States Code.

WHEREFORE, Petitioners pray for relief in accordance with Chapter Eleven of Title Eleven, United States Code.

Petitioners Sign if not represented by an attorney.

[Signature]

[Signature]

Title

The undersigned, named as petitioners in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct.

Execution Date 07/19/88

[Signature]

[Signature]

Title

(1) Insert "has resided" or "has had his domicile" or "had his principal place of business" or "had his principal assets within this District".
(2) Insert "for the preceding 180 days" or "for a longer portion of the preceding 180 days than in any other district."
### EXHIBIT A

The names and addresses of the ten largest unsecured creditors, excluding insiders.

<table>
<thead>
<tr>
<th>Name of Creditor</th>
<th>Complete mailing address including zip code [if unknown, so state]</th>
<th>Amount of claim</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jack Sievers</td>
<td>C/O Thomas L. Belaustegui of Robison, Lyle, Belaustegui &amp; Robb, 71 Washington St. Reno, NV. 89503</td>
<td>Disputed</td>
</tr>
<tr>
<td>Edward Viera and Josephine Viera</td>
<td>C/O Jeffrey Rahbeck, PO Box 5566, Stateline, NV. 89449</td>
<td>Disputed</td>
</tr>
</tbody>
</table>
In re: )
LEONARD RAY LeBRUN )
GAIL RAE LeBRUN, )
) Debtors. )
) No. B 88-3818 PHX RGM )
) (Proceedings Under Chapter 11) )
) "Bank of Stockton, )
a California corporation) )
) Movant, )
) vs. )
LEONARD RAY LeBRUN )
GAIL RAE LeBRUN, )
) Debtors. )
) Adversary No. A )
) ORDER GRANTING RELIEF )
) FROM STAY )

Secured creditor Bank of Stockton ("Stockton") having moved for relief from the stay pursuant to 11 U.S.C. § 362(d), notice having been given and no response having been received, such motion having been heard by this court on September 28, 1988, and good cause appearing, it is

ORDERED that the stay imposed by 11 U.S.C. § 362 is lifted to allow Stockton to pursue and complete a trustee's

EXHIBIT C
sale pursuant to the terms of its deed of trust and state law
or to pursue other foreclosure remedies with respect to the
debtors' property which is subject to the deed of trust (the
"Property") and which is described as follows:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF
LAND SITUATE IN THE COUNTY OF DOUGLAS, STATE
OF NEVADA, DESCRIBED AS FOLLOWS:

That portion of the South 1/2 of the
Northwest 1/4 Section 19, Township 13 North,
Range 19 East, M.D.B.S.M. described as
follows:

Beginning at the most Southerly corner of
Lot 1 of Kingsbury Village Unit No. 3, as
shown on the Map thereof filed in the office
of the County Recorder of Douglas County,
Nevada, on August 12, 1963; thence along the
Southeasterly boundary of said Lot 1 North
44°16'00" East a distance of 105.27 Feet to
the beginning of a tangent curve to the left
having a radius of 20.00 Feet and a central
angle of 60°33'53"; thence along said curve
an arc distance of 21.14 Feet to a point of
cusp on the Westerly right of way of North
Benjamin Drive; thence along said right of
way South 16°17'53" East a distance of
185.15 Feet to the beginning of a tangent
curve to the right having a radius of 25.00
Feet and a central angle of 55°38'00";
thence along said curve an arc distance of
24.27 Feet to a point on the Northerly right
of way of State Route 19 (Kingsbury Grade);
thence along said right of way South
39°20'07" West a distance of 110.33 Feet;
thence leaving said right of way North
16°15'58" West a distance of 198.92 Feet to
the Point of Beginning.

Assessors Parcel No. 11-070-16.

The stay is further lifted to permit any purchaser of the
property or individual holding title to the property to obtain
possession of the Property from the debtor through any means

-2-
permitted by applicable nonbankruptcy law including the commencement of a forcible detainer action against the debtor.

DATED this _ day of _ , 19__

United States Bankruptcy Judge
**TERMS:** NET CASH  
**DATE:** 6-16-89

**NAME:** Bank of Stockton  
**%:** Dave Chaffee

**ADDRESS:** 301 E. Miner, Stockton, CA 95201

**SUBJECT:** Apex Realty Building - See Payamount Reditect

<table>
<thead>
<tr>
<th>1ST HOUR</th>
<th>MINIMUM</th>
<th>ADDITIONAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**AS PER REQUIREMENTS OF KINGSBURY: GENERAL IMPROVEMENT DISTRICT -- UN- COVER, CLEANOUT, CAVE IN & FILL SEPTIC TANK **

**INSTALL, NEW TOILET, LATERAL & CONNECT TO KG.I.D. STOUT OUT.**

**XX All Labor & Materials - See Attached 2985 92**

**NOTE:** Building is on pilings -- Shovel & Excavated floor to top. 
If it becomes necessary to retain an attorney to enforce payment of any sum due hereunder purchaser agrees to pay all attorney fees and costs incurred. A FINANCE CHARGE of 1 1/2% per month will be charged on unpaid invoices if not paid by the 10th of month following date as indicated above, not to exceed 10% per annum.

**CUSTOMER SIGNATURE**

**OPERATOR**

<table>
<thead>
<tr>
<th>CASH</th>
<th>CRED</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2565.92</td>
</tr>
</tbody>
</table>

**EXHIBIT 0**
OVERLI PLUMBING 52987
ROTO-ROOTER SEWER SERVICE VALLEY SEPTIC

TERMS: NET CASH
DATE 4/22/89

NAME: BANK OF STOCKTON % DAVE CHAVEZ
ADDRESS: 301 E MINER, STOCKTON, CALIF. 95202
JOB: APEX REALTY BUILD RED CARPET TAT PLUMPTON

1ST HOUR MINIMUM
ADDITIONAL TIME 10 1/2 HR 12.00 PER LABOR 1141.00
INSTALLED NEW STOP & WASTE & PRESSURE VAC.
UNDER HOUSE REPLACED ANGER STOP & SUPPLY LINES REPAIRED LEAKS ON BOTH HOT & COLD WATER LINES INSTALLED
DRAIN ON HOT WATER LINE

PARTS 193.29
TAX 11.11

IF IT BECOMES NECESSARY TO RETAIN AN ATTORNEY TO ENFORCE PAYMENT OF ANY SUM DUE HEREUNDER PURCHASER AGREES TO PAY ALL ATTORNEY FEES AND COSTS INCURRED. A FINANCE CHARGE OF 1 1/2% PER MONTH WILL BE CHARGED ON UNPAID INVOICES IF NOT PAID BY THE 10TH OF MONTH FOLLOWING DATE AS INDICATED ABOVE, NOT TO EXCEED 10% PER ANNUM. O.R.E. - EXPENSE

CUSTOMER SIGNATURE

CHARGE IN CASH CHECK TOTAL 645.40
April 16, 1990

Bank of Stockton  
c/o Walther, Key, Maupin, Oats, Cox, Lee & Klaich  
P.O. Box 30000  
Reno, Nevada 89520

RE: Change of Land Use  
Assessor’s Parcel 11-070-16

Dear Gentlemen:

At the regularly scheduled meeting on March 15, 1990, the Douglas County Board of Commissioners approved your request for a Change of Land Use designation from E-3 (First Estates) to C-1 (Limited Commercial), for property located at 680 Kingsbury Grade. This approval was subject to a Resolution of Intent limiting the commercial use to a real estate office.

Should you have any further questions, please contact this office.

Sincerely,

John Renz  
Chief Planning Official

ACTION/1m
MEMORANDUM

September 18, 1990

To: The Governing Board

From: TRPA Staff


TRPA staff will present an oral report on the above subject matter to the Governing Board at the September Board meeting. Please contact Steve Chilton of the TRPA staff if you have any questions on this matter.

/SC
9/18/90

AGENDA ITEM IX.A.

78
MEMORANDUM

September 18, 1990

To: TRPA Governing Board

From: Agency Staff

Subject: Report on September 19 Transportation Seminar

On September 19, TRPA staff presented a one-day transportation planning seminar at the Lakeside Inn for the purpose of obtaining public input on the pending Regional Transportation Plan (RTP) and Air Quality Plan (AQP) update. A copy of the seminar announcement is attached. At the September 26 Governing Board meeting, staff will present an oral report on the seminar.

The September 19 seminar was a follow-up to a June 1990 seminar co-hosted by the Sacramento Chapter, American Public Works Association; the Tahoe Transportation Coalition; and TRPA. The June seminar examined the technological options available for solving transportation problems in the Tahoe Region.

After receiving public input on the transportation/air quality control measures at the seminar, staff will publish a draft problem assessment and control plan, and conduct a scoping meeting for an EIS on the plan update. The staff plans to initiate circulation of the EIS in October.

If you have any questions or comments on this agenda item, contact John Hoole at (702) 588-4547 or Leif Anderson at (702) 588-6782.
A ONE-DAY SEMINAR ON TRANSPORTATION AND AIR QUALITY IN THE LAKE TAHOE BASIN

Host: The Tahoe Regional Planning Agency
With assistance from: The Tahoe Transportation Coalition

Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, NV 89448
Agenda

Registration and Poster Sessions
8:45 - 9:15
Welcome and Introduction
9:15 - 9:30
Presentation and Poster Sessions
9:30 - 10:30
Air Quality and Transportation
10:30 - 10:45
Break
11:15 - 11:45
Presentation of the Discussion
11:45 - 1:15
Lunch and Poster Sessions
1:15 - 2:30
Panel Discussion #2 - Expert Panel
2:30 - 2:45
Break
2:45 - 4:00
Panel Discussion #2 - Public Comment
4:00 - 5:00
Informal Discussion and Poster Sessions
5:00
Adjournment

The purpose of the seminar is to launch public discussion of the Tahoe Regional Planning Agency's updated Regional Transportation Plan and how to implement and fund the programs identified to meet the transportation needs in the Lake Tahoe Basin.

Please RSVP by Wednesday, September 11.

$12.00 fee is payable now or at the door.

$12.00 per guest
Buffet Lunch

Stakeholders, Nevada
Lakeview Inn and Casino
900 East Lakeglen Drive
September 19, 1990
Wednesday
8:30 a.m. - 5:00 p.m.

Quality Seminar
Transportation and Air

No, I cannot attend, but please keep me on your mailing list so I can participate in future discussions.
MEMORANDUM

September 14, 1990

To: TRPA Governing Board
From: The Staff

Subject: Authorization to Change the November Governing Board Meeting Date from the Third to the Fourth Wednesday

Article II (Governing Board Meetings) of the Rules of Procedure provides that the regular meetings of the Board shall be held on the fourth Wednesday (and Thursday, if necessary) of each month except in November and December, when the regular meetings shall be held on the third Wednesday of the month. This change was to avoid conflicts with the Thanksgiving and Christmas holidays. Because the third Wednesday in November this year falls the day before Thanksgiving, staff recommends that the Board set the fourth Wednesday and Thursday (November 28 and 29) for its meeting and direct staff to publish the change in Basin newspapers as required by Compact Article III.

The December meeting will take place on the third Wednesday and Thursday (December 19 and 20).
MEMORANDUM

September 14, 1990

To: TRPA Governing Board

From: The Staff

Subject: Committee Appointments

Because of other commitments, both John Cefalu and Mike Fluty have been replaced on the TRPA Governing Board by their respective Boards of Supervisors for the remainder of 1990. Former Placer County Supervisor and TRPA Board member Larry Savison will be sitting in for Mike Fluty, and El Dorado County Supervisor-elect John Upton will be sitting in for John Cefalu.

Because of these changes, there are vacancies on the Finance (Cefalu) and Rules (Fluty) Committees. The identity of members and chairmen of committees are to be determined by the Chairman of the Board, subject to approval by the full Board.
MEMORANDUM

September 17, 1990

To: Tahoe Regional Planning Agency Governing Board

From: Susan E. Scholley, Special Projects Attorney

Re: Amendment of Article VII (Advisory Planning Commission) of the Rules of Procedure

-------------------------------------------------------------------------------------------------------------

BACKGROUND: In August of 1989 the Rules Committee began discussing revisions to Article VII (Advisory Planning Commission) of the Rules of Procedure.

After several consultations with the APC, the Rules Committee produced a draft which it recommended to the Board at its June meeting. The Board had concerns with expanding APC's duties and asked the Rules Committee to reconsider the matter. The Rules Committee has deleted the provisions relating to APC review of projects.

SUMMARY OF AMENDMENTS: The proposed amendments are set forth in Exhibit A.

The amendments are primarily designed to update the rules and state the current procedures. Section 7.11 adds one new duty: assisting staff in reviewing out-of-Basin environmental documents.

REQUIRED FINDINGS: Prior to amendment of the Rules of Procedure, Chapter 6 requires certain findings. Those findings and the rationales are set forth below.

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

   Rationale: The amendments are consistent with Article V(a) of the Compact and provide for utilization of the APC and its expertise and viewpoint.

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

   Rationale: The amendments are strictly procedural in nature and will not cause the environmental thresholds to be exceeded.

-------------------------------------------------------------------------------------------------------------

SES: jm
9/17/90

AGENDA ITEM XI.C.1.
3. Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: The amendments are strictly procedural in nature and will not affect air or water quality standards.

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

Rationale: For the reasons set forth above in the rationale for finding #1, the amendments to the Rules will better implement the Regional Plan and will assist in the achievement and maintenance of the environmental thresholds.

ENVIRONMENTAL DOCUMENTATION: The amendments are strictly procedural and have no significant environmental effect. A finding of no significant environmental effect is included in the proposed resolution attached to the staff summary.

RECOMMENDED ACTION: After its noon meeting on Wednesday, the Rules Committee will present its recommendation to the Board.
TAHOE REGIONAL PLANNING AGENCY
RESOLUTION 90-__

AMENDING ARTICLE VII OF THE RULES OF PROCEDURE
RELATING TO THE ADVISORY PLANNING COMMISSION

WHEREAS, the proposed amendments to Article VII of the Rules of Procedure of the Tahoe Regional Planning Agency are necessary and desirable to promote, and are reasonably related to the public health, safety and general welfare of the Tahoe Region; and

WHEREAS, the proposed amendments comply in all respects, procedural and substantive, with the Tahoe Regional Planning Compact, the Regional Plan, ordinances and rules of TRPA, are necessary to effectuate and implement same; and

WHEREAS, the proposed amendments are procedural in nature and will not have a significant effect upon the environment and therefore do not require the preparation of an environmental impact statement; and

WHEREAS, prior to adoption of these amendments, the Governing Board made the findings required by Chapter 6 of the Code of Ordinances;

NOW, THEREFORE BE IT RESOLVED that Article VII of the Rules of Procedure is hereby amended to read as set forth in Exhibit A, attached hereto.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on this ____ day of September, 1990 by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Roland Jesperrud, Chairman
Tahoe Regional Planning Agency
ARTICLE VII - ADVISORY PLANNING COMMISSION

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

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

(a) The APC shall not prepare tentative agendas.

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

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

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

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

7.6 TRANSMITTAL OF RECOMMENDATIONS: The staff summary for a matter which has been submitted to the APC for recommendation to the Governing Board, shall include a summary of the APC comments and the recommendation on said matter. The staff summary shall also include the final vote of the members of the APC. The Governing Board may hear additional testimony and argument concerning any matter or project.
7.7 PARTICIPATION BY GOVERNING BOARDS: Members of the Governing Board may attend and participate in APC meetings, but their presence shall not be counted in determining a quorum, nor shall Governing Board members be entitled to vote.

7.8 EXTRA-TERRITORIAL ENVIRONMENTAL DOCUMENTS: The APC shall, in conjunction with the Executive Director, make recommendation to the Governing Board regarding which out-of-Basin environmental documents merit comment by TRPA. The APC shall assist the Executive Director in the preparation of draft comments on out-of-Basin environmental documents for Board consideration and transmittal.
Date: September 17, 1990
To: Governing Board
From: Agency Staff
Subject: Projects Reviewed at Staff Level and Emergency Permits Issued by Executive Director August 13, 1990 through September 16, 1990.

Projects Processed at Staff Level:

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<tr>
<th>CSLT/</th>
<th>El Dorado</th>
<th>Placer</th>
<th>Washoe</th>
<th>Douglas</th>
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TOTAL PROJECTS PROCESSED: 140

Applications Received: 124

Operating Backlog: 140

Incomplete/Pending Information: 211

Compliance Cases Pending: 35

/1b
9/17/90

AGENDA ITEM XII.A.1.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Sunset Well - Municipal Water Supply

Application Type: Public Service - Special Use Determination

Applicant: South Tahoe Public Utility District

Applicant's Representative: Gary Schnakenberg

Agency Planner: Ed Skudlerek

Location: Sunset Drive, approximately 180 feet northwest of Conestoga Street, City of South Lake Tahoe

Assessor's Parcel Number/Project Number: File 520-329-90

Project Description: The South Tahoe Public Utility District (STPUD) has proposed and undertaken the emergency construction of a municipal water supply well to replace reduced water supply production capacity from the College well and Martin well. The project also includes installing 630 feet of 8 inch water pipe in a 5 foot deep trench and the placement of a temporary structure to house chlorination equipment. Since the requirement to chlorinate is contingent upon further testing of the wellwater, STPUD is proposing a temporary building.

The STPUD requested, and Agency staff granted under Section 5.20, Article V of the TRPA Rules of Procedures, emergency approval to construct the well on June 21, 1990, based upon STPUD's concern that production capacity during summer peak use periods would be inadequate. The well has not yet been connected to the water supply system.

Site Description: The well site is located approximately 180 feet northwest of the Sunset Drive and Conestoga Street intersection, within a 70 foot by 40 foot easement. The easement is located at the southern corner of a ten acre parcel, on which a new single family dwelling permit has been issued. Residential neighborhoods surround the project area. The water pipe will be located along Sunset Drive and Conestoga Street under the existing road shoulders.

Issues: The proposed project involves construction of a municipal water supply well (Public Utility Center) which is a Special Use in the subject Plan Area and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Additional Capacity: Modifications to legally existing public service facilities which do not create additional service capacity are not to be considered "additional public service facilities" (Subsection 35.5.A, TRPA Code). The proposed well has been constructed and will be outfitted to discharge 750 gallons per minute. The STPUD has provided the necessary documentation to determine that the proposed
South Tahoe Public Utility District
Page 2

well will not result in additional service capacity. See the attached Figure 3, excerpted from the Initial Environmental Checklist Supplement Report. The College well will be taken off-line upon completing construction of the proposed Sunset well and the Bijou and Middle School wells.

2. **Stream Environment Zone Impact:** The proposed well site is located approximately 300 feet from the Upper Truckee Stream Environment Zone (SEZ). The well has been sealed to a depth of 255 feet and preliminary data indicates that impermeable sedimentary layers exist between the Upper Truckee SEZ and the targeted aquifer. However, the applicant will be required to prepare and submit a report to TRPA that analyzes the potential for drawdown associated with the proposed well and its effect on the hydrology of the nearby SEZ. Should any hydrologic effect be identified, the applicant shall be required to monitor impacts to the SEZ, and if necessary, mitigate such impacts.

**Staff Analysis:**

A. **Environmental Documentation:** The applicant has completed an Initial Environmental Checklist (IEC) and Supplemental Report in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project with mitigation will not have a significant effect on the environment. A copy of the completed IEC and Supplemental Report will be made available at the Governing Board hearing and at TRPA.

B. **Plan Area Statement:** The project is located within Plan Area 104, Highland Woods. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is listed as a special use.

C. **Land Coverage:**

1. **Land Capability District:**

   The land capability district of the project area is class 7. The total project area for coverage calculation purposes is approximately 2,800 square feet.

2. **Existing Coverage:**

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<tbody>
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<td>0 square feet</td>
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3. **Proposed Coverage:**

   | Hard Coverage | 71 square feet |

CONSENT CALENDAR ITEM 1

ES/sm
9/14/90
South Tahoe Public Utility District

Soft Coverage: 0 square feet
Total: 71 square feet

4. Allowed Coverage:

Class 7 Area: 840 square feet
Total: 840 square feet

5. Coverage Mitigation:
The applicant shall pay a water quality mitigation fee in accordance with Chapter 20 of the TRPA Code.

