TRPA
GOVERNING BOARD
PACKETS

NOVEMBER
1992
NOTICE OF MEETINGS
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

NOTICE IS HEREBY GIVEN that on November 18 and 19, 1992, commencing at 9:30 a.m. both days, at the TRPA office, 195 U.S. Highway 50, Zephyr Cove, Nevada, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The official agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on November 18, 1992, at 8:30 a.m. at the same location, the Finance Committee will discuss: 1) receipt of the October financial statement and check register; 2) release of air quality mitigation funds ($73,000) to Washoe County for pedestrian/bike path; 3) receipt of State Transit Assistance, Local Transportation Fund, and TRPA audits for FY 91-92; 4) policy on disposition of collected fines; and 5) amendment of the Personnel Policy Manual regarding Policy 3.2, Salary Schedule. (Finance Committee: Klein, Neft, Bennett, Lau, Chairman Kanoff)

NOTICE IS FURTHER GIVEN that on November 18, 1992, at 8:30 a.m. at the same location, the Legal Committee will discuss performance evaluation of Agency Legal Counsel and Special Projects Attorney (includes closed session without action), recommendation on Legal Committee review of violation resolutions, and Harrah's Casino Hotel resolution of enforcement, Douglas County APN 07-150-08. (Legal Committee: Upton, DeLanoy, Westergard, Waldie, Chairman Chimarusti)

NOTICE IS FURTHER GIVEN that on November 18, 1992, at 4:30 p.m. 1992, at the same location, the Rules Committee will discuss ex parte communication with Governing Board members and amendment of the Rules of Procedure by adoption of a public records retention schedule. (Rules Committee: Severson, Chimarusti, Cornwall, Lau, Chairman Waldie)

Date: November 9, 1992

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, Al Tahoe, and Tahoe City, California.
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

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

November 18, 1992  9:30 a.m.
November 19, 1992  9:30 a.m.

All items are action items unless otherwise noted.

OFFICIAL AGENDA

I. PLEDGE OF ALLEGIANCE

II. ADMINISTRATIVE MATTER

Appointment of Seventh Nevada Member to the Governing Board

III. ROLL CALL AND DETERMINATION OF QUORUM

IV. APPROVAL OF MINUTES (continue to December)

V. APPROVAL OF AGENDA

VI. CONSENT CALENDAR (see page 3)

VII. PROJECT REVIEW

A. Pinewild Homeowners Association, Construction of New Residential Parking Garage, Douglas County APN 05-211-52

VIII. PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS

A. Amendment of Chapter 93, Traffic and Air Quality Mitigation Program, by Adoption of Rental Car Mitigation Fee Ordinance

B. Amendment of Chapter 37, Individual Parcel Evaluation System, Relative to Clarification of Secondary Indicators for Stream Environment Zones and Amendment of Chapter 2, Definitions

C. Amendment of Sections 25.2 and 25.3 of Chapter 25 Regarding Best Management Practices Retrofit Phasing

IX. PLANNING MATTERS

A. Workshop: Erosion, Runoff and Nutrients - Where Do They Come From and How Do They Affect Lake Tahoe? - 11/18 1:00 p.m.  (No Action)

B. Reprogramming of Commercial Sewer Units to Residential Use, Determination of Available Sewer Capacity, and Authorizing Release of 1993 Residential Allocations in South Tahoe Public Utility District (STPUD) Service Area

C. Status Report on MOUs Exempting Activities from TRPA Review

D. Status Report on MOUs Delegating Review and Approval to Local Jurisdictions
X. ACTION OF THE REGIONAL TRANSPORTATION PLANNING AGENCY

A. Resolution Requesting Transfer of Clean Air and Transportation Improvement Act Grant Application Status From TRPA, Sitting as the Regional Transportation Planning Agency, to the City of South Lake Tahoe and El Dorado County

XI. ADMINISTRATIVE MATTERS

A. Performance Review of Executive Director, Agency Counsel, and Special Projects Attorney (Including Closed Session Without Action)

B. Resolution Amending Personnel Policy Manual Regarding Policy 3.2, Salary Schedule

XII. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee
   1. Receipt of October Financial Statement and Check Register
   2. Receipt of TRPA Audit FY 91-92

B. Capital Financing Committee

C. Legal Committee
   1. Harrah's Casino Hotel, Resolution of Enforcement, Douglas County APN 07-150-08

D. Rules Committee

XIII. REPORTS

A. Executive Director
   1. Status Report on Processed Projects
   3. Report on the October 15, 16 Economic Conference

B. Agency Counsel

C. Governing Board Members (No Action)

XIV. RESOLUTIONS

XV. PUBLIC INTEREST COMMENTS (No Action)

XVI. ADJOURNMENT
# CONSENT CALENDAR

<table>
<thead>
<tr>
<th>Item</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1. Release of Air Quality Mitigation Funds to Washoe County ($73,000) for Pedestrian/Bike Path</td>
<td>Approval. 1-2</td>
</tr>
<tr>
<td>2. FY 91-92 Local Transportation Fund Audit</td>
<td>Receipt. 3-20</td>
</tr>
<tr>
<td>3. FY 91-92 State Transit Assistance Fund Audit</td>
<td>Receipt. 21-29</td>
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<td>4. California Department of Parks and Recreation, Addition to the Marion Steinbach Indian Basket Museum (Gate Keeper's Museum), Placer County APN 94-540-06</td>
<td>Approval With Findings And Conditions. 30-44</td>
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<td>5. Harrah's Casino Hotel, Resolution of Enforcement, Douglas County APN 07-150-08 (This item will not be acted on until after the Legal Committee has presented its recommendation.)</td>
<td>Approval. 45-46</td>
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<td>6. Lewis, Subdivision of Two-Unit Development, Special use Determination, Change of Use Category, 325 Cottonwood Court, Washoe County APN 124-041-91</td>
<td>Approval With Findings And Conditions. 47-51</td>
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<tr>
<td>7. Lewis, Subdivision of a Four-Unit Development, Special Use Determination, Change of Use Category, 335 Cottonwood Court, Washoe County APN 124-041-92</td>
<td>Approval With Findings And Conditions. 52-56</td>
</tr>
</tbody>
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**Completed Land Capability Challenges:**

8. Newport Pacific Tahoe Verde Limited, Tahoe Valley Center Subdivision, Unit 3, Portion of Lot 6, El Dorado County APN 32-301-10 | Approval. 57-61 |
9. Galicia, 1630 Shop Street, El Dorado County APN 032-313-23 | Approval. 62-66 |
10. Menning, 423 Fairview, Washoe County APN 131-221-02 | Approval. 67-70 |

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the 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 Board member or noticed affected property owner requests that any item be removed from the 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
November 3, 1992

To: TRPA Governing Board

From: Agency Staff

Subject: Release of Traffic/Air Quality Mitigation Funds to Washoe County ($73,000)

Staff Recommendation: Staff recommends the Governing Board approve the release of traffic/air quality mitigation funds in the amount of $73,000 to Washoe County for the construction of a bicycle trail/pedestrian path in the Incline Village area.

Discussion: Section 93.5 of the TRPA Code of Ordinances specifies the manner in which traffic and air quality mitigation funds are to be distributed and used. Mitigation fees collected by TRPA and held in trust for the jurisdictions within which projects are being completed. TRPA disburses these funds to the jurisdictions upon their request, provided that TRPA finds that the proposed use of the mitigation funds are consistent with TRPA’s adopted Regional Transportation Plan - Air Quality Plan.

Washoe County has requested the release of traffic and air quality mitigation funds in the amount of $73,000 to pay for the construction of a bicycle trail/pedestrian path in the Incline Village area. The facility is located between the Incline Village Middle School and Incline Way, via the IVGID tennis complex and recreation center and ties into existing/future bikeways.

The County has requested that the funds be sent to the Incline Village General Improvement District to reimburse IVGID’s costs for the construction of this facility.

Staff has reviewed the County’s request for the release of traffic mitigation funds held by TRPA and has determined that the proposed use of the funds is consistent with the TRPA Regional Transportation Plan - Air Quality Plan.

As of September 30, 1992, Washoe County had a balance of $494,555 in their mitigation fund account. Approval of the County’s request will leave a balance of $421,555.

If there are any questions, please contact Leif Anderson at (702) 588-4547.

11/3/92

/la

Planning for the Protection of our Lake and Land
Mr. David Ziegler, Executive Director
Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

RE: Third Creek Bike Path and Bridge Project

Dear Dave:

Washoe County requests release of up to $73,000 in Air Quality Mitigation Funds to pay for design and construction of a pedestrian/bicycle path between Incline Middle School and Incline Way via the IVGID Tennis Complex and the new Incline Village Recreation Center. The path is to be constructed by the Incline Village General Improvement District, and will extend the County's existing pathway system currently terminating at the Middle School. The pathway ties into existing and future pathways at the McCloud Condominiums and the Hyatt, and will allow the eventual linkage to the existing system at Country Club Drive and Lakeshore Boulevard. The pathway furthers the recommendation of the draft Community Plan Statements for Incline Village, and will reduce motor vehicle traffic in the Incline Park area of the Village, thereby improving air quality in the area.

To simplify the bookkeeping, please reimburse IVGID directly for documented project costs. Reimbursement should be for actual costs up to $73,000.

On behalf of the people of Incline Village and Washoe County, we want to express our sincere thanks to TRPA. We appreciate your cooperation and the assistance of your staff in completing this project.

Sincerely,

[Signature]

Gene McDowell, Chairman
Washoe County Commission

cc: Daniel M. St. John, P.E., IVGID
Dean Diedrich, Comprehensive Planning
November 6, 1992

To: TRPA Governing Board Sitting as the Regional Transportation Planning Agency

From: TRPA Staff

Subject: FY 1991-92 Local Transportation Fund (LTF) Audit

Staff Recommendation: Staff recommends the Governing Board receive the FY 1991-92 Local Transportation Fund (LTF) audit report.

Discussion: Section 6661 of the Transportation Development Act (TDA) Rules and Regulations requires that an annual fiscal and compliance audit of the financial statements for the LTF be completed by the responsible Regional Transportation Planning Agency. This audit is to be conducted in accordance with generally accepted auditing standards.

The required audits of LTF monies held by El Dorado and Placer Counties, and administered by TRPA, have been completed by the CPA firm of Kafoury, Armstrong, Bernard, and Bergstrom. The LTF audit report will be provided to the Finance Committee and the Governing Board before the November Board meeting.

Staff will make a presentation to the Finance Committee at that time. If you have any questions, please contact Jim Dana at (702) 588-4547.
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Development Act, California Administrative  
Code and the Rules and Regulations of the  
Tahoe Regional Planning Agency  7
Independent Auditor's Report

To the Governing Body of the
Tahoe Regional Planning Agency

We have audited the component unit financial statements of the El Dorado County Local Transportation Fund of the Tahoe Regional Planning Agency as of June 30, 1992, and for the year then ended. These financial statements are the responsibility of the Tahoe Regional Planning Agency's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the component unit financial statements referred to above present fairly, in all material respects, the financial position of the El Dorado County Local Transportation Fund of the Tahoe Regional Planning Agency as of June 30, 1992, and the results of its operations for the year then ended in conformity with generally accepted accounting principles.

Our audit was made for the purpose of forming an opinion on the component unit financial statements taken as a whole. The financial information listed as supplementary data in the table of contents is presented for purposes of additional analysis and is not a required part of the component unit financial statements of the El Dorado County Local Transportation Fund of the Tahoe Regional Planning Agency. Such information has been subjected to the auditing procedures applied in the audit of the component unit financial statements and, in our opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

Carson City, Nevada
August 18, 1992

Kafouri, Armstrong, Bernard & Bergstrom
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<th>1991</th>
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<tr>
<td>Total Liabilities and Fund Balance</td>
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</table>

The accompanying notes are an integral part of these financial statements.
TAHOE REGIONAL PLANNING AGENCY
EL DORADO COUNTY LOCAL TRANSPORTATION FUND
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE YEAR ENDED JUNE 30, 1992
(With Comparative Totals For the Year Ended June 30, 1991)

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<tr>
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<tr>
<td><strong>REVENUES</strong></td>
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<td>Local Transportation Funds</td>
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<td>Miscellaneous:</td>
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<td>Interest</td>
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<td><strong>Total Revenues</strong></td>
<td>562,601</td>
<td>629,161</td>
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|                  |         |         |
| **EXPENDITURES** |         |         |
| Intergovernmental: |        |         |
| Payments to claimants: |        |         |
| City of South Lake Tahoe | 395,050 | 427,624 |
| El Dorado County      | 518,412 | 239,990 |
| Tahoe Regional Planning Agency | 57,452 | 33,200 |
| **Total Expenditures** | 970,914 | 700,814 |

|                  |         |         |
| **(Deficiency) of Revenues over Expenditures** |         |         |
|                | (408,313) | (71,653) |

|                  |         |         |
| **FUND BALANCE, July 1** |         |         |
|                    | 669,232 | 740,885 |

|                  |         |         |
| **Prior period adjustment - Note 4** |         |         |
|                        | 21,617  | -       |

|                  |         |         |
| **FUND BALANCE, July 1, as restated** |         |         |
|                                        | 690,849 | -       |

|                  |         |         |
| **FUND BALANCE, June 30** |         |         |
|                            | $282,536 | $669,232 |

The accompanying notes are an integral part of these financial statements.
TAHOE REGIONAL PLANNING AGENCY
EL DORADO COUNTY LOCAL TRANSPORTATION FUND
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 1992

NOTE 1 - Summary of Significant Accounting Policies:

Reporting Entity:

The El Dorado County Local Transportation Fund was created pursuant to the Transportation Development Act (the Act), Section 29530 of the California Administrative Code. The fund is used to account for Local Transportation monies allocated and transmitted to claimants as directed by the Tahoe Regional Planning Agency, the regional transportation planning agency for the Lake Tahoe Basin. Local Transportation Fund revenues represent the county's allocations of 1/4¢ of the retail sales tax collected statewide. The 1/4¢ is returned by the California State Board of Equalization to each county according to the amount of tax collected in that county.

In accordance with the criteria established by the Governmental Accounting Standards Board, the El Dorado County Local Transportation Fund is a component unit of the Tahoe Regional Planning Agency. Claims paid by the El Dorado Local Transportation Fund are disbursed by the El Dorado County auditor, but only in accordance with written allocation instructions issued in compliance with the Act by the Tahoe Regional Transportation Planning Agency.

Basis of Accounting:

The El Dorado County Local Transportation Fund is accounted for using the modified accrual basis of accounting as defined by the Governmental Accounting Standards Board (GASB). This method provides for recognition of expenditures at the time liabilities are incurred, while revenues are recorded when measurable and available to finance expenditures of the fiscal period. Available is defined as being due and collected during the current period or within 45 days after year end. When revenues are due, but will not be collected within 45 days after year end, the receivable is recorded and on offsetting deferred revenue account is established.

Cash and Investments:

Cash and investment balances of the El Dorado County Local Transportation Fund are combined with those of El Dorado County and, to the extent practicable, invested as required by Section 29530 of the California Administrative Code.

Budgets and Budgetary Accounting:

The El Dorado County Local Transportation Fund is not required to prepare an annual budget.
Comparative Data:

Comparative data shown for the prior year (1991) has been extracted from the 1990-91 financial statements. It has been provided to add comparability, but is not considered full disclosure of transactions for 1990-91. Such information can only be obtained by referring to that audit report. Amounts in June 30, 1991 columns have been reclassified where necessary and practical to afford better comparability between the years.

NOTE 2 - Compliance with Laws and Regulations:

The El Dorado County Local Transportation Fund conformed to all statutory and regulatory constraints on its financial management during the year.

NOTE 3 - Due to Claimants:

The amount reported as "Due to Claimants" represents the unpaid balance of allocations for the City of South Lake Tahoe's STAGE program.

NOTE 4 - Prior period adjustment:

Fund balance as of July 1, 1991 has been adjusted to correct an error in fiscal year 1991 and prior years. The errors result from the omission of the accrual of local transportation revenues received subsequent to year-end which should have been recorded in prior fiscal years. Had the errors not been made, fund balance for 1991 and prior years would have increased by $3,419 and $18,198 respectively.
## California Government Code Sections

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<th>99400(A)</th>
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<td><strong>TOTALS</strong></td>
<td><strong>$970,914</strong></td>
<td><strong>$700,814</strong></td>
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Independent Auditor's Report
on Compliance with Transportation Development Act,
California Administrative Code and the Rules and Regulations
of the Tahoe Regional Planning Agency

To the Governing Body of the
Tahoe Regional Planning Agency

We have audited the component unit financial statements of the El Dorado County Local Transportation Fund of the Tahoe Regional Planning Agency as of and for the year ended June 30, 1992, and have issued our report thereon dated August 18, 1992.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the component unit financial statements are free of material misstatement.

Compliance with laws and regulations applicable to the El Dorado County Local Transportation Fund of the Tahoe Regional Planning Agency is the responsibility of the Tahoe Regional Planning Agency's management. As part of obtaining reasonable assurance about whether the component unit financial statements are free of material misstatement, we performed tests of the Fund's compliance with the Transportation Development Act, California Administrative Code and the rules and regulations of the Tahoe Regional Planning Agency.

The results of our tests indicate that, with respect to the items tested, the El Dorado County Local Transportation Fund of the Tahoe Regional Planning Agency complied, in all material respects, with the provisions referred to in the preceding paragraph. With respect to items not tested, nothing came to our attention that caused us to believe that the Fund had not complied, in all material respects, with those provisions.

This report is intended for the information of the Finance Committee and management. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

Carson City, Nevada
August 18, 1992

Kafoury, Armstrong, Bernard & Bergstrom
TAHOE REGIONAL PLANNING AGENCY
PLACER COUNTY LOCAL TRANSPORTATION FUND
JUNE 30, 1992

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<td>On Financial Statements and</td>
<td>1</td>
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<tr>
<td>Supplementary Data</td>
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<tr>
<td>Balance Sheet</td>
<td>2</td>
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<tr>
<td>Statement of Revenues, Expenditures</td>
<td>3</td>
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<tr>
<td>and Changes in Fund Balance</td>
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<td>Notes to Financial Statements</td>
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<tr>
<td>Schedule of Allocations and Disbursements</td>
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<tr>
<td>Independent Auditor's Report on Compliance with Transportation Development Act, California Administrative Code and the Rules and Regulations of the Tahoe Regional Planning Agency</td>
<td>7</td>
</tr>
</tbody>
</table>
Independent Auditor's Report

To the Governing Board of the
Tahoe Regional Planning Agency

We have audited the component unit financial statements of the Placer County Local Transportation Fund of the Tahoe Regional Planning Agency as of June 30, 1992, and for the year then ended. These financial statements are the responsibility of the Tahoe Regional Planning Agency's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the component unit financial statements referred to above present fairly, in all material respects, the financial position of the Placer County Local Transportation Fund of the Tahoe Regional Planning Agency as of June 30, 1992, and the results of its operations for the year then ended in conformity with generally accepted accounting principles.