D. Building Height: The proposed building has a maximum building height of 9 feet which is well within the standards set out in Chapter 22 of the TRPA Code.

E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, and 64 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

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.

   (1) Land Use: The project is a special use in the plan area. The project is consistent with Goal 2, Policy 5.E of the Land Use Element, TRPA Regional Plan, which states that additional public service development shall be limited to those projects needed to serve the other development permitted by this plan. Best Management Practices shall be applied during construction and as part of the site development.

   (2) Transportation: The project will not affect the Transportation Element of the Regional Plan.

   (3) Conservation: Mitigation measures such as monitoring, reduced well discharge rates, and relocation of the water supply well have been required as conditions of approval to avoid the potential for drawdown related impacts to nearby SEZs. With mitigation, vegetation, wildlife, fisheries, SEZs, soils, and open space resources will not be adversely impacted.

   (4) Recreation: The project will not affect the Recreation Element of the Regional Plan.

   (5) Public Service and Facilities: The project is consistent with
Goal 1, Policy 1, of the Public Services and Facilities Element, Regional Plan. This states that "public services and facilities should be allowed to upgrade and expand consistent with the Land Use Element of the Regional Plan and federal, state and local standards." One planning consideration set forth in the Plan Area Statement acknowledges that "additional fire hydrants and water system improvements are needed in this area."

(6) **Implementation:** The project will not affect the Implementation Element of the Regional Plan.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

4. **The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.**

The surrounding development is residential; however, the small scale of the use is such that the project is appropriate for the area. The well site is located on a 10 acre parcel, at the western end of which a new single family dwelling construction project has commenced.

5. **The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.**

The pump station will be underground and not a source of community noise. The chlorination equipment building will be kept locked.

6. **The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the**
applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed use will be evidenced only by the existence of the 6 by 8 by 9 foot high building and the control panel. The proposed use conforms with all applicable aspects of the Plan Area Statement. The building and control panel will be constructed in accordance with TRPA design standards.

7. TRPA may approve exceptions to the prohibition of groundwater interception or interference if TRPA finds that it is for a waterwell.

The proposed project is a waterwell.

F. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment Q.

2. Prior to commencement of construction the following special conditions of approval must be satisfied:

a. The site plan shall be revised to include:

   (1) Land capability district.

   (2) Limits of construction for the pipeline installation.

   (3) Infiltration facilities for the vault, designed to infiltrate runoff generated by the one hour, 20-year design storm.

b. A water quality mitigation fee of $20.00 shall be paid to TRPA. This fee is based on the creation of 71 square feet of land coverage.

c. The security required under Standard Condition I.(2) of Attachment Q shall be $1,800. Please see Attachment J, Security Procedures.

d. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:
(1) **Color:** The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, umber and sand.

(2) **Roofs:** Roofs shall be composed of nonglare earthtone or woodtone materials that minimize reflectivity.

(3) **Fences:** Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.

(e) The applicant shall submit 3 sets of final construction drawings, side view elevations and site plans to TRPA.

2. Within 6 months of the date of project approval, the applicant shall submit a report, prepared by a groundwater hydrologist, which evaluates potential impacts, if any, to SEZs within the radius of influence of the proposed well. The report shall be based upon stratigraphy inferred from the well, drilling logs and appropriate nearby well logs and borehole logs; the appropriate step-drawdown test method, given inferred stratigraphy of the area; and other pertinent information. If potential impacts are identified, then a monitoring program shall be prepared and mitigation measures identified and submitted to TRPA for review and approval.

3. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.

4. The adequacy of all required EMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

5. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
6. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

7. The temporary structure shall be removed six months after the approval date of this permit and the site immediately revegetated with plant species on the TRPA Recommended Plant Species List. A security in the amount of $500 is required to ensure compliance with this condition. If, during the next 6 months, the STPUD determines that continual chlorination of the well water will be required, then an application shall be submitted to TRPA for the permanent placement of the building containing the chlorination equipment.
PROJECT DESCRIPTION

The project consists of drilling a new production well to augment the supply provided by the Bijou and Middle School wells. This well is expected to produce 750 gpm at full operation. Added to the production of the other two wells, this produces up to 1600 gpm.

This plan well allow the District to deliver a total of 9.23 mgd during peak periods, exceeding the peak demand of 8.59 mgd. The expected production amount should not promote growth enducement. The current system supplies just over 10 mgd.

A longer-term solution to the the District's water supply needs is necessary and includes:

(1) Correct uranium problem at College Well by:
   * Treatment
   * Well reconstruction
   * Reduction of capacity
   * Blending with other water sources
   * Combination of options listed above

(2) Abandon Cold Creek Water Filtration Plant prior to 1993.

(3) Replace capacity lost from the College Well and Filter Plant by the construction of additional new wells.
Project Name: Chaiken New Pier/Special Use Determination.

Application Type: Shorezone.

Applicant: Don and Carol Chaiken.

Applicant's Representative: Leah Kaufman.

Agency Planner: Jim Hamilton, Senior Planner.

Location: 550 Highway 50, Douglas County.

Assessor's Parcel Number/Project Number: 05-220-13.

Project Description: The applicant proposes to construct a new single-use residential pier. The proposed pier will be approximately 140 feet long and will extend to the TRPA pierhead line. As conditioned, the pier will be constructed using a single piling design for the first 95 feet, and then will be 10 feet wide using a dual piling design for the final 45 feet of length. There will be a single 39 foot long by 3 foot wide catwalk, as well as a low level boat lift. The pier, as conditioned, is consistent with all applicable TRPA design and development standards. The staff biologist has verified that the pier will not be located in an area of fish habitat. The project will also involve a net reduction of 1,383 square feet of existing land coverage.

Site Description: The project site is located immediately to the north of the Round Hill beach and just south of the Pinewild condominium development. This area of foreshore contains a primarily sandy bottom with scattered small cobbles. One single family dwelling is located on the littoral parcel.

Issues: The proposed project involves the construction of a new residential pier and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TAPA Code.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (I.E.C.), in order to assess the following environmental issues: water quality, littoral processes, fisheries and fish habitat, backshore stability, on-shore wildlife habitat, and Tahoe Yellow Cress (Rorippa subumbellata), habitat evaluation. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the I.E.C. will be made available at the Governing Board hearing and at TRPA.

B. Plan Area Statement: The project is located within Plan Area 68, Round Mound. The Land Use Classification is Recreation and the Management
Strategy is Mitigation. Agency staff has reviewed the Plan Area Statement and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is designated as an allowed accessory use to an existing special use in this Plan Area.

C. Land Coverage:

1. **Land Capability District:**

   The mapped land capability of the project area is class 4 and backshore. The total project area is approximately 297,079 square feet in size.

2. **Existing Coverage:**

   - Buildings: 14,318 square feet
   - Paving: 24,380 square feet
   - Walks/Patios: 10,109 square feet

   **TOTAL:** 48,807 square feet

3. **Proposed Coverage:**

   - Buildings: 14,542 square feet
   - Paving: 24,380 square feet
   - Walks/Patios: 8,267 square feet
   - Pier Access: 235 square feet

   **TOTAL:** 47,424 square feet

4. **Allowed Coverage:**

   - Class 4: 57,016 square feet
   - Backshore: 120 square feet

   **Total:** 57,136 square feet

5. **Coverage Mitigation:** The applicant shall be required to mitigate the coverage required for access to the new pier, 110 square feet in the Backshore, pursuant to Sections 55.3 and 55.4 of the TRPA Code of Ordinances. In order to approve the additional land coverage in the backshore, the Governing Board must make finding 15 included in Section E of this staff summary.

D. **Pier Height:** The proposed pier deck elevation is 6,232 feet, Lake Tahoe Datum. The low-level boatlift will extend four feet above the pier deck elevation. This is consistent with Section 54.4.B(2) of the TRPA Code.

E. **Shorezone Tolerance District:** The subject parcel is located within Shorezone Tolerance District 8. The project, as conditioned, complies with the shorezone tolerance district standards.
P. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 50, and 55 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

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.

a. Land Use: The applicant will be required to apply BMPs to the project area. This project will not affect the land use on this site. Residential piers are allowed accessory structures in the Plan Area for this property.

b. Transportation: This pier will not adversely impact transportation in the Lake Tahoe Basin. Piers located within the limits of the TRPA-approved pierhead line have been determined not to pose a threat to navigation.

c. Conservation: The project, as conditioned, is consistent with the fisheries, shorezone, and scenic subelements of the Conservation Element of the Goals and Policies. The project is located in Scenic Shoreline Unit 29 which has an acceptable scenic rating. Staff has determined that the pier location, color and design will not degrade the shoreline scenic rating. Fisheries are discussed further in finding 4, below.

d. Recreation: This project will not adversely impact public recreation on Lake Tahoe. In addition, the project will not interfere with public access along the shoreline and is consistent with the Recreation Element of the Goals and Policies.

e. Public Services and Facilities: This project does not affect public services or facilities in the Lake Tahoe Basin.

f. Implementation: This project is consistent with the Implementation Element of the Goals and Policies.

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

The basis for this finding is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the TRPA Compact, the project meets or exceeds such standards.
(Refer to paragraph 2, above.)

4. The project to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed pier is an allowed accessory use to the primary special use, and will be located in an area of other piers. The proposed pier, as conditioned, will be consistent with all applicable design and development standards. The project will not alter, or intensify, the existing use on the property.

5. The project to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or the general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant’s property and that of surrounding property owners.

The project, as conditioned, includes all required mitigation fees, and BMPs. There is no evidence that the proposed use will be injurious or disturbing to the health, safety, enjoyment of property, or the general welfare of persons or property in the neighborhood or region.

6. The project to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable plan area statement, community plan and specific or master plan, as the case may be.

The proposed project will be in an area of existing residential and recreation uses. The pier is an allowed accessory structure to the existing residential use. The project will not alter the purpose of the applicable plan area statement, or change the character of the neighborhood.

7. This project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl nesting areas.

The proposed pier will be more than 90 percent open (single-piling design) and TRPA staff has determined that the project, as conditioned, will not impact fish habitat, littoral processes, backshore stability, or any on-shore wildlife habitat.

8. There are sufficient accessory facilities to accommodate the project.

The project is an accessory structure to a special use and the primary use facilities are capable of accommodating the proposed project.

9. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel.
or that modifications of such existing uses or structures will be undertaken to assure compatibility.

The project is a compatible accessory use to a special use and is compatible with other accessory uses (piers) in the vicinity.

10. The use proposed in the foreshore or nearshore is water-dependent.

This pier is located in the foreshore and nearshore of Lake Tahoe and is water-dependent.

11. Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of wood preservatives on wood in contact with the water. Storage of hazardous materials will not be allowed on the pier. Spray painting and the use of tributyltin (TBT) will be prohibited.

12. Construction and access techniques will be used to minimize disturbance to ground and vegetation.

The applicant shall not be permitted to store construction materials on the beach. Construction of the pier and installation of the boatlift will be via barge from Lake Tahoe. Disturbance to ground or vegetation shall be prohibited, except for the minimum necessary to provide access to the pier.

13. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The pier will not extend beyond TRPA's pierhead line and will not impact navigation on Lake Tahoe, or create a threat to public safety. This project must also be reviewed by the U.S. Army Corps of Engineers, and the Nevada Division of State Lands. These agencies make their own public safety findings.

14. TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA prior to action being taken on this project.

This project must receive approval from the U.S. Army Corps of Engineers, and the Nevada Division of State Lands and Department of Wildlife. Comments from the above agencies were solicited as part of the review of this project. No adverse comments were received from any of the above agencies.

15. There is no feasible alternative which avoids or reduces the amount of land coverage or disturbance proposed in the backshore.
The project, as conditioned, includes the minimum land coverage required for access to the pier, and all coverage will be mitigated in accordance with Sections 55.4 and 62.2 of the Code.

G. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section F above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment S.

2. Prior to commencement of construction the following special conditions of approval must be satisfied.

   a. The site plan shall include:

      (1) The following land coverage calculations:

         (a) Proposed land coverage for each land capability district including backshore area.

         NOTE: The pier access shall be no wider than 5 feet at any point. The pier access shall be constructed on grade where feasible, and at no point shall it exceed elevation 6232.

         The pier shall be designed using single piling construction with a width of 6 feet, until the final 45 feet of length when it may be expanded to a 10 foot width using dual piling construction. The pier plans shall be revised to reflect these design requirements, and they will not be waived without evidence from a qualified professional indicating that the structural integrity of the pier would be jeopardized by adherence to the standards.

      (2) Land capability district and backshore boundaries.

      (3) A note indicating that all barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment.

      (4) Temporary erosion control structures located downslope of the proposed construction area during permanent BMP installation on the upland property.
(5) Vegetation protective fencing around the entire construction site during permanent BMP installation on the upland property.

b. The security required under Standard Condition A.3 of Attachment S shall be determined upon the applicant's submittal of the required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.

c. The applicant shall submit plans, cost estimates and an installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area. All required BMPs outside of the construction site boundary up to a minimum of five percent of the estimated construction cost of the project, as well as all required BMPs inside the construction boundary, shall be installed prior to project completion. The balance of the required BMPs shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs.

d. The final construction drawings shall have notes indicating conformance to the following design standards for color:

(1) Color: The color of this structure shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earth tone colors are considered to be shades of reddish brown, brown, tan, ochre, umber and sand.

e. Final construction drawings shall conform to all the applicable design standards of Section 54.4.B, TRPA Code of Ordinances, and all other applicable TRPA design standards.

f. The applicant shall submit a pier mitigation fee of $4,700 for the construction of 140 feet of new pier and installation of one low-level boatlift.

g. The applicant shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures and turbidity screens will occur; when construction will start; when construction slash and debris will be removed; when installation of all permanent erosion control structures will occur; and when construction will be completed.

h. Final construction drawings shall have notes containing the following information:
(1) All work on the pier shall be performed by a rubber-tired barge from the lake to the greatest extent feasible.

(2) All construction work shall be restricted to the proposed pier "footprint". Footprint of the pier shall be defined as that area directly below the pier.

(3) The installation of all pier pilings shall utilize cassions. Disturbed sediment and turbidity shall be allowed to settle before removal of any cassion.

(4) Tarps shall be placed under the pier during construction to prevent falling debris from entering the lake.

(5) Storage of construction materials shall be prohibited on the beach.

i. The applicant shall submit for TRPA review and approval a plan for the restoration of land coverage in an amount equal to 1.5 times the area of land in the backshore covered or disturbed for the project beyond that allowed in Section 55.3 of the Code.

j. A water quality mitigation fee shall be paid to TRPA at the rate of $29 per square foot for additional land coverage being created as a result of the project.

k. The applicant shall submit 3 sets of final pier construction drawings and upland site plans to TRPA. The final pier plans shall be revised to include extended property lines to the pierhead line.

3. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.

4. No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.

5. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

6. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

7. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood
preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.

8. Disturbance of the lakebed materials shall be kept to the minimum necessary for project construction.

9. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site (in the water) prior to construction. This screen may be removed upon project completion only upon a satisfactory inspection by TRPA to insure that all suspended materials have settled.

10. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.

11. This structure shall not extend beyond the pierhead line as indicated on official TRPA maps.

12. No containers of fuel, paint, or other hazardous materials may be stored on the pier.

13. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas, before, during, or after construction.

15. The applicant shall submit post-construction photos within 30 days of the project completion date, demonstrating any resultant impacts to scenic quality as viewed from 300 feet from shore looking landward and to lake bottom conditions as viewed from the subject parcel.

16. Any lake bottom areas disturbed as a result of construction shall be returned to their natural state.

17. No trees or other plants shall be removed to provide foot or vehicular access to the pier during or after the project construction.

18. Any *Rorippa subumbellata* plants identified onsite shall be fenced and flagged with vegetative protection fencing to avoid disturbance during construction.

19. No raking of the beach or shoreline shall be allowed before, during, or after construction.

20. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawing when discrepancies occur.
21. No lighting shall be installed on the proposed pier without written TRPA approval.
PROPOSED NEW PIER

PURPOSE: PRIVATE RECREATIONAL USE

OWNER: DONALD & CAROLE CHAIKEN
1177 ESTATES DR.
LAFAYETTE, CA 94594

PROJECT ADDRESS: 550 U.S. HWY 50 ROUND HILL
APN 05-220-13 DOUGLAS COUNTY, NEVADA

ADJOINING PROPERTIES:
NORTH: APN 05-220-14 STEVEN BOURNE
SOUTH: APN 05-230-12 U.S.F.S.

SHOREZONE TOLERANCE DISTRICT: B
SOIL TYPE/LAND CAPABILITY: C&D (4) BACKSHORE BUFFER (1B)

SECTION

10 3/4" STEEL PILING
2x8 CEDAR DECKING
4X10 STRINGERS @ 24° O.C.
6" A BEAM (CAP)

PLANNING • ENGINEERING • SURVEYING
P.O. BOX 146
CARMEL VALLEY, CA 92037
(916) 546-3381

R B FOSTER
CIVIL ENGINEERING INC.

JOB NO. 89115 JANUARY 1990

109
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Urban/Ford Residential Pier Relocation and Multiple-Use Recognition

Application Type: Shorezone/Multiple-Use Recognition

Applicant(s): Ted Urban and Scott Ford

Applicant’s Representative: Ted Urban

Agency Staff: Jim Hamilton, Senior Planner

Location: 1464 and 1466 Pittman Terrace, Douglas County

Assessor’s Parcel Number/Project Number: 03-080-02 & 03

Project Description: The proposed project involves the removal of an existing 55 foot rock crib pier, existing boat tram, shed, and rails, and the removal of an existing 45 foot rock jetty. These structures will be replaced with a new 146 foot long multiple-use pier, located on the property line. The pier will be six feet wide and will use a single piling design for the first 130 feet. The remaining 16 feet of pier will be 20 feet wide and use dual piling construction. The project includes two low-level boatlifts, as well as two 45-foot long catwalks.

Site Description: This area of the foreshore lake bottom contains a cobble and boulder mix, with occasional small open areas of sand. It is mapped as feeding and escape cover fish habitat, and has been confirmed by the staff biologist. Both properties slope at approximately 17% - 20% toward the top of the backshore bluff, where it slopes at approximately 40% to the lake. The backshore bluff is well vegetated and stable. There are two residences located within the project area.

Issues: The proposed project involves the replacement of existing non-conforming shorezone facilities (based on fish habitat), with a non-conforming pier (based on fish habitat), and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Scenic Shoreline Unit 26 - Cave Rock is within this Plan Area:

The Scenic Shoreline Unit has a travel route rating of 10 which is in attainment with the scenic quality standard. The applicant has prepared a scenic quality analysis in order to assess potential impacts associated with the proposed pier. Staff has determined that the proposed pier, as conditioned, will not degrade the scenic threshold.

2. The Pittman Terrace Subdivision adjacent to the lake is unimproved and
generally lacks such basic improvements as infiltration facilities and paved driveways.

The project, as conditioned, will require full retrofit of the properties to current Best Management Practices standards.

3. The shoreline has been substantially altered with manmade facilities such as rock crib piers.

The project, as proposed, will result in the removal of an existing rock crib pier and a rock jetty, and it will also result in a permanent reduction in shorezone development potential.

4. Landscaping should be required as necessary to screen development on steep slopes from roadway and shorezone views.

The project, as conditioned, will include landscaping improvements to screen existing development on the properties.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the following environmental issues: water quality, littoral processes, fisheries and fish habitat, backshore stability, on-shore wildlife habitat, and Tahoe Yellow Cress, *Rorippa subumbellata*, habitat evaluation. A scenic quality analysis prepared by the applicant has been reviewed by TRPA. Conditions of approval ensure mitigation of scenic quality impacts. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the IEC will be made available at the Governing Board hearing and at TRPA.

B. Plan Area Statement: The project is located within Plan Area 62, Cave Rock. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is an allowed use.

C. Land Coverage:

1. Land Capability District:

   The mapped land capability districts of the project area are class la and Backshore. Assessor's Parcel Number 03-080-02 has had a successful Land Capability Challenge which has assigned the capability districts as class 4 and backshore. The total project area is approximately 19,286 square feet.

2. Existing Coverage: APN 03-080-02  APN 03-080-03

   Hard Coverage 2,540 square feet 999 square feet

   CONSENT CALENDAR ITEM 3
Soft Coverage 1,596 square feet 504 square feet
Total: 4,136 square feet 1,603 square feet

3. Proposed Coverage:
Hard Coverage 2,540 square feet 999 square feet
Soft Coverage 1,536 square feet 604 square feet
Total: 4,136 square feet 1,603 square feet

Note: The final proposed land coverage figures may be revised based on the requirement for additional land coverage to access the relocated pier.

4. Allowed Coverage: To be determined upon submittal of final plans which will delineate the backshore and land capability districts and their respective coverages.

5. Coverage Mitigation:
The applicant shall submit a site plan for both subject parcels delineating the backshore area and the land capability districts. In order to mitigate any existing excess coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances. Section 55.4.(d) of the Code allows for additional coverage in the backshore area to provide access to approved shorezone structures. In order to approve any additional coverage in the backshore the Governing Board must make finding 19 included in Section H.

D. Design Standards for Piers: The proposed pier deck elevation is 6,232 feet, Lake Tahoe Datum. This is consistent with Subsection 54.4.B(2) of the TRPA Code. The two low level boatlifts will extend four feet above the pier deck elevation. The width of the pier, as proposed, exceeds the width standard for piers by 10 feet, however this standard, and the standard for the number of boatlifts, may be exceeded for facilities recognized as multiple-use by the Governing Board.

E. Location Standards for Piers: The applicant proposes that the TRPA waive the 20 foot setback standard from the parcel lines, as well as the prohibition on extending beyond lake bottom elevation 6219, as permitted for piers recognized as multiple-use by the Governing Board. The applicants pier will be located on the property line separating the parcels.

F. Shorezone Tolerance District: The subject parcel is located within Shorezone Tolerance District 2. The project, as conditioned, complies with the shorezone tolerance district standards.

G. Recognition of Multiple-Use Facility: By approving the relocated pier,
the Governing Board shall be recognizing the facility as multiple-use. The applicants shall jointly utilize the pier, and a deed restriction shall be recorded permanently limiting development potential on the subject parcels to the single multiple-use pier. Each parcel owner shall have physical access to the pier.

H. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 50, and 52, of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

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.

   a. Land Use: The applicants will be required to mitigate any
      existing excess land coverage and apply BMPs to the project area.
      This project will not affect the allowed land use on this site.
      Residential piers are allowed accessory structures in the Plan
      Area for this property.

   b. Transportation: The pier will not adversely impact
      transportation in the Lake Tahoe Basin. Piers located within the
      limits of the TRPA-approved pierhead line have been determined
      not to pose a threat to navigation.

   c. Conservation: The project, as conditioned, is consistent with
      the fisheries, shorezone, and scenic subelements of the
      Conservation Element of the Goals and Policies. The project is
      located within Scenic Shoreline Unit 10 which has an acceptable
      scenic threshold. The applicant has prepared a scenic quality
      analysis in order to assess potential scenic quality impacts
      associated with the proposed project. Staff has determined that
      the project, as conditioned, will not degrade the scenic
      threshold standard. Fisheries is discussed further in paragraph
      4, below.

   d. Recreation: This project will not adversely impact public
      recreation on Lake Tahoe. In addition, the project would not
      interfere with public access along the shoreline and is
      consistent with the Recreation Element of the Goals and Policies.

   e. Public Service and Facilities: This project does not affect
      public services or facilities in the Lake Tahoe Basin.

   f. Implementation: This project is consistent with the
      Implementation Element of the Goals and Policies.

2. The project will not cause the environmental threshold carrying
   capacities to be exceeded.
The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

4. This project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl nesting areas.

The proposed pier will be more than 90 percent open and based on the IEC, TRPA staff has determined that the project, as conditioned, will not impact fish habitat, littoral processes, backshore stability, or any on-shore wildlife habitat.

5. There are sufficient accessory facilities to accommodate the project.

The project involves accessory structures to an allowed use and the primary facilities are capable of accommodating the proposed project.

6. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

The project involves compatible accessory uses to an allowed use and is compatible with other accessory uses in the vicinity.

7. The use proposed in the foreshore and nearshore is water-dependent.

The pier is located in the foreshore and nearshore of Lake Tahoe and is water-dependent.

8. Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of wood preservatives on wood in contact with the water. Storage of hazardous materials will not be allowed on the pier. Spray painting and the use of tributyltin (TBT) will be prohibited.

9. Construction and access techniques will be used to minimize disturbance to ground and vegetation.
The applicant shall not be permitted to store construction materials on the beach. Relocation and extension of the pier and relocation of will be via a barge from Lake Tahoe. Disturbance to ground or vegetation shall be prohibited.

10. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The pier will not extend beyond TRPA's pierhead line and will not impact navigation on Lake Tahoe, or create a threat to public safety. This project must also be reviewed by the Nevada Division of State Lands, and U.S. Army Corps of Engineers. These agencies typically make their own public safety findings in addition to TRPA's.

11. TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA prior to action being taken on this project.

This project must receive approval from the Nevada Division of State Lands, and the U.S. Army Corps of Engineers. Comments from the above agencies were solicited as part of the review for this project. No adverse comments were received from any of the above agencies.

12. The structure does not cause significant shoreline erosion or interference with sediment transport.

A site review indicates no buildup of sediments in the proximity of the existing structure and based on information contained in the I.E.C., the relocation and extension of the pier will not degrade the existing situation.

13. The project is in compliance with the scenic threshold.

The applicant has prepared a scenic quality analysis in order to assess potential scenic quality impacts associated with the proposed project. Staff has determined that the project, as conditioned, will not cause a degradation of the scenic threshold standard for this unit.

14. The structure has not been unserviceable for more than five years.

The existing rock crib structure has been continually serviceable, but low lake levels have made the pier unusable.

15. The project does not increase the extent to which the structure does not comply with the development standards.

The project involves the relocation and extension of a nonconforming pier (based on fish habitat and setback) and does not increase the extent to which the pier does not comply with the development
standards with those exceptions granted for facilities recognized as multiple-use.

16. **The expansion complies with all applicable standards.**

The pier relocation and extension complies with all applicable standards. These standards include the length standards for piers (54.4.A(4)), the setback standards for piers 54.4.A(5), and the 90 percent open foundation standard for piers (54.4.B(3)), with those exceptions provided for facilities recognized as multiple-use. Code Interpretation 1988-4 clarifies Section 52.3.G(1), (2), and (3) to state that expansions of existing structures must comply with all development standards with the possible exception of the placement standards pertaining to stream inlets and fish habitat areas. The project is located in a fish spawning habitat, but staff has determined, based on the I.E.C. and the TRPA staff biologist's determination, that the placement standard for fish habitat areas is not applicable.

17. **The project complies with the requirements to install BMPs as set forth in Chapter 25.**

Conditions of approval insure that all required BMPs will be installed.

18. **The project complies with the design standards in Section 53.10.**

The proposed pier relocation and extension, as conditioned, will be composed of non-glare earth tone or wood tone materials to minimize reflectivity.

19. **The amount of land coverage proposed is the minimum necessary to provide access to the structure or use, and the impacts of coverage and disturbance are mitigated in the manner prescribed in Subparagraph 55.4.A(5).**

The project, as conditioned, will include the minimum amount of land coverage required for access to the relocated pier. The coverage created will be mitigated in the manner prescribed in Subparagraph 55.4.A(5), including the implementation of appropriate BMPs within the project area, and restoration in accordance with Subsection 20.4.C in the backshore or a stream environment zone in the amount of 1.5 times the area of land in the backshore disturbed for the project beyond that permitted in Section 55.3.

H. **Required Actions and Findings:** Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section G above, and a finding of no significant environmental effect.
II. A motion to approve the project, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment S, with the following modifications:

2. Prior to commencement of construction the following special conditions of approval must be satisfied:

   a. The site plan shall be revised to include:

      NOTE: The applicants shall prepare site plans for each parcel which contain land coverage calculations for existing, allowed, and proposed coverage by land capability district. The plans shall also include the relevant land capability district boundaries. The plans must depict the existing coverage within the backshore which will be relocated to provide the required access to the pier. The required plans must be in conformance with previous TRPA approvals.

      (1) A three inch layer of gravel (3/4" drainrock) beneath all raised decks.

      (2) A note indicating: "All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment."

      (3) Dripline infiltration trenches, sized 18" wide x 8" deep, constructed beneath all roof driplines.

      (4) Temporary erosion control structures located downslope of the proposed construction materials storage area.

      (5) Vegetation protective fencing around the entire construction materials storage area.

   b. The security required under Standard Condition A.3 of Attachment S shall be determined upon the applicant's submittal of all required temporary required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.

   c. The applicants shall submit plans, cost estimates and installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area. All required BMPs outside of the construction site boundary up to a minimum of five percent of the estimated construction cost of the project, as well as all required BMPs inside the
construction boundary, shall be installed prior to project completion. The balance of the required BMPs shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs.

d. The applicant shall mitigate excess land coverage on this property by submitting an excess coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 3 (see attached map).

The excess coverage mitigation fee shall be calculated as follows:

1. Estimated Project Construction Cost x 0.80 (1990 Fee Reduction) x Percent Fee.

Please provide a construction cost estimate by your contractor, architect or engineer. Use Table A, below, to calculate the percent fee. (Note: The percent fee should be converted to decimal form when performing calculations. For example: A percent fee of 0.06% should be represented in decimal form as 0.0006.) In no case shall the mitigation fee be less than $100.00.

Excess land coverage may be removed in lieu of an excess coverage mitigation fee. To calculate the amount of excess coverage to be removed use the following formula:

2. Excess coverage mitigation fee (per formula (1), above) divided by $5.00 per square foot.

If you choose this option, please revise your final site plan and land coverage calculations to account for the coverage removal.

<table>
<thead>
<tr>
<th>Square Feet of Excess Coverage</th>
<th>Percent Fee</th>
<th>Square Feet of Excess Coverage</th>
<th>Percent Fee</th>
</tr>
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<td>400 or less 400-600 600-1,000 1,000-1,500 1,500-2,000 2,000-2,800 2,800-3,800 3,800-5,000</td>
<td>.06% .12 .25 .50 .75 1.00 1.25 1.50</td>
<td>11,000-15,000 15,000-18,000 18,000-21,780 21,780-43,560 43,560-65,340 65,340-87,120 87,120-108,900 108,900-130,680</td>
<td>2.50% 2.75 3.00 3.25 3.50 3.75 4.00 4.25</td>
</tr>
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</table>
### Urban-Ford Pier Relocation and Expansion/Multiple-Use Recognition

#### Page 10

| 5,000-6,400  | 1.75  | 130,680-152,460 | 4.50 |
| 6,400-8,000  | 2.00  | 152,460-174,240 | 4.75 |
| 8,000-11,000 | 2.25  | 174,240 or greater | 5.00 |

**e.** The final construction drawings shall have notes indicating conformance to the following design standards for color:

(1) **Color:** The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, umber and sand.

**f.** Final construction drawings shall conform to all the applicable design standards of Section 54.4.B, TRPA Code of Ordinances, and all other applicable TRPA design standards, with the exception of those deviations allowed for this project based on the recognition of the facility as multiple use.

**g.** The applicant shall submit a pier mitigation fee of $3,730 for the construction of 91 feet of new pier, and the addition of two low-level boatlifts.

**h.** The applicant shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures and turbidity screens will occur; when construction will start; when construction slash and debris will be removed; when installation of all permanent erosion control structures will occur; and when construction will be completed.

**i.** Final construction drawing shall have notes containing the following information:

(1) All work on the pier relocation and extension shall be performed by a barge from the lake, to the greatest extent feasible.

(2) Any lake bottom disturbance shall be corrected using handrollers to reconsolidate any disturbed shorezone sediments.

(3) All disturbed lake bottom cobbles shall be

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returned to their natural state, preferably in a contiguous manner consistent with the natural setting (i.e., not stacked).

(4) The removal and installation of all pier pilings shall utilize cassettes. Disturbed sediment and turbidity shall be allowed to settle before removal of any casser.

(5) Tarps shall be placed under the pier during construction to prevent falling debris from entering the lake.

(6) Storage of construction materials shall be prohibited on the beach or within 50 feet of the beach bluff.

j. The applicant shall prepare a plan for the removal and dispersal of the rocks contained in the rock crib pier and rock jetty. The plan shall be approved by TRPA. The plan shall be subject to the following design standards at a minimum:

(1) No portion of the existing rock material used under the relocated pier shall extend above the highwater line (6229.1 feet).

(2) Rock shall be placed on the lake bottom contiguous to one another and not deeper than lake bottom elevation 6204 feet nor above elevation 6223 feet, or as required by the affected agencies.

(3) The placement of all rock shall be identified on a map as to its location.

(4) The maximum elevation above the lake bottom of the dispersed rock material shall be based on the recommendations of those agencies with jurisdiction over boating safety within the lake.

k. The applicant shall provide a landscaping plan for the project area which provides additional vegetative screening of existing development within the project area.

m. The applicants shall provide a plan for restoration in accordance with Subsection 20.4.0 in the backshore or a stream environment zone in the amount of 1.5 times the area of land in the backshore disturbed for the project beyond that permitted in Section 55.3 of the TRPA Code.

n. The applicant shall submit 3 sets of final pier construction drawings and upland site plans for each property to TRPA.
3. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.

4. No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.

5. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

6. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

7. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.

8. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.

9. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of the construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site prior to removal of the existing rock crib pier and rock jetty. This screen may be removed upon a satisfactory inspection by TRPA to insure that all suspended materials have settled.

10. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.

11. This structure shall not extend beyond the pierhead line as indicated on official TRPA maps.

12. No containers of fuel, paint, or other hazardous materials may be stored on the pier.
13. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas, before, during, or after construction.

14. Only the boulders designated on the required plan to be moved shall be relocated. Boulders shall be moved to an approved location.

15. The applicant shall submit post-construction photos within 30 days of the project completion date, demonstrating any resultant impacts to scenic quality as viewed from 300 feet from shore looking landward and to lake bottom conditions as viewed from the subject parcel.

16. All work shall be performed from a rubber-tired barge from the lake to minimize lake bottom disturbance.

17. All construction work shall be performed within the pier "footprint." The pier footprint shall be defined as that area directly below the pier.

18. Any lake bottom areas disturbed as a result of construction shall be returned to their natural state.

19. The installation of new pilings shall utilize cassets. Disturbed sediments and turbidity shall be allowed to settle before removal of any casset.

20. The storage of construction materials shall be prohibited on the beach and within 50 feet of the bluff of the beach.

21. No trees or other plants shall be removed to provide foot or vehicular access to the pier during or after the project construction.

22. No raking of the beach or shoreline shall be allowed before, during, or after construction.
Project Name: Villicana New Residential Pier

Application Type: Shorezone.

Applicant: Sue Villicana.

Applicant's Representative: Jan Brisco.

Agency Planner: Jim Hamilton, Senior Planner.

Location: 8527 Kehlet Drive (Meeks Bay Drive), Meeks Bay, El Dorado County

Assessor's Parcel Number/Project Number: 16-101-84

Project Description: The applicant proposes to construct a new single-use residential pier. The proposed pier will be approximately 175 feet long and will extend to within 10 feet of the TRPA pierhead line. There will be a single 45 foot long by 2.5 foot wide catwalk, as well as a low level boat lift. The pier will be 6 feet wide for the first 130 feet and will be constructed using a single piling design. The final 45 feet of the pier will be 10 feet wide and will use dual pile construction. The pier, as conditioned, is consistent with all applicable TRPA design and development standards. The staff biologist has verified that the pier will not be located in an area mapped as fish habitat.

Site Description: The project site is located in Rubicon Bay approximately 700 feet to the south of Meeks Bay Lane. This area of foreshore contains a primarily sandy bottom with scattered small cobbles and occasional boulders. One single family dwelling is located on the littoral parcel, which slopes at 50% plus to the lakeshore. There is an existing stabilized access (stairway) to highwater.

Issues: The proposed project involves the construction of a new residential pier and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC), in order to assess the following environmental issues: water quality, littoral processes, fisheries and fish habitat, backshore stability, on-shore wildlife habitat, and Tahoe Yellow Cress (Rorippa subumbellata), habitat evaluation. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the IEC will be made available at the Governing Board hearing and at TRPA.

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9/12/90

CONSENT CALENDAR ITEM 4
B. Plan Area Statement: The project is located within Plan Area 149 - Rubicon. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the Plan Area Statement and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is designated as an allowed use in this Plan Area.

C. Land Coverage:

1. Land Capability District:
   
The mapped land capability of the project area is Class 1a and backshore. The total project area is approximately 10,575 square feet in size.

2. Existing Coverage:
   
   Buildings: 1,293 square feet
   Driveway/Path: 966 square feet
   Stairs/Landing: 268 square feet
   
   TOTAL: 2,527 square feet

3. Proposed Coverage:
   
   Buildings: 1,293 square feet
   Driveway/Path: 966 square feet
   Stairs/Landing: 268 square feet
   Pier Access: 60 square feet

   TOTAL: 2,587 square feet

4. Allowed Coverage:
   
   Class 1a: 74 square feet
   Backshore: 105 square feet

   Total: 105 square feet

5. Coverage Mitigation: Based on the above coverage figures the project area contains approximately 2,422 square feet of excess land coverage. In order to mitigate the existing excess coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances.

The applicant shall be required to mitigate the coverage required for access to the pier (60 square feet), pursuant to Sections 55.3 and 55.4 of the TRPA Code of Ordinances. In order to approve the additional coverage in the backshore, the Governing Board must make finding 11 included in Section F, below.
D. **Pier Height:** The proposed pier deck elevation is 6,231 feet, Lake Tahoe Datum. The low-level boatlift will extend four feet above the pier deck elevation. This is consistent with Section 54.4.B(2) of the TRPA Code.

E. **Shorezone Tolerance District:** The subject parcel is located within Shorezone Tolerance District 2. The project, as conditioned, complies with the shorezone tolerance district standards.

F. **Required Findings:** The following is a list of the required findings as set forth in Chapters 6 and 50 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the required finding may be made.

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.
   a. **Land Use:** The applicant will be required to apply BMPs to the project area. This project will not affect the allowed land use on this site. Residential piers are allowed accessory structures in the Plan Area for this property.
   b. **Transportation:** This pier will not adversely impact transportation in the Lake Tahoe Basin. Piers located within the limits of the TRPA-approved pierhead line have been determined not to pose a threat to navigation.
   c. **Conservation:** The project, as conditioned, is consistent with the fisheries, shorezone, and scenic subelements of the Conservation Element of the Goals and Policies. The project is located in Scenic Shoreline Unit 9 which has an acceptable scenic rating. Staff has determined, that based on visual simulations provided by the applicant and other available information, the pier location, color and design will not degrade the shoreline scenic rating. Fisheries are discussed further in finding 4;
   d. **Recreation:** This project will not adversely impact public recreation on Lake Tahoe. In addition, the project will not interfere with public access along the shoreline and is consistent with the Recreation Element of the Goals and Policies.
   e. **Public Services and Facilities:** This project does not affect public services or facilities in the Lake Tahoe Basin.
   f. **Implementation:** This project is consistent with the Implementation Element of the Goals and Policies.

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

JH
9/12/90

CONSENT CALENDAR ITEM 4
The basis for this finding is provided on the checklist entitled "Checklist: Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

3. Wherever Federal, State, or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(4) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

4. There are sufficient accessory facilities to accommodate the project.

The project is an accessory structure to an allowed use and the primary use facilities are capable of accommodating the proposed project.

5. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

The project is a compatible accessory use to an allowed use and is compatible with other accessory uses (piers) in the vicinity.

6. The use proposed in the foreshore or nearshore is water-dependent.

This pier is located in the foreshore and nearshore of Lake Tahoe and is water-dependent.

7. Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of wood preservatives on wood in contact with the water. Storage of hazardous materials will not be allowed on the pier. Spray painting and the use of tributyltin (TBT) will be prohibited.