Our audit was made for the purpose of forming an opinion on the component unit financial statements taken as a whole. The financial information listed as supplementary data in the table of contents is presented for purposes of additional analysis and is not a required part of the component unit financial statements of the Placer County Local Transportation Fund of the Tahoe Regional Planning Agency. Such information has been subjected to the auditing procedures applied in the audit of the component unit financial statements and, in our opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

Kafoury, Armstrong, Bernard & Bergstrom

Carson City, Nevada
August 13, 1992
TAHOE REGIONAL PLANNING AGENCY  
PLACER COUNTY LOCAL TRANSPORTATION FUND  
BALANCE SHEET  
JUNE 30, 1992  
(With Comparative Totals for June 30, 1991)

**ASSETS**

<table>
<thead>
<tr>
<th></th>
<th>1992</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and investments</td>
<td>$</td>
<td>$27,884</td>
</tr>
<tr>
<td>Due from other governments</td>
<td>$</td>
<td>12,334</td>
</tr>
<tr>
<td>Total Assets</td>
<td>$</td>
<td>$40,218</td>
</tr>
</tbody>
</table>

**LIABILITIES AND FUND BALANCE**

<table>
<thead>
<tr>
<th></th>
<th>1992</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIABILITIES</td>
<td>$</td>
<td>$</td>
</tr>
<tr>
<td>FUND BALANCE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unreserved - Notes 3 and 4</td>
<td>$</td>
<td>40,218</td>
</tr>
<tr>
<td>Total Liabilities and Fund Balance</td>
<td>$</td>
<td>$40,218</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
TAHOE REGIONAL PLANNING AGENCY
PLACER COUNTY LOCAL TRANSPORTATION FUND
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE YEAR ENDED JUNE 30, 1992
(With Comparative Totals for the Year Ended June 30, 1991)

<table>
<thead>
<tr>
<th></th>
<th>1992</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Local Transportation Funds</td>
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<td>$312,909</td>
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<tr>
<td>Miscellaneous:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>1,806</td>
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<tr>
<td><strong>Total Revenues</strong></td>
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<td>317,216</td>
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<td><strong>EXPENDITURES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intergovernmental:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments to claimants:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Placer County</td>
<td>302,752</td>
<td>309,966</td>
</tr>
<tr>
<td>Tahoe Regional Planning Agency</td>
<td>15,085</td>
<td>13,800</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>317,837</td>
<td>323,766</td>
</tr>
<tr>
<td>Miscellaneous:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>373</td>
<td>874</td>
</tr>
<tr>
<td>Miscellaneous - Note 4</td>
<td>3,076</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>3,449</td>
<td>874</td>
</tr>
<tr>
<td><strong>Excess of Expenditures over Revenues</strong></td>
<td>(40,218)</td>
<td>(7,424)</td>
</tr>
<tr>
<td><strong>FUND BALANCE, July 1</strong></td>
<td>$40,218</td>
<td>$47,642</td>
</tr>
<tr>
<td><strong>FUND BALANCE, June 30</strong></td>
<td>-</td>
<td>$40,218</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NOTE 1 - Summary of Significant Accounting Policies:

**Reporting Entity:**

The Placer County Local Transportation Fund was created pursuant to the Transportation Development Act (the Act), Section 29530 of the California Administrative Code. The fund is used to account for Local Transportation monies allocated and transmitted to claimants as directed by the Tahoe Regional Planning Agency, the regional transportation planning agency for the Lake Tahoe Basin. Revenues of the Placer County Local Transportation Fund represent the county's allocation of 1/4% of the retail sales tax collected statewide. The 1/4% is returned by the California State Board of Equalization to each county according to the amount of tax collected in that county.

In accordance with the criteria established by the Governmental Accounting Standards Board, the Placer County Local Transportation Fund is a component unit of the Tahoe Regional Planning Agency. Claims paid by the Placer County Local Transportation Fund are disbursed by the Placer County auditor-controller, but only in accordance with written allocation instructions issued in compliance with the Act by the Regional Transportation Planning Agency.

**Basis of Accounting:**

The Placer County Local Transportation Fund is accounted for using the modified accrual basis of accounting as defined by the Governmental Accounting Standards Board (GASB). This method provides for recognition of expenditures at the time liabilities are incurred, while revenues are recorded when measurable and available to finance expenditures of the fiscal period. Available is defined as being due and collected during the current period or within 45 days after year end. When revenues are due, but will not be collected within 45 days after year end, the receivable is recorded and on offsetting deferred revenue account is established.

**Cash:**

Cash balances of the Placer County Local Transportation Fund are combined with those of Placer County and, to the extent practicable, invested as required by Section 29530 of the California Administrative Code.

**Budgets and Budgetary Accounting:**

The Placer County Local Transportation Fund is not required to prepare an annual budget.
Comparative Data:

Comparative data shown for the prior year (1991) has been extracted from the 1990-91 financial statements. It has been provided to add comparability, but is not considered full disclosure of transactions for 1990-91. Such information can only be obtained by referring to that report. Amounts in the June 30, 1991 columns have been reclassified where necessary and practical to afford better comparability between the years.

NOTE 2 - Compliance with Laws and Regulations:

The Placer County Local Transportation Fund conformed to all statutory and regulatory constraints on its financial management during the year.

NOTE 3 - Continuing Operations:

During the current fiscal year, sales tax revenues apportioned to the fund fell short of anticipated levels and as such fund balance has been reduced to zero. However, the fund’s continued operation is insured as a portion of the revenues for the fiscal year ending June 30, 1993 have been received as of the date of this report and allocated to the fund by the Placer County Auditor’s office.

NOTE 4 - Change of Population and Revenue Estimates:

Local Transportation Fund revenues are allocated to the fund based on population estimates. Subsequent to year end, final population figures are received which may effect the amount of revenue allocated to the fund in prior years. As a result of receiving final population figures for the year ended June 30, 1991, it was determined that the revenue reported for that fiscal year was overstated by $3,076. The 1990-91 excess amount was remitted to the Local Transportation Fund for the western slope of the Sierra's.
<table>
<thead>
<tr>
<th></th>
<th>ADMINISTRATION</th>
<th>99233.2</th>
<th>99260.0</th>
<th>1992</th>
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<tr>
<td><strong>Allocations:</strong></td>
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<tr>
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<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Tahoe Regional Planning Agency</td>
<td>5,000</td>
<td>10,085</td>
<td>-</td>
<td>15,085</td>
<td>13,800</td>
</tr>
<tr>
<td>Placer County - TART</td>
<td></td>
<td></td>
<td></td>
<td>321,103</td>
<td>321,103</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 5,000</td>
<td>$10,085</td>
<td>$321,103</td>
<td>$336,188</td>
<td>$323,541</td>
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<tr>
<td><strong>Disbursements:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Placer County</td>
<td>$ 297</td>
<td>$ -</td>
<td>$ -</td>
<td>$ 297</td>
<td>$ 297</td>
</tr>
<tr>
<td>Tahoe Regional Planning Agency</td>
<td>5,000</td>
<td>10,085</td>
<td>-</td>
<td>15,085</td>
<td>13,800</td>
</tr>
<tr>
<td>Placer County - TART</td>
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<td></td>
<td></td>
<td>302,455</td>
<td>302,455</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$ 5,297</td>
<td>$10,085</td>
<td>$302,455</td>
<td>$317,837</td>
<td>$323,766</td>
</tr>
</tbody>
</table>
Independent Auditor's Report
on Compliance with Transportation Development Act,
California Administrative Code and the Rules and Regulations
of the Tahoe Regional Planning Agency

To the Governing Board of the
Tahoe Regional Planning Agency

We have audited the component unit financial statements of the Placer County
Local Transportation Fund of the Tahoe Regional Planning Agency as of and for the
year ended June 30, 1992 and have issued our report thereon dated August 13, 1992.

We conducted our audit in accordance with generally accepted auditing
standards. Those standards require that we plan and perform the audit to obtain
reasonable assurance about whether the component unit financial statements are free
of material misstatement.

Compliance with laws and regulations applicable to the Placer County Local
Transportation Fund of the Tahoe Regional Planning Agency is the responsibility of
the Tahoe Regional Planning Agency's management. As part of obtaining reasonable
assurance about whether the component unit financial statements are free of material
misstatement, we performed tests of the Fund's compliance with the Transportation
Development Act, California Administrative Code and the Rules and Regulations of the
Tahoe Regional Planning Agency.

The results of our tests indicate that, with respect to the items tested, the
Placer County Local Transportation Fund of the Tahoe Regional Planning Agency
complied, in all material respects, with the provisions referred to in the preceding
paragraph. With respect to items not tested, nothing came to our attention that
caused us to believe that the Placer County Local Transportation Fund had not
complied, in all material respects, with those provisions.

This report is intended for the information of the Finance Committee and
management. This restriction is not intended to limit the distribution of this
report, which is a matter of public record.

Carson City, Nevada
August 13, 1992
MEMORANDUM

November 6, 1992

To: TRPA Governing Board Sitting as the Regional Transportation Planning Agency

From: TRPA Staff

Subject: FY 1991-92 State Transit Assistance (STA) Fund Audit

Staff Recommendation: Staff recommends the Governing Board receive the FY 1991-92 State Transit Assistance (STA) Fund audit report.

Discussion: Section 6751 of the Transportation Development Act (TDA) Rules and Regulations requires that an annual fiscal and compliance audit of the financial statements for the STA fund be completed by the responsible Regional Transportation Planning Agency. This audit is to be conducted in accordance with generally accepted auditing standards.

The required audits of STA monies held by El Dorado County, and administered by TRPA, has been completed by the CPA firm of Kafoury, Armstrong, Bernard, and Bergstrom. The STA audit report will be provided to the Finance Committee and the Governing Board before the November Board meeting.

Staff will make a presentation to the Finance Committee at that time. If you have any questions, please contact Jim Dana at (702) 588-4547.
TAHOE REGIONAL PLANNING AGENCY
EL DORADO COUNTY STATE TRANSIT ASSISTANCE FUND
JUNE 30, 1992

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   Statement of Revenues, Expenditures and Changes in Fund Balance 3
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COMPLIANCE SECTION
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Independent Auditor's Report

To the Governing Board of the
Tahoe Regional Planning Agency

We have audited the component unit financial statements of the El Dorado County State Transit Assistance Fund of the Tahoe Regional Planning Agency as of June 30, 1992, and for the year then ended. These financial statements are the responsibility of the Tahoe Regional Planning Agency's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the component unit financial statements referred to above present fairly, in all material respects, the financial position of the El Dorado County State Transit Assistance Fund of the Tahoe Regional Planning Agency as of June 30, 1992, and the results of its operations for the year then ended in conformity with generally accepted accounting principles.

Our audit was made for the purpose of forming an opinion on the component unit financial statements taken as a whole. The financial information listed as supplementary data in the table of contents is presented for purposes of additional analysis and is not a required part of the component unit financial statements of the El Dorado County State Transit Assistance Fund of the Tahoe Regional Planning Agency. Such information has been subjected to the auditing procedures applied in the audit of the component unit financial statements and, in our opinion, is fairly stated in all material respects in relation to the financial statements taken as a whole.

Kafoury, Armstrong, Bernard & Bergstrom

Carson City, Nevada
August 18, 1992
<table>
<thead>
<tr>
<th>ASSETS</th>
<th>1992</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and investments</td>
<td>$5,339</td>
<td>$40,868</td>
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<tr>
<td>Due from other governments</td>
<td>$16,477</td>
<td>$13,240</td>
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<tr>
<td>Total Assets</td>
<td>$21,816</td>
<td>$54,108</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>LIABILITIES AND FUND BALANCE</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>LIABILITIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Due to claimants - Note 3</td>
<td>$20,962</td>
<td>$49,965</td>
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<tr>
<td>FUND BALANCE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserved</td>
<td>$2,988</td>
<td></td>
</tr>
<tr>
<td>Unreserved</td>
<td>$854</td>
<td>$1,155</td>
</tr>
<tr>
<td></td>
<td>854</td>
<td>4,143</td>
</tr>
<tr>
<td>Total Liabilities and Fund Balance</td>
<td>$21,816</td>
<td>$54,108</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
<table>
<thead>
<tr>
<th></th>
<th>1992</th>
<th>1991</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intergovernmental:</td>
<td></td>
<td></td>
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<tr>
<td>State Transit Assistance</td>
<td>$65,886</td>
<td>$52,953</td>
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<td>Miscellaneous:</td>
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<tr>
<td>Interest</td>
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<tr>
<td><strong>Total Revenues</strong></td>
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<tr>
<td><strong>EXPENDITURES</strong></td>
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<tr>
<td>Intergovernmental:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments to claimants:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Placer County</td>
<td>$35,181</td>
<td>$30,000</td>
</tr>
<tr>
<td>City of South Lake Tahoe</td>
<td>$35,181</td>
<td>$19,965</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>$70,362</td>
<td>$49,965</td>
</tr>
<tr>
<td>Excess (Deficiency) of Revenues over Expenditures</td>
<td>$(3,289)</td>
<td>$3,698</td>
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<tr>
<td><strong>FUND BALANCE, July 1</strong></td>
<td>$4,143</td>
<td>$445</td>
</tr>
<tr>
<td><strong>FUND BALANCE, June 30</strong></td>
<td>$854</td>
<td>$4,143</td>
</tr>
</tbody>
</table>

The accompanying notes are an integral part of these financial statements.
NOTE 1 - Summary of Significant Accounting Policies:

Reporting Entity:

The El Dorado County State Transit Assistance Fund was created pursuant to Article 6.5 of the California Public Utilities Code. The fund is used to account for State Transit Assistance monies allocated and transmitted to claimants as directed by the Tahoe Regional Planning Agency, the regional transportation planning agency for the Lake Tahoe Basin. Continued existence of this fund is contingent upon funds being appropriated by the State of California General Fund and the availability of Spillover Revenues from the El Dorado County State Transportation and Development Account. In accordance with the criteria established by the Governmental Accounting Standards Board, the El Dorado County State Transit Assistance Fund is a component unit of the Tahoe Regional Planning Agency.

Basis of Accounting:

The El Dorado County State Transit Assistance Fund is accounted for using the modified accrual basis of accounting as defined by the Governmental Accounting Standards Board (GASB). This method provides for recognition of expenditures at the time liabilities are incurred, while revenues are recorded when measurable and available to finance expenditures of the fiscal period. Available is defined as being due and collected during the current period or within 45 days after year end. When revenues are due, but will not be collected within 45 days after year end, the receivable is recorded and an offsetting deferred revenue account is established.

Cash and Investments:

Cash and investment balances of the El Dorado County State Transit Assistance Fund are combined with those of El Dorado County and, to the extent practicable, are invested as required by Section 6750(c) of the California Administrative Code.

Budgets and Budgetary Accounting:

The El Dorado County State Transit Assistance Fund is not required to prepare an annual budget.

Fund Balance:

The reserved portion of fund balance represents the amount of the State Transit Assistance revenue that was not expended during the year. It is reserved for allocation on State Transit Assistance projects in the future.
Comparative Data:

Comparative data shown for the prior year (1991) has been extracted from the 1990-91 financial statements. It has been provided to add comparability, but is not considered full disclosure of transactions for 1990-91. Such information can only be obtained by referring to that audit report. Amounts in the June 30, 1991 columns have been reclassified where necessary and practical to afford better comparability between the years.

NOTE 2 - Compliance with Statutes and Regulations:

The El Dorado County State Transit Assistance Fund conformed to all statutory and regulatory constraints on its financial management during the year.

NOTE 3 - Due to Claimants:

The amount reported as "Due to Claimants" represents the unpaid balance of allocations to claimants for the fiscal year ended June 30, 1992.
TAHOE REGIONAL PLANNING AGENCY
EL DORADO COUNTY STATE TRANSIT ASSISTANCE FUND
SCHEDULE OF ALLOCATIONS, DISBURSEMENTS, AND
AMOUNTS DUE TO CLAIMANTS BY PURPOSE
FOR THE YEAR ENDED JUNE 30, 1992
(With Comparative Totals for June 30, 1991)

<table>
<thead>
<tr>
<th>CALIFORNIA ADMINISTRATIVE CODE SECTION</th>
<th>1992</th>
<th>1991</th>
</tr>
</thead>
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<td></td>
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<td></td>
</tr>
<tr>
<td>6730(a)</td>
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<td></td>
</tr>
</tbody>
</table>

locations:
Placer County:
  Fiscal year 1990-91 $2,988 $-
  Fiscal year 1991-92 35,181 30,000
  City of South Lake Tahoe 35,181 19,965

$73,350 $49,965

Expenditures:
Placer County
  $35,181 $30,000
  City of South Lake Tahoe 35,181 19,965

$70,362 $49,965
Independent Auditor's Report
on Compliance with Transportation Development Act,
California Administrative Code and the Rules and Regulations
of the Tahoe Regional Planning Agency

To the Governing Body of the
Tahoe Regional Planning Agency

We have audited the component unit financial statements of the El Dorado County State Transit Assistance Fund of the Tahoe Regional Planning Agency as of and for the year ended June 30, 1992, and have issued our report thereon dated August 18, 1992.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the component unit financial statements are free of material misstatement.

Compliance with laws and regulations applicable to the El Dorado County State Transit Assistance Fund of the Tahoe Regional Planning Agency is the responsibility of the Tahoe Regional Planning Agency's management. As part of obtaining reasonable assurance about whether the component unit financial statements are free of material misstatement, we performed tests of the El Dorado County State Transit Assistance Funds compliance with the Transportation Development Act, California Administrative Code and the Rules and Regulations of the Tahoe Regional Planning Agency.

The results of our tests indicate that, with respect to the items tested, the El Dorado County State Transit Assistance Fund of the Tahoe Regional Planning Agency complied, in all material respects, with the provisions referred to in the preceding paragraph. With respect to items not tested, nothing came to our attention that caused us to believe that the El Dorado County State Transit Assistance Fund had not complied, in all material respects, with those provisions.

This report is intended for the information of the Finance Committee and management. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

Carson City, Nevada
August 18, 1992
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Marion Steinbach Indian Basket Museum Addition

Application Type: Public Service

Applicant: California Department of Parks and Recreation

Applicant's Representative: Nancy Sjursen, Planning Consultant

Agency Planner: Jim Lawrence, Associate Planner

Location: 120 West Lake Boulevard, Tahoe City, Placer County

Assessor's Parcel Number/Project Number: 94-540-16

Staff Recommendation: Staff recommends approval of the project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: The applicant is proposing a 2,406 square foot addition to the existing Marion Steinbach Indian Basket Museum (Gatekeeper's Museum) which is operated by the North Lake Tahoe Historical Society. The project includes a building addition, new patio area, new wheelchair ramp, and new walkways. The project includes removing 2,448 square feet of existing pavement, which will be revegetated. The proposed project also entails restoration of some damaged areas located on the northwest portion of the parcel.

Site Description: The proposed project is located in Tahoe City, along Highway 89, just south of the Truckee River. The California Department of Parks and Recreation is the property owner and presently leases the property for the use of the existing museum and the Bridgetender Restaurant. Both the restaurant and museum utilize a shared parking area which is also located on the property. The entire property is classified as Class 1b - Stream Environment Zone (SEZ).

Issues: The proposed project involves the addition of over 1,000 square feet of public service 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:

/JL
10/30/92

CONSENT CALENDAR ITEM 4.
30
1. **Disturbance in Land Capability District 1b (SEZ):** The proposed project involves the relocation of 2,448 square feet of land coverage within an SEZ. The applicant proposes to remove and restore 2,448 square feet of asphalt and apply the associated coverage for the museum addition. Staff has determined that the proposed coverage relocation is consistent with subparagraph 20.5.C(4)(a) of the Code of Ordinances, which allows the relocation of land coverage within an SEZ if the relocation is from a less disturbed area to a more disturbed area or to an area further away from the stream channel.

2. **Traffic/Air Quality:**

   * **Vehicle Trip Generation:** The proposed museum addition will result in 86 additional daily vehicle trip ends which is defined by the TRPA Code as an insignificant increase. The applicant will be assessed an air quality mitigation fee for the increase in daily vehicle trip ends.

   * **Ingress/Exgress:** Access to the site at this time is through two 20' wide driveways off State Highway 28. No changes to access are proposed with this project.

   * **Air Quality:** The proposed project will result in an insignificant increase of 86 daily vehicle trip ends. The project is exempt from the requirement to provide a traffic analysis per Subsection 93.3.C of the Code. The applicant will be required to offset the additional air quality impacts of the project by paying an $860 air quality mitigation fee.

   * **Parking:** The TRPA parking standards provide that the local jurisdiction parking standards apply to the project. The applicant has submitted a parking analysis (see attachment A) which states that a minimum of 34 spaces are necessary to accommodate the restaurant, museum and addition. The parcel contains 39 on-site parking spaces.