8. Construction and access techniques will be used to minimize disturbance to ground and vegetation.

The applicant shall not be permitted to store construction materials on the beach. Construction of the pier and installation of the boatlift will be via barge from Lake Tahoe. Disturbance to ground or vegetation shall be prohibited.

9. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.
The pier will be constructed to a point 10 feet short of the TRPA pierhead line. Piers constructed within the pierhead line have been determined not to pose a threat to navigation. This project must also be reviewed by the California State Lands Commission and the U.S. Army Corps of Engineers. These agencies make their own public safety findings.

10. TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA prior to action being taken on this project.

This project must receive approval from the California State Lands Commission, the U.S. Army Corps of Engineers, and California Fish and Game. Comments from the above agencies were solicited as part of the review of this project. No adverse comments were received from any of the above agencies.

11. There is no feasible alternative which avoids or reduces the amount of land coverage or disturbance proposed in the backshore.

The project as proposed includes the minimum land coverage required for access to the pier, and all coverage will be mitigated in accordance with Section 55.4 of the Code.

G. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section F above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment S.

2. Prior to commencement of construction the following special conditions of approval must be satisfied.

a. The site plan shall include:

(1) The following land coverage calculations:

(a) Allowable land coverage for each land capability district including backshore area.

   Class 1a: 74 square feet
   Backshore: 31 square feet

(b) Existing land coverage for each land capability...
district including backshore area, this shall include the following revised coverage calculations.

Buildings: 1,293 square feet
Total: 2,527 square feet

(c) Proposed land coverage for each land capability district including backshore. This shall include the additional land coverage required for access to the pier above the highwater line.

(2) Land capability district and backshore boundaries.

(3) A note indicating that all barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment.

(4) Temporary erosion control structures located downslope of the proposed construction area during permanent BMP installation on the upland property.

(5) Vegetation protective fencing around the entire construction site during permanent BMP installation on the upland property.

b. The security required under Standard Condition A.3 of Attachment S shall be determined upon the applicant's submittal of the required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.

c. The applicant shall submit plans, cost estimates and an installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area. All required BMPs outside of the construction site boundary up to a minimum of five percent of the estimated construction cost of the project, as well as all required BMPs inside the construction boundary, shall be installed prior to project completion. The balance of the required BMPs shall be installed as follows: At least 50 percent of the BMPs shall be installed within five years and 100 percent within ten years, as determined by an estimate of the cost of the BMPs.

d. The final construction drawings shall have notes indicating conformance to the following design standards for color:

(1) Color: The color of this structure shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered
to be shades of reddish brown, brown, tan, ochre, umber and sand.

e. Final construction drawings shall conform to all the applicable design standards of Section 54.4.B, TRPA Code of Ordinances, and all other applicable TRPA design standards.

f. The applicant shall submit a pier mitigation fee of $5,750 for the construction of 175 feet of new pier and installation of one low-level boatlift.

g. The applicant shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures and turbidity screens will occur; when construction will start; when installation of all permanent erosion control structures will occur; and when construction will be completed.

h. Final construction drawings shall have notes containing the following information:

(1) All work on the pier shall be constructed by rubber-tired or floating barge from the lake.

(2) All construction work shall be restricted to the proposed pier "footprint". Footprint of the pier shall be defined as that area directly below the pier.

(3) Lake bottom cobbles/boulders shall be returned to their natural state, preferably in a contiguous manner consistent with the natural setting, not stacked.

(4) The installation of all pier pilings shall utilize cassions. Disturbed sediment and turbidity shall be allowed to settle before removal of any cassion.

(5) Tarps shall be placed under the pier during construction to prevent falling debris from entering the lake.

(6) Storage of construction materials shall be prohibited on the beach or within 50 feet of the beach bluff.

i. The permittee shall mitigate excess land coverage on this property by submitting an excess coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 6 (see attached map).

The excess coverage mitigation fee shall be calculated as follows:

131
(1) Estimated Project Construction Cost x 0.80 (1990 Fee Reduction) x Percent Fee.

Please provide a construction cost estimate by your contractor, architect or engineer. Use Table A, below, to calculate the percent fee. (Note: The percent fee should be converted to decimal form when performing calculations. For example: A percent fee of 0.06% should be represented in decimal form as 0.0006.) In no case shall the mitigation fee be less than $100.00.

Excess land coverage may be removed in lieu of an excess coverage mitigation fee. To calculate the amount of excess coverage to be removed use the following formula:

(2) Excess coverage mitigation fee (per formula (1), above) divided by $5.00 per square foot.

If you choose this option, please revise your final site plan and land coverage calculations to account for the coverage removal.

**TABLE A**

<table>
<thead>
<tr>
<th>Square Feet of Excess Coverage</th>
<th>Percent Fee</th>
<th>Square Feet of Excess Coverage</th>
<th>Percent Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 or less</td>
<td>.06%</td>
<td>11,000-15,000</td>
<td>2.50%</td>
</tr>
<tr>
<td>400- 600</td>
<td>.12%</td>
<td>15,000-19,000</td>
<td>2.75%</td>
</tr>
<tr>
<td>600- 1,000</td>
<td>.25%</td>
<td>19,000-21,780</td>
<td>3.00%</td>
</tr>
<tr>
<td>1,000- 1,500</td>
<td>.50%</td>
<td>21,780-43,580</td>
<td>3.25%</td>
</tr>
<tr>
<td>1,500- 2,000</td>
<td>.75%</td>
<td>43,560-65,340</td>
<td>3.50%</td>
</tr>
<tr>
<td>2,000- 2,800</td>
<td>1.00%</td>
<td>65,340-87,120</td>
<td>3.75%</td>
</tr>
<tr>
<td>2,800- 3,800</td>
<td>1.25%</td>
<td>87,120-108,900</td>
<td>4.00%</td>
</tr>
<tr>
<td>3,800- 5,000</td>
<td>1.50%</td>
<td>108,900-130,680</td>
<td>4.25%</td>
</tr>
<tr>
<td>5,000- 6,400</td>
<td>1.75%</td>
<td>130,680-152,460</td>
<td>4.50%</td>
</tr>
<tr>
<td>6,400- 8,000</td>
<td>2.00%</td>
<td>152,460-174,240</td>
<td>4.75%</td>
</tr>
<tr>
<td>8,000-11,000</td>
<td>2.25%</td>
<td>174,240 or greater</td>
<td>5.00%</td>
</tr>
</tbody>
</table>

j. The applicant shall submit for TRPA review and approval a plan for the restoration of land coverage in an amount equal to 1.5 times the area of land in the backshore covered or disturbed for the project beyond that allowed in Section 55.3 of the Code.

k. The applicant shall submit 3 sets of final pier construction drawings and upland site plans to TRPA.

3. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.
4. No trees shall be removed or trimmed for view enhancement purposes without prior TRPA written approval.

5. The adequacy of all required EMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

6. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

7. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe. Spray painting and the use of tributyltin is prohibited.

8. Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.

9. Best practical control technology shall be employed to prevent earthen materials to be resuspended as a result of pier construction and from being transported to adjacent lake waters. The applicant shall install a turbidity screen around the entire construction site (in the water) prior to construction. This screen may be removed upon project completion only upon a satisfactory inspection by TRPA to insure that all suspended materials have settled.

10. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.

11. This structure shall not extend beyond the pierhead line as indicated on official TRPA maps.

12. No containers of fuel, paint, or other hazardous materials may be stored on the pier.

13. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas, before, during, or after construction.

14. Only the boulders designated on the site plan to be moved shall be moved. Boulders shall be moved to an approved location.

15. The applicant shall submit post-construction photos within 30 days of the project completion date, demonstrating any resultant impacts to scenic quality as viewed from 300 feet from shore looking landward and to lake bottom conditions as viewed from the subject parcel.
16. No trees or other plants shall be removed to provide foot or vehicular access to the pier during or after the project construction.

17. Any *Norpina subumbellata* plants identified onsite shall be located, fenced and flagged with vegetative protection fencing to avoid disturbance during construction.

18. No raking of the beach or shoreline shall be allowed before, during, or after construction.

19. There shall be no removal or relocation of native plants, unless under the direction of a qualified botanist recognized by the California State Lands Commission and/or California Department of Fish and Game.

20. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

21. The applicant shall provide a plan for the screening and/or painting of the lower portion of the residence to mitigate scenic impacts resulting from the proposed project. The required plans shall be provided prior to acknowledgement of the permit.
ADJOINING PROPERTIES:
NORTH: 16-101-83
SOUTH: 16-101-85

BRISCO ENTERPRISES
Post Office Box 7468
Tahoe City, California 95730
(916) 583-6832

PROPR. RECREATIONAL PIER
8527 MECKS BAY AVE.
MECKS BAY
APN 16-101-84
ELDORADO COUNTY CA

APPLICATION BY:
SUE VILLICANA
PO. BOX 90577
PASADENA, CA 91109

JOB NO. 8-127 JULY, 1995
Project Name: Fish Habitat Enhancement and Scientific Study - Phase II

Application Type: Shorezone

Applicant: California Tahoe Conservancy

Applicant's Representative: David Gregorich

Agency Staff: Jim Hamilton, Senior Planner

Location: At a location in the nearshore of Lake Tahoe just northwest of Camp Richardson, off Kiva Beach.

Assessor's Parcel Number/Project Number: 520-111-90

Project Description: In 1987 the California Tahoe Conservancy implemented, and TRPA approved, the Offshore Fish Habitat Enhancement Project. This project created two artificial reef areas on the south shore of Lake Tahoe in order to study and address the lack of prime fish habitat in the nearshore areas of the lake. The proposed project involves the expansion of the artificial reef area off of Kiva Beach. These artificial reefs will provide fish feeding, spawning, and cover areas in the lake. Information gathered during Phase I of the project indicates that the artificial reefs have attracted significant numbers of fish and crayfish.

The proposed expansion will incorporate different designs to determine which type of habitat structure is the most cost effective and the best suited for different fish species or life stages of fish. The existing site has 5 separate boulder clusters, and the project proposes to add 2 additional clusters. The first type of structure design will connect two of the existing boulder clusters using a boulder and cobble mix to create a larger habitat area. The second type of design will experiment with the boulder/cobble mix. The existing structures are composed of boulders surrounding cobble for greater surface area and interstitial spaces. One of the new clusters will be composed entirely of boulders (2 to 3 feet in diameter), and the other structure will be composed of cobble (8 to 10 inches in diameter).

All boulders and cobble will be placed by barge at the habitat location. Cargo netting will be used to lower the boulders and cobble to the lake bottom. Approximately 200 cubic yards of native clean rock will be used for the reef structures. In addition, Conservancy and U.S.F.S. personnel will monitor the site on an ongoing basis to evaluate the success of the project.

Site Description: The Kiva Beach site consists of a primarily sandy bottom with some sparsely scattered boulders. The boulders/cobble will be placed approximately 20 to 30 feet below the lake surface. The existing site contains 5 boulder/cobble reefs, separated by approximately 10-20 feet of open sand.
Issues: The proposed project involves fish habitat restoration (a special use in the shorezone), and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Permissible Uses (Shorezone):

Section 51.2.C of the TRPA Code of Ordinances allows for fish habitat restoration and scientific study projects as a special use in the shorezone and lakezone provided findings 12, 13, 14, and 15 of Section C, below, can be made.

2. The project is within Shorezone Tolerance District 7:

The project area is within Shorezone Tolerance District 7, which is relatively level (0 -9% slopes) and is underlain by moranic and alluvial materials. The project, as proposed, is consistent with the Shorezone Tolerance District Standards.

3. Fish Habitat:

Section 79.2.A of the TRPA Code requires that fish habitat within the lake be protected. Fish habitat restoration projects are permitted in the nearshore and the foreshore under this section of the Code.

4. Development Standards:

Section 54.14.B of the TRPA Code allows for the placement of fill material in the shorezone or lakezone providing finding 16 of Section C, below, can be made.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (I.E.C.) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.

B. Plan Area Statement: The project is located within Plan Area 127, Camp Richardson. The Land Use Classification is Recreation and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies.

C. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 50, 51, and 54 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.
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.

   a. Land Use: This project will not affect the allowed land use in the project area, and is consistent with the Land Use Element of the Regional Plan.

   b. Transportation: The project as conditioned must comply with the requirements of the Army Corps of Engineers and other agencies responsible for navigation and boating safety on the lake. There is no part of the project which will adversely affect the implementation of the Transportation Element of the Regional Plan.

   c. Conservation: The project, as conditioned, is consistent with the fisheries, and shorezone subelements of the Conservation Element of the Goals and Policies. Fisheries is discussed further in Finding 4, below.

   d. Recreation: This project will not adversely impact public recreation on Lake Tahoe and is consistent with the Recreation Element of the Goals and Policies.

   e. Public Service and Facilities: This project does not affect public services or facilities in the Lake Tahoe Basin.

   f. Implementation: This project is consistent with the Implementation Element of the Goals and Policies.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

4. This project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl nesting areas.
Based on the IEC and other available information, TRPA staff has determined that the project, as conditioned, will not impact fish habitat, littoral processes, backshore stability, or any on-shore wildlife habitat.

5. **There are sufficient accessory facilities to accommodate the project.**

The project, as proposed, requires no accessory facilities to operate.

6. **The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.**

The project is a compatible use with other primarily recreation related uses in the immediate vicinity.

7. **The use proposed in the foreshore and nearshore is water-dependent.**

The reef site is located in the foreshore and nearshore of Lake Tahoe and is water-dependent.

8. **Measures will be taken to prevent spills or discharges of hazardous materials.**

This approval prohibits the use of hazardous materials in project construction, and requires that appropriate measures be taken to insure there are no discharges of construction materials to the waters of Lake Tahoe.

9. **Construction and access techniques will be used to minimize disturbance to ground and vegetation.**

The applicant shall not be permitted to store construction materials on the beach. Construction and modification of the existing reefs will be via a barge from Lake Tahoe. Disturbance to ground or vegetation shall be prohibited.

10. **The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.**

Based on the available information, staff has determined that the proposed project will not impact navigation on Lake Tahoe, or create a threat to public safety. The applicants must receive approval from the Army Corps of Engineers, California State Lands Commission, and the Lahontan Regional Water Quality Control Board. These agencies typically make their own public safety findings in addition to TRPA's.

11. **TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments**
received were considered by TRPA prior to action being taken on this project.

Comments from all affected agencies were solicited as part of the review of this project. No adverse comments were received from any of the agencies.

12. The project, to which the use pertains, is of such a nature, scale, density, intensity, and type, to be an appropriate use for the parcel on which, and the surrounding area, in which it will be located.

The project is intended to create and/or enhance prime fish habitat in the nearshore near Kiva Beach. Prime fish habitat includes those nearshore areas with suitable bottom characteristics providing for fish spawning, feeding, and escape cover. The project, involving cobble and boulder clusters, is intended to provide scientific information on the best methods of habitat enhancement. The project design, developed with the assistance of the California Department of Fish and Game, USFS, and TRPA, is of an appropriate nature and scale to achieve its purpose.

13. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or in the Region.

The project will not pose a threat to public health and safety, or to neighboring property. The project site is located more than 300 feet offshore and will not have an effect on adjacent landowners. The project improvements will not rise more than three feet above the lake bottom, and will be located in 20 to 30 feet of water.

14. The applicant has taken reasonable steps to protect the land, water, and air resources of both the applicant’s property and that of surrounding property owners.

The project design includes consideration for the protection of the natural resources of the Basin. Specifically, the rocks and boulders used will be clean, and the construction methods will minimize the amount of lake bottom disturbance.

15. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable Plan Area Statement.

The project is designed to achieve positive environmental benefits, and supports or implements a number of planning considerations. The project will enhance fish habitat, an appropriate and desirable use in the nearshore area. The project is consistent with Plan Area Statement 127 - Camp Richardson. The project also responds to the recommendations of TRPA’s October 28, 1986 Symposium on Fisheries and Fish Habitat in Lake Tahoe, which called for the addition of artificial substrates to create habitat. Finally, the project...
responds to TRPA's environmental threshold for lake fish habitat, which in part calls for the upgrading of approximately 3,000 acres of habitat to reach a goal of 5,000 acres of excellent nearshore fish habitat for Lake Tahoe.

16. The placement of fill (rocks/cobble) in the shorezone is beneficial to the existing shorezone conditions.

As described in Finding 15 above, the project is designed to improve the existing fish habitat condition in the shorezone. In addition, the information acquired through the monitoring program can be used to improve fish habitat in other areas around the lake.

D. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section C above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

(1) The Standard Conditions of Approval listed in Attachment S, where applicable.

(2) Prior to commencement of construction the following special conditions of approval must be satisfied:

(a) The applicant shall submit a projected construction completion schedule to TRPA prior to commencement of construction.

(b) The applicant shall submit 3 sets of final construction drawings and site plans to TRPA.

(3) This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

(4) Disturbance of the lake bed materials shall be kept to the minimum necessary for project construction.
(5) The discharge of construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.

(6) All construction activity shall take place during the non-spawning season, between July 1 and October 1, unless written approval to operate outside the above listed dates is received from TRPA.
OFFSHORE FISH HABITAT ENHANCEMENT PROJECT
Existing Layout of Site off of Klva Beach
Proposed Addition to Sandy Site Off of Kiva Beach

Combine boulder clusters 1 and 2 using boulder/cobble mix.

1. 

2. 

3. 

4. 

5. 

proposed rubble only site

proposed rubble only site
NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 - 10th Street, Room 121
Sacramento, CA 95814

FROM: California Tahoe Conservancy
2161 Lake Tahoe Boulevard
South Lake Tahoe, CA 95731

Project Title
Offshore Fish Habitat Enhancement II

Project Location - Specific
At the southwest end of Lake Tahoe

Project Location - City
Project Location - County

N/A

Description of Nature, Purpose, and Beneficiaries of Project
Placement of clean granite boulders on the bottom of Lake Tahoe for the expansion of artificial reef site to enhance fish habitat. Project will be undertaken at existing artificial reef site incorporating different designs in order to determine which type (or types) of structure is the best design for different species or different life stages of fish.

Name of Public Agency Approving Project
California Tahoe Conservancy

Name of Person or Agency Carrying Out Project
California Tahoe Conservancy
(Conservancy Meeting Of: June 15, 1990)
(Agenda Item VII.)

Exempt Status:

- Ministerial (Sec. 15073)
- Declared Emergency (Sec. 15071 (a))
- Emergency Project (Sec. 15071 (b) and (c))
- Categorical Exemption. Class 1, Section 15301; Class 3, Section 15303; Class 4, Section 15304 (also Title 14, Division 5.3, Section 12102.1, 12102.3 and 12102.4)

Reasons why project is exempt:
Project involves minor construction activities related to the placement of a small quantity of boulders and cobble on the bottom of Lake Tahoe for the enhancement of fish habitat.

Contact Person
Robert A. Sleppy

Area Code  Telephone  Extension
(916)  324-0214

Date Received for Filing

Dennis T. Machida
Executive Officer
Project Name: Placer County Emergency Fence

Application Type: Shorezone/Public Service

Applicant: Placer County

Applicant's Representative: Gregg Lien

Agency Planner: Ed Skudlarek

Location: Approximately 200 feet southeast of the National Avenue and State Highway 28 intersection, National Avenue Park Extension, Placer County.

Assessor's Parcel Number/Project Number: File 530-101-90

Project Description: Placer County, concerned about a 10-12 foot vertical marina embankment and the potential injury to park visitors, has proposed and constructed a 5 foot high brown vinyl coated, chain link fence. Agency staff approved the emergency fence construction on July 20, 1990 under Section 520, Article V of the TRPA Rules of Procedures, as an emergency permit. The County had recently established ownership of the parcel with the hazard existing, which explains the County's concern with public safety at this time. The proposal includes finishing the fence with a top rail and framing the metal posts with redwood lumber.

Site Description: The project area is located on a spit of stabilized earthen fill extending lakeward, in a Placer County right-of-way. Adjacent to the north and east property boundary is the Tahoe Marina Resort. County park land adjoins to the west, and Lake Tahoe forms the southern boundary. The flat project site is vegetated with clumps of riparian plant species and has recently been seeded with a grass seed mix.

Issues: The proposed project involves a shorezone fence project which is an accessory structure requiring a special use determination and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.
B. Plan Area Statement: The project is located within Plan Area 022, Tahoe Vista Commercial. The Land Use Classification is tourist and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is listed as a special use.

C. Land Coverage:

1. Land Capability District:

The land capability district of the project area is/are class 1b (Be) and backshore. The total project area is approximately 6,550 square feet.

2. Existing Coverage:

   Hard Coverage: 370 square feet
   Total: 370 square feet

3. Proposed Coverage:

   Hard Coverage: 370 square feet
   Total: 370 square feet

4. Allowed Coverage:

   Class 1b/Backshore Area: 67 square feet
   Total: 67 square feet

5. Coverage Mitigation:

Based on the above coverage figures, the existing project area contains approximately 303 square feet of excess land coverage. In order to mitigate the existing excess coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances.

D. Required Findings: The following is a list of the required findings as set forth in Chapters 5, 50, and 51 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

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.
Placer County Emergency Fence

Page 3

(a) **Land Use:** The proposed project involves the construction of a protective fence to protect patrons utilizing an existing public recreational facility. The existing recreational use is a conforming use and no change in use is proposed. The applicant will be required to mitigate existing excess land coverage. Since the proposed project is a Special Use, the findings under Subsection 51.1.B, enumerated in paragraphs 11 through 14 below, must be made in order to approve the project.

(b) **Transportation:** Since the project involves only the addition of a fence to an existing public recreational area, no significant adverse impacts on traffic or circulation are anticipated.

(c) **Conservation:** Existing excess land coverage will be mitigated in accordance with the TRPA Code. No significant adverse impacts on vegetation, wildlife, fisheries, soils, shorezone, open space, SSZ, cultural or energy resources are anticipated. The project is located within Scenic Shoreline Unit 21, which has an acceptable scenic threshold rating. Staff has determined that the proposed project, as conditioned, conforms with design standards set forth in Chapter 53 and will not degrade the scenic threshold standard.

(d) **Recreation:** As a facility designed to promote the safety of park patrons, the project will have a beneficial impact on existing recreational uses associated with the property.

(e) **Public Service and Facilities:** The proposed project will not require any additional public services or facilities.

(f) **Implementation:** The project does not require any development allocations and should not have any adverse impacts on the Implementation Element of the Regional Plan.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)
4. This project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including wildfowl nesting areas.

Based on the IEC and other available information, TRPA staff has determined that the proposed safety fence, as conditioned, will not impact fish habitat; littoral processes, backshore stability, or any on-shore wildlife habitat.

5. There are sufficient accessory facilities to accommodate the project.

The project involves an accessory structure to an allowed existing recreational use and the primary facilities are capable of accommodating the proposed project.

6. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

The fence is compatible with existing recreational uses associated with the public parks and the adjacent private marina, and provides a protective structure to keep park patrons from falling off the 10-foot high wood bulkhead into the adjacent marina. The fence will not extend below the high water line (6,229.1).

7. Measures will be taken to prevent spills or discharges of hazardous materials.

The proposed fence will not be in contact with water. No discharge of wastes or storage of hazardous materials will be involved.

8. Construction and access techniques will be used to minimize disturbance to ground and vegetation.

The applicant shall not be permitted to store construction materials on the beach or backshore area. Disturbance to the ground or vegetation shall be limited to the excavation requirements associated with the installation of fence posts, as shown on the site plan and elevation.

9. The project will not cause significant shoreline erosion or interference with sediment transport.

The shoreline associated with the public park has been stabilized through a sloping permeable boulder and riprap revetment. The fence ends at the revetment, and is located entirely above the high water line, thereby causing no increased erosion potential or interference with sediment transport patterns.
10. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The fence will not extend below the high water line and so will not be a threat to public safety.

11. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The fence will also serve as an open barrier between publicly and privately owned lands without blocking access to the shorezone, limiting recreational opportunities, or obscuring views along the shoreline or from the lakezone. The fence will be located adjacent to the existing bulkhead.

12. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or in the region.

The fence is located and designed to protect the public from an existing hazard - a 10 to 12 foot vertical drop-off. The adjacent landowner is aware of the project and agreeable to its construction.

13. The applicant has taken reasonable steps to protect the land, water, and air resources of both the applicants property and that of surrounding property owners.

The construction of the fence requires minor soil disturbance. The project site has been seeded with an erosion control seed mix. The project will not noticeably affect any land, water, or air resources.

14. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable plan area statement, community, redevelopment, specific, or master plan as the case may be.

Locating the fence as proposed will not change the character of the neighborhood since it will be located immediately adjacent to a private marina with developed facilities and man made structures. The project is consistent with the applicable plan area statement.

E. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section D above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:
10. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.

The fence will not extend below the high water line and so will not be a threat to public safety.

11. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The fence will also serve as an open barrier between publicly and privately owned lands without blocking access to the shorezone, limiting recreational opportunities, or obscuring views along the shoreline or from the lakezone. The fence has been adjacent to the existing bulkhead.

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The fence is located and designed to protect the public from an existing hazard - a 10 to 12 foot vertical drop-off. The adjacent landowner is aware of the project and agreeable to its construction.

13. The applicant has taken reasonable steps to protect the land, water, and air resources of both the applicants property and that of surrounding property owners.

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14. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable plan area statement, community, redevelopment, specific, or master plan as the case may be.

Locating the fence as proposed will not change the character of the neighborhood since it will be located immediately adjacent to a private marina with developed facilities and man made structures. The project is consistent with the applicable plan area statement.

E. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section D above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:
The Standard Conditions of Approval listed in Attachment S.

Prior to commencement of construction the following special conditions of approval must be satisfied:

(a) The site plan shall be revised to include:

(1) All property lines.

(2) Land capability district and backshore boundaries.

(3) A note indicating: "All barren areas and areas disturbed by construction activity shall be revegetated in accordance with the TRPA Handbook of Best Management Practices."

(4) Infiltration facilities designed to infiltrate runoff from impervious surfaces generated by a one hour, 20-year design storm.

(b) The applicant shall mitigate excess land coverage on this property by submitting an excess coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 9 (see attached map).

The excess coverage mitigation fee shall be calculated as follows:

(1) Estimated Project Construction Cost x 0.80 (1990 Fee Reduction) x Percent Fee.

Please provide a construction cost estimate by your contractor, architect or engineer. Use Table A, below, to calculate the percent fee. (Note: The percent fee should be converted to decimal form when performing calculations. For example: A percent fee of 0.06% should be represented in decimal form as 0.0006.) In no case shall the mitigation fee be less than $100.00.

Excess land coverage may be removed in lieu of an excess coverage mitigation fee. To calculate the amount of excess coverage to be removed use the following formula:

(2) Excess coverage mitigation fee (per formula (1), above) divided by $5.00 per square foot.

If you choose this option, please revise your final site plan and land coverage calculations to account for the coverage removal.

TABLE A
<table>
<thead>
<tr>
<th>Square Feet of Excess Coverage</th>
<th>Percent Fee</th>
<th>Square Feet of Excess Coverage</th>
<th>Percent Fee</th>
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<tr>
<td>8,000-11,000</td>
<td>2.25</td>
<td>174,240 or greater</td>
<td>5.00</td>
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</table>

(c) A security in the amount of $500 shall be posted to ensure that the fence will be completed in conformance with the approved site plan and to ensure that soils in the project area will be stabilized with vegetation.

(d) Submit 3 final site plans with construction drawings.
**FENCING NOTE:***

The chain link fence is necessary for safety purposes. It shall be coated with dark vinyl in accordance with TIR of design standards and design review guidelines. Posts and stringers shall be encased in redwood consistent with subsection 52.10 C of the TIR code, which recommends the use of wood or wood tone colors whenever possible.

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**SECTION "A"-"A"**

N.T.S.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Factory Stores at the "Y" Commercial Addition

Application Type: Commercial Addition/Floor Area Transfer

Applicant: Gary Casteel

Applicant's Representative: Gary Midkiff

Agency Planner: Rick Angelocci

Location: Corner of Highway 50 & 89, City of South Lake Tahoe

Assessor's Parcel Number/Project Number: 23-231-25

Project Description: The applicant is proposing to expand the existing commercial complex (Factory Stores at the "Y") with the addition of 7,620 square feet of commercial floor area. The majority of the additional commercial floor area (7,120 square feet) is to be transferred from off-site, with the remainder (500 square feet) to be provided through the use of Subsection 33.3.A(2)(b)(ii) of the Code, which allows for commercial additions of up to 500 square feet without an allocation, provided certain findings are made. The existing commercial center contains 43,912 square feet of commercial floor area. The site would contain 51,532 square feet of commercial floor area following completion of the proposed addition.

Site Description: Until the fall of 1989, the center was operated as a mixed use commercial center known as "Lampson Plaza." In the fall of 1989, the center became a factory outlet center known as "Factory Stores at the Y." Some non-outlet uses remain.

The site consists of three commercial buildings arranged in a "U" or horseshoe pattern. The northeastern building contains 23,150 square feet of commercial floor area, the southeastern building contains 6,350 square feet of commercial floor area and the southern building contains 14,412 square feet of commercial floor area. There are presently 229 parking spaces on the site.

Issues: The proposed project involves the transfer of commercial floor area and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Commercial Floor Area:

   The project involves the transfer of "banked" commercial floor area from the following land bank accounts/parcels:

   - APN 07-292-19 & 20: 4,936 square feet
In addition, the applicant is proposing to utilize the provisions of Subsection 33.3.A(2)(b)(ii) of the Code for an additional 500 square feet of commercial floor area not requiring an allocation. With the additional 500 square feet of floor area, the total additional commercial floor area proposed is 7,620 square feet.

2. Traffic/Air Quality Impacts:

Pursuant to Subsection 93.3.B of the Code, the applicant has had a traffic analysis prepared to evaluate the potential traffic and air quality impacts of the project (see Exhibit A). The analysis reaches the following conclusions:

- **Vehicle Trip Generation:** The proposed expansion will generate an estimated 363.8 new daily vehicle trip ends (DVTE).

- **Level of Service:** The proposed project will not significantly affect the level of service (LOS) of the "Y", Third Street or Tahoe Keys Boulevard intersections.

- **Ingress/Egress:** No significant impacts to the existing ingress/egress of the center are expected to result from the proposed expansion.

- **Vehicle Miles Travelled (VMT):** The proposed project will result in an increase of approximately 1,691 VMT.

- **Air Quality:** The proposed project is not expected to result in a significant impact on regional mobile source emissions of oxides of nitrogen or hydrocarbons.

- **Parking:** The interim TRPA parking standards provide that the local jurisdiction parking standards apply to the project. Currently the center has 229 parking spaces onsite. The proposed project will result in a reduction of parking spaces for a total of 139 spaces onsite. City of South Lake Tahoe parking standards require 206 parking spaces. The applicant has applied to the City of South Lake Tahoe for a Special Use Permit to allow for a reduced parking requirement. The Special Use Permit hearing is scheduled for September 26, 1990. TRPA staff has included a condition of approval requiring that the applicant receive approval from the City of South Lake Tahoe for the reduced parking prior to receiving final TRPA acknowledgement of the TRPA permit.
Mitigation Measures: The following is a list of proposed mitigation measures to offset the potential traffic and air quality impacts of the project.

- In accordance with Subsection 93.3.D(4) of the Code, the applicant shall be required to pay a regional and cumulative impact fee of $3,810.
- Installation of "No Left Turn" signs at both driveways exiting onto Lake Tahoe Boulevard.
- Installation of a bicycle rack for 15 bicycles onsite to provide secure bicycle parking.
- Implementation of an employee bus pass program to encourage employees to use existing transit facilities (subsidized bus passes).
- As a part of the application, the applicant is proposing to participate with the City of South Lake Tahoe in providing a covered bus shelter on U.S. Highway 50 in the area of the project*.
- The applicant has further proposed to reduce daily vehicle trip generation to the project site by committing that no later than May 31, 1994, the 1,757 square foot space currently occupied by a video store will be replaced by a use generating no more than 164.4 trips/1,000 square feet of floor area. It is anticipated that this would result in a reduction of approximately 288 daily vehicle trip ends*.

* These mitigation measures are not required to reduce the air and traffic impacts of the project to a less than significant level, however, are mentioned for informational purposes only. These mitigation measures have not been included as conditions of project approval.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.

B. Plan Area Statement: The project is located within Plan Area 110, South "Y". The Land Use Classification is Commercial/Public Service and the Management Strategy is Redirection. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activity is listed as an allowed use.
Y Commercial Addition
Page 4

C. Land Coverage:

1. Land Capability District:

   The land capability district of the project area is class 7. The total project area is approximately 211,386 square feet.

2. Existing Coverage:

   Hard Coverage: 149,379 square feet
   Soft Coverage: 0 square feet
   Total: 149,379 square feet

3. Proposed Coverage:

   Hard Coverage: 147,854 square feet
   Soft Coverage: 0 square feet
   Total: 147,854 square feet

4. Allowed Coverage:

   Class 7 Area: 63,416 square feet

5. Coverage Mitigation:

   Based on the above coverage figures, the existing project area contains approximately 85,963 square feet of excess land coverage. In order to mitigate the existing excess coverage, the applicant shall be required to either pay a mitigation fee, or reduce existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances.

D. Building Height: The proposed building has a maximum building height of 17 feet, which is well within the height limitations set forth in Chapter 22 of the Code.

E. Required Findings: The following is a list of the required findings as set forth in Chapter 6 and 20 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

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.

   (1) Land Use: The proposed use of the site is consistent with the Plan Area Statement in which the project is located.

   (2) Transportation: Pursuant to Chapter 93 of the Code, a traffic and air quality analysis has been prepared to evaluate the
impacts of the proposed project. As stated previously in this staff summary, the proposed project will generate approximately 363 additional daily vehicle trip ends. In order to reduce the traffic and air quality impacts of the project the applicant will be required to pay a regional and cumulative impact fee of $3,810, install "No Left Turn" signs, install bicycle racks, and implement an employee bus pass program.

(3) Conservation: The project includes provisions for the control of runoff from the project site. In addition, excess land coverage on the site will be mitigated pursuant to the requirements of Chapter 20 of the Code.

(4) Recreation: There is no aspect of the project which will adversely affect implementation of the Recreation Element of the Regional Plan.

(5) Public Service and Facilities: The project does not require additional public services or facilities to be constructed and as such will not adversely affect implementation of the Public Services and Facilities Element of the Regional Plan.

(6) Implementation: The project involves the transfer of existing "banked" commercial floor area and does not require any additional development allocations.

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

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

4. The relocation of coverage is to an equal or superior portion of the parcel or project area.

The proposed relocation of coverage is entirely within district 7 land and as such the water quality impacts of the relocated coverage will be, at a minimum, equal to the present location of the coverage.
5. The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C of the Code.

The project has been conditioned that all landscaping and revegetation shall comply with the Code of Ordinances and Handbook of Best Management Practices.

6. The relocation is not to Land Capability Districts 1a, 1b, 1c, 2 or 3 from any higher numbered land capability district.

All proposed coverage relocation is within land capability district 7 lands.

F. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions:

1. The Standard Conditions of Approval listed in Attachment Q.

2. Prior to commencement of construction the following special conditions of approval must be satisfied:

   (a) The site plan shall be revised to include:

      (i) A note indicating: "All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment."

      (ii) Temporary erosion control structures located downslope of the proposed construction area.

      (iii) Parking barriers to restrict parking to approved parking surfaces only.

   (b) The applicant shall submit a $3,810 air quality mitigation fee.

   (c) The applicant shall submit plans, cost estimates and installation schedule for the installation of all required water quality improvements (BMPs) for the entire project area. The security required under Standard Condition 1.(2) of Attachment Q shall be equal to 110 percent of the estimated BMP costs.
Commercial Addition
Page 7

(d) The applicant shall mitigate excess land coverage on this property by submitting an excess coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 5.

The excess coverage mitigation fee shall be calculated as follows:

(1) Estimated Project Construction Cost x 0.80 (1990 Fee Reduction) x Percent Fee.

Please provide a construction cost estimate by your contractor, architect or engineer. Use Table A, below, to calculate the percent fee. (Note: The percent fee should be converted to decimal form when performing calculations. For example: A percent fee of 0.06% should be represented in decimal form as 0.0006.) In no case shall the mitigation fee be less than $100.00.

Excess land coverage may be removed in lieu of an excess coverage mitigation fee. To calculate the amount of excess coverage to be removed use the following formula:

(2) Excess coverage mitigation fee (per formula (1), above) divided by $5.00 per square foot.

If you choose this option, please revise your final site plan and land coverage calculations to account for the coverage removal.

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<thead>
<tr>
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<td>2.25</td>
<td>174,240 or greater</td>
<td>5.00</td>
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(e) The applicant shall indicate finished floor elevations on the final construction drawings relative to the contours shown on the site plan.

(f) The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:

(1) **Color:** The color of the structures, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, umber and sand.

(2) **Roofs:** Roofs shall be composed of nonglare earthtone or woodtone materials that minimize reflectivity.

(3) **Fences:** Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.

(g) The applicant shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installations for the entire project area.

(h) The applicant shall provide a landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA review and approval.

(i) The applicant shall provide evidence that all basic service requirements for minimum fire flow will be met or exceeded in accordance with Section 27.3.B, Table 27-1 of the TRPA Code.

(j) The applicant shall submit three sets of final construction drawings and site plans to TRPA.

(k) Prior to commencement of construction, APN 07-292-19 & 20 and APN 25-510-66 shall be restricted by deed restriction or other covenant running with the land limiting the units of use of the parcels until or unless a transfer of the units of use back to the parcels is approved by the TRPA. The deed restriction or covenant running with the land shall be written to apply to commercial floor area only, and in the case of APN 07-292-19 & 20, shall permanently restrict the
use of the parcels prohibiting the transfer back of the units of use.

1. Final construction plans shall include a signage plan in accordance with Chapter 26 of the Code. Said plan shall include details of the signage prohibiting left turns onto Highway 50, as identified in the traffic and air quality analysis prepared for the project.

(m) Prior to commencement of construction, the applicant shall submit for TRPA review and approval a detailed description of the proposed employee bus pass program.

(n) Prior to commencement of construction, the applicant shall submit evidence that the proposed parking plan has received approval from the City of South Lake Tahoe.

3. Fertilizer use on this property shall be managed to include the appropriate type of fertilizer, rate, and frequency of application to avoid release of excess nutrients and minimize use of fertilizer.

4. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of nonglare finishes that minimize reflectivity.

5. Excavation equipment shall be limited to the foundation footprint to minimize site disturbance.

6. The adequacy of all required BMPs as shown on the final construction plans shall be confirmed at the time of the TRPA pre-grading inspection. Any required modifications, as determined by TRPA, shall be incorporated into the project permit at that time.

7. This approval is based on the permittee’s representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

8. The applicant shall not construct any finished floor which is five feet or more below natural grade measured at the location where the floor meets the foundation wall. Any modification of this structure shall conform to TRPA’s height standards.
9. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work in conducted between the hours of 8:00 A.M. and 6:30 P.M.

10. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

11. The project is approved based upon a transfer of 7,120 square feet of commercial floor area and 500 square feet of additional floor area provided under Subsection 33.3.A.(2)(b)(ii) of the TRPA Code for a total of 7,620 square feet of additional commercial floor area. Total commercial floor area for the site shall not exceed 51,532 square feet at the completion of this project.
June 30, 1990 (Revised July 6, 1990)

TRAFFIC ANALYSIS

Project:  Lampson Plaza Commercial Area Expansion
           (Factory Stores at the Y)
           APN 23-231-25, City of South Lake Tahoe

The applicant, Casteel Corporation, proposes to expand an existing 43,912 square
foot shopping center by transferring 7,620 additional square feet.  The
resulting center would have 51,532 square feet of commercial floor area.

The existing center is located at the intersections of U.S. Highway 50 and State
Route 89 in the City of South Lake Tahoe (see Figure 1).

The Tahoe Regional Planning Agency’s adopted Trip Table (Resolution 87-18)
assigns a rate of 47.74 daily vehicle trips per 1,000 square feet of commercial
floor area to Retail General Merchandise stores such as the applicant proposes.
This results in up to 363.8 new daily vehicle trips for the 7,620 additional
square feet of floor area.  As defined by Subsection 93.2.B of the TRPA Code of
Ordinance, this is considered to be a significant increase in traffic
generation.  Pursuant to Subsection 93.3.B of the Code, this traffic analysis
has been prepared.