3. **Historic Sites:** The project site is listed on the TRPA Historic Resource Map. The conditions of approval will ensure that the addition will be consistent with Chapter 29 (Historic Resource Protection) of the TRPA Code of Ordinances.

**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 001A, Tahoe City. 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 use is listed as an allowed use.

**C. Land Coverage:** The land capability district of the parcel is Class 1b (SEZ), which allows 1 percent of the project area for coverage. The applicant is not proposing any additional coverage and will relocate 2,448 square feet of existing coverage to accommodate the museum addition. Staff has determined that the relocation is consistent with subparagraph 20.5.C(4)(a), which allows the relocation of coverage within a SEZ. The applicant will be required to mitigate any existing excess coverage by paying an excess coverage mitigation fee or by reducing existing coverage pursuant to Subsection 20.5 of the TRPA Code of Ordinances.

**D. Building Height:** Based on a 2 percent cross-slope retained across the building site, and a 12:12 roof pitch, the maximum allowable height for the proposed building is 36 feet, 6 inches. The addition is proposed to be 28 feet high (the same height as the existing building).

**E. Required Findings:** The following is a list of the required findings as set forth in Chapters 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.

   a. **Land Use:** Cultural facilities (museums) are an allowed use within the applicable plan area statement. Existing adjacent uses are primarily commercial. The applicant will be required to apply BMPs to the project area.

   b. **Transportation:** No significant impacts to transportation have been identified. The project will result in an increase of 86 daily vehicle trip ends which is defined by the TRPA Code as an insignificant increase. The applicant will be assessed an air quality mitigation fee to mitigate the increase of daily vehicle trip ends.

   c. **Conservation:** The site is located within TRPA scenic roadway unit 14 and shoreline unit 15. Conditions of approval will ensure that the colors and materials of the addition will blend with the natural surroundings. This project will not decrease the scenic rating of the affected scenic units.
(d) **Recreation:** The project does not involve any recreation facilities or uses.

(e) **Public Service and Facilities:** This project does not require any additions to public services or facilities.

(f) **Implementation:** There is no identified aspect regarding this project which will adversely affect the Implementation Element of the Regional Plan. The project does not require allocations of any units of use.

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 (land coverage) relocation is to an equal or superior portion of the parcel or project area.**

The entire parcel is classified as class 1b and the land coverage will be relocated further from the shoreline.

5. **The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C.**

The applicant will remove and restore 2,448 square feet of existing pavement. Conditions of approval will ensure that the restoration area will be revegetated with vegetation species in accordance with the TRPA 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 districts.**

The land coverage relocation is all within class 1b and is not from any higher numbered land capability districts.
7. **If the relocation is from one portion of a stream environment zone to another portion, there is a net environmental benefit to the stream environment zone.**

Subsection 20.5.C(4) states that a net environmental benefit includes the relocation of coverage from a less disturbed area to a more disturbed area or to an area further away from the stream channel. The proposed project involves relocating coverage further from the shoreline to an area adjacent to an already disturbed area.

**F. Required Actions:** Agency staff recommends that the Governing Board approve the project by making the following motions 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:

   A. The Standard Conditions of Approval listed in Attachment Q.
   
   B. Prior to commencement of construction the following special conditions of approval must be satisfied:

   (1) The site plan shall be revised to include:

   (a) Existing land coverage for the entire project area.
   
   (b) Proposed land coverage for the entire project area.
   
   (c) Temporary erosion control structures located downslope of the proposed construction area.
   
   (d) Vegetation protective fencing around the entire construction site.
   
   (e) A note indicating that this project approval does not verify legally existing commercial floor area associated with the restaurant.
   
   (f) Dripline infiltration trenches, sized 18" wide and 8" deep, constructed beneath all roof driplines.

   (2) The permittee shall provide a landscape plan that includes details for the revegetation of disturbed areas and for screening of the parking area from State Highway 28.
(3) The permittee shall provide a parking plan that includes at least 34 on-site parking spaces, paving of the entire parking area, parking barriers to restrict parking to approved parking surfaces only, and best management practices (BMPs) to infiltrate runoff.

(4) The permittee shall provide an exterior lighting plan. All lighting shall be in conformance with Chapter 30 of the TRPA Code and the TRPA Design Review Guidelines.

(5) The applicant shall submit an $860 air quality mitigation fee based on an additional 86 daily vehicle trip ends at a rate of $10 per trip end.

(6) 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 2 of Attachment Q shall be equal to 110 percent of the estimated BMP costs.

(7) The applicant shall either pay an excess coverage mitigation fee or reduce existing land coverage within Hydrologic Transfer Area B.

(8) The permittee shall submit color samples indicating conformance with the following design standards for color, roofs, and fences:

(a) Color: The color this structure, including any fences on the property, shall be compatible with the surroundings. Subdues 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.

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

(c) 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.
(9) The permittee shall submit a Historic/Cultural Resources Inventory, prepared by a qualified professional, detailing significant resources located within the project area.

(10) The permittee shall submit documentation, prepared by a qualified professional, demonstrating that the addition is in accordance with the U.S. Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

(11) The applicant shall submit 3 sets of final construction drawings and site plans to TRPA.

C. In the event that any cultural resources are discovered during the course of project activities, project operation shall cease in the vicinity of the cultural resource and a qualified archaeologist shall be consulted to evaluate the situation.

D. 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 non-glares finishes that minimize reflectivity.

E. Excavation equipment shall be limited to the foundation footprint to minimize site disturbance.

F. 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.

G. 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 appropriate action.
Parking Report

Project: Gatekeeper’s Museum, Placer County, California

The proposed project involves a 2,406 square foot addition to an existing 2,762 square foot museum located near the Lake Tahoe Dam in Tahoe City, California. The site, as well as an adjacent 2,760 square foot restaurant, are leased from the State of California. There are at least 34 parking spaces on the site. All of these spaces are legally available to the museum. The restaurant has no parking available under the terms of its lease; this makes it a non-conforming use. However, to present a worst-case, this analysis will include restaurant parking demand.

TRPA Project Review Division staff has expressed concern that the proposed expansion may lead to increased parking demand in conflict with the restaurant’s parking demand. This report will briefly evaluate the parking demand of the proposed expansion versus the existing restaurant and museum uses.

Background. The Lake Tahoe Dam area is very popular with tourists and residents alike. Between the Truckee River and Lake Tahoe, east of S.R. 89, is a restaurant, the museum, a bank, and a United States Forest Service recreation parking area. East of S.R. 89 is another restaurant, a river rafting business, and a portion of a large (64 acre) USFS property currently being developed. Where S.R. 89 crosses the Truckee River is “Fanny Bridge,” a popular location for watching the river and the fishery.

S.R. 89 often experiences back-up through this area as a result of congestion on S.R. 28 through Tahoe City and pedestrian crossings; pedestrian traffic in this area is very high. Qualitative observation indicates that the daytime parking demand, while limited, is not necessarily associated with most specific uses; the attraction is Tahoe City itself and the Truckee River. During weekends, parking occurs at banks and other facilities that are closed and, as noted, numerous pedestrians are observed. Evening parking demand is associated with the numerous restaurants and lounges in the Tahoe City community.

Existing Museum. The existing museum is classified as a Cultural Facility by TRPA. TRPA requires non-residential uses to meet local parking requirements. Because the project is on State property, Placer County would not normally apply their parking standards. Conversations between Nancy Sjursen of Sierra Planning Services and Bill Combs of Placer County indicate that a conservative rate from the Placer County Code would be one space per 300 square feet (November 3, 1992); this rate is applied to most commercial uses in the Tahoe City area.

Proposed Expansion. Based on the preceding, the 5,078 square foot museum would require seven additional parking spaces for a total of 17 parking spaces. This estimate assumes that there would be a linear relationship between the size of the museum and its popularity with motorists. For a museum, this assumption is tenuous at best.
Restaurant. Again, although the existing restaurant would not normally be subject to the Placer County Code, the standards would require a restaurant to have one space for each 300 square feet and 1 space for each outdoor table; the restaurant has approximately 13 outdoor tables overlooking the Truckee River (Nancy Sjursen, Sierra Planning Services, November 3, 1992). These rates result in a total demand of 22 parking spaces.

According to the Institute of Transportation Engineers (Shared Parking, ITE) suggests a methodology for evaluating uses which share parking yet have differing periods of peak demand. The data suggests that a restaurant / lounge has its peak parking demand during the early evening hours from approximately 6:00 p.m. to 9:00 p.m (see Attachment A). Prior to 5:00 p.m., parking demand is approximately 70 percent of the peak hour. For a restaurant with a demand of 22 parking spaces. this results in a daytime parking demand of no more than 14 to 15 parking spaces, or seven to eight spaces less than evening demand. As noted above, assuming a linear relationship between museum size and its parking demand, the proposed expansion would require approximately seven parking spaces.

The museum’s peak parking demand is during daylight hours, generally prior to 5:00 p.m. As such, its peaks occur at differing times than expected for a restaurant / lounge. Attachment B shows the spaces which would be associated with the restaurant, based on Attachment A, and the remaining spaces available for the museum. Until the 5:00 to 6:00 hour, the museum has more than 17 spaces available.

Community Plan / Related Issues. Recognizing that parking demand is associated with Tahoe City and its environs in general, and not always with specific uses, Placer County and the Tahoe City Community Plan team are endeavoring to provide consolidated parking facilities in the Tahoe City area. This parking would be intended to relieve the parking burden for individual properties and encourage walking and the use of transit. Tentative sites include the USFS site across S.R. 89 from the museum.

Conclusion. Short term parking demand for the museum may increase with the proposed expansion. This increase would occur when parking demand for the adjacent restaurant is not at its peak.

No significant parking impacts are expected.

If there are any questions regarding this report, please contact Curtis Jordan.

/cj
Hourly Parking Demand
Restaurant

Source: ITE Shared Parking
November 3, 1992

To: TRPA Governing Board

From: TRPA Staff

Subject: Harrah's Casino Hotel at Lake Tahoe, Resolution of Enforcement Action, U.S. Highway 50, Douglas County, APN 07-150-08

Based upon this staff summary and attached Exhibit A, TRPA staff recommends the Governing Board accept a negotiated settlement between Harrah’s Casino Hotel at Lake Tahoe (hereinafter Harrah’s) and the Tahoe Regional Planning Agency (hereinafter TRPA).

The proposed settlement represents full and complete settlement of the violations alleged by TRPA as briefly described below:

1. Approximately 10,000 square feet of asphaltic pavement land coverage was relocated in the east parking lot at the subject property without permits. The coverage was relocated from previously paved areas within the Harrah’s property.

2. About 5,600 square feet of the 10,000 square feet of the relocated pavement was placed within a mapped stream environment zone (SEZ) without a permit.

During settlement negotiations, Harrah’s agreed to the following:

1. Removal of all pavement placed within the SEZ. Vegetate the areas within the SEZ, where the coverage is to be removed, with native riparian plant species.

2. Either remove all the unpermitted coverage that was placed outside of the SEZ or submit an application and filing fee for the relocation of land coverage at the subject site. The complete application packet shall be submitted to TRPA by no later than November 6, 1992. TRPA will review the application and, if appropriate, a permit to allow the relocated coverage will be issued.

3. Pay to TRPA a $10,000 penalty. Harrah’s submitted a $10,000 check to TRPA on October 9, 1992 as part of resolving these violations.

Exhibit A, a small map of the subject parcel, shows the approximate locations and dimensions of the new pavement sections at the east parking lot. The exhibit also shows the portions that were paved within the SEZ.

TRPA staff believes the proposed settlement is appropriate to the violations and consistent with past settlements.

11/3/92

DFS:jsd

CONSENT CALENDAR ITEM 5.
Approximate Scale: 1 inch = 200 feet
Project Name: Subdivision of a Two-Unit Development

Application Type: Residential Subdivision

Applicant: Jeff Lewis, Lewis Apartments

Applicant's Representative: Philip Gilanfarr

Agency Planner: Vivica B. Orsi, Assistant Planner

Location: 325 Cottonwood Court, Incline Village, Washoe County

Assessor's Parcel Number/ Project Number: APN 124-041-91

Staff Recommendation: Staff recommends the Governing Board make the special use findings as outlined in Section C of this staff summary.

Project Description: The applicant proposes to subdivide a two-unit multiple family residence into two single family dwellings with a shared common area (see Exhibit A). The two-unit development was first approved by TRPA on October 18, 1982 with a major plan revision approved on March 24, 1987. The proposed subdivision will result in a change to the use category.

Single Family Dwellings are listed as a special use in Plan Area 046, Incline Village Residential. For TRPA staff to permit the conversion, the Governing Board must first make the required special use findings.

Site Description: This site is located north of State Highway 28 and west of Northwood Boulevard (see Exhibit B). The property is improved with a two-unit multi-family dwelling, paved parking and some landscaping. This parcel shares a common driveway and snow storage area with two other multiple family dwellings.

Issue: The proposed subdivision requires a special use determination by the Governing Board to allow the conversion of the units from multiple family dwellings to single family dwellings. TRPA staff has addressed the required findings in Section C of this staff summary.

Staff Analysis:

A. Environmental Documentation: Agency staff 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 046, Incline Village Residential. 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 use is listed as a special use.

C. Required Findings: The following is a list of the required special use findings as set forth in Chapter 18 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, 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 involves the subdivision of an existing two-unit multi-family dwelling to provide for individual ownership of the same number of units. Conversion of the units will not intensify the existing use of the site, increase density or cause any change in the scale of the development.

2. 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.

There is no evidence on record that the proposed conversion from multiple family to single family use will be injurious or disturbing to the health, safety, enjoyment of property or the general welfare of persons or property in the neighborhood. The original permit issued in conjunction with the duplex application required Best Management Practices (BMPs) on the subject parcel to protect the land, water and air resources of both the applicant’s property and the surrounding area.

3. 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 appearance of the neighborhood will not change as no physical modification of the existing structure is proposed. The proposed conversion of use from multiple family to single family dwellings does not detrimentally affect or alter the purpose of the subject plan area statement, as both uses are permissible. This project is not within an adopted community, specific or master plan area.

D. **Required Actions:** Agency staff recommends the Governing Board make the following motions 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 direct staff to complete review of the project, and if appropriate, approve the project.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Subdivision of a Four-Unit Development

Application Type: Residential Subdivision

Applicant: Jeff Lewis, Lewis Apartments

Applicant's Representative: Philip Gilanfarr

Agency Planner: Vivica R. Orsi, Assistant Planner

Location: 335 Cottonwood Court, Incline Village, Washoe County

Assessor's Parcel Number/Project Number: APN 124-041-92

Staff Recommendation: Staff recommends the Governing Board make the special use findings as outlined in Section C of this staff summary.

Project Description: The applicant proposes to subdivide a four-unit multiple family dwelling into four single family dwellings with a shared common area (see Exhibit A). The proposed subdivision will result in a change to the use category.

Single Family Dwellings are listed as a special use in Plan Area 046, Incline Village Residential. For TRPA staff to permit the conversion, the Governing Board must first make the required special use findings.

Site Description: This site is located north of State Highway 28 and west of Northwood Boulevard (see Exhibit B). The property is improved with one four-unit multi-family dwelling, paved parking and some landscaping. This parcel shares a common driveway and snow storage area with two other multiple family dwellings.

Issue: The proposed subdivision requires a special use determination by the Governing Board to allow the conversion of the units from multiple family dwellings to single family dwellings. TRPA staff has addressed the special use findings in Section C of this staff summary.

Staff Analysis:

A. Environmental Documentation: Agency staff 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.

/VBO
11/02/92

CONSENT CALENDAR ITEM NO. 7-92
B. **Plan Area Statement:** The project is located within Plan Area 046, Incline Village Residential. 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 use is listed as a special use.

C. **Required Findings:** The following is a list of the required special use findings as set forth in Chapter 18 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, 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 involves the modification of an existing four-unit multi-family dwelling to provide for individual ownership of the same number of units. This modification will not intensify the existing use of the site, increase density or cause any change in the scale of the development.

2. 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.

   There is no evidence on record that the proposed conversion from multiple family to single family use will be injurious or disturbing to the health, safety, enjoyment of property or the general welfare of persons or property in the neighborhood. The applicant shall be required to install Best Management Practices (BMPs) on the subject parcel to protect the land, water and air resources of both the applicant’s property and the surrounding area.

3. The project, to which the use pertains, will not chance 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 appearance of the neighborhood will not change as no physical modification of the existing structures is proposed. The proposed conversion of use from multiple family to single family dwellings does not detrimentally affect or alter the purpose of the subject plan area statement, as both uses are permissible. This project is not within an adopted community, specific or master plan area.

D. **Required Actions:** Agency staff recommends the Governing Board make the following motions 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 direct staff to complete review of the project, and if appropriate, approve the project.
November 4, 1992

To: TRPA Governing Board

From: TRPA Staff

Subject: Land Capability Challenge; Newport Pacific / Tahoe Verde Limited
APN 32-301-10; Julie and Lake Tahoe Blvd. El Dorado County, California

Staff Recommendation

The staff recommends that the Governing Board approve the land capability challenge maintaining the land capability class as 1b.

Background

This parcel is shown as land capability class 1b on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the Ev (Elmira, loamy coarse sand, wet variant) map unit. The parcel is mapped within geomorphic unit E-3 (Alluvial lands, high hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The Ev soil map unit is consistent with this geomorphic unit classification. The Elmira, wet variant soils formed in alluvium derived from glacial outwash.

A soil investigation was conducted on APN 32-301-10, El Dorado County, November 2, 1992. This parcel is 67,500 square feet in size and is located in the Tahoe Valley Center, Unit No. 1 & 3. A IPES evaluation was completed on this parcel in 1987, and the parcel was found to be 100 percent Stream Environment Zone (SEZ), land capability class 1b. The soil map unit found by the IPES team, was the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the SEZ definition contained in Chapter 37 of the Code. A land capability challenge was conducted at the request of the property owner to confirm the proper soil map unit and land capability class.

The natural vegetation on portions of this parcel has been extensively disturbed, but where it is present, it consists of logepole pine, rushes, sedges, lambsquarters, and lemmons willow. The willow and sedges are primary riparian vegetation, a "Key Indicator" in the SEZ definition contained in Chapter 37 of the Code.
Findings

This parcel is mapped within geomorphic unit E-3 (Alluvial lands, high hazard lands) on the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

Soils investigations were completed by Joseph Pepi, Certified Professional Soil Scientist, and a report was prepared. Based on five soil pits, a representative soil profile was described (see attached Soils Investigation). The soils on APN 32-301-12 were determined to be consistent with land capability class 1b, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soils being most similar to the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the Chapter 37 SEZ criteria. The Ev map unit is within geomorphic unit E-3 and is in land capability class 1b, allowing 1 percent land coverage. Geomorphic unit E-3 (Alluvial lands) is classified as high hazard lands in the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

If you have any questions on this agenda item, please contact Joe Pepi, at (702) 588-4547.
November 4, 1992

SOIL INVESTIGATION
FOR
ELDORADO COUNTY APN 32-301-10
JULIE AND LAKE TAHOE BOULEVARD

INTRODUCTION

A soil investigation was conducted on APN 32-301-10, El Dorado County, November 2, 1992. This parcel is 67,500 square feet in size and is located in the Tahoe Valley Center, Unit No. 1 & 3. A IPES evaluation was completed on this parcel in 1987, and the parcel was found to be 100 percent Stream Environment Zone (SEZ), land capability class 1b. The soil map unit found by the IPES team, was the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the SEZ definition contained in Chapter 37 of the Code. A land capability challenge was conducted at the request of the property owner to confirm the proper soil map unit and land capability class.

ENVIRONMENTAL SETTING

This parcel is shown as land capability class 1b on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the Ev (Elmira, loamy coarse sand, wet variant) map unit. The parcel is mapped within geomorphic unit E-3 (Alluvial lands, high hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The Ev soil map unit is consistent with this geomorphic unit classification. The Elmira, wet variant soils formed in alluvium derived from glacial outwash.

This parcel is situated on a northwest facing slope. The natural slope of the parcel is 1 to 3 percent. The natural vegetation on portions of this parcel has been extensively disturbed, but where it is present, it consists of logepole pine, rushes, sedges, lambquarters, and lemmons willow. The willow and sedges are primary riparian vegetation, a "Key Indicator" in the SEZ definition contained in Chapter 37 of the Code.

PROCEDURES

Five soil pits were dug on this parcel by TRPA staff using hand tools. After examination of all of these pits, one was chosen as representative of the soils on this parcel. The soils in this pit were examined and described in detail. A copy of this description is included in this report. Slopes were measured with a clinometer.
FINDINGS

One soil map unit was identified on this parcel. This soil is deep and poorly drained and is characterized as having a brown loamy coarse sand loam surface layer over a grayish brown lower surface layer. The underlying material is a light gray loamy coarse sand, fine sandy loam and coarse sand. The soils have low chroma mottles at a depth of 12 inches in the soil profile, and the soil is gleyed at a depth of 20 inches. These soils have a high runoff potential and the surface soils have a slight relative erosion hazard.

CONCLUSION

The soils on APN 32-301-10 were determined to be consistent with land capability class 1b, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soils being most similar to the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the SEZ criteria. The Ev map unit is within geomorphic unit E-3 and is in land capability class 1b.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

JP

Enclosure
Representative Soil Profile:

Soil Classification: sandy, mixed, Aquic Cryumbrepts

Soil Series: Elmira, wet variant

A1  0 to 3 inches; brown (10YR 5/3) loamy coarse sand, dark brown (10YR 3/3) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular and interstitial pores; strongly acid; clear wavy boundary.

A2  3 to 12 inches; brown (10YR 5/3) loamy coarse sand, brown (10YR 5/3) moist; many medium prominent strong brown (7.5YR 5/8) mottles; weak fine granular structure; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; clear wavy boundary.

C1  12 to 20 inches; grayish brown (10YR 5/2) loamy coarse sand, dark grayish brown (10YR 5/3) moist; many medium prominent strong brown (7.5YR 5/8) and many medium distinct light gray (5Y 7/2) mottles; weak fine granular structure; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; gradual wavy boundary.

C1g  20 to 29 inches; light gray (10YR 7/2) loamy coarse sand, many medium prominent strong brown (7.5YR 5/8) mottles; olive gray (5Y 5/2) moist; massive; soft, friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; clear wavy boundary.

C2g  29 to 45 inches; light yellowish brown (10YR 6/4) fine sandy loam many medium prominent light brownish gray (10YR 6/2) and common medium strong brown (7.5YR 5/8) mottles; yellowish brown (10YR 5/4) moist; massive; brownish gray (10 YR 6/2); friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; gradual wavy boundary.

C3g  45 to 53 inches; light gray (5Y 7/1) loamy coarse sand; many large strong brown (7.5YR 5/8) mottles; gray (5Y 6/1) moist; massive; soft, friable, nonsticky and nonplastic; common very fine tubular pores; medium acid; clear wavy boundary.

C4g  53 to 60 inches; light gray (5Y 7/1) coarse sand; many large strong brown (7.5YR 5/8) mottles; gray (5Y 6/1) moist; massive; soft, friable, nonsticky and nonplastic; common very fine tubular pores; medium acid;
November 4, 1992

To: TRPA Governing Board

From: TRPA Staff

Subject: Land Capability Challenge; Galicia APN 32-313-23; 1630 Shop Street
       El Dorado County, California

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Staff Recommendation

The staff recommends that the Governing Board approve the land capability change, changing the land capability class from 1b and 7 to 1b.

Background

This parcel is shown as land capability class 1b and 7 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the Ev (Elmira, loamy coarse sand, wet variant) and EfB (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes) map unit. The parcel is mapped within geomorphic units E-3 (Alluvial lands, high hazard lands) and E-2 (Outwash, Till and Lake Deposits, low hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The Ev and EfB soil map unit is consistent with these geomorphic unit classifications. The Elmira, wet variant soils formed in alluvium derived from glacial outwash. The Elmira soils are derived from alluvium from predominantly granitic sources.

The natural vegetation on this parcel has been extensively disturbed, and little if any is present. The vegetation that is present consists of weed species such as thistle and various other grasses. Much of the parcel is covered with 8 to 15 inches of imported fill material.

A soil investigation was conducted on APN 32-313-23, El Dorado County, November 2nd and 3rd, 1992. This parcel is 20,000 square feet in size and is located in the Tahoe Valley Center, Unit No. 2. A land capability verification was completed on this parcel in 1991, and the parcel was found to be 100 percent Stream Environment Zone (SEZ), land capability class 1b. The soil map unit verified by the TRPA staff, was the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the SEZ definition contained in Chapter 37 of the Code. A land capability challenge was conducted at the request of the property owner to confirm the proper soil map unit and land capability class.

11/04/92

CONSENT CALENDER ITEM 9
Findings

This parcel is mapped within geomorphic unit E-3 (Alluvial lands, high hazard lands) and E-2 (Outwash, Till and Lake Deposits, low hazard lands) on the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

Soils investigations were completed by Joseph Pepi, Certified Professional Soil Scientist, and a report was prepared. Based on five soil pits, a representative soil profile was described (see attached Soils Investigation). The soils on APN 32-313-23 were determined to be consistent with land capability class 1b, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soils being most similar to the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the Chapter 37 SEZ criteria. The Ev map unit is within geomorphic unit E-3 and is in land capability class 1b allowing 1 percent land coverage. Geomorphic unit E-3 (Alluvial lands) is classified as high hazard lands in the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

If you have any questions on this agenda item, please contact Joe Pepi, at (702) 588-4547.
November 4, 1992

SOIL INVESTIGATION
FOR
ELDORADO COUNTY APN 32-313-23
1630 SHOP STREET

INTRODUCTION

A soil investigation was conducted on APN 32-313-23, El Dorado County, November 3, 1992. This parcel is 20,000 square feet in size and is located in the Tahoe Valley Center, Unit No. 2. A land capability verification was completed on this parcel in 1991, and the parcel was found to be 100 percent Stream Environment Zone (SEZ), land capability class 1b. The soil map unit verified by TRPA staff, was the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the SEZ definition contained in Chapter 37 of the Code. A land capability challenge was conducted at the request of the property owner to confirm the proper soil map unit and land capability class.

ENVIRONMENTAL SETTING

This parcel is shown as land capability class 1b on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the Ev (Elmira, loamy coarse sand, wet variant) map unit. The parcel is mapped within geomorphic unit E-3 (Alluvial lands, high hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The Ev soil map unit is consistent with this geomorphic unit classification. The Elmira, wet variant soils formed in alluvium derived from glacial outwash. This parcel is situated on a southwest facing slope. The natural slope of the parcel is 1 to 3 percent. The natural vegetation on this parcel has extensively disturbed, and little if any is present. The vegetation that is present consists of weed species such as thistle and various other grasses. Much of the parcel is covered with 8 to 15 inches of imported fill material.

PROCEDURES

Three soil pits were dug on this parcel by TRPA staff using hand tools. After examination of all of these pits, one was chosen as representative of the soils on this parcel. The soils in this pit were examined and described in detail. A copy of this description is included in this report. Slopes were measured with a clinometer.
FINDINGS

Two soil map units were identified on this parcel. Both of these map units have imported fill material ranging in depth from 8 to 15 inches over the native soil. Based on the soil taxonomic classification rules in Soil Taxonomy (SCS, 1976), the depth of fill over a native soil must be greater than 20 inches depth or else the characteristics of native soil below the fill are what the soil classification is based on. Since the fill on this parcel is only 15 inches at its greatest depth on this parcel, classification is based on the native soil below the fill.

The soil which covers the majority of the parcel is deep and poorly drained and is characterized as having a grayish brown and very pale brown loamy coarse sand surface layer over a grayish brown lower surface layer. The underlying material is a very pale brown and light gray loamy coarse sand and loamy sand. The soils have low chroma mottles at a depth of 14 inches in the soil profile, and the soil is gleyed at a depth of 17 inches. These soils have a high runoff potential and the surface soils have a slight relative erosion hazard.

The soil on the front portion of the parcel along Shop Street is deep and somewhat poorly drained. The texture and color of the soil is similar to the profile described above, except that the depth to low chroma mottles is greater, starting at a depth of 24 inches. The soil is gleyed at a depth of 38 inches. These soils have a high runoff potential and the surface soils have a slight relative erosion hazard.

CONCLUSION

The soils on APN 32-313-23 were determined to be consistent with land capability class 1b, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soils being most similar to the Ev (Elmira loamy coarse sand, wet variant) map unit. The Ev map unit is a "Key Indicator" in the SEZ criteria. The Ev map unit is within geomorphic unit E-3 and is in land capability class 1b.

The soils on the front portion of this parcel were also determined to fit the Ev map unit, because there was evidence of a seasonal water table at 24 inches. This is within the depth to water table range identified in the Tahoe Basin Soil Survey, for the Ev map unit.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

JP

Enclosure
Representative Soil Profile:

Soil Classification: sandy, mixed, Aquic Cryumbrepts

Soil Series: Elmira, wet variant

Ap  0 to 15 inches; Imported fill material: dark brown (10YR 4/3) loamy coarse sand, dark brown (10YR 3/3) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; common very fine and fine roots; many very fine and fine interstitial pores; strongly acid; abrupt smooth boundary.

A1  0 to 5 inches; grayish brown (2.5Y 5/2) loamy coarse sand, dark grayish brown (10YR 4/2) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; common very fine and fine roots; many very fine and fine tubular and interstitial pores; strongly acid; clear wavy boundary.

AC  5 to 14 inches; very pale brown (10YR 7/3) loamy coarse sand, brown (10YR 5/3) moist; many medium prominent strong brown (7.5YR 5/8) and few medium distinct light gray (10YR 7/2) mottles; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; clear wavy boundary.

C1  14 to 17 inches; very pale brown (10YR 7/3) loamy coarse sand, brown (10YR 5/3) moist; many medium prominent strong brown (7.5YR 5/8) and many medium distinct light gray (10YR 7/2) mottles; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; clear smooth boundary.

C2g 17 to 35 inches; light gray (10YR 7/1) loamy sand, many medium prominent strong brown (7.5YR 5/8) mottles; brownish gray (10 YR 6/2) moist; massive; soft, friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; clear wavy boundary.

C3g 35 to 46 inches; light gray (10YR 7/1) loamy coarse sand, many medium prominent strong brown (7.5YR 5/8) mottles; brownish gray (10 YR 6/2) moist; massive; soft, friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine tubular pores; medium acid; clear wavy boundary.

46 inches; extent of auger reach including fill material
November 4, 1992

To: TRPA Governing Board

From: TRPA Staff

Subject: Land Capability Challenge; Thomas Menning
        APN 131-221-02; 423 Fairview Blvd., Washoe County, Nevada

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Staff Recommendation
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The staff recommends that the Governing Board approve the land capability challenge changing the land capability class from 1a to 4.

Background

The subject parcels are shown as Land Capability Class 1a on the TRPA Land Capability Overlay maps. The Soil Survey of Tahoe Basin Area places this parcel within the Ump (Umpa very stony sandy loam, 30 to 50 percent) soil map unit.

A land capability challenge was conducted at the request of Thomas Menning, property owner, to confirm the proper soil map unit and land capability class. This parcel is a developed residential parcel 22,825 square feet in size located in Fairway Estates, Unit No. 2, and has a natural slope of 22 to 27 percent.

Findings

This parcel is mapped within geomorphic unit D-2 (Headlands, moderate hazard lands) on the TRPA Bailey Geomorphic Analysis Map of the Lake Tahoe Basin.

Soils investigations were completed by Joseph Pepi, Certified Professional Soil Scientist, and a report was prepared. Based on two soil pits, a representative soil profile was described (see attached Soils Investigation). The soils on APN 131-221-02 were determined to be consistent with land capability class 4, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soils being most similar to the JWE (Jorge-Tahoma very stony sandy loams, 15 to 30 percent slopes) map units. The JWE map unit is assigned land capability class 4, allowing 20 percent land coverage. JWE is in geomorphic unit D-1 (Toe slope lands, low hazard lands) in the TRPA Bailey Geomorphic Analysis of the Tahoe Basin.

If you have any questions on this agenda item, please contact Joe Pepi, at (702) 588-4547.

/jp
11/04/92

CONSENT CALENDER ITEM 10.

Planning for the Protection of our Lake and Land
November 4, 1992

SOIL INVESTIGATION
FOR
WASHOE COUNTY APN 131-221-02
423 FAIRVIEW BOULEVARD

INTRODUCTION

A soil investigation was conducted on APN 131-221-02, Washoe County, October 20, 1992. This parcel is 22,825 square feet in size and is located in Fairway Estates, Unit No. 2. A land capability verification was completed on this parcel in 1987, and the parcel was verified as land capability class 1a, associated with the UmF (Umpa very stony sandy loam, 30 to 50 percent slopes) map unit.

A land capability challenge was conducted at the request of the property owners to confirm the proper soil map unit and land capability class.

ENVIRONMENTAL SETTING

This parcel is shown as land capability class 1a on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the UmF (Umpa very stony sandy loam, 30 to 50 percent slopes) map unit. The parcel is mapped within geomorphic unit D-2 (Headlands, moderate hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The UmF soil map unit is consistent with this geomorphic unit classification. The Umpa soils formed on residuum derived from andesite bedrock.

This parcel is situated on a south facing slope. The natural slope of the parcel is 22 to 27 percent. The natural vegetation is white fir, Jeffrey pine, antelope bitterbrush, mountain whitethorn and manzanita.

PROCEDURES

Two soil pits were dug on this parcel by TRPA staff using hand tools. After examination of all of these pits, and examination of roadcuts above and below the parcel, one was chosen as representative of the soils on this parcel. The soils in this pit were examined and described in detail. A copy of this description is included in this report. Slopes were measured with a clinometer.
FINDINGS

One soil map unit was identified on this parcel. This soil is deep and well drained and is characterized as having a grayish brown and light brownish gray gravelly and very stony sandy loam surface layer over a light brownish gray and pale brown gravelly and very stony sandy loam subsoil. Due to the presence of a large volume of cobble and stone sized rock fragments in the soil profile, it was not possible to dig below 43 inches. Soils in the roadcut below this pit were examined to determine soil properties beyond the 43 inch depth. These soils have a moderately low runoff potential and the surface soils have a moderate relative erosion hazard.

CONCLUSION

The soils on APN 131-221-02 were determined to be consistent with land capability class 4, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). These findings are based on the physical characteristics of the soils being most similar to the JwE (Jorge-Tahoma very stony sandy loams, 15 to 30 percent slopes) map unit. The JwE map unit is within geomorphic unit D-1 and is in land capability class 4.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

JP

Enclosure
Representative Soil Profile:

Soil Classification: loamy-skeletal, mixed, frigid, Ultic Haploxeralf

Soil Series: Jorge

01-- 2 to 0 inches; Jeffrey pine and white fir needles and twigs

A1-- 0 to 4 inches; grayish brown (10YR 5/2) very stony sandy loam, very dark grayish brown (10YR 3/2) moist; moderate medium subangular blocky parting to weak fine subangular blocky structure; soft, very friable, nonsticky and nonplastic; many fine and medium and few coarse roots; many very fine and fine interstitial pores; 20 percent gravel, 5 percent cobbles; medium acid; clear smooth boundary.

A2-- 4 to 10 inches; light brownish gray (10YR 6/2) very stony sandy loam, dark brown (10YR 4/3) moist; weak fine subangular blocky structure; soft, very friable, nonsticky and nonplastic; common fine and medium, and few coarse roots; many very fine and fine interstitial and tubular pores; 20 percent gravel, 5 percent cobbles and 10 percent cobble; medium acid; clear wavy boundary.

Bt1-- 10 to 23 inches; light brownish gray (10YR 6/2) very stony sandy loam, dark brown (10YR 4/3) moist; strong coarse subangular blocky structure; hard, friable, nonsticky and slightly plastic; few fine and medium roots; many very fine and fine interstitial and tubular pores; common moderately thick clay films on ped faces; 25 percent gravel and 5 percent cobbles; medium acid; gradual wavy boundary.

Bt2-- 23 to 43 inches; pale brown (10YR 6/3) very cobbly sandy clay loam, dark yellowish brown (10YR 4/4) moist; moderate medium subangular blocky structure; hard, friable, slightly sticky and slightly plastic; few fine roots; many very fine and fine interstitial pores; common moderately thick clay films on ped faces and as bridges on ped faces; 30 percent gravel and 10 percent cobble; medium acid; gradual wavy boundary.

43 inches; unable to dig further in soil pit, further examination of the soil profile characteristics was conducted in roadcut below soil pit

Bt3-- 43 to 60 inches; pale brown (10YR 6/3) gravelly sandy loam, dark yellowish brown (10YR 4/4) moist; moderate medium subangular blocky structure; hard, friable, slightly sticky and slightly plastic; few fine and medium roots; many very fine and fine interstitial pores; common moderately thick clay films on ped faces and as bridges on ped faces; 25 percent gravel and 5 percent cobbles; medium acid. (soil material is weakly cemented).
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Pinewild Homeowners Association, New Parking Garage

Application Type: Residential

Applicant: Pinewild Homeowners Association

Applicant's Representative: Chuck Neff (Pinewild HOA), Chris Stetler (JWA)

Agency Planner: Lyn Barnett, Senior Planner

Location: Pinewild Condominiums, Common Area Parcel, Marla Bay, Nevada

Assessor's Parcel Number/Project Number: 05-211-52, Douglas County

Staff Recommendation: Staff recommends approval of this project. The required actions are outlined in Section E of this staff summary.

Project Description: The applicant proposes to construct a 47 space, one story parking garage over an existing tennis court area. The tennis courts will be reconstructed on the roof of the new parking structure. A 20 foot wide driveway will connect the new structure with the existing parking area.

Site Description: Pinewild Condominiums occupy a 20.57 acre area of land between Highway 50 and Lake Tahoe in Marla Bay. The property is well vegetated and maintained. Most of the property is high capability land, although portions of it are classified stream environment zone (SEZ) and backshore. The proposed parking structure will be located on high capability land.

Issues: The primary project related issues are:

1. Parking:

The applicants propose to construct the parking garage to provide additional parking for residents in the Pinewild development. At present, Pinewild Condominiums does not meet TRPA interim parking standards for residential uses (two spaces per unit). After construction, the number of parking spaces per unit will come closer to meeting TRPA's parking requirements.

2. Scenic Quality:

The current proposal calls for construction of the parking garage over the existing tennis courts on the property. This area is
Pinewild Parking Garage

highly visible from Highway 50 and requires relocation of land coverage for widening of the access driveway. Approximately 8 trees will be removed for the driveway widening. Staff has determined that the project will not lower the scenic rating of the affected scenic roadway unit based on a scenic analysis submitted by the applicant.

3. Traffic:

This project involves construction of a parking structure. Staff has determined that traffic to the site will not increase and a traffic analysis is not required. This project is designed to serve the parking needs of existing residential uses in the Pinewild Subdivision.

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 067, Marla Bay/Zephyr Heights. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that project is consistent with the applicable planning statement, planning considerations and special policies. The proposed use (accessory structure to existing single family dwellings) is listed as an allowed use.

C. Land Coverage:

1. Land Capability District:

The land capability districts of the project area (Pinewild Subdivision) are classes 6, 4, 1b and Backshore. The total project area is approximately 20.57 acres (896,029 square feet).