1. Site Description.

   The existing shopping center was approved in the early 1970s.  Until the
   fall of 1989, the center operated as a mixed use commercial center known as
   "Lampson Plaza."  In the fall of 1989 the center became a factory outlet
   center known as "Factory Stores at the Y."  Some non-outlet uses remain.

   The site consists of three commercial buildings arranged in a "U" or
   horseshoe pattern.  The northeastern building contains 23,150 square feet
   of commercial floor area, the southeastern building contains 6,350 square
   feet of commercial floor area, and the southern building contains 14,412
   square feet of commercial floor area.

   Presently, there are 229 parking spaces on the site.

   Access to the site is from one driveway on the western edge of the site
   fronting U.S. 50 (Emerald Bay Road) and two driveways on the northwestern
   edge of the site.  These later driveways also front U.S. 50 (Lake Tahoe
   Boulevard).  Due to a center median in Emerald Bay Road, the western
   driveway only allows right turn ingress and egress.  The two driveways on
   Lake Tahoe Boulevard allow all turn movements, however, the more easterly
   of these two driveways functions primarily as a service road providing
   access to the rear of the site.
Factory Stores at the Y
Traffic Analysis
June 30, 1990


Two sources are available to estimate daily traffic generation of the proposed expansion. The first source is published trip generation rates. Table 1 shows the resulting trip generation rates from the application of three different sets of trip generation rates from three different sources. Application of this table, with no adjustment for shoppers who visit more than one outlet, yield a current trip generation estimate of 377.6 to 5,269.4 daily vehicle trip ends (DVTE).

The second source is site specific survey data. In the spring of 1990, the applicant surveyed tenants to determine the number of daily transactions (see Table 2). This survey does not reveal shoppers who visit more than one outlet, which would lower the trip generation rate. Nor does the survey reveal shoppers who made no purchases, which would raise the trip generation rate. However, assuming that each transaction is equivalent to two daily vehicle trip ends, use of this survey results in a trip generation estimate of 2,940 DVTEs plus employee trips.

Based on Tables 1 and 2, for the purposes of this analysis, the TRPA Trip Table will be used. This results in a trip generation estimate of 2,965.9 DVTE for the existing use, and an estimate of 363.8 DVTE for the proposed expansion.

2b. Peak Hour Vehicle Trip Generation

On Sunday, June 24, 1990, four 20 minute traffic surveys were conducted at the site. Extrapolation of this data results in a trip generation estimate of 401 peak hour vehicle trip ends (PHVTE) for the existing use. This is a peak hour factor of 13.5 percent based on the estimate of 2,965.9 DVTE. Available data indicates that shopping centers of all sizes have a peak hour factor of 9.0 to 13.4 percent (Caltrans, 1983, and San Diego Association of Governments, 1989). Therefore, use of the higher 13.5 percent rate will result in a worst case estimate of peak hour traffic generation.

Using the 13.5 percent peak hour factor results in an estimate of 49.1 PHVTE for the proposed use.

3a. Existing Level of Service

Level of Service (LOS) is a system used to describe how intersections, and other roadway segments, are operating. Table 3 gives brief qualitative and quantitative descriptions of the six LOS ranges. For urbanized intersections in the Lake Tahoe Region, TRPA has established a goal of a LOS of D or better (Regional Transportation Plan: Lake Tahoe Basin, TRPA, 1988).
Table 1a
Existing Daily Vehicle Trip Generation
(TRPA Trip Table)

<table>
<thead>
<tr>
<th>Use</th>
<th>TRPA Square Feet</th>
<th>Trip Rate</th>
<th>Daily Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Video Channel</td>
<td>1,757</td>
<td>322.6</td>
<td>566.8</td>
</tr>
<tr>
<td>Oneida</td>
<td>4,015</td>
<td>47.74</td>
<td>191.7</td>
</tr>
<tr>
<td>Sierra Shirts</td>
<td>1,440</td>
<td>47.74</td>
<td>68.7</td>
</tr>
<tr>
<td>Bank of America</td>
<td>300</td>
<td>148.13</td>
<td>44.4</td>
</tr>
<tr>
<td>Pfaltzgraff</td>
<td>5,460</td>
<td>47.74</td>
<td>260.7</td>
</tr>
<tr>
<td>Home Again</td>
<td>1,440</td>
<td>47.74</td>
<td>68.7</td>
</tr>
<tr>
<td>Bass Shoes</td>
<td>3,000</td>
<td>47.74</td>
<td>143.2</td>
</tr>
<tr>
<td>Cape Isle Knitters</td>
<td>1,800</td>
<td>47.74</td>
<td>85.9</td>
</tr>
<tr>
<td>Hot Locks</td>
<td>600</td>
<td>47.74</td>
<td>28.6</td>
</tr>
<tr>
<td>L.J. Leather &amp; Jewelry</td>
<td>950</td>
<td>47.74</td>
<td>45.4</td>
</tr>
<tr>
<td>Great Outdoor Clothing</td>
<td>2,880</td>
<td>47.74</td>
<td>137.5</td>
</tr>
<tr>
<td>Tahoe Music</td>
<td>1,440</td>
<td>47.74</td>
<td>68.7</td>
</tr>
<tr>
<td>Capezic Shoes</td>
<td>2,880</td>
<td>47.74</td>
<td>137.5</td>
</tr>
<tr>
<td>* Thrifty Drug</td>
<td>15,950</td>
<td>70.1</td>
<td>1,118.1</td>
</tr>
</tbody>
</table>

43,912  2,965.9

* Presently, 4,138 square feet of this space is being utilized by a Gitano outlet store. However, this use has not been in business for the 90 day period require to establish a previous use for TRPA.

Table 1b
Existing Weekday Vehicle Trip Generation
(14th Progress Report, Caltrans, 1983)

<table>
<thead>
<tr>
<th>Use</th>
<th>TRPA Square Feet</th>
<th>Trip Rate</th>
<th>Daily Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Shopping Center</td>
<td>43,912</td>
<td>27.1</td>
<td>1,190.0</td>
</tr>
<tr>
<td>Neighborhood Shopping Center</td>
<td>43,912</td>
<td>8.6</td>
<td>377.6</td>
</tr>
</tbody>
</table>

Table 1c
Existing Weekday Vehicle Trip Generation
(Trip Generation, San Diego Association of Governments, 1989)

<table>
<thead>
<tr>
<th>Use</th>
<th>TRPA Square Feet</th>
<th>Trip Rate</th>
<th>Daily Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Shopping Center</td>
<td>43,912</td>
<td>120</td>
<td>5,259.4</td>
</tr>
<tr>
<td>Strip Commercial</td>
<td>43,912</td>
<td>40</td>
<td>1,756.5</td>
</tr>
<tr>
<td>Use</td>
<td>Square Feet</td>
<td>Average Transactions</td>
<td>Average Trips @ 2 ea.</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------</td>
<td>----------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Video Channel</td>
<td>1,757</td>
<td>225</td>
<td>450</td>
</tr>
<tr>
<td>Oneida</td>
<td>4,015</td>
<td>85</td>
<td>170</td>
</tr>
<tr>
<td>Sierra Shirts</td>
<td>1,440</td>
<td>30</td>
<td>60</td>
</tr>
<tr>
<td>Bank of America</td>
<td>300</td>
<td>200</td>
<td>400</td>
</tr>
<tr>
<td>Pfaltzgraff</td>
<td>5,460</td>
<td>100</td>
<td>200</td>
</tr>
<tr>
<td>Home Again</td>
<td>1,440</td>
<td>30</td>
<td>60</td>
</tr>
<tr>
<td>Bass Shoes</td>
<td>3,000</td>
<td>80</td>
<td>160</td>
</tr>
<tr>
<td>Cape Isle Knitters</td>
<td>1,800</td>
<td>50</td>
<td>100</td>
</tr>
<tr>
<td>Hot Locks</td>
<td>600</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>L.J. Leather &amp; Jewelry</td>
<td>950</td>
<td>53</td>
<td>106</td>
</tr>
<tr>
<td>Great Outdoor Clothing</td>
<td>2,880</td>
<td>42</td>
<td>82</td>
</tr>
<tr>
<td>Tahoe Music</td>
<td>1,440</td>
<td>20</td>
<td>40</td>
</tr>
<tr>
<td>Capezio Shoes</td>
<td>2,880</td>
<td>40</td>
<td>80</td>
</tr>
<tr>
<td>Thrifty Drug</td>
<td>15,950</td>
<td>500</td>
<td>1,000</td>
</tr>
<tr>
<td></td>
<td>43,912</td>
<td>1,470</td>
<td>2,940</td>
</tr>
</tbody>
</table>
Table 3
Level of Service Definitions
(Regional Transportation Plan: Lake Tahoe Basin, TRPA, 1988)

<table>
<thead>
<tr>
<th>Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>No vehicle waits longer than one red indication (Volume to Capacity ratio of 0.60 or less);</td>
</tr>
<tr>
<td>B.</td>
<td>Occasionally the green phase is fully utilized (V/C 0.61 to 0.70);</td>
</tr>
<tr>
<td>C.</td>
<td>Occasionally drivers may have to wait for more than one red indication, with some back-up (V/C 0.71 to 0.80);</td>
</tr>
<tr>
<td>D.</td>
<td>Approaching instability, with substantial delays during short peaks within peak hour conditions (V/C 0.81 to 0.90);</td>
</tr>
<tr>
<td>E.</td>
<td>Capacity, with full utilization of every green phase, substantial dependence on good coordination between adjacent signals, long queues of waiting vehicles, and delays up to several cycles (V/C 0.91 to 1.00); and</td>
</tr>
<tr>
<td>F.</td>
<td>Jammed conditions with long delays.</td>
</tr>
</tbody>
</table>

Volume to Capacity ratios are from the Highway 50 Corridor Study: Route Rescission Analysis (TRPA, 1989).
3a. Existing Level of Service (continued)

Volume to Capacity (V/C) ratios are one way to evaluate LOS. V/C ratios use critical movements rather than total volumes through an intersection. In general, the critical movements for an intersection are the left turns from each leg added to opposing through movements and right turns. Adjustments are made for movements which may occur in more than one lane, and for other design features of an intersection. The greater of one movement pair (e.g. east-to-west or west-to-east) are added to the greater number of the second movement pair (e.g. north-to-south or south-to-north).

Critical movement capacity can vary from 1,200 to 1,400 movements. In some cases, an even higher number of movements is observed indicating a greater capacity for an intersection. The capacities used in this analysis are 1,400 movements, or the observed critical movements, whichever is greater.

Three impact intersections were identified for this analysis. They are U.S. 50 & S.R. 89 (the "Y"), U.S. 50 @ Third Street, and U.S. 50 @ Tahoe Keys Boulevard.

U.S. 50 @ S.R. 89. This intersection, locally described as the "Y", has five lanes at every approach with additional right turn lanes for two of the four approaches (see Figure 2). According to TRPA, the "Y" is presently operating at a level of service of "E" with a volume to capacity ratio of 0.93 (Highway 50 Corridor Study: Route Rescission Analysis, TRPA, 1989). This conclusion is based on 1,303 critical movements and a capacity of 1,400 critical movements per hour.

For this analysis, the most recent traffic count information in TRPA’s files was assembled and analyzed. Twelve different 15 minute counts were conducted by TRPA staff in the summers of 1986, 1988, and 1989. Three of these counts were conducted on Fridays, seven on Saturdays, and two on Sundays. These counts were factored to 1-hour periods and analyzed using a computerized analysis model developed by the Institute of Transportation Studies at the University of California at Berkeley.

Following are the results of this analysis. Model outputs are shown in Attachment B. These results assume a capacity of 1,526 critical movements.

<table>
<thead>
<tr>
<th>Critical Movements</th>
<th>V/C Ratio</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friday</td>
<td>1,214</td>
<td>0.80</td>
</tr>
<tr>
<td>Saturday</td>
<td>1,360</td>
<td>0.89</td>
</tr>
<tr>
<td>Sunday</td>
<td>1,526</td>
<td>1.00</td>
</tr>
<tr>
<td>Friday-Sunday</td>
<td>1,351</td>
<td>0.89</td>
</tr>
</tbody>
</table>
3a. Existing Level of Service (continued)

U.S. 50 @ Third Street. This intersection has five lanes on the U.S. 50 approaches and one wide lane on each of the Third Street approaches. For this analysis, the most recent traffic count information in TRPA's files was assembled and analyzed. Only two summer counts conducted on Sunday, July 10, 1988 were available. These counts were also factored to 1-hour periods and analyzed using a computerized analysis model.

Following are the results of this analysis. Model outputs are shown in Attachment C. These results assume a capacity of 1,400 critical movements.

<table>
<thead>
<tr>
<th>Sunday</th>
<th>Critical Movements</th>
<th>V/C Ratio</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>950</td>
<td>0.68</td>
<td>B</td>
<td></td>
</tr>
</tbody>
</table>

U.S. 50 @ Tahoe Keys Boulevard. This intersection has five lanes on the U.S. 50 approaches, one wide lane on the southern (northbound approach) and two lanes on the northern (southbound) approach. These lanes are configured as a right-through-left land and a left only lane. According to TRPA, this intersection is presently operating at a level of service of "E" with a volume to capacity ratio of 1.00 (Highway 50 Corridor Study: Route Rescission Analysis, TRPA, 1989). This conclusion is based on 1,453 critical movements and a capacity of 1,453 critical movements per hour.

For this analysis, the most recent traffic count information in TRPA's files was assembled and analyzed. Six different 15 minute counts were conducted by TRPA staff in the summers of 1986. Three of these counts were conducted on a Friday and three on a Saturday. These counts were factored to 1-hour periods and analyzed using a computerized analysis model.

Following are the results of this analysis. Model outputs are shown in Attachment D. These results assume a capacity of 1,103 critical movements.

<table>
<thead>
<tr>
<th>Friday</th>
<th>Critical Movements</th>
<th>V/C Ratio</th>
<th>LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,303</td>
<td>1.00</td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Saturday</td>
<td>1,282</td>
<td>0.98</td>
<td>E</td>
</tr>
<tr>
<td>Friday-Saturday</td>
<td>1,291</td>
<td>0.99</td>
<td>E</td>
</tr>
</tbody>
</table>

Based on the above, both U.S. 50 @ S.R. 89 and U.S. 50 @ Tahoe Keys Boulevard are operating at unacceptable levels of service and U.S. 50 @ Third Street is operating at an acceptable level of service.
Factory Stores at the Y
Traffic Analysis
June 30, 1990

3b. Distribution of Project Traffic

The peak hour traffic of the existing center and the proposed expansion were distributed through the three impact intersections based on observations at the site and existing movements through the intersections.

Sunday movements were used at S.R. 89 and Third Street; Friday movements were used at Tahoe Keys Boulevard. The distribution is shown in Figures 3 and 4. For new trips at Third Street, turns were assigned. For new trips at Tahoe Keys Boulevard, no turns were assigned at Third Street.

3c. Impacts of Project Traffic

The traffic shown in Figure 4 was overlayed to the worst case days for each of the impact intersections disclosed in 3a, above. These counts were analyzed using a computerized analysis model.

Following are the results of this analysis. Model outputs are shown in Attachment E. These results assume the same capacities used in 3a, above.

<table>
<thead>
<tr>
<th>Critical Movements wo/Project</th>
<th>Critical Movements w/Project</th>
<th>Net Increase</th>
<th>Percent Increase</th>
<th>Percent Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.S. 50 @ S.R. 89</td>
<td>1,526</td>
<td>1,533</td>
<td>7</td>
<td>0.5%</td>
</tr>
<tr>
<td>U.S. 50 @ Third Street</td>
<td>950</td>
<td>954</td>
<td>4</td>
<td>0.4%</td>
</tr>
<tr>
<td>U.S. 50 @ Tahoe Keys</td>
<td>1,303</td>
<td>1,307</td>
<td>4</td>
<td>0.3%</td>
</tr>
</tbody>
</table>

Although TRPA does not have clear guidelines regarding what is considered to be a significant impact at an intersection, past analyses performed or approved by TRPA have used a criteria of an increase of one percent of the total capacity as an indicator of significance. This figure was selected because such an increase will always result in a 0.01 increase in the V/C ratio. Any other arbitrary number will not always result in the same change in the V/C ratio due to rounding.

Based on this criteria, the proposed expansion will not result in a significant impact at any of the impact intersections.

4. Vehicle Miles Travelled

The existing center is estimated to generate 2,965.9 DVTE and the proposed expansion is estimated to generate 361.8 new DVTE. The applicant prepared survey (Table 2) found that 63 percent of the existing customers are visitors and 37 percent are residents.
Figure 3
Existing Trip Distribution
4. Vehicle Miles Travelled (continued)

TRPA's transportation model has a trip purpose of Home-Based-Other (HBO). This trip purpose best reflects the shopping trip. TRPA's most recent modeling (June 18, 1990) discloses trips lengths of 5.39 miles for the visitor HBO trip and 3.39 miles for the resident HBO trip. Use of the above figures result in the following VMT estimates.

<table>
<thead>
<tr>
<th>Trip Length</th>
<th>Existing DVTE</th>
<th>Existing VMT</th>
<th>New DVTE</th>
<th>New VMT</th>
<th>Total DVTE</th>
<th>Total VMT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident 3.39</td>
<td>1,097.4</td>
<td>3,720.2</td>
<td>134.6</td>
<td>456.3</td>
<td>1,232.0</td>
<td>4,176.5</td>
</tr>
<tr>
<td>Visitor 5.39</td>
<td>1,868.5</td>
<td>10,071.2</td>
<td>229.2</td>
<td>1,235.4</td>
<td>2,097.7</td>
<td>11,306.6</td>
</tr>
<tr>
<td>Total</td>
<td>2,965.9</td>
<td>13,791.4</td>
<td>363.8</td>
<td>1,691.7</td>
<td>3,329.7</td>
<td>15,483.1</td>
</tr>
</tbody>
</table>

These figures represent vehicle trips with one end of the trip at the project. They do not represent VMT created because of the project. Some portion of the trips generated at the project are associated with other existing trips on the highway network. This VMT would also be assigned to the other end of the trip in a regional VMT model.

TRPA presently estimates regional VMT at 1,498,552 miles travelled (TRPA, 1990). The worst-case project VMT estimate of up to 1,691.7 VMT is approximately 0.1 percent of regional VMT. This is not a significant impact and is mitigable.

5. Air Quality

Due to the very small potential increase in VMT, the project is not expected to have a significant impact on regional mobile source emissions of oxides of nitrogen or hydrocarbons. Therefore, the project is not expected to have any impact on ozone concentrations or nutrient deposition.

Carbon monoxide (CO) impacts were modeled using TRPA modeling criteria. TRPA's modeling criteria assumes 100 percent cold start mode for all project traffic, including arriving vehicles. This criteria results in a worst case scenario.

Speeds were derived from TRPA travel delay survey data. A test segment was developed for U.S. 50 from S.R. 89 to Tahoe Keys Boulevard.

The modeling shows no increase in 1-hour or 8-hour CO concentrations using the recommended 180 degree wind bearing (see Attachment F).
Factory Stores at the Y
Traffic Analysis
June 30, 1990 (Revised July 6, 1990)

6. Ingress and Egress

**Ingress.** Right turns into the site occur in wide shoulders which function as a right turn lane. Therefore, right turns can access the site without affecting the flow of traffic. There are now 145 right turns access the site during a peak hour. The proposed expansion will add 11-12 new right turns. Due to the wide shoulders, this additional traffic should not have a significant impact.

Left turns into the site occur at the two driveways on Lake Tahoe Boulevard. These turns occur from a center turn lane which terminates at the most westerly driveway. There are now 60 left turns access the site during a peak hour. The proposed expansion will add 7-8 new left turns. Due to the center turn lane, this additional traffic should not have a significant impact.

One on-site ingress conflict point is at the westerly of the two driveways on Lake Tahoe Boulevard. Motorists entering the site are occasionally delayed by vehicles maneuvering through the parking lot. These delays may cause a queue onto U.S. 50.