2. Existing Coverage:

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<tr>
<td>Soft Coverage</td>
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</table>

3. Proposed Coverage:

<table>
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<tr>
<th>Coverage Type</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
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<td>0 sq ft</td>
</tr>
<tr>
<td>Total</td>
<td>269,559 sq ft</td>
</tr>
</tbody>
</table>

/1b
11/4/92
4. **Allowed Coverage:** 250,888 square feet (per TRPA approval in 1972)

5. **Coverage Mitigation:**

Based on the above coverage figures, the existing project area contains approximately 18,671 square feet of excess coverage. No new coverage is proposed or allowed with this proposal. 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:** Based on a 10% cross-slope retained across the building site, and a 0:12 roof pitch, the maximum allowed height for the proposed building is 26 feet, 6 inches. The proposed building has a maximum building height of 25 feet, 8 inches (including the height of the tennis court fencing).

E. **Required Findings:** The following is a list of the required findings as set forth in Chapters 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.**

   (a) **Land Use:** This project is an accessory use to existing residential uses in the Pinewild Subdivision, and is permissible in the applicable Plan Area Statement.

   (b) **Transportation:** This project is proposed by the applicants to alleviate a parking space shortage within the Pinewild development. No increase in traffic to the site is expected. Parking on the property will be closer to compliance with TRPA parking standards after construction.

   (c) **Conservation:** This project is located within Scenic Roadway Unit 30 which is in attainment with scenic standards. Staff has determined that the project will not reduce the scenic rating the unit. Conditions of approval have been added to the proposed permit to assure that the project will have a minimal impact on overall scenic quality.

   (d) **Recreation:** This project will not affect recreation in the Region and will not affect implementation of the Recreation Element of the Regional Plan Goals and Policies.

   (e) **Public Service and Facilities:** This project will not affect implementation of the Public Service and Facilities Element of the Regional Plan. This project has adequate public service facilities to serve it.
(f) Implementation: This project will not affect implementation of the Implementation Element of the Regional Plan. No development allocations are required.

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 land coverage is to an equal or superior portion of the parcel or project area, as determined by reference to Section 20.5.C (1) of the TRPA Code.

Approximately 1,674 square feet of land coverage will be relocated for the entrance driveway to the garage. The driveway is located on high capability land (classes 4 and 6). The relocated coverage will come from other areas of high capability land, which are similar in slope and character to the new location, and which are located closer to Lake Tahoe.

5. The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C of the TRPA Code.

All areas from which coverage is removed shall be revegetated and restored in accordance with TRPA requirements.

6. The relocation is not to Land Capability Districts 1a, 1b, 1c, 2 or 3, from any higher numbered land capability district.

No land coverage shall be relocated to any low capability land (Districts 1a, 1b, 1c, 2, or 3).

F. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions 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 R.

2. This permit authorizes the construction of a 47 space, single level parking garage with two tennis courts on the roof of the structure.

3. The following scenic conditions shall apply to the parking garage structure:

   A. The color of the structure shall be chocolate brown (as described in the visual analysis for the structure prepared by Sue Irelan). A color sample shall be submitted to TRPA prior to acknowledgement of this permit. The final color selection shall be reviewed and approved by TRPA.

   B. The exterior of the structure shall be textured where necessary to mask cinder block/brick construction.

   C. Black colored vinyl shall cover all proposed chain link fencing. Fencing support structures (poles, cross beams, etc.) shall be black and non-reflective.

   D. The color of the playing surface shall be approved by TRPA. Earthtone colors are preferred over shades of green, blue, or other colors.

   E. No overhead lighting shall be constructed for the tennis courts. Stairway, walkway, and other lighting required for safety purposes may be approved by TRPA if it conforms to TRPA lighting standards. All proposed exterior lighting shall be shown on the final plans.

4. Prior to commencement of construction the following conditions must be satisfied:

   A. The "Parking Garage/Tennis Courts" site plan shall be revised as follows:

      1. Details for all proposed BMPs shall be indicated on the final plans (including temporary erosion control structures and driveway infiltration).

      2. A floatables trap shall be added to pre-treat runoff for grease and oil removal prior to discharge into the proposed infiltration system.

   B. The security required under Standard Condition A.3 of Attachment R shall be determined upon the permittee’s
submittal of required Best Management Practices plan (and restoration plans) and related cost estimate. (This security shall be at least $15,000.00.) Please see Attachment J, Security Procedures.

C. The permittee 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.

D. The permittee 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.

E. The entry sign shall be relocated to a location acceptable to TRPA, or lowered a minimum of two (2) feet to increase sight distance for vehicles exiting the Pinewild Entry Road (Lakeshore Blvd.).

F. The permittee shall submit 3 sets of final construction drawings and site plans to TRPA.

J. 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 3 (see attached map).

The excess coverage mitigation fee shall be calculated as follows:

(1) Estimated Project Construction Cost x 0.03

Please provide a construction cost estimate by your contractor, architect or engineer. Construction costs are only those labor and material costs associated with building a structure. Non-structural items such as floor coverings, fixtures, non-bearing walls, and windows are not included. 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.
5. Through acknowledgement of this permit, the Pinewild Homeowners Association agrees to limit the number of parking spaces in Pinewild (including the spaces within the parking garage and outside the parking garage) to no more than two spaces per unit.

6. This permit does not authorize any new commercial activities within the Pinewild Subdivision, including but not limited to commercial use of the parking garage, tennis courts, beach, and other facilities.

7. The following existing infiltration facilities shall be modified, cleaned and/or reinstalled to provide required infiltration:

   A. The outlet drainage pipe for storm water runoff from Highway 50.

   B. Existing infiltration trenches shall be cleaned as needed.

8. Excavation equipment shall be limited to the construction and restoration areas to minimize site disturbance.

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

10. No containers of fuel, paint, or other hazardous materials may be stored in the new garage after construction.

11. The permittee shall submit post-construction photos within 30 days of the project completion date demonstrating any resultant impacts to scenic quality as viewed from the selected viewpoints on Highway 50.

12. Measures shall be incorporated into the project to prevent groundwater from leaving the project area as surface flow. Groundwater, if any is interfered with due to construction, shall be re-routed in the groundwater flow to avoid adverse impacts to vegetation on the property. The permittee shall notify TRPA immediately and halt work if groundwater interference is discovered during construction. Prior to restart of construction, a groundwater re-routing plan shall be reviewed and approved by TRPA.
Vicinity Map

Pinewild
November 4, 1992

To: TRPA Governing Board Committee

From: TRPA Staff

Subject: Amendment of the Transportation - Air Quality Provisions of the TRPA Code of Ordinances by the Adoption of a Rental Car Mitigation Fee Ordinance.

The Regional Transportation Plan - Air Quality Plan (RTP-AQP) includes a transportation control measure that is intended to discourage rental vehicles as an incentive to utilize mass transportation. Volume III, page 16 of the RTP-AQP states:

The rental of vehicles in the Tahoe Region should be discouraged as an incentive to utilize mass transportation facilities. Vehicles either rented or returned in the Tahoe Region shall be assessed an air quality and traffic mitigation fee. Proceeds from the fees should be applied to the operating costs of public transportation. Alternative technology for powering vehicles is encouraged.

TRPA staff has prepared an analysis outlining the proposed rental car mitigation fee and are currently addressing concerns raised by members of the Transportation - Air Quality Technical Advisory Committee.

Staff will give a more complete report on the status of the proposed ordinance at the Governing Board meeting on November 18th, 1992.

If you have any questions concerning this agenda item, please contact Keith Norberg at (702) 588-4547.
November 4, 1992

To: Governing Board

From: TRPA Staff

Subject: Amendment of Chapter 2 (Definitions) and 37 (IPES) of the Code of Ordinances Relative to Clarification of Secondary Indicators For The Stream Environment Zones

Proposed Action: To amend Chapter 2 and 37 of TRPA's Code of Ordinances as set forth below.

Recommendation: Staff recommends that the Governing Board conduct a public hearing and, if appropriate, adopt the proposed Code of Ordinance amendments.

Background: TRPA staff has identified a technical problem in the criteria for identifying stream environment zones (SEZs), primarily with respect to the secondary SEZ indicators. The specific language in these criteria include (1) the use of the term "alluvial soil type," (2) the terminology used to describe evidence within the soil profile of a high water table, and (3) language that prevents soils which do not fit one of the named map units in the Tahoe Basin Soil Survey, but have groundwater or evidence of groundwater between 20 and 40 inches, from meeting the soils criteria for a secondary SEZ. Because these soils do not adequately fit the profile description of the named secondary "alluvial soil" map units (i.e. Lo, Gr, or Co), they cannot meet this criteria.

The Code of Ordinances employs, incorrectly, the terminology "alluvial soil types" to identify soils which owe their major characteristics to the presence of surface and subsurface water. The correct definition of alluvial soil types are those soils which were formed by the process of deposition by flowing water. Of the 16 soil map units identified as alluvial soils in the Tahoe Basin Area Soil Survey (Rodgers, 1974), only six are principally influenced by the presence of surface water or subsurface water within 40 inches of the surface.

The proposed amendments to the Chapter 37 SEZ criteria represents the consensus of a committee of 17 people, including private consultants in hydrology and wetland delineation, representatives from state agencies, employees of several federal agencies directly responsible for developing and applying the U.S. Federal Wetland Criteria, and agency staff. Together this group has an extensive level of expertise and experience in wetlands related matters.

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The Committee reviewed the language of the SEZ criteria in Chapter 37 in a series of four meetings over the spring and summer of 1992, including two field trips to examine the SEZ delineation problems and the usefulness of the proposed amendments to the criteria.

The proposed amendments to Chapters 2 and 37 will clear up discrepancies and misuses of language in the Code, and make it technically correct and consistent with generally accepted criteria used to identify soils with water tables above 40 inches in the soil profile.

Upon adoption of these recommended Code amendments by the Governing Board, staff will propose corresponding amendments to the Water Quality Management Plan ("208 Plan"). Since the proposed Code amendments are more stringent, TRPA can implement them immediately without waiting for 208 Plan amendments to take effect.

The proposed Code amendments below, show added language as underlined and deleted language as overstricken.

Amend the Code of Ordinances, Chapter 2 as shown below:

2.2

Amend the Code of Ordinances, Chapter 37 as shown below:

37.3.A Purpose: Determination of Stream Environment Zones (SEZs) on lands in the Tahoe Basin requires established procedures and guidelines. TRPA developed a methodology to delineate SEZs using hydrology, soils and vegetation. TRPA's primary goal is to protect SEZ's from disturbance and improve the water quality of Lake Tahoe. To better achieve this goal TRPA adopted identification criteria that differs from the Federal Wetlands Criteria. SEZ's are critical to the sensitive Tahoe landscape because they protect water quality by providing natural treatment and conveyance of surface runoff. Other benefits provided by SEZs include flood flow capacity, fish and wildlife habitat, and open space buffers. Disturbance of and encroachment into SEZs reduces their capacity to filter the sediments and nutrients transported by surface waters. Protecting SEZs assures that water will be effectively treated, which is essential to attain TRPA's water quality standards.

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Definitions. The definition are as follows:

1. **Confined** - Stream types classified under major categories A and B, and stream type C2, as defined in the report entitled "A Stream Classification System," David L. Rosgen, April, 1985.

2. **Designated Flood Plain** - The limits of the Intermediate Regional Flood where established for creeks by the U.S. Army Corps of Engineers (USACE), or the limits of the 100-year flood where established for creeks by the U.S. Army Corps of Engineers, or by Federal Emergency Management Agency (FEMA) maps if USACE maps do not exist for that area.

3. **Ephemeral Stream** - Flows sporadically only in response to precipitation, with flows lasting a short time.

4. **Groundwater Between 20-40 Inches** - Groundwater or evidence of ground water such as low chroma mottles between 20 and 40 inches below the natural legend/standardized groundwater/surface/level decreases/standardized groundwater/legends/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized groundwater/surface/level decreases/standardized 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(8) **Man-Made Channel** - A channel constructed by man for the purpose of conveying water or a channel created by water being discharged from a man-made source, such as a culvert or pipe.

(9) **Natural ground surface** - The ground surface existing before man-made alteration such as the illegal placement of fill material.

(10) **Near Surface Groundwater** - Groundwater or evidence of ground water such as indicated by low chroma mottles within 20 inches of the natural legacy/existing ground surface.

(11) **Perennial Stream** - Permanently inundated surface stream courses. Surface water flows throughout the year except in years of infrequent drought. Perennial streams shall be those shown as solid blue lines on USGS Quad Maps, or streams determined to be perennial by TRPA.

(12) **Pond** - A standing water body less than 20 acres in size and/or less than two meters deep at low water.

(13) **Primary Riparian Vegetation** - The following vegetative community types as identified in the 1971 report entitled "Vegetation of the Lake Tahoe Region, A Guide for Planning:"

(a) Type 0: Open water - Open water, Swamps and pools and Vernal pools.
(b) Type 2: Herbaceous - Wet marsh or meadow and Sphagnum bog.
(c) Type 7: Riparian shrub - Willow thicket and Alder thicket.
(d) Type 9: Broadleaf - Low elevations.

(14) **Primary Soil Map Units** - The following soil map units owe their major characteristics to the presence of near surface groundwater and are considered primary indicators of soil wetness.

(a) Elmira loamy coarse sand, wet, variant (Ev)
(b) Marsh (Mh)
Secondary Soil Map Units - The following soil map units owe their major characteristics to the presence of groundwater or evidence of groundwater such as indicated by evidence such as low chroma mottles between 20 and 40 inches below the natural grade/lying ground surface and are considered secondary indicators of soil wetness.

(a) Loamy alluvial land (Lo)
(b) Gravelly alluvial land (Gr)
(c) Celio gravelly loamy coarse sand (Co)
(d) Jabu coarse sandy loam, seeped, 2 to 15 percent slopes (JbD)

SEZ setbacks - A strip of land adjacent to the edge of a SEZ, the designated width of which is considered the minimum width necessary to protect the integrity of the various characteristic of the SEZ. The width of the setback shall be established in accordance with the procedure set forth in Subsection 37.3.D.

Secondary Riparian Vegetation - The following vegetative types as identified in the 1971 report entitled "Vegetation of the Lake Tahoe Region, A Guide for Planning:"

(a) Type 2: Herbaceous - Wet mesic meadow.
(b) Type 9: Broadleaf - High elevations.
(c) Type 19: Lodgepole - Wet type.

Slope Condition - The condition of the slope located adjacent to the stream channel or edge of the SEZ shall be defined as follows. The extent of existing slope protection, which is defined as the percent cover of original duff layer, down logs, low growing vegetation or rock fragments greater than 1-2 inches in diameter, shall be given primary consideration when determining slope condition.

(a) Good - Slopes show little or no evidence of surface (sheet, rill, gully) erosion or mass wasting. Slopes are typically covered 90 percent or more with original duff layer, down logs, slash, low growing vegetation or rock fragments greater than 1-2 inches in diameter. Slope gradient is commonly less than 30 percent. Soil horizons are usually cohesive and consolidated.
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(b) Average - Slopes show evidence of surface (sheet, rill, gully) erosion or mass wasting over 5 to 25 percent of the slope surface. Slopes are typically covered between 50 to 90 percent with original duff layer, down logs, slash, low growing vegetation or rock fragments greater than 1-2 inches in diameter. Slope gradient is commonly between 30 and 70 percent. Soil horizons are typically moderately cohesive and consolidated.

(c) Poor - Slopes show evidence of active and pronounced surface (sheet, rill, gully) erosion or mass wasting over more than 50 percent of the slope surface. Slopes are typically covered less than 50 percent with original duff layer, down logs, slash, low growing vegetation or rock fragments greater than 1-2 inches in diameter. Slope gradient is often greater than 70 percent. Soil horizons are typically non-cohesive and unconsolidated. Evidence of seeping is often present.

(19) \#\# Terrace - A moderately flat land area, above the flood plain, generally less than 20 percent slope.

(20) \#\# Unconfined - Stream types classified under major categories C (excluding stream type C2), D and E as defined in the report entitled "A Stream Classification System," David L. Rosgen, April 1985.

37.3. \#\# Identification: A stream environment zone (SEZ) shall be determined to be present if any one of the following key indicators is present or, in absence of a key indicator, if any three two of the following secondary indicators are present. Plant communities shall be identified in accordance with the definitions and procedures contained in the 1971 report entitled "Vegetation of the Lake Tahoe Region, A Guide for Planning."

1) Key Indicators: Key indicators are:

(a) Evidence of surface water flow, including perennial, ephemeral and intermittent streams, but not including rills or man-made channels;

(b) Primary riparian vegetation;

(c) Near surface groundwater;

(d) Lakes or ponds;

(e) Beach (Be) soil; or
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(f) One of the following primary soil map units:

(i) Elmira loamy coarse sand, wet variant (Ev).
(ii) Marsh (Mh).

(2) Secondary Indicators: Secondary indicators are:

(a) Designated flood plain;
(b) Groundwater or evidence of groundwater between 20 - 40 inches; or one of the following secondary soil map units:

(i) Loamy alluvial land (Lo);
(ii) Cello gravelly loamy coarse sand (Co); or
(iii) Gravelly alluvial land (Gr).
(iv) Jabu coarse sandy loam, seeped, 2 to 15 percent slopes (JbD).

(c) Secondary riparian vegetation: if natural vegetation has been removed or altered, the potential vegetation can be inferred from other sources such as historical photos or vegetation from adjacent sites at similar elevations.

37.3.D0 Boundaries: The boundaries of an SEZ shall be the outermost limits of the key indicators; or the outermost limits where any secondary indicators coincide; whichever SEZ at any particular point. The outer boundaries of an ephemeral or intermittent stream shall be the bank full width of such stream, which shall be defined as the level of frequent high flow, i.e., the level of flood with a recurrence interval of approximately 1.5 years.

37.3.E0 SEZ Setbacks: No buildings, other structures or land coverage shall be permitted in SEZ setbacks, except in accordance with Subsection 20.4.B and the exception for the backshore set forth in Subsection 55.4.D. The restoration requirements set forth in Subparagraph 20.4.A(2)(c) shall not apply within SEZ setbacks. The allowable base land coverage within SEZ setbacks shall be in accordance with Subsection 20.3.A, and may be combined with the allowable base land coverage for the remainder of the parcel to establish a total allowable base land

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coverage. A portion of the total allowable base land coverage for the parcel may be used to allow construction in the SEZ setback only in accordance with Subsection 20.4.B and the exception for the backshore set forth in Subsection 55.4.D. SEZ setbacks shall be established in accordance with the following criteria (see also Section I of the Technical Appendices).

(1) **Confined Perennial Stream:** When a confined perennial stream is present, the following setbacks shall be established based on the corresponding slope condition:

(a) **Good Slope Condition:** When the slope condition is identified as good, the setback shall be 25 feet from the edge of the SEZ or 15 feet from the edge of a terrace, if present, whichever is less.

(b) **Average Slope Condition:** When the slope condition is identified as average, the setback shall be 35 feet from the edge of the SEZ or 20 feet from the edge of a terrace, if present, whichever is less.

(c) **Poor Slope Condition:** When the slope condition is identified as poor, the setback shall be 60 feet from the edge of the SEZ or 35 feet from the edge of a terrace, if present, whichever is less.

(2) **Unconfined Perennial Stream:** When an unconfined perennial stream is present, the setback shall be 50 feet from the edge of the SEZ.

(3) **Confined Ephemeral Or Intermittent Stream:** When a confined ephemeral or intermittent stream is present the following setbacks shall be established based on the corresponding slope conditions:

(a) **Good Slope Condition:** When the slope condition is identified as good, the setback shall be 15 feet from the edge of the SEZ or ten feet from the edge of a terrace, if present, whichever is less.

(b) **Average Slope Condition:** When the slope condition is identified as average, the setback shall be 25 feet from the edge of the SEZ or 15 feet from the edge of a terrace, if present, whichever is less.

(c) **Poor Slope Condition:** When the slope condition is identified as poor, the setback shall be 40 feet from the edge of the SEZ or 25 feet from the edge of a terrace, if present, whichever is less.
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(4) Unconfined Ephemeral Or Intermittent Stream: When an 
unconfined ephemeral or intermittent stream is present 
the setback shall be 25 feet from the edge of the SEZ.

(5) Channel Absent: When there is an SEZ present but there 
is no associated channel identified, the setback shall be 
ten feet from the edge of the SEZ.

(6) Lakes and Ponds: Where a lake or pond is present, the 
SEZ setback shall be 10 feet from the high water line or 
10 feet from the edge of the SEZ, whichever is greater, 
except where a backshore is established in accordance 
with Section 55.2 in which case there shall be no SEZ 
setback established.

37.3.FK  SEZ Documentation: Where the IPES field team identifies the 
existence of an SEZ on an individual parcel, it shall prepare a 
permanent written record or drawing applicable to that parcel 
showing the boundaries of the SEZ, the setback line from the 
SEZ and setting forth the reasons for its determination. At 
the time a project is reviewed applicable to a parcel evaluated 
under IPES as having an SEZ, the SEZ boundaries and setback 
shall be verified or adjusted based upon additional information 
then available.

Chapter 37. "Technical Appendices", Appendix K.

Appendix K. Low Chroma mottles

Throughout the keys and text of Soil Taxonomy (SCS, 1976), there are 
references to "mottles that have chroma of 2 or less." This refers to 
colors in a horizon in which parts have chroma of 2 or less, moist, and 
value moist of 4 or more whether or not that part is dominant in volume 
or whether or not it is a continuous phase surrounding spots of higher 
chroma. If either the minor or major part of a horizon has chroma of 1 
to 2 and value, moist of 4 or more and there are spots of higher chroma, 
the part that has the lower chroma is included in the meaning of "mottles 
that have chroma of 2 or less". The part is excluded from the meaning if 
all the horizon has chroma of 2 or less or if no part of the horizon has 
chroma as low as 2.

The phrase also means that the horizon that has such mottles is saturated 
with water at some period of the year or is artificially drained. If the 
soil is periodically wet or is drained, there should be some mottles of 
high chroma that were caused by segregation of iron or some reddish, very 
dark, soft accumulations of iron and manganese.
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Environmental Documentation: Staff has completed an Initial Environmental
Checklist (IEC) for the proposed action and proposes a finding of no significant
environmental effect.

Findings: Prior to amending the Code, TRPA must make certain findings.
Following each finding below, is a brief rationale for making the required
findings.

Chapter 6 Findings

1. Finding: 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: This amendment implements the Goals and Policies, the Code of
Ordinances, the Regional Plan, and the 208 Water Quality
Management Plan. This amendment produces a more precise and
technically sound definition for identifying stream environment
zones.

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

Rationale: The amendment is consistent with the Regional Plan and will
help attain the environmental thresholds.

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

Rationale: See Findings 1 and 2 above.

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

Rationale: For the reason set forth in the rationale above for Finding 1
above, this amendment better implements the Code and Regional
Plan and will assist in the achievement and maintenance of the
environmental thresholds.

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Ordinance 87-8 Findings: Staff proposes to make the findings required in
Ordinance 87-8 based on the following rationale and evidence:

Findings

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

Rationale and Evidence: The proposed amendments will correct inap-
propriate language in the Code and allow for a more precise and technically
sound identification of stream environment zones (SEZ). Identification
and protection of SEZs is essential to attaining TRPA’s water quality
standards.

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

Rationale and Evidence: The proposed amendments are consistent with the
Compact in that they will not adversely affect implementation of the
Regional Plan and will not cause thresholds to be exceeded. Also see
Finding 1 above.

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 of 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 to impossible because of one or
   more of the following reasons:

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

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(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.

Staff proposes to make Finding f.

Rationale and Evidence: staff proposes to make Finding f. Based on the expertise of hydrology, wet land, and other science and planning professionals in federal and state agencies and consulting firms both inside and outside of the Tahoe Basin, the proposed amendments will provide for a more accurate and technically sound identification of stream environment zones.

Action Requested: In order to implement the proposed action the Governing Board must make the following actions:

1. A Finding of No Significant Environmental Effect and the Chapter 6 and Ordinance 87-8 findings as set forth above; and

2. A motion to adopt the implementing ordinance.

If you have any questions or comments on this agenda item, please contact Joe Pepl at (702) 588-4547.
November 5, 1992

To: TRPA Governing Board

From: Susan E. Scholley, Special Projects Attorney

Re: Amendment of Sections 25.2 and 25.3 of Chapter 25 Regarding Best Management Practices Retrofit Phasing

PROPOSED ACTION: The proposed Code amendments are to make Chapter 25 consistent with the action taken in April 1992 with respect to the 1991 Threshold Report and the related ordinance amendments. In April, Chapter 25 was amended to require a BMP retrofit of all developed properties in the Region according to the schedules set forth in the amendments. By an oversight the interrelationship between the new BMP retrofit schedules in Section 25.3 and the existing ten-year retrofit phasing schedules for projects in Section 25.2, specifically 25.2.B(2)(c), was not sufficiently clarified. Accordingly, the proposed action is to amend Sections 25.2 and 25.3 to clarify that the ten-year project retrofit phasing does not override the new BMP retrofit schedules in Section 25.3.

The proposed amendments are as follows with added language underlined and deleted language stricken:

25.2.B.(2)(c) If the cost of retrofitting is greater than five percent of the estimated construction cost, exclusive of the BMP cost, the applicant shall submit a schedule to TRPA for review and approval. The schedule shall provide for the installation of at least 50 percent of the BMPs within five years and 100 percent of the BMPs within ten years. In no case shall the retrofit schedule be set for completion later than the date set for retrofit of properties in Section 25.3. In circumstances where the condition of the project area is creating severe water quality problems, TRPA may require a more accelerated schedule. TRPA shall keep track of the status of retrofitting of project areas as provided in Chapter 38.

25.3 BMP Retrofit Program: Persons owning property not subject to a retrofit requirement prior to July 1, 1992, under Section 25.2, or a discharge permit under Subsection 25.3.B, shall install and maintain BMPs on their property with existing uses in accordance with the following provisions:

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Planning for the Protection of our Lake and Land
STAFF RECOMMENDATION: In order to be consistent with the 1991 Threshold Report and related ordinance amendments, staff recommends the amendment of Chapter 25 as shown above.

FINDINGS: The required Chapter 6 findings and brief 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 amendment is needed to make Chapter 25 consistent with the April 1992 amendments and the 1991 Threshold Report recommendations. The amendment is consistent with the amended BMP retrofit requirements of the Regional Plan Goals and Policies. Further, the amendment will prevent avoidance of the new BMP retrofit schedules thus accelerating progress in regional BMP retrofitting.

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

   Rationale: The amendment will strengthen the enforcement of the new BMP retrofit schedules and will facilitate achievement of the affected water quality thresholds.

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

   Rationale: See Finding 2 above.

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

   Rationale: See Findings 1 and 2, above.

The required Ordinance 87-8 findings and brief rationales are set forth below:

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

   Rationale: The amendment implements the amended Regional Plan policies which set BMP retrofit schedules for properties with existing uses. The amendments clarify the relationship between the prior project retrofit provisions and the newly adopted schedules and ensure that the shorter schedule prevails. See also rationales for Chapter 6 findings.
2. One or more of the following:

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

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

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

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

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

1. The cost of implementation 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 Package and complying with the Compact.

Rationale: Staff recommends finding (f) for the reasons set forth above in the Chapter 6 rationales.

ENVIRONMENTAL DOCUMENTATION: Staff recommends a finding of no significant environmental effect.

APC RECOMMENDATION: Because the Governing Board meeting is early this month, and the APC meeting does not precede the packet mailing, the staff will report the APC action orally.

ACTION REQUESTED: In order to implement the recommended ordinance amendments the Governing Board must take the following actions:

1. Make a finding of no significant environmental effect and the findings required by Chapter 6 and Ordinance 87-8 as set forth above; and

2. Make a motion to adopt the attached implementing ordinance.
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE NO. 92-

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, OF THE
TAHOE REGIONAL PLANNING AGENCY; AMENDING CHAPTER 25 OF THE CODE
OF ORDINANCES RELATING TO BMP RETROFIT REQUIREMENTS; AND PROVIDING
PROVIDING FOR OTHER MATTERS PROPERLY RELATING 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 TRPA Ordinance
No. 87-9, as amended, by amending Chapter 25 of the Code of
Ordinances relating to BMP retrofit requirements in order to
further implement the Regional Plan pursuant to Article VI(a)
and other applicable provisions of the Tahoe Regional Planning
Compact.

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

1.30 The proposed amendments have been determined not to have a
significant effect on the environment and thus are exempt from
the requirement of an environmental impact statement pursuant
to Article VII of the Compact.

1.40 The Governing Board finds that, prior to the adoption of this
ordinance, the Board made the findings required by Section 6.5
of the Code and Article V(g) of the Compact. The Governing
Board further finds that such findings are supported by
substantial evidence in the record. Further, the Board made
the findings required by Section 2.40 of Ordinance 87-8, which
findings were supported by a preponderance of 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
attains and maintains the environmental thresholds 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 25 of the Code

2.10  Subparagraph (2)(c) of Subsection 25.2.B is hereby amended as set forth below with added language underlined and deleted language stricken:

(c) If the cost of retrofitting is greater than five percent of the estimated construction cost, exclusive of the BMP cost, the applicant shall submit a schedule to TRPA for review and approval. The schedule shall provide for the installation of at least 50 percent of the BMPs as determined by an estimate of the cost of the BMPs within five years and 100 percent of the BMPs within ten years. In no case shall the retrofit schedule be set for completion later than the date set for retrofit of properties in Section 25.3. In circumstances where the condition of the project area is creating severe water quality problems, TRPA may require a more accelerated schedule. TRPA shall keep track of the status of retrofitting of project areas as provided in Chapter 38.

2.20  Section 25.3 is hereby amended as set forth below with the added language underlined:

25.3  BMP Retrofit Program: Persons owning property not subject to a retrofit requirement prior to July 1, 1992 under Section 25.2, or a discharge permit under Subsection 25.3.B, shall install and maintain BMPs on their property with existing uses in accordance with the following provisions:

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 the amendments adopted hereby 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 __________, 1992, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

__________________________
W. F. Cronk, Chairman
Tahoe Regional Planning Agency
November 4, 1992

To: Governing Board
From: TRPA Staff
Subject: Workshop on Erosion, Nutrients, and Watershed Processes

Staff recommends that the workshop focus on erosion processes in the watershed, nutrient inputs to Lake Tahoe, and the impacts of urbanization on water quality of Lake Tahoe.

Attached is a brief outline and narrative which gives an overview of these processes and how they affect Lake Tahoe.

If you have any questions concerning this agenda item, please contact Kevin Hill at (702) 588-4547.
I. Introduction

II. Water Quality/Watershed Problem Identification

A. Understanding the Problem

1. Basic Relationships
   a. Undisturbed Conditions
   b. Nutrient Inputs
   c. Algal Growth

B. The Watershed

1. Sediment Transport
   a. Bedload
   b. Suspended Load
   c. Sources of Sediment

C. Impacts Of Urbanization

1. Effects on the Watershed
   a. Sediments
   b. Nutrients
   c. Treatment

D. Nutrient Budget

1. Factors Affecting Algal Growth
   a. Primary Nutrients
   b. Unbalanced Nutrient Budget
   c. Estimates of Total Nutrient Load

E. Control Measures

1. BMP Implementation
   a. Why BMPs are Important
   b. Effectiveness of BMPs
   c. Types of BMPs

F. Summary/Conclusions

1. Lake Tahoe Watershed
   a. Unbalanced Nutrient Budget
   b. Sources of Sediments
   c. WQ Management Needs
I. Introduction

To begin the slow process of reversing the declining trend or improving water quality conditions of Lake Tahoe, one must start with an understanding of processes which are occurring in Lake Tahoe, and it’s watershed which affect water quality conditions at any given time.

II. Water Quality/Watershed Problem Identification

A. Basic Relationships

Since 1968, algal productivity has increased over 200 percent and clarity has decreased over 22 percent. Lake Tahoe is undergoing a phenomenon known as cultural eutrophication, which is a lake's response to an accelerated input of nutrients into a lake due to influences by civilization. Given undisturbed conditions, Lake Tahoe would be expected to change so slowly over time that the changes would be imperceptible over a normal human lifetime. Tahoe does not benefit from the flushing action of precipitation and runoff that benefits other water bodies. The three main nutrient inputs into Lake Tahoe are nitrogen, phosphorus, and iron. Algae require sunlight and nutrients to flourish and grow. When nutrients are available, algae will exploit them, rising in number, until they have used the available nutrients. As more nutrients become available, higher rates of growth occur and the clarity of the water decreases.

B. The Watershed

A natural undisturbed watershed is very efficient in its treatment of nutrients. Previous studies have found that undisturbed alpine watersheds are capable of removing up to 100 percent of nutrients. Sediment transport depends upon a stream’s kinetic energy. The total sediment load is composed of two parts: the bedload and the suspended load. The bedload is the heavier portion moved downstream along the stream bottom. The suspended load consists of suspended sediments which are lifted off the bottom and travel through the watershed supported by the water. Sediment produced by the watershed is related to the density of stream channels in the watershed. As the density increases, more sources of sediment are contacted and sediment yields increase.

C. Impacts Of Urbanization

Development of the watershed increases yields of sediments and dissolved nutrients by providing new sources of both, and interfering with the nutrient delivery and removal mechanisms. Typically, development increases sediment sources, sediment yields, nutrient yields, peak flows, stream energy, and the ability of streams to transport sediments, and short-circuits the ability of the watershed to remove sediments and dissolved nutrients from the runoff.

D. Nutrient Budget

Currently an unbalanced nutrient budget exists in Lake Tahoe. That is, the inputs of nutrients exceed the outputs, resulting in an increased storage of nutrients in the water column. The two primary nutrients affecting algal
growth and clarity are phosphorus and nitrogen. Recent research indicates
that phosphorus appears to be the nutrient most-limiting to algal growth at
this time. This research also estimates total loads of nitrogen and phosphorus
is approximately 180 tons per year, while total outputs equal approximately
148 tons per year.

E. Control Measures

Currently, BMP Implementation is an important principle of TRPA's Management
Plan in offsetting water quality impacts due to development. BMPs are needed
and can be effective at reducing sediment yields and dissolved nutrients from
development, when properly designed, installed and maintained. Effectiveness
of BMPs on sediments is generally higher than effectiveness on dissolved
nutrients.

F. Summary

In the Tahoe Region, sources of stream sediments are largely within the
channels themselves. Sediments build up in channels until large-enough flows
occur to move them. Lake Tahoe is suffering from cultural eutrophication from
an unbalanced nutrient budget. The nitrogen and phosphorus budgets are both
out of balance; The phosphorus budget may be easier to balance.
MEMORANDUM

November 3, 1992

To: TRPA Governing Board

From: Susan E. Scholley, Special Projects Attorney

Re: Reprogramming of Commercial Sewer Units to Residential Use, Determination of Available Sewer Capacity Authorizing Release of 1993 Residential Allocations in the South Tahoe Public Utility District (STPUD) Service Area

PROPOSED ACTION: In February of 1992, STPUD proposed a reprogramming of 500 unallocated sewer units from commercial use to residential use. The Governing Board approved the reprogramming of 303 unallocated sewer units to residential use but withheld action on 197 sewer units due to a projected exceedance of the sewer capacity allocated to the Fallen Leaf Lake area. The proposed action is the reprogramming of the 197 unallocated sewer units based on a demonstration that the Fallen Leaf Lake area’s current usage and projected needs are within the 60,000 gpd allocated. The proposed action also includes a determination of available sewer capacity in the amount of 136 sewer units from remitted capacity. Further, the proposed action includes an authorization to release 104 residential allocations in 1993 to the STPUD service area of El Dorado County and the City of South Lake Tahoe.

STAFF RECOMMENDATION: Based on the information submitted by STPUD, including the monitoring of Fallen Leaf Lake flows and inspection of the monitoring equipment, staff recommends the reprogramming, determination of available sewer capacity, and the authorization of 104 residential allocations in 1993.

DISCUSSION: In February 1992 the Governing Board reviewed the 750 unallocated sewer units set aside for commercial development and assessed the demand for commercial sewer units. The Board determined that 500 unallocated sewer units were available for reprogramming to residential use but withheld action on 197 of the unallocated sewer units because of projected exceedances of sewer capacity at Fallen Leaf Lake. The projected exceedances at Fallen Leaf Lake were based on monitored peak flows in the summer of 1991. STPUD inspected their monitoring equipment and conducted new tests on the system this summer. Based on the new monitoring and testing data, STPUD concludes that Fallen Leaf Lake will not exceed its allocated capacity of 60,000 gpd.
There have not been any significant changes to the estimated demand for commercial sewer units and so the February 1992 estimates are still valid. Accordingly, it is appropriate to consider the reprogramming of the remaining 197 unallocated sewer units to residential use. Attached for the Board's review is an excerpt of STPUD's application which explains the monitoring and testing of the Fallen Leaf Lake sewer flows (Attachment A). It should be noted that STPUD has implemented a low flow fixture ordinance which has reduced flows.

In addition, STPUD has remitted capacity of 121 sewer units from specific parcels listed in Attachment B, and 85 sewer units leftover from prior (pre-1989) allocations which did not use the average amount of sewer units. Also attached are the calculations showing the current capacity allocations and connections (Attachment C).

Based on a conversion factor of 3.2 sewer units per residential unit, the reprogramming and remitted capacity would support the release of 1993 residential allocations. Twelve allocations are already authorized for release in 1993 based on the February 1992 reprogramming. If the Board approves the second reprogramming and recognizes the remitted capacity, as recommended, an additional 104 residential allocations will be authorized for release to the City of South Lake Tahoe and El Dorado County for the STPUD service area in 1993 for a total of 116.

FINDINGS: Prior to taking this action, Chapter 6 requires certain findings to be made. The findings and brief rationales are as follows:

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 reprogramming and recognition of capacity is consistent with the adopted commercial, residential and tourist accommodation allocations and the prior action on the .2 mgd plant expansion. The reprogramming is also consistent with the five-year recreation and public service lists and does not affect the reserved or remitted recreation capacity. Construction of new residential units would conform to the usual Code and plan area requirements.

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

Rationale: Based on the V(g) checklist and the adoption of the 1992-1996 allocation table, the thresholds will not be exceeded.

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

Rationale: See Finding 2, above.
ENVIRONMENTAL DOCUMENTATION: TRPA staff has reviewed the Initial Environmental Checklist submitted by STPUD. The 1989 EIS on the 0.2 mgd plant expansion based its mitigation program on the assumption that all the new capacity would be used for residential units. Therefore, the proposed action is consistent with the 1989 EIS and mitigation program. The United States E.P.A. has approved the reprogramming. Monitoring the progress of STPUD's mitigation program is ongoing.

TRPA staff recommends a finding of no significant environmental effect.

BOARD ACTION REQUESTED: TRPA staff recommends the following motions to implement the proposed action:

1. Make a finding of no significant environmental effect and the findings required by Chapter 6 as set forth above; and

2. Move the reprogramming of 197 unallocated sewer units from commercial to residential use, recognize remitted capacity in the amount of 135 sewer units, and authorize the release of an additional 104 residential allocations to the STPUD service area of El Dorado County and the City of South Lake Tahoe in 1993.
PROJECT DESCRIPTION

Background

The South Tahoe Public Utility District Wastewater Treatment Plant currently has a rated capacity of 7.7 million gallons per day (MGD) per its 1989 EIR/EIS. In the EIR/EIS the capacity had been allocated in the form of sewer units to different uses; for example, commercial, public and recreational, affordable housing, change in use reserve and residential. These additional allocations provided in the 1989 EIR/EIS were to cover all new commercial and public and recreational allocations from 1989 through 1996, and residential allocations from 1989 through 1991.