**Egress.** Right turns from the site also take advantage of the wide shoulder. There are now 149 right turns leaving the site during a peak hour. The proposed expansion will add 18 to 19 new right turns. Due to the wide shoulder, this additional traffic should not have a significant impact.

Left turns from the site also occur at the two driveways on Lake Tahoe Boulevard. Motorists using the easterly driveway occasionally compete with arriving left turns using the westerly driveway. Motorists using the westerly driveway often are delayed by the queue from the intersection of U.S. 50 and S.R. 89. There are now 23 left turns departing the site. The proposed expansion will add 2-3 new left turns. Except in rare situations, this additional traffic should not have any impact.

7. Mitigation Measures

**Level of Service.** No significant impacts were identified. Therefore, no mitigation is necessary. However, bicycle facilities will be placed on the site. While shoppers intending to make a purchase may not be induced to bicycle to the site, employees and browsers may consider bicycling if secure parking is available. To the extent that this may occur, the proposed expansion's trip generation rate will be reduced.

**Vehicle Miles Traveled.** Subsection 93.3.C(1) of the TRPA Code of Ordinances require a "Regional and Cumulative Impact Fee" to offset certain regional project impacts. VMT is a regional impact.
7. Mitigation Measures (continued)

Subsection 93.3.D(4) of the Code requires a fee of $0.50 per square foot, or $10 per daily vehicle trip, whichever is greater.

For the proposed 7,620 square foot expansion, a $3,810 mitigation fee would be assessed. For the 363.8 new daily vehicle trips, a $3,638 mitigation fee would be assessed. Therefore, the base mitigation fee is $3,810.

Ingress and Egress. Two mitigation measures are proposed for mitigating ingress and egress impacts. First, "No Left Turn" signs will be placed on both driveways exiting onto Lake Tahoe Boulevard. Second, a "Stop" sign will be placed on the site where the first row of parking intersects with ingress from the westerly driveway on Lake Tahoe Boulevard.

8. Parking

The site presently has 229 parking spaces for 43,912 square feet of floor area; this is a ratio of one space for every 192 square feet. The site will have 186-196 parking spaces for 51,547 square feet of floor area; this is a ratio of one space for every 262-277 square feet.

TRPA applies the City of South Lake Tahoe parking standards. Table 4 shows how these standards apply to the existing and proposed center. As this table shows, the proposed center would comply with the application of the City standards.

On Sunday, June 24, 1990, two parking surveys were conducted at the site. The first survey, conducted at 1:15 p.m., found 90 occupied spaces; this is an occupancy rate of 39.3 percent and a parking demand rate of one space for every 489 square feet. The second survey, conducted at 3:05 p.m., found 83 occupied spaces; this is an occupancy rate of 36.2 percent and a parking demand of one space for every 529 square feet. The surveys were conducted during the center's grand opening and were representative of a normal peak period.

The 186-196 proposed parking spaces, in conjunction with bicycle parking spaces, will be adequate for the demand. In addition, craft's fairs and Christmas tree sales will no longer be conducted on the site; this will ensure that the parking spaces are available for patrons.
### Table 4a

Existing Parking Demand  
(City of South Lake Tahoe Zoning Code)

<table>
<thead>
<tr>
<th>Use</th>
<th>Square Feet</th>
<th>Parking Rate</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Video Channel</td>
<td>1,757</td>
<td>400</td>
<td>4</td>
</tr>
<tr>
<td>Oneida</td>
<td>4,015</td>
<td>400</td>
<td>10</td>
</tr>
<tr>
<td>Sierra Shirts</td>
<td>1,440</td>
<td>400</td>
<td>4</td>
</tr>
<tr>
<td>Bank of America</td>
<td>300</td>
<td>150</td>
<td>2</td>
</tr>
<tr>
<td>Pfaltzgraff</td>
<td>5,460</td>
<td>400</td>
<td>14</td>
</tr>
<tr>
<td>Home Again</td>
<td>1,440</td>
<td>400</td>
<td>4</td>
</tr>
<tr>
<td>Bass Shoes</td>
<td>3,000</td>
<td>400</td>
<td>8</td>
</tr>
<tr>
<td>Cape Isle Knitters</td>
<td>1,800</td>
<td>400</td>
<td>5</td>
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<tr>
<td>Hot Locks</td>
<td>600</td>
<td>400</td>
<td>2</td>
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<tr>
<td>L.J. Leather &amp; Jewelry</td>
<td>950</td>
<td>400</td>
<td>2</td>
</tr>
<tr>
<td>Great Outdoor Clothing</td>
<td>2,880</td>
<td>400</td>
<td>7</td>
</tr>
<tr>
<td>Tahoe Music</td>
<td>1,440</td>
<td>400</td>
<td>4</td>
</tr>
<tr>
<td>Capezio Shoes</td>
<td>2,880</td>
<td>400</td>
<td>7</td>
</tr>
<tr>
<td>* Gitano</td>
<td>4,138</td>
<td>400</td>
<td>10</td>
</tr>
<tr>
<td>Thrifty Drug</td>
<td>11,812</td>
<td>150</td>
<td>79</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>43,912</strong></td>
<td></td>
<td><strong>162</strong></td>
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### Table 4b

Project Parking Demand  
(City of South Lake Tahoe Zoning Code)

<table>
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<tr>
<th>Use</th>
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<th>Parking Rate</th>
<th>Parking Spaces</th>
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</thead>
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<tr>
<td>Unknown Retail</td>
<td>7,620</td>
<td>400</td>
<td>19</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>51,532</strong></td>
<td></td>
<td><strong>181</strong></td>
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Rev. July 6, 1990
2x2 20min factored to 1 hour

201 hourly trips

117 exit east  29.2%
60 enter east  15.0%
SUMMARY OF INPUT DATA

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<tr>
<th>Street name (E - W):</th>
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<tr>
<td>Street name (N - S):</td>
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Direction of travel: 

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<td>144</td>
<td>107</td>
<td>775</td>
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<td>375</td>
<td>237</td>
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<td>509</td>
<td>415</td>
<td>116</td>
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<td>6</td>
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SUMMARY OF RESULTS

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<tbody>
<tr>
<td>Street name (N - S):</td>
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Direction of travel: 

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<tbody>
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<td>149</td>
<td>107</td>
<td>444</td>
<td>399</td>
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<tr>
<td>2</td>
<td>225</td>
<td>144</td>
<td>295</td>
<td>322</td>
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<tr>
<td>3</td>
<td>295</td>
<td>261</td>
<td>375</td>
<td>297</td>
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<tr>
<td>4</td>
<td>671</td>
<td>543</td>
<td>444</td>
<td>429</td>
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<tr>
<td>5</td>
<td>671</td>
<td>543</td>
<td>671</td>
<td>543</td>
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</table>

Sum of critical movements = 1214
Relationship to capacity: NEAR CAPACITY
### SUMMARY OF INPUT DATA

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<tr>
<td>Street name (N - S):</td>
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<tr>
<td>Direction of travel:</td>
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<td></td>
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<td></td>
</tr>
<tr>
<td>Left-turn volume (vPHF):</td>
<td>176</td>
<td>104</td>
<td>276</td>
<td>517</td>
</tr>
<tr>
<td>Through volume (vPHF):</td>
<td>771</td>
<td>452</td>
<td>723</td>
<td>723</td>
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<tr>
<td>Right-turn volume (vPHF):</td>
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<td>55</td>
<td>412</td>
<td>115</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Number of exclusive LT lanes:</td>
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<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Number of LT/TH or LT/RT lanes:</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>% LT traffic in exclusive lane(s):</td>
<td>100</td>
<td>100</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Number of exclusive TH lanes:</td>
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<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Number of TH/RT lanes:</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Number of exclusive RT lanes:</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>No. of exit lanes (reverse dir.):</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Peak-hour factor:</td>
<td>1.00</td>
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</table>

### SUMMARY OF RESULTS

<table>
<thead>
<tr>
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<th>N</th>
<th>W</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street name (E - W):</td>
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<td></td>
<td></td>
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<tr>
<td>Street name (N - S):</td>
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</tr>
<tr>
<td>Direction of travel:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Critical LT lane volume:</td>
<td>178</td>
<td>104</td>
<td>530</td>
<td>333</td>
</tr>
<tr>
<td>Critical TH lane volume:</td>
<td>223</td>
<td>215</td>
<td>728</td>
<td>733</td>
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<tr>
<td>Volume opposing LT movement:</td>
<td>328</td>
<td>297</td>
<td>771</td>
<td>430</td>
</tr>
<tr>
<td>Conflicting TH + LT movements:</td>
<td>758</td>
<td>603</td>
<td>506</td>
<td>437</td>
</tr>
<tr>
<td>Critical movement volume:</td>
<td>758</td>
<td>603</td>
<td>758</td>
<td>603</td>
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Sum of critical movements = 1360  
Relationship to capacity: NEAR CAPACITY
SUMMARY OF INPUT DATA

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</thead>
<tbody>
<tr>
<td>E</td>
<td>212</td>
<td>98</td>
<td>976</td>
<td>430</td>
</tr>
<tr>
<td>N</td>
<td>394</td>
<td>442</td>
<td>248</td>
<td>256</td>
</tr>
<tr>
<td>W</td>
<td>98</td>
<td>318</td>
<td>396</td>
<td>74</td>
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<tr>
<td>S</td>
<td></td>
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</table>

Direction of travel:

- Left-turn volume (vPHF):
- Through volume (vPHF):
- Right turn volume (vPHF):
- Number of shared LT/TH/RT lanes:
- Number of exclusive LT lanes:
- Number of LT/TH or LT/RT lanes:
- % LT traffic in exclusive lane(s):
- Number of exclusive TH lanes:
- Number of TH/RT lanes:
- Number of exclusive RT lanes:
- No. of exit lanes (reverse dir.):
- Peak-hour factor:

SUMMARY OF RESULTS

<table>
<thead>
<tr>
<th></th>
<th>E</th>
<th>N</th>
<th>W</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical LT lane volume:</td>
<td>212</td>
<td>98</td>
<td>976</td>
<td>430</td>
</tr>
<tr>
<td>Critical TH lane volume:</td>
<td>394</td>
<td>442</td>
<td>248</td>
<td>256</td>
</tr>
<tr>
<td>Volume opposing LT movement:</td>
<td>246</td>
<td>224</td>
<td>240</td>
<td>233</td>
</tr>
<tr>
<td>Conflicting TH + LT movements:</td>
<td>980</td>
<td>547</td>
<td>980</td>
<td>547</td>
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<tr>
<td>Critical movement volume:</td>
<td>980</td>
<td>547</td>
<td>980</td>
<td>547</td>
</tr>
</tbody>
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Sum of critical movements = 1526

Relationship to capacity: OVER CAPACITY

U.S. 50 @ S.R. 89
Sunday

188
### Summary of Input Data

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<tr>
<th>(1)</th>
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<tbody>
<tr>
<td>E</td>
<td>N</td>
<td>W</td>
<td>S</td>
</tr>
</tbody>
</table>

- **Direction of travel:**
  - E
  - N
  - W
  - S

- **Left-turn volume (vPHF):**
  - 177
  - 100
  - 72
  - 54

- **Through volume (vPHF):**
  - 770
  - 370
  - 210
  - 270

- **Right-turn volume (vPHF):**
  - 34
  - 750
  - 400
  - 100

- **Number of shared LT/TH/PT lanes:**
  - 0
  - 0
  - 0
  - 0

- **Number of exclusive LT lanes:**
  - 1
  - 1
  - 1
  - 1

- **Number of LT/TH or LT/PT lanes:**
  - 0
  - 0
  - 1
  - 1

- **LT traffic in exclusive lanes:**
  - 100
  - 100
  - 75
  - 75

- **Number of exclusive TH lanes:**
  - 1
  - 2
  - 1
  - 0

- **Number of TH/PT lanes:**
  - 1
  - 0
  - 0
  - 1

- **Number of exclusive PT lanes:**
  - 0
  - 1
  - 1
  - 0

- **No. of exit lanes (reverse dir.):**
  - 2
  - 2
  - 2
  - 2

- **Peak-hour factor:**
  - 1.00

---

### Summary of Results

- **Direction of travel:**
  - E
  - N
  - W
  - S

- **Critical LT lane volume:**
  - 177
  - 100
  - 54
  - 30

- **Critical TH lane volume:**
  - 230
  - 190
  - 310
  - 220

- **Volume opposing LT movement:**
  - 310
  - 290
  - 370
  - 390

- **Conflicting TH + LT movements:**
  - 772
  - 579
  - 487
  - 429

- **Critical movement volume:**
  - 772
  - 579
  - 772
  - 579

**Sum of critical movements = 1351**

Relationship to capacity: NEAR CAPACITY

---

**U.S. 50 & S.R. 89**

Friday - Sunday

---

189
### SIGNALIZED INTERSECTION LEVEL OF SERVICE ANALYSIS -- PLANNING METHOD (06-27-1990)

#### SUMMARY OF INPUT DATA

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<td><strong>Street name (N - S):</strong></td>
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<tr>
<td><strong>Direction of travel:</strong></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Left-turn volume (vPHF):</td>
<td>20 15 14 54</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Through volume (vPHF):</td>
<td>1176 774 6 8</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Right-turn volume (vPHF):</td>
<td>6 12 24 29</td>
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<td>Number of shared LT/TH/RT lanes:</td>
<td>0 0 0 0</td>
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<tr>
<td>Number of exclusive LT lanes:</td>
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<td>Number of exclusive TH lanes:</td>
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<tr>
<td>Number of exclusive RT lanes:</td>
<td>0 0 0 0</td>
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<tr>
<td>% LT traffic in exclusive lane(s):</td>
<td>100 0 100 0</td>
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<td>Number of exclusive TH lanes:</td>
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<tr>
<td>Number of exclusive RT lanes:</td>
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#### SUMMARY OF RESULTS

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</tr>
<tr>
<td><strong>Direction of travel:</strong></td>
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<td></td>
</tr>
<tr>
<td>Critical LT lane volume:</td>
<td>20 13 14 54</td>
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<td></td>
</tr>
<tr>
<td>Critical TH lane volume:</td>
<td>566 18 858 36</td>
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<tr>
<td>Volume opposing LT movement:</td>
<td>1752 9 1142 6</td>
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</tr>
<tr>
<td>Conflicting TH + LT movements:</td>
<td>582 72 879 54</td>
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<td>Critical movement volume:</td>
<td>878 72 879 72</td>
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Sum of critical movements = 950  
Relationship to capacity: BELOW CAPACITY

---

U.S. 50 @ Third Street  
Sunday  
ATTACHMENT C
SUMMARY OF INPUT DATA

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<td>(2) Through volume (vPHF):</td>
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<tr>
<td>(3) Right turn volume (vPHF):</td>
<td>0</td>
<td>4</td>
<td>197</td>
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<td>(4) Number of shared LT/TH/RT lanes:</td>
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<tr>
<td>(5) Number of exclusive LT lanes:</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>(6) Number of LT/TH or LT/RT lanes:</td>
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<td>0</td>
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</tr>
<tr>
<td>(7) % LT traffic in exclusive lane(s):</td>
<td>100</td>
<td>0</td>
<td>100</td>
<td>75</td>
</tr>
<tr>
<td>(8) Number of exclusive TH lanes:</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>(9) Number of TH/RT lanes:</td>
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<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>(10) Number of exclusive RT lanes:</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(11) No. of exit lanes (reverse dir.):</td>
<td>2</td>
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<td>2</td>
<td>1</td>
</tr>
<tr>
<td>(12) Peak-hour factor:</td>
<td>1.00</td>
<td></td>
<td></td>
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</tbody>
</table>

SUMMARY OF RESULTS

<table>
<thead>
<tr>
<th>Street name (E - W):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street name (N - S):</td>
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</tbody>
</table>

<table>
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<th>Direction of travel:</th>
<th>E</th>
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<th>W</th>
<th>S</th>
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<tbody>
<tr>
<td>Critical LT lane volume:</td>
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<td>349</td>
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<tr>
<td>Critical TH lane volume:</td>
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<td>797</td>
<td>123</td>
</tr>
<tr>
<td>Volume opposing LT movement:</td>
<td>1594</td>
<td>0</td>
<td>1400</td>
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<tr>
<td>Conflicting TH + LT movements:</td>
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<td>949</td>
<td>123</td>
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Sum of critical movements = 1303

Relationship to capacity: NEAR CAPACITY

U.S. 50 @ Tahoe Keys
Friday

ATTACHMENT D

191
SUMMARY OF INPUT DATA

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<tr>
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<td>(2)</td>
<td>(3)</td>
<td>(4)</td>
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<tr>
<td>Direction of travel:</td>
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<td>N</td>
<td>W</td>
<td>S</td>
</tr>
<tr>
<td>Left-turn volume (vPHF):</td>
<td>147</td>
<td>11</td>
<td>437</td>
<td></td>
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<td>Through volume (vPHF):</td>
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<td>1039</td>
<td>4</td>
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<td>11</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>Number of exclusive LT lanes:</td>
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<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Number of LT/TH or LT/RT lanes:</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>LT traffic in exclusive lane(s):</td>
<td>100</td>
<td>0</td>
<td>100</td>
<td>75</td>
</tr>
<tr>
<td>Number of exclusive TH lanes:</td>
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<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Number of TH/RT lanes:</td>
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<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Number of exclusive FT lanes:</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>No. of exit lanes (reverse dir.):</td>
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<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Peak-hour factor:</td>
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<td></td>
<td></td>
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SUMMARY OF RESULTS

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<tr>
<th>Street name (E - W):</th>
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<th>N</th>
<th>W</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street name (N - S):</td>
<td>Critical LT lane volume:</td>
<td>147</td>
<td>11</td>
<td>437</td>
</tr>
<tr>
<td>Critical TH lane volume:</td>
<td>701</td>
<td>12</td>
<td>942</td>
<td>15</td>
</tr>
<tr>
<td>Volume opposing LT movement:</td>
<td>1595</td>
<td>4</td>
<td>1402</td>
<td>1</td>
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<tr>
<td>Conflicting TH - LT movements:</td>
<td>712</td>
<td>340</td>
<td>942</td>
<td>15</td>
</tr>
<tr>
<td>Critical movement volume:</td>
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<td>340</td>
<td>942</td>
<td>340</td>
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Sum of critical movements = 1282
Relationship to capacity: NEAR CAPACITY

U.S. 50 @ Tahoe Keys
Saturday
SUMMARY OF INPUT DATA

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<th>W</th>
<th>S</th>
</tr>
</thead>
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<tr>
<td>(1) Left-turn volume (VPHF):</td>
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<td>951</td>
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<td>(2) Through volume (VPHF):</td>
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<td>1038</td>
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<tr>
<td>(3) Right-turn volume (VPHF):</td>
<td>5</td>
<td>7</td>
<td>223</td>
<td>119</td>
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<tr>
<td>(4) Number of shared LT/TH/RT lanes:</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(5) Number of exclusive LT lanes:</td>
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<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>(6) Number of LT/TH or LT/RT lanes:</td>
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<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>(7) LT traffic in exclusive lane(s):</td>
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<td>0</td>
<td>100</td>
<td>75</td>
</tr>
<tr>
<td>(8) Number of exclusive TH lanes:</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>(9) Number of TH/RT lanes:</td>
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<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>(10) Number of exclusive RT lanes:</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(11) No. of exist lanes reverse dir.:</td>
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<td>1</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>(12) Peak-hour factor:</td>
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SUMMARY OF RESULTS

<table>
<thead>
<tr>
<th>Direction of travel:</th>
<th>E</th>
<th>N</th>
<th>W</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical LT lane volume:</td>
<td>147</td>
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<td>8</td>
<td>332</td>
</tr>
<tr>
<td>Critical TH lane volume:</td>
<td>701</td>
<td>8</td>
<td>793</td>
<td>121</td>
</tr>
<tr>
<td>Volume opposing LT movement:</td>
<td>1596</td>
<td>2</td>
<td>1420</td>
<td>1</td>
</tr>
<tr>
<td>Conflicting TH + LT movements:</td>
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<td>346</td>
<td>945</td>
<td>121</td>
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<td>Critical movement volume:</td>
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<td>346</td>
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<td>346</td>
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Sum of critical movements = 1291
Relationship to capacity: NEAR CAPACITY
SUMMARY OF INPUT DATA