It was assumed that the 1989-1996 commercial and public and recreational allocations reflected the needs expressed through the community planning process and that the residential allocations reflected the remaining allocations that TRPA might allocate before undergoing an environmental thresholds assessment. After undergoing this assessment a new allocation table to cover residential construction through 1996 was to be presented.

Delays were experienced in both the District's and TRPA's environmental processes. A new EIR/EIS for the South Tahoe Public Utility District which would provide environmental clearance to accommodate further residential connections is currently in progress to cover the years 1993-1998. Because of these delays the District came to the TRPA governing Board last year and proposed a reprogramming of commercial sewer units to the residential sewer unit category.

This reprogramming effort was approved by the TRPA Governing Board, since it was recognized that sewer units were over-allocated in the commercial category. However, TRPA's Governing Board held 197 reprogrammable commercial sewer units in reserve. These were held because of a perceived problem the District had discovered in the flows associated with Fallen Leaf Lake.

The flow meter readings from the 1990 peak summer season showed that Fallen Leaf Lake had exceeded its allocation provided in the 1989 EIR/EIS. Fallen Leaf Lake had been allocated 60,000 gallons per day (gpd) for a maximum day flow. TRPA withheld the reprogramming of 197 units pending resolution of the Fallen Leaf Lake flow overages.

The District is formally requesting the release and reprogramming of these units based on the following investigations and actions.
Fallen Leaf Lake Flows Investigation and Actions

The District immediately launched into a multi-faceted program to determine what the actual flows were from the Fallen Leaf Lake Community. The following briefly characterizes the different aspects of the program:

1. A thorough and very complete infiltration and inflow (I & I) analysis was done for the entire Fallen Leaf Lake wastewater disposal system during the winter of 1991. Both District and private I & I sources were identified and corrected. The District is confident that (I & I) currently does not exceed 5 gallons per minute. (One of the flow meters installed to do a daily cross check of the District flow meter, discussed later in this report, recorded no detectable difference in flows during a storm in July). It would very difficult to find these last 5 gallons.

2. A water conservation program, already in existence at the District was made mandatory via an ordinance for all residents in the Fallen Leaf Lake area. All toilets were to be retrofitted with ultra-low flow toilets by June 30, 1992 or the sewer service would be subject to disconnection. This ordinance caused great consternation to the Fallen Leaf Lake residents. To date approximately 70% of the residences have been retrofitted. Note: it is estimated that approximately 50% toilets had been retrofitted by the July 4th weekend in 1992.

3. Lastly and most importantly, an intensive and extensive flow monitoring program was enacted for the Fallen Leaf Lake area. This is discussed more thoroughly in the attached reports. A brief summary of the results is presented below.

Fallen Leaf Lake Flow Monitoring Efforts and Results

The District has a flow meter which records all flows from the residences on the East and South sides of the Lake excluding Fallen Leaf Lake Campground (since it is not part of the 60,000 gpd allocation). This flow meter was installed as an afterthought to the design of this system. Basically, the results of the cross checking monitoring done and the site investigations reveal that the meter which gave the District the 1990 flow readings is inaccurate and is particularly inaccurate as the wastewater flow goes up.

This is due to a combination of factors (a more detailed accounting of the inaccuracy of the currently installed flowmeter is found in Technical Memo #11 attached):

1. The meter had not been checked, until recently, to see
what happens when absolutely no flow goes through the pipe. The pipes were plugged and flow was stopped on September 14, 1992. It was discovered that the meter did not go down to zero-instead it measured a three hundredths of a foot error.

When flows are low this error is minimal, but as flows increase the error becomes proportionally (to the size of the pipe) larger. As seen in the attached data this type of error exhibited itself routinely throughout the cross check monitoring done from June through Labor Day weekend. This lead the District's consultant hired to investigate the Fallen Leaf Lake flows, to suspect that the meter didn't zero out. This is a particularly subtle error to discover in a meter installed in a sewer because there is rarely (if ever) a zero flow. Once determined and confirmed as on September 14th, it seems blatantly obvious.

2. Further inflating the readings, it was found that this particular installation, designed for a 1/2 of a perfectly circular 6 inch pipe and smooth weir, was installed in an imperfectly hand troweled, 7 inch inlet pipe and weir. Due to the non-standard pipe and weir installed, a strange turbulence is caused at the outlet. This turbulence causes a backwater effect which causes the height of the water in the pipe (the depth of the water measured by the meter) to be higher.

3. The flume associated with this flowmeter also causes a backwater effect allowing grit to fall out at the inlet of the flume further increasing the height of the water line.

4. Due to a consistently low flow situation in the pipe, a 3/8 inch layer of grease and scum has accumulated in the flume and pipe inlet area even further increasing the height of the sewage measured.

Therefore the District has discounted the readings from this flow meter-the one which provided the basis for the retention of the 197 reprogrammable commercial sewer units.

The District hired two independent consultants to cross check the sewage flows emanating from the Fallen Leaf Lake area. Each consultant used a different technique to monitor the flows. It should be noted that one technique-the fluorescing dye technique applied by Systech- is known for its high level of accuracy in research and real-life applications. More importantly, both techniques were in place and produced corresponding results for the July 4th weekend-the peak use period of Fallen Leaf Lake. (See the attached Technical Memo 2 for a more complete explanation of these techniques and the results produced).
CONCLUSIONS AND PERMIT APPLICATION REQUEST

The District believes that Fallen Leaf Lake flows have undoubtedly never exceeded 38,000 gpd and currently do not, and will not in the future, exceed 47,300 gpd on a maximum day under the current allocation system. 47,300 gpd is derived as follows: 38,000 gpd + Fallen Leaf Lake Associates unused capacity 9,300 gpd (please see memorandum of 2/11/92 for Fallen Leaf Lake associates unused capacity delineation). As noted earlier the capacity allocated to Fallen Leaf Lake is 60,000 gpd on a maximum day.

Thus the District requests that the 197 reprogrammable commercial sewer units held in abeyance last year awaiting resolution of the Fallen Leaf Lake flow overage, be released and be reprogrammed to the residential category in order to meet the needs of the South Shore community's 1993 allocations. This release is based on the conclusion stated at the beginning of this section and is further substantiated in this report and the technical reports attached.

The District considers this a minor modification to last year's application and therefore also requests an equivalent Finding of No Significant Environmental Impact for this reprogramming application.
### Sewer Units Voluntarily Returned to the District Available for Residential Use

<table>
<thead>
<tr>
<th>Name</th>
<th>APN</th>
<th>Permit No.</th>
<th>No. Units Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dallman</td>
<td>32-313-3212</td>
<td>15119</td>
<td>3</td>
</tr>
<tr>
<td>McCarthy</td>
<td>26-221-291</td>
<td>16375</td>
<td>7</td>
</tr>
<tr>
<td>Tahoe Conservancy</td>
<td>26-021-071</td>
<td>16835</td>
<td>11</td>
</tr>
<tr>
<td>S &amp; M Investments</td>
<td>32-172-0112</td>
<td>16844</td>
<td>4</td>
</tr>
<tr>
<td>U.S.F.S.</td>
<td>28-100-271</td>
<td>17136</td>
<td>3</td>
</tr>
<tr>
<td>City of So. L. Tahoe</td>
<td>32-312-091</td>
<td>17601</td>
<td>1</td>
</tr>
<tr>
<td>Uphold</td>
<td>23-341-171</td>
<td>17621</td>
<td>1</td>
</tr>
<tr>
<td>Humane Society</td>
<td>Acct. 12</td>
<td>No. Permit</td>
<td>20</td>
</tr>
<tr>
<td>Jordanoff</td>
<td>27-153-311</td>
<td>No. Permit</td>
<td>3</td>
</tr>
<tr>
<td>State of California</td>
<td>26-137-151</td>
<td>17419</td>
<td>3</td>
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<tr>
<td>Antles</td>
<td>23-182-281</td>
<td>No Permit</td>
<td>4</td>
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<tr>
<td>Forest Inn</td>
<td>29-441-061</td>
<td>4399</td>
<td>20</td>
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<td></td>
<td>29-441-051</td>
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<td>40</td>
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<td>Colyear</td>
<td>21-371-031</td>
<td>17661</td>
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**Total** 121
October 15, 1992

1989 EPA/EIR/EIS Sewer Unit Allocation - 76,086 Sewer Units
7.7 MGD Plant

<table>
<thead>
<tr>
<th>sewer units connected</th>
<th>S.U.</th>
<th>GPD</th>
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<tbody>
<tr>
<td></td>
<td>74,750</td>
<td>7,176,000</td>
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A. Sewer Units Connected (less SU billed by contract)

B. Sewer Units issued but not yet connected

<table>
<thead>
<tr>
<th>Year</th>
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<th>GPD</th>
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<tbody>
<tr>
<td>1992</td>
<td>253</td>
<td>24,288</td>
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<tr>
<td>1991</td>
<td>70</td>
<td>6,720</td>
</tr>
<tr>
<td>1990</td>
<td>15</td>
<td>1,440</td>
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<tr>
<td>1989 &amp; Prior</td>
<td>7</td>
<td>672</td>
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C. Sewer Unit Deposits (only)

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<tbody>
<tr>
<td>1992 (Co.-82; CSLT-13)</td>
<td>95</td>
<td>9,120</td>
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<tr>
<td>1991</td>
<td>18</td>
<td>1,728</td>
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<tr>
<td>1990</td>
<td>0</td>
<td>0</td>
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<tr>
<td>1989 &amp; Prior</td>
<td>3</td>
<td>288</td>
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D. Current Year Residential Allocations
   No Deposits Received

<table>
<thead>
<tr>
<th>Year</th>
<th>S.U.</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>9</td>
<td>864</td>
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</table>

E. Remaining (available) Residential
   Capacity for future Allocations

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<th>Year</th>
<th>S.U.</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>206**</td>
<td>19,776</td>
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F. Commercial Sewer Units, remaining capacity in EPA 7.7 MGD, but not yet issued

<table>
<thead>
<tr>
<th>Year</th>
<th>S.U.</th>
<th>GPD</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>419*</td>
<td>40,224</td>
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</table>

(*Includes 197 SU ready to re-program to residential pending release from TRPA as FLL reserve capacity)

G. Public/Recreational Sewer Units,
   remaining capacity in EPA 7.7 MGD, but not yet issued

<table>
<thead>
<tr>
<th>Year</th>
<th>S.U.</th>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>159</td>
<td>15,264</td>
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</table>

H. Change of Use Reserve

<table>
<thead>
<tr>
<th>Year</th>
<th>S.U.</th>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>82</td>
<td>7,872</td>
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</table>

Sub-total: Allocated by EPA in 7.7 MGD Plant

<table>
<thead>
<tr>
<th>S.U.</th>
<th>GPD</th>
</tr>
</thead>
<tbody>
<tr>
<td>76,086</td>
<td>7,304,256</td>
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</table>

**This includes the 121 sewer units listed in Exhibit 13.
### I. Unallocated in 7.7 MGD Plant (Affordable Housing)

<table>
<thead>
<tr>
<th></th>
<th>372</th>
<th>35,712</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Allocated and Unallocated by EPA in 7.7 MDG Plant</td>
<td>76,458</td>
<td>7,339,968</td>
</tr>
</tbody>
</table>

**EPA recognized Reserve for present and future specific uses in EIR/EIS for 7.7 MGD and in addition to the above allocated and unallocated sewer units**

<table>
<thead>
<tr>
<th></th>
<th>U.S.F.S.</th>
<th>265,000</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Fallen Leaf</td>
<td>60,000</td>
</tr>
<tr>
<td></td>
<td>State Parks</td>
<td>35,000</td>
</tr>
</tbody>
</table>

**Total Allocated, Unallocated, and Reserve Status**

| | 7,699,968 |

Note: The U.S.F.S. and the California State Parks have renegotiated their contracts with the District in order to assign specific capacity (and its sewer unit equivalence) to active accounts, define realistic reserves, and remit excess reserve capacity back to the District.
November 4, 1992

To: Tahoe Regional Planning Agency

From: TRPA Staff

Subject: Status Report on MOUs Exempting Activities From TRPA Review

Staff reported to the Governing Board at the September Board meeting on the status of the 16 memoranda of understanding the TRPA has entered into with public and quasi-public entities. During the month of October, staff met with six of those entities. They are:

- California Tahoe Conservancy
- California Department of Parks and Recreation
- United States Forest Service
- Incline Village General Improvement District
- Sierra Pacific Power Company
- Southwest Gas Corporation

During the meetings, we discussed concerns each may have with the individual MOU, actions needed to clarify or remove the concerns, and possible expansions to the MOU.

Following is a brief synopsis of each meeting:

California Tahoe Conservancy (CTC)

The CTC's primary involvement through the MOU is with erosion control and restoration activities, structural repair, demolition, and vegetation management. TRPA and CTC's experience with these activities has been positive. CTC has forwarded qualified exempt forms in a timely fashion and conducted those covered activities in conformance with the Code of Ordinances. CTC does not at this time have an operational data base capable of reporting restored coverages to TRPA. It does have the information documented in written form, and a data base is being developed with completion possibly by April, 1993.

California Department of Parks and Recreation (DPR)

DPR is involved with fisheries enhancement, hazard tree removal, trail and bridge repair, structural repairs to buildings, demolition, and prescribed burning under the MOU. The MOU has worked well for both DPR and TRPA. DPR
Status Report on MOUs
Page Two

suggested that the MOU be expanded to remove the $5,000 limit on structural
repair and to increase the acreage limitation for vegetation management from
30 to 100 acres. DPR has removed some coverages and will provide that
tracking information to TRPA. TRPA and DPR will be working on changes to the
MOU this winter.

United States Forest Service (USFS)

The USFS publishes a status report on proposed projects on the Lake Tahoe
Basin Management Unit twice a year. The report is sent to TRPA and summarizes
projects being planned by the USFS. It is used as a tracking mechanism for
those activities covered by the MOU in the categories of roads, trails, and
parking, recreation, watershed, fish and wildlife, and vegetation management.
When appropriate, TRPA comments and/or requests further information on
specific activities the USFS has proposed.

There are safeguards built into the MOU to insure that TRPA regulations are
adhered to during the planning stage and when the activities are underway.
The MOU requires that all exempt activities are conducted in accordance with
federal laws and regulations, the applicable provisions of the FS manuals and
handbooks, and the management direction of the LTBMU Land and Resource
Management Plan when those directions are consistent with the TRPA Regional
Plan and Code. When there is no applicable direction in the LTBMU Land and
Resource Management Plan, the activity is conducted in accordance with the
TRPA Regional Plan and Code.

TRPA has had a positive relationship with the USFS and the activities
undertaken through the MOU. The USFS is working on their data base for
accounting of coverage as required by the MOU and will provide TRPA with a
report at the end of the calendar year.

Incline Village General Improvement District (IVGID)

IVGID is involved with water supply connections and repairs, interior
remodeling, pavement resurfacing, irrigation system maintenance, and erosion
control. IVGID proposes that the MOU be expanded to increase the length of
water line replacements and the scope of golf course irrigation system
alterations, and to include replacement of snowmaking equipment. IVGID has
not had an activity covered by the MOU that triggered the coverage tracking
requirement of the MOU. TRPA and IVGID have had a successful experience with
the MOU. We will be working on amending the MOU this winter to include
proposed changes consistent with TRPA regulations.

SC: jsd
11/4/92
Status Report on MOUs
Page Three

Sierra Pacific Power Company (SPPC)

SPPC is primarily involved with conversions of overhead power lines to underground installations, reconstruction of underground facilities, service connections, and overhead and underground facility replacements. SPPC proposes that the $5,000 limit on structural repair and remodeling be removed, the existing ten yard limit on contaminated soil removal be increased to a 100 cubic yard limit, and that coverage relocations up to 50 square feet with no increase in coverage be allowed for transformer relocations.

The MOU has worked well for SPPC and TRPA. SPPC is collecting coverage accounting information and will be forwarding that information to TRPA.

Southwest Gas Corporation

Southwest Gas is involved with gas main installations to serve new customers and to reinforce and loop existing systems. TRPA has received qualified exempt activity forms on time and in detail. Southwest Gas has also developed a computerized MOU activity status reporting system to track those activities covered by the MOU and also activities under permit from TRPA. The MOU has worked well for Southwest Gas and TRPA. Southwest Gas has not undertaken activities covered by the MOU that triggered coverage tracking requirements.

The MOUs have worked very well and succeeded in reaching their initial goals of reducing the TRPA project review workload, enabling entities to undertake routine activities without costly and time consuming TRPA review, and generally to streamline the process without risk to environmental quality. TRPA staff will be working on the proposed MOU amendments this winter with a goal of amendment recommendations to the Governing Board by late winter or early spring.

If you have any questions on this matter please contact Steve Chilton at (702) 588-1169.

SC:jed
11/4/92
MEMORANDUM

November 3, 1992

To: TRPA Governing Board

From: Agency Staff

Subject: Status Report on Residential Memoranda of Understanding with the City of South Lake Tahoe and Placer County

Consistent with the Memorandum of Understanding (MOU) adopted between the City of South Lake Tahoe and the Tahoe Regional Planning Agency (TRPA); and Placer County and TRPA, audits are to be conducted by the Project Review Division to determine if implementation of the MOUs is being properly done by each jurisdiction. The Environmental Compliance Division also conducts an audit of the projects which have been completed to ensure that construction of the project was in conformance with the approved plans. The following information represents a summary of the recent audits conducted on both jurisdictions.

CITY OF SOUTH LAKE TAHOE: The MOU with the City was adopted in February 1991. Since that time, 38 applications were processed in 1991 and 19 have been processed so far in 1992. Eleven projects have been fully completed, including the final inspection and security return. Of the 47 total projects processed, six were duplex proposals and the remaining 41 were single family dwellings.

Of the 11 completed projects which received final approval, two were audited by TRPA’s Compliance Division staff and both were found to “substantially conform to their respective TRPA construction approvals.” (Please see Exhibit A.)

Of the 19 projects reviewed this year, five were audited by Project Review staff and found to be in conformance with the TRPA Code of Ordinances. To assist City Building Department staff in the implementation of the MOU, a "hot line" to Project Review was established to provide immediate answers to questions as they arise. Also, additional training sessions have been conducted, and/or are scheduled to provide a better understanding of the Code of Ordinances. Overall, staff concluded that the City’s performance meets the requirements of the MOU.

PLACER COUNTY: The MOU with Placer County was adopted in March 1992. The County Building Department was assigned the responsibility of implementing the MOU and two staff members were trained in the review procedure. As of October 28, 1992, 26 applications for new single family dwellings were
reviewed and approved. No multi-family applications were received. As of this date, no projects have been completed. However, Compliance Division staff has provided training on the final inspection process.

TRPA staff has conducted periodic training and has also provided a "hot line" to Project Review for immediate response to questions. An audit of four projects was conducted in October and all projects were found to be in conformance with TRPA Code of Ordinance requirements. Based on the results of the audit, staff concludes that Placer County's performance meets the requirements of the adopted MOU.

Questions regarding this report should be directed to Mike Thomas, Senior Planner, Project Review Division.
October 29, 1992

To: Mike Thomas

From: Jon Paul Kiel

Subject: Conformance Audit, Status Report on Processed Projects in Accordance with the TRPA/City of South Lake Tahoe MOU: Final Inspections.

The following information is provided to you to assist in the preparation of the above-mentioned Status Report to the TRPA Governing Board. Laurie Hardy’s records indicate that 11 residential projects have been fully processed by the City of South Lake Tahoe (CSLT) per the MOU. During the 1991 building season, Compliance Division staff met with CSLT personnel at three project locations to discuss final inspection procedures. TRPA staff recently inspected two of the 11 processed projects which were aside from the three visited in 1991.

The two projects inspected were located at 2873 Oakland (APN 26-154-14), and 3496 April (25-544-06). Both projects were found to substantially conform with their respective TRPA construction approvals. The above audit represents an 18 percent sampling of the projects completed. This audit does not include the three projects visited in 1991 which eventually were brought into conformance with their construction approvals, and their securities released.

Due to the limited number of projects fully processed by the CSLT, additional audits should be conducted. However, this audit concludes that the TRPA/CSLT MOU has thus far been implemented as agreed with respect to final (security return) inspections.

cc: Steve Chilton, AICP, Chief,
    Environmental Compliance Division
    Lyn Barnett, Project Review
MEMORANDUM

November 3, 1992

To: TRPA Governing Board Sitting as the Regional Transportation Planning Agency

From: TRPA Staff

Subject: Approval of Resolution Requesting Transfer of Clean Air and Transportation Improvement Act Grant Application Status from TRPA to City of South Lake Tahoe and El Dorado County

Staff Recommendation: Staff recommends the Governing Board approve the resolution transferring TRPA's status as the eligible grant applicant for Clean Air and Transportation Improvement Act funds to the City of South Lake Tahoe and El Dorado County and request that the City and the County accept this grant application status.

Discussion: The Clean Air and Transportation Improvement Act (CATIA) recently passed in California makes available $73 million in bond funds (Prop. 116) to fund a program of grants for a variety of public transportation projects. Eligible projects include railroad grade crossing improvements, purchase of paratransit vehicles, capital facilities for public transportation, bicycle projects, and pedestrian improvement projects. Funds may not be used for street or highway improvements, operations, maintenance or construction.

The funds are allocated by the California Transportation Commission (CTC) to non-urban counties on a per capita basis. El Dorado County is a non-urban county and has been allocated a total of $5,872,985.

CTC staff has directed that the funds allocated to El Dorado County be further allocated between the Tahoe Region and the County area outside the Region. Using the population estimates provided by the El Dorado County Auditor-Controller for allocation of Local Transportation funds, the funds are to be allocated as follows:

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>El Dorado County (West Slope)</td>
<td>$4,496,416</td>
</tr>
<tr>
<td>Tahoe Region (unincorporated area)</td>
<td>$392,432</td>
</tr>
<tr>
<td>Tahoe Region (City of South Lake Tahoe)</td>
<td>$984,137</td>
</tr>
</tbody>
</table>

AGENDA ITEM X.A.

11/3/92
/la

Planning for the Protection of our Lake and Land
Eligible grant applicants are the transportation planning agencies having jurisdiction in the non-urban counties (TRPA in the Tahoe Region and the El Dorado County Transportation Commission on the west slope). The CTC requires that eligible grant applicants demonstrate they have the financial capacity to construct, maintain, and operate the project services, as well as the financial and institutional ability to accept the legal liabilities and obligations. An eligible applicant may transfer its status, including all rights to specified funds and all responsibilities for implementing the project, to another local agency that agrees to accept the rights and responsibilities to deliver the project. This transfer of status may be requested as part of the project application and must be approved by the CTC, the eligible grant applicant (TRPA), and the local agency (City and El Dorado County).

TRPA has discussed the allocation of CATIA funds and the transfer of grant applicant status with the City of South Lake Tahoe and El Dorado County staff. Both the City and the County indicated that they would accept the transfer of the applicant status, and both are preparing resolutions for acceptance of the transfer of applicant status for consideration and approval by the City Council and the County Board of Supervisors.

The City and the County will identify their proposed projects, prepare their respective grant applications, and submit the projects and applications to TRPA in December for the Governing Board’s consideration and approval. The projects will have to be found in conformance with the Regional Transportation Plan - Air Quality Plan, and will have to meet the CTC criteria as set forth by the policies adopted by the CTC for implementing the Clean Air and Transportation Improvement Act.

If you have any questions, please contact Keith Norberg at (702) 588-4547.
TAHOE REGIONAL PLANNING AGENCY
SITTING AS THE REGIONAL TRANSPORTATION PLANNING AGENCY
RESOLUTION NO.-

A RESOLUTION REQUESTING THE TRANSFER OF CLEAN AIR AND TRANSPORTATION IMPROVEMENT ACT APPLICATION STATUS FROM TRPA TO THE CITY OF SOUTH LAKE TAHOE

WHEREAS, the Clean Air and Transportation Improvement Act (CATIA) makes available bond funds (Proposition 116) to fund a program of grants to eligible grant applicants for capital facilities for public transportation purposes; and

WHEREAS, eligible grant applicants are Transportation Planning Agencies having jurisdiction in non-urban counties in the State of California, including El Dorado County; and

WHEREAS, TRPA is designated by the State of California as the Regional Transportation Planning Agency for the Tahoe Region portion of El Dorado County and as such is the eligible grant applicant, and

WHEREAS, an eligible grant applicant may transfer its status, including all rights to specified funds and all responsibilities for implementing the project, to another local agency; and

WHEREAS, this transfer of applicant status may be requested as part of the project application and must be approved by the California Transportation Commission, the eligible grant applicant (TRPA), and the local Agency (City of South Lake Tahoe).

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Tahoe Regional Planning Agency sitting as the Regional Transportation Planning Agency for the Tahoe Region that TRPA agrees to transfer its status as grant applicant, including all rights to specified funds and all responsibilities for implementing the projects, to the City of South Lake Tahoe, provided the City of South Lake Tahoe accepts the rights and responsibilities to submit the grant applications and deliver the projects.

PASSED AND ADOPTED this _______________ day of November, 1992, by the Governing board of the Tahoe Regional Planning Agency sitting as the Regional Transportation Planning Agency for the California portion of the Tahoe Region, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

William F. Cronk, Chairman
Tahoe Regional Planning Agency
Sitting as the Regional Transportation Planning Agency
TAHOE REGIONAL PLANNING AGENCY
SITTING AS THE REGIONAL TRANSPORTATION PLANNING AGENCY
RESOLUTION NO.- ___

A RESOLUTION REQUESTING THE TRANSFER OF CLEAN AIR AND
TRANSPORTATION IMPROVEMENT ACT APPLICATION STATUS FROM TRPA
TO EL DORADO COUNTY

WHEREAS, the Clean Air and Transportation Improvement Act (CATIA)
makes available bond funds (Proposition 116) to fund a program of grants to
eligible grant applicants for capital facilities for public transportation
purposes; and

WHEREAS, eligible grant applicants are Transportation Planning
Agencies having jurisdiction in non-urban counties in the State of
California, including El Dorado County; and

WHEREAS, TRPA is designated by the State of California as the
Regional Transportation Planning Agency for the Tahoe Region portion of El
Dorado County and as such is the eligible grant applicant, and

WHEREAS, an eligible grant applicant may transfer its status,
including all rights to specified funds and all responsibilities for
implementing the project, to another local agency; and

WHEREAS, this transfer of applicant status may be requested as
part of the project application and must be approved by the California
Transportation Commission, the eligible grant applicant (TRPA), and the local
Agency (El Dorado County).

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Tahoe
Regional Planning Agency sitting as the Regional Transportation Planning
Agency for the Tahoe Region that TRPA agrees to transfer its status as grant
applicant, including all rights to specified funds and all responsibilities
for implementing the projects, to El Dorado County, provided the County
accepts the rights and responsibilities to submit the grant applications and
deriver the projects.

PASSED AND ADOPTED this _____________ day of November, 1992,
by the Governing board of the Tahoe Regional Planning Agency sitting as the
Regional Transportation Planning Agency for the California portion of the
Tahoe Region, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

William F. Cronk, Chairman
Tahoe Regional Planning Agency
Sitting as the Regional
Transportation Planning Agency
MEMORANDUM

November 6, 1992

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution Amending Personnel Policy Manual Regarding Policy 3.2, Salary Schedule

This item will be discussed at the Finance Committee and, as appropriate, brought before the whole Governing Board for action.

if
11/6/91

AGENDA ITEM XI.B.

Planning for the Protection of our Lake and Land
November 4, 1992

To: Governing Board
From: Agency Staff
Subject: Projects Reviewed at Staff Level and Governing Board Level October 1, 1992 through October 31, 1992

### Projects Reviewed at Staff Level

<table>
<thead>
<tr>
<th>CSLT/El Dorado</th>
<th>Placer</th>
<th>Washoe</th>
<th>Douglas</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Residential</td>
<td>5</td>
<td>1</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Res. Modification</td>
<td>15</td>
<td>7</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>New Res. Plan Rev.</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Res. Mod. Plan Rev.</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Commercial</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>2</td>
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<tr>
<td>Public Service</td>
<td>4</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Recreation</td>
<td>1</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Signs</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Dvlp./Cov. Verif.</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Dvlp./Cov. Banking</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dvlp./Cov. Transfer</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Eros. Control/Grading</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>MBLA/Subdivision</td>
<td>1</td>
<td>2</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Shorezone</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

### Projects Reviewed at Governing Board Level

| Shorezone | 1      | 0      | 0       | 1     | 2     |
| Commercial | 0      | 1      | 0       | 0     | 1     |

Total Processed: 40
Total Received: 31

Operating Backlog: 40
Incomplete/Pending Information: 198
Compliance Cases Pending: 18

JA
11/4/92
MEMORANDUM

Date: November 1, 1992
To: Governing Board
From: Agency Staff

Subject: IPES/Land Capability Status Report

The status of IPES/Land Capability determinations for the period of October 1, 1992, through October 31, 1992 is as follows:

<table>
<thead>
<tr>
<th>Land Capability Verifications</th>
<th>CSLT/</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applications received</td>
<td>Douglas</td>
</tr>
<tr>
<td>Verifications completed</td>
<td>5</td>
</tr>
<tr>
<td>Operating backlog</td>
<td>10</td>
</tr>
</tbody>
</table>

| Land Capability Challenges    |       |           |        |       |       |
| Applications received         | 0      | 0         | 0      | 0      | 0     |
| Challenges completed          | 0      | 2         | 0      | 1      | 3     |
| Operating backlog             | 0      | 4         | 2      | 1      | 7     |

| IPES Determinations of Allowable Coverage |       |           |        |       |       |
| Applications received         | 0      | 2         | 4      | 0      | 6     |
| Determinations completed      | 1      | 1         | 1      | 1      | 4     |
| Operating backlog             | 1      | 4         | 8      | 1      | 14    |

| IPES Reevaluations |       |           |        |       |       |
| Applications received | 0 | 0         | 1      | 0      | 1     |
| Reevaluations completed  | 0 | 0         | 0      | 0      | 0     |
| Operating backlog       | 1   | 0         | 1      | 1      | 3     |

| Initial IPES Evaluations |       |           |        |       |       |
| Applications received    | 2    | 2         | 2      | 0      | 6     |
| Evaluations completed    | 0    | 0         | 0      | 0      | 0     |
| Operating backlog        | 0    | 0         | 0      | 0      | 0     |

| IPES Appeals* |       |           |        |       |       |
| Applications received | 0 | 0         | 0      | 0      | 0     |
| Appeals processed       | 0    | 0         | 0      | 0      | 0     |
| Operating backlog       | 16   | 52        | 5      | 5      | 78    |

| Governing Board Hearing Requests |       |           |        |       |       |
| Applications received         | 22   | 11        | 14     | 4      | 51    |

* Includes appeals that have been placed on hold pending the submission of technical data by the appellants. As of October 1, 1992, TRPA has received technical data supporting 35 of these appeals. Currently, 28 of these appeals are in processing.

/tas
11/1/92

AGENDA ITEM XIII A.2

Planning for the Protection of our Lake and Land
MEMORANDUM

November 9, 1992

To: TRPA Governing Board

From: Agency Staff

Subject: Report on California State Water Resources Control Board Workshop on Proposed 208 Plan Amendment, November 4, 1992

On November 4, 1992, the California State Water Resources Control Board (SWRCB) conducted a workshop on TRPA's proposed 208 plan amendments, which would make a minor change to one of the findings required to move the IPES line. The SWRCB staff summary is attached.

In their presentation, the staff reminded the Board they had already approved the IPES program, through their certification of the 208 plan, and that they should not revisit the underlying policies on this agenda item. Susan Scholley, representing TRPA, explained the findings for moving the IPES line, and the importance of IPES to the Regional Plan and the consensus reached on the Regional Plan litigation.

The State Board inquired as to the status of the Financing Plan for Key Implementation Programs of the 208 plan. Susan Scholley explained this was a separate matter, but was on schedule. She explained that the proposed 208 plan amendment was to permit the TRPA to consider lowering the line in time for the 1993 building season, and that IPES balanced the need for property owners' equities and environmental protection.

Laurel Ames, on behalf of the League to Save Lake Tahoe, testified in opposition to the amendment because it did away with the need to establish baseline water quality conditions, and because moving the IPES line should depend on water quality trends being either stable or improved. She said that once TRPA moved the line, it was required to move annually.

The League also opposed the FONSI, saying the effects of the amendment were not considered, such as the increased coverage which would result from lowering the line.
Ms. Ames handed out two comment letters and offered to write a letter with suggested 208 plan revisions to the subject finding which would create a needed linkage between lowering the line and the results of the monitoring program. The Board accepted her offer.

The SWRCB staff pointed out that redesigning IPES was not the issue, and that the issue was a narrow technical one. They stood by their recommendation to amend the 208 plan.

The Board agreed to leave the subject amendment on their November 19 agenda for action, but made no commitment regarding approval or denial.

If you have any questions on this agenda item, please contact Dave Ziegler or Susan Scholley at (702) 588-4547.
ITEM: 8

SUBJECT: CONSIDERATION OF APPROVAL OF NEGATIVE DECLARATION AND CERTIFICATION OF AN AMENDMENT TO THE WATER QUALITY MANAGEMENT PLAN FOR THE LAKE TAHOE BASIN (208 PLAN) SUBMITTED BY THE TAHOE REGIONAL PLANNING AGENCY

DISCUSSION: The water quality management plan for the Lake Tahoe basin (208 Plan), administered by the Tahoe Regional Planning Agency (TRPA), requires that each vacant residential parcel within the basin be rated according to several criteria that describe its sensitivity to development. The rating mechanism is known as the Individual Parcel Evaluation System (IPES), and it assigns a numerical score to each parcel. The philosophy behind the IPES is to ensure that development occurs first on those parcels that are least likely to contribute to water quality problems in the lake. Sensitive parcels are set aside with the intent that some, if not all, of these parcels will be purchased through a conservancy program and left undeveloped. A minimum IPES score (the "IPES line") has been established for each county in the basin. Parcels with a score above the current IPES line may be developed, while parcels with lower scores may not yet be developed.

The 208 Plan contains the provision that the IPES line can be lowered annually in a jurisdiction if five conditions are met: (1) All parcels with scores above the IPES line are otherwise eligible for development under state water quality plans; (2) A monitoring program to sample lake tributaries is in place; (3) Demonstrable progress is being made on the Capital Improvements Program for water quality; (4) There is a satisfactory rate of reduction in the inventory of vacant parcels; and (5) The level of compliance with conditions of project approvals is satisfactory.

In July 1991, TRPA asked the State Water Resources Control Board (State Water Board) to certify an amendment to the 208 Plan which deals with condition (2) above, regarding the monitoring program (Attachment). The current 208 Plan requires that a tributary monitoring program be in place for "one representative water year" in a jurisdiction before the IPES line can
be lowered. Because of the ongoing drought, no "representative water year" has occurred in the Tahoe Basin since the adoption of the current 208 Plan, and no movement of the IPES line has been permitted under the 208 Plan. TRPA is asking the State Water Board to certify an amendment, adopted by TRPA and certified by the State of Nevada, which would change "one representative water year" to "the previous water year." This change will make it possible to lower the IPES line. Additional language in the amendment states the intent of TRPA to maintain an ongoing, high quality tributary monitoring program, and to use the information gained to assess and understand water quality conditions and trends better.

The proposed amendment would amend Volume I, Section I, Program Descriptions, page 119 of the 208 Plan which defines the monitoring program. The amendment would take effect only after it is certified by the California State Water Board and the Nevada Department of Conservation and Natural Resources, and approved by the U.S. Environmental Protection Agency.

In September 1991, the Lahontan Regional Water Quality Control Board (Regional Water Board) considered the proposed 208 Plan amendment and recommended certification by the State Water Board (Regional Water Board Resolution No. 5-91-925 attached).

The Tahoe Regional Planning Agency, pursuant to Article VII of the Tahoe Regional Planning Compact (California Government Code, Section 66800), adopted a Finding of No Significant Impact (FONSI) resulting from the proposed amendments. The State Water Board, pursuant to requirements of the California Environmental Quality Act, circulated the FONSI as a Negative Declaration and will receive public comments at the November 4, 1992 workshop and the November 19, 1992 meeting.

**STAFF COMMENTS:**

The critical point of the proposed amendment is the change in the requirement for having a tributary monitoring program in place before the IPES line can be moved in a given jurisdiction. The present requirement that the monitoring program be in place "for at least one representative water year" is difficult to interpret. The 208 Plan does not define "representative water year." It has been generally agreed that the term cannot apply to a drought year, but it could also be
inapplicable to the year following a series of drought years, or to a wet year. The term could refer to a water year classified as "normal", but this is not specified.

The reason for the requirement to have a monitoring program in place for a "representative water year" was to "establish baseline water quality conditions" before the IPES line can be moved. However, it is not meaningful to determine "baseline" conditions on the basis of a single year's monitoring. Further, there is no connection in the 208 Plan between monitoring results and decisions about movement of the IPES line. The proposed amendment would change the words "establish Baseline" to simply "characterize" water quality conditions before the IPES line may be moved.

It is the intent of the 208 Plan that the IPES line be moveable. It was initially expected that the IPES line could be moved in some jurisdictions as early as January 1990. This has been delayed because of the drought, and may be further delayed due to uncertainty about the meaning of "representative water year."

The term "representative water year" is a specific requirement of the 208 Plan which directly impacts the development potential of properties in the Tahoe Basin. As the term is undefined and vague, and can only be subjectively applied, staff agrees with TRPA that the term should be replaced with a more objective requirement. TRPA's proposed amendment would satisfactorily resolve this issue.

The proposed amendment also adds language asserting TRPA's intent to maintain and make use of a long-term, high quality water monitoring program. This assurance is a welcome addition to the 208 Plan.

State Water Board staff has reviewed the FONSI submitted by TRPA and has concluded that no significant impact would result from the proposed amendments.

**POLICY ISSUE:** Should the State Water Board certify the proposed amendment to the Water Quality Management Plan for Lake Tahoe (208 Plan) as submitted by the Tahoe Regional Planning Agency?

**FISCAL IMPACT:** None
REGIONAL BOARD
IMPACT:

STAFF RECOMMENDATION: That the State Water Board approve the Negative Declaration and certify the 208 Plan amendment as submitted by TRPA.

Policy Review 12/14/92
Fiscal Review 10/14/92
Legal Review 10/15/92
STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 92-

APPROVAL OF A NEGATIVE DECLARATION AND CERTIFICATION
OF AN AMENDMENT TO THE WATER QUALITY MANAGEMENT PLAN
FOR THE LAKE TAHOE BASIN (208 PLAN) SUBMITTED BY
THE TAHOE REGIONAL PLANNING AGENCY

WHEREAS:

1. The Tahoe Regional Planning Agency (TRPA) adopted a bistate
   Water Quality Management Plan for the Lake Tahoe Basin
   (208 Plan) in 1988 which was certified by the State of Nevada
   and the U.S. Environmental Protection Agency and conditionally
   certified by the California State Water Resources Control Board
   (State Water Board) in 1989; and

2. The 208 Plan recognizes TRPA's Individual Parcel Evaluation
   System (IPES), which regulates development of residential
   parcels in the Lake Tahoe Basin by assigning a numerical score
   to each vacant