Street name (E - W):
Street name (N - S):

<table>
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<tr>
<th>Direction of travel:</th>
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<th>N</th>
<th>W</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Left-turn volume (vPHF):</td>
<td>212</td>
<td>81</td>
<td>980</td>
<td>433</td>
</tr>
<tr>
<td>(2) Through volume (vPHF):</td>
<td>397</td>
<td>452</td>
<td>269</td>
<td>354</td>
</tr>
<tr>
<td>(3) Right turn volume (vPHF):</td>
<td>93</td>
<td>824</td>
<td>397</td>
<td>74</td>
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<td>(4) Number of shared LT/TH/RT lanes:</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>(5) Number of exclusive LT lanes:</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>(6) Number of LT/TH or LT/RT lanes:</td>
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<td>1</td>
</tr>
<tr>
<td>(7) % LT traffic in exclusive lane(s):</td>
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<td>100</td>
<td>75</td>
<td>75</td>
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<td>(8) Number of exclusive TH lanes:</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td>(9) Number of TH/RT lanes:</td>
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<td>1</td>
</tr>
<tr>
<td>(10) Number of exclusive RT lanes:</td>
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<td>1</td>
<td>0</td>
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<tr>
<td>(11) No. of exit lanes (reverse dir.):</td>
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<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>(12) Peak-hour factor:</td>
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SUMMARY OF RESULTS

Street name (E - W):
Street name (N - S):

<table>
<thead>
<tr>
<th>Direction of travel:</th>
<th>E</th>
<th>N</th>
<th>W</th>
<th>S</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical LT lane volume:</td>
<td>212</td>
<td>81</td>
<td>735</td>
<td>325</td>
</tr>
<tr>
<td>Critical TH lane volume:</td>
<td>248</td>
<td>224</td>
<td>269</td>
<td>323</td>
</tr>
<tr>
<td>Volume opposing LT movement:</td>
<td>269</td>
<td>354</td>
<td>397</td>
<td>452</td>
</tr>
<tr>
<td>Conflicting TH + LT movements:</td>
<td>983</td>
<td>551</td>
<td>481</td>
<td>404</td>
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<td>Critical movement volume:</td>
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<td>551</td>
<td>983</td>
<td>551</td>
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Sum of critical movements = 1533
Relationship to capacity: OVER CAPACITY
### SUMMARY OF INPUT DATA

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<th>(1) Left-turn volume (vphf):</th>
<th>(2) Through volume (vphf):</th>
<th>(3) Right turn volume (vphf):</th>
<th>(4) Peak-hour factor:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>153</td>
<td>1414</td>
<td>4</td>
<td>1.00</td>
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</tbody>
</table>

| Street name (N-S): | 134 | 1403 | 410 | 1.00 |

### SIGNALIZED INTERSECTION LEVEL OF SERVICE ANALYSIS --PLANNING METHOD (06-27-1990)

### SUMMARY OF RESULTS

<table>
<thead>
<tr>
<th>Street name (E-W):</th>
<th>E</th>
<th>N</th>
<th>W</th>
<th>S</th>
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<tbody>
<tr>
<td></td>
<td>153</td>
<td>0</td>
<td>5</td>
<td>349</td>
</tr>
</tbody>
</table>

<table>
<thead>
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<th>Critical LT lane volume:</th>
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<th>0</th>
<th>5</th>
<th>349</th>
</tr>
</thead>
<tbody>
<tr>
<td>Critical TH lane volume:</td>
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<td>900</td>
<td>129</td>
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<td>Volume opposing LT movement:</td>
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<td>0</td>
<td>1414</td>
<td>1</td>
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<tr>
<td>Conflicting TH + LT movements:</td>
<td>712</td>
<td>354</td>
<td>953</td>
<td>129</td>
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<td>Critical movement volume:</td>
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<td>354</td>
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<td>354</td>
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Sum of critical movements = 1307

Relationship to capacity: NEAR CAPACITY

U.S. 50 @ Tahoe Keys
Friday with Project

195
**SUMMARY OF INPUT DATA**

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<th>(1) Left-turn volume (vPHF):</th>
<th>(2) Through volume (vPHF):</th>
<th>(5) Number of exclusive LT lanes:</th>
<th>(8) Number of exclusive RT lanes:</th>
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<tbody>
<tr>
<td></td>
<td>21</td>
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<td>1</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>14</td>
<td>1721</td>
<td>1</td>
<td>0</td>
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<td>54</td>
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<td>1</td>
<td>0</td>
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<table>
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<th>(3) Right turn volume (vPHF):</th>
<th>(4) Number of shared LT/TH/RT lanes:</th>
<th>(6) Number of LT/TH or LT/RT lanes:</th>
<th>(7) % LT traffic in exclusive lane(s):</th>
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<tbody>
<tr>
<td>12</td>
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<table>
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<tr>
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<th>(11) No. of exit lanes (reverse dir.):</th>
<th>(13) Peak-hour factor:</th>
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<td>0</td>
<td>2</td>
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<td>0</td>
<td>1</td>
<td>0</td>
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<tr>
<td>0</td>
<td>2</td>
<td>0</td>
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**SUMMARY OF RESULTS**

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<th>Critical TH lane volume:</th>
<th>Volume opposing LT movement:</th>
<th>Conflicting TH + LT movements:</th>
<th>Critical movement volume:</th>
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<tbody>
<tr>
<td></td>
<td>21</td>
<td>575</td>
<td>1757</td>
<td>589</td>
<td>882</td>
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<td>72</td>
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<td></td>
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<td>72</td>
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Sum of critical movements = 954

Relationship to capacity: BELOW CAPACITY
## MODEL RESULTS FOR FILE fact-ex

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<th>RECEPTOR</th>
<th>* PRED *</th>
<th>COCN/LINK (PPM)</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECEPT 1</td>
<td>0.5</td>
<td>0.3 0.0 0.0 0.0</td>
<td></td>
<td></td>
<td></td>
<td>0.2</td>
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<td>0.0 0.3 0.2 0.0</td>
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<td></td>
<td></td>
<td>0.0</td>
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</table>

## MODEL RESULTS FOR FILE fact-pr

<table>
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<tr>
<th>RECEPTOR</th>
<th>* PRED *</th>
<th>COCN/LINK (PPM)</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
</tr>
</thead>
<tbody>
<tr>
<td>RECEPT 1</td>
<td>0.5</td>
<td>0.3 0.0 0.0 0.0</td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td>0.0 0.3 0.2 0.0</td>
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<td></td>
<td></td>
<td>0.0</td>
</tr>
</tbody>
</table>

Existing

With/Project

**ATTACHMENT P**
REPORT FOR FILE: fact-ex

1. Site Variables

U = 1.0 M/S
BRG = 180.0 DEGREES
CLASS = P STABILITY
MIXH = 1000.0 M
SIGTH = 0.0 DEGREES
ZO = 100.0 CM
VD = 0.0 CM/S
VS = 0.0 CM/S
AMB = 0.0 PPM
TEMP = 5.0 DEGREE (C)

2. Link Description

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<th>X1</th>
<th>Y1</th>
<th>X2</th>
<th>Y2</th>
<th>TYPE</th>
<th>VPH</th>
<th>EF (G/MI)</th>
<th>H (M)</th>
<th>W (M)</th>
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</thead>
<tbody>
<tr>
<td>A. Wye-3rd East</td>
<td>1210</td>
<td>860</td>
<td>1720</td>
<td>1280</td>
<td>AG</td>
<td>117</td>
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<td>16.5</td>
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<td>B. 3rd-Key East</td>
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<td>1280</td>
<td>1970</td>
<td>1480</td>
<td>AG</td>
<td>114</td>
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<td>C. key-3rd West</td>
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September 17, 1990

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of TRPA Water Quality Mitigation Funds ($22,500) to Placer County for Purchase of Specialized Equipment to Maintain Erosion Control Projects

Summary

Placer County requests the release of $22,500 in water quality mitigation funds for purchase of specialized equipment to maintain erosion control projects (letter attached). The $22,500 of TRPA water quality mitigation funds requested is to cover a portion of the cost increase for a new street sweeper with greater vacuuming capabilities. On July 26, 1989, the Governing Board approved Placer County's original request for $180,000 to purchase the specialized equipment (see staff summary and request attached). TRPA staff recommends the release of the additional $22,500 to Placer County.

Conditions

1. The County shall use the funds only for the purchase of specialized equipment, and if the equipment is not purchased within one year, the County shall return the funds with the accrued interest to the water quality mitigation fund.

2. The County shall keep complete records of all funds expended on the purchase of the equipment. Such records shall be made available for review and audit by the TRPA upon written request.

9/17/90
Summary Prepared by: Jerry Budy

CONSENT CALENDAR ITEM 9

200
Mr. Jerry Budy
Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, NV 89448

Dear Jerry:

Re: REQUEST FOR RELEASE OF WATER QUALITY MITIGATION FUNDS FOR PURCHASE OF SPECIALIZED MAINTENANCE EQUIPMENT

Last summer, Placer County Department of Public Works received approval from your agency to use $180,000 of water quality mitigation funds for the purchase of specialized equipment to maintain erosion control facilities within the Tahoe basin. The funding of the equipment was based on a 75% water quality mitigation fund / 25% local share split. During the procurement process, the decision was made to revise the requirements for the street sweeper to increase its sweeping and vacuuming capabilities. As such, the unit purchased is $102,700, $37,000 greater than what was indicated by our letter last year. We request your agency increase our original request from $180,000 to $202,500 to cover a portion of the cost increase for the new street sweeper. Our request does not change the originally proposed 75% / 25% split for the purchase of these much needed pieces of maintenance equipment. Included for your reference are copies of the purchase orders showing the cost of each piece of equipment.

We recently completed the purchasing and ordering process and expect delivery of the equipment in the near future. Upon approval of the increase to our original request, we ask that the $202,500 be released to our agency to allow prompt payment of the equipment upon its delivery.
Mr. Jerry Budy  
August 13, 1990

Page 2

If you need any additional information in regards to this request, or have any questions, please call me at (916) 889-7545.

Sincerely,

COUNTY OF PLACER  
DEPARTMENT OF PUBLIC WORKS  
JACK WARREN, DIRECTOR

Edward D. McCarthy
ASSOCIATE CIVIL ENGINEER

JW:EGM:nj

Enclosure

Ref.wp2/6
July 14, 1989

To: TRPA Governing Board

From: Agency Staff

Subject: Release of Water Quality Mitigation Funds to Placer County for Purchase of Specialized Equipment for Erosion Control Maintenance

Summary

Placer County requests the release of $180,000 in water quality mitigation funds for the purchase of a "Hydro Vac" and a vacuum street sweeper (see letter attached). The cost of the equipment is estimated at $240,000. The County proposes to use $60,000 of local county funds.

Several million dollars are being invested in water quality improvement projects on streets and highways. The continued effectiveness of these projects requires maintenance. In some instances, maintenance requires specialized equipment which some local government agencies do not have.

The mitigation fees collected pursuant to Chapter 82 are designed to offset the expected impacts of projects by at least 150 percent. The fee was based on the estimated cost of constructing projects, not including maintenance. Other agencies funding water quality improvement projects do not allow their grant monies to be used for maintenance equipment. The amount of mitigation funds raised by TRPA in a year in any one jurisdiction is not large. Equipment purchased by local government would be useful for other than water quality-related facilities and perhaps be useful for areas outside the Tahoe Region.

On May 25, 1988, the Governing Board discussed this matter and concluded that requests for the release of water quality mitigation funds for specialized equipment for erosion control maintenance should be approved on a case-by-case basis. TRPA staff recommends the release of $180,000 to Placer County, with the following conditions:
April 10, 1989

Mr. William A. Morgan
Executive Director
Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, NV 89448-1038

RE: REQUEST FOR USE OF WATER QUALITY MITIGATION FUNDS
FOR PURCHASE OF SPECIALIZED EQUIPMENT FOR MAINTENANCE
OF EROSION CONTROL FACILITIES

Dear Mr. Morgan:

Placer County requests use of Water Quality Mitigation Funds for the purchase of specialized equipment for the maintenance of public roads and storm drainage systems within the Tahoe basin. With an increasing emphasis on sediment and silt removal on new and existing facilities, preventive maintenance requirements are rapidly exceeding the County's ability to perform the work.

Placer County has, over the past five years, constructed projects costing $2.5 million for erosion control improvements. We have an additional three projects ($1.1 million) currently under construction and $6.5 million in proposed projects to be completed by 1991. In order for these facilities to function effectively they must be adequately maintained.

In order to obtain the necessary specialized equipment to effectively operate a quality maintenance program, we request the use of Water Quality Mitigation Funds for the purchase of a "Hydro-Vac drain pipe and catch basin cleaner" and a street sweeper. Both pieces of equipment are desperately needed to maintain road and drainage systems approaching the levels desired by TRPA and the LRWQCB. The cost of the equipment is estimated at $240,000. Our proposal is to fund the purchase with $180,000 from the Water Quality Mitigation Fund and $60,000 from local County funds. Without assistance from the Water Quality Mitigation Fund the County will have to defer purchase of this much needed equipment until such funds are available, which may be a significant period of time.
We hope the Tahoe Regional Planning Agency will act favorably upon our request to purchase this much needed equipment for maintenance purposes. The equipment will greatly improve our capability to remove trapped silt and sediment from the drainage systems and improve the quality of water entering Lake Tahoe. We would like to discuss this request with you and your staff at your earliest convenience. If you need any additional information concerning this request, please contact Mr. Edward G. McCarthy, of our staff, at (916)889-7545.

Yours very truly,

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS

JACK WARREN, DIRECTOR

cc: Board of Supervisors
MEMORANDUM

September 17, 1990

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of TRPA Water Quality Mitigation Funds ($16,055) to the City of South Lake Tahoe for Use on the 1987-1988 Airport Erosion Control Project

Summary

The City of South Lake Tahoe requests the release of $16,055 in water quality mitigation funds for use on the Airport Erosion Control Project (see billing attached). The $16,055 of TRPA water quality mitigation funds provided part of the City of South Lake Tahoe's match of $197,315 in order to request $445,310 from the State Assistance Grant Program administered through the Lahontan Regional Water Quality Control Board. At its March 13 and 14, 1986 regular meeting, the Lahontan Regional Water Quality Control Board approved the $445,310. TRPA staff approved the project in July 1987, but did not request the release of water quality funds at that time. Agency staff participated in both the conceptual design in 1985 and the construction phase during 1987-1988, and, as a result, was quite familiar with the project. Based on these factors, TRPA staff recommends the release of the $16,055 to cover TRPA's past commitments to the Airport Erosion Control Project.

Conditions

1. The City shall use the funds only for the Airport Erosion Control Project.

2. The City shall keep complete records of all funds expended on the project and how they were used. Such records shall be made available for review and audit by the TRPA upon written request.

9/17/90
Summary Prepared by: Jerry Budy

CONSENT CALENDAR ITEM 10
## CITY OF SOUTH LAKE TAHOE

P. O. BOX 1210
SOUTH LAKE TAHOE, CALIFORNIA 95705
(916) 573-2061

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**TAHOE REGIONAL PLANNING AGENCY**
P.O. BOX 1038
ATTN: JIM DANA
ZEPHYR COVE NV 89448

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**PERIOD CLOSING DATE:** 08/13/90

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- **Airport Erosion Control project.**
- Bill # 1188 + 3/89.

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**TO ASSURE PROPER CREDIT PLEASE RETURN UPPER PORTION WITH YOUR REMITTANCE.**

**PAST DUE AMOUNTS**

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207
CITY OF SOUTH LAKE TAHOE

LAKE TAHOE AIRPORT REMEDIAL EROSION CONTROL PROJECT

REQUEST FOR PROJECT FUNDING

AND

CONCEPT APPROVAL

DECEMBER 1985
BACKGROUND:

The City of South Lake Tahoe acquired ownership of the Lake Tahoe Airport in October 1983.

The previous owner, El Dorado County had processed an erosion control grant through the Lahontan Regional Water Quality Control Board and had developed virtually complete project plans and specifications. The grant could not be transferred to the City and the City is now filing a new grant application.

Upon the City acquiring ownership of the Airport a program of general Airport rehabilitation has been initiated. A master plan has been prepared and is presently under Regional Agency review.

The existing plans and specifications for the proposed erosion control project will be revised to incorporate future Airport rehabilitation detailed in the master plan.

SITE DESCRIPTION:

The Lake Tahoe Airport is situated on the Upper Truckee River Meadow just south of the City of South Lake Tahoe in the Lake Tahoe Basin of the Sierra Nevada Mountains. The Airport was constructed by El Dorado County with financial assistance from the Federal Aviation Administration (FAA). The Airport officially opened in September 1959.

The Airport was formally turned over to the City of South Lake Tahoe by El Dorado County in October 1983, and is being currently operated by the City of South Lake Tahoe. The site contains approximately 272 acres. A large portion of the site is flat and covered with either asphaltic concrete pavement presently used for runways, taxiways, aprons, and aircraft parking areas or with structures used in support of the Airport operations. The remainder consists of hilly vegetated areas and areas of eroded steepened slopes.

PROJECT DESCRIPTION:

The project consists of land contouring, mechanical stabilization of existing steep slopes, mechanical stabilization of existing eroding road shoulders, installation of approximately 500 linear feet of perforated metal pipe, mechanical stabilization of existing eroding channels and large areas of revegetation.

OPERATION AND MAINTENANCE:

The proposed project is on property which is owned by the City of South Lake Tahoe and will be the sole responsibility of the City for construction and maintenance. The project as proposed would utilize erosion control techniques which do not require scheduled maintenance and would only entail periodic maintenance to remain functional and effective. It may be necessary for the City to irrigate the revegetated areas in order to establish the plants and grasses for the first couple of growing seasons.
PROJECT BUDGET:

The proposed project budget is estimated at $642,625. The breakdown of those costs are shown below:

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SUBTOTAL CONSTRUCTION COST 518,250  358,860

Engineering Design at 5% 69  25,910  17,880
Const. & Contract Insp. at 2% 69  10,365  7,150
Administrative at 5% 69  25,910  17,880
Contingencies at 10% 69  51,825  35,760
Monitoring at 2% 75  10,365  7,780

PROJECT TOTAL 642,625  445,310

The City of South Lake Tahoe is requesting $445,310 from the State Assistance Grant Program through the Lahontan Regional Water Quality Control Board. The City of South Lake Tahoe will provide $197,315 to match the requested grant funding at approximately 69% of the total project costs.

The matching funds are proposed to be derived as follows:

FAA Funds $164,782
City General Fund (10% FAA match) 16,478
City, TRPA Mitigation Funds 16,055

$197,315

PROJECT AND GRANT ADMINISTRATION:

All phases of the proposed grant will be conducted by the City of South Lake Tahoe either by contract services or in-house services of the City staff. The Municipal Engineering Department of the City of South Lake Tahoe will be responsible for the coordination and implementation of all in-house or contract services.
PROJECT SCHEDULE:

The following time schedule is proposed for the project assuming concept approval of this grant is made by April 1986.

- Completion of grant contract: June 1986
- Completion of Design: August 1986
- Construction bid process: May 1987
- 100% construction complete: October 1987

ENVIRONMENTAL CONSIDERATIONS:

The proposed project would have long term positive environmental impacts. Improvements to Lake Tahoe water quality would result from the implementation of the proposed project. Aesthetics and soil conservation would be enhanced as a result of the project. The proposed project would not entail any growth enuding elements and would provide a benefit to residents and visitors of Lake Tahoe.

Construction activities associated with the implementation of the proposed project would result in minor short term impacts in regard to inconvenience, noise, aesthetics, and possibly air quality. The use of Best Management Practices as prescribed for construction and excavation in the Lake Tahoe Basin Water Quality Management Plan as required in the Lake Tahoe Basin will prevent short term impacts to water quality.

The proposed project is consistent with the Lake Tahoe Basin Water Quality Plan Environmental Impact Statement (May 1981) and the proposed Lake Tahoe Regional Plan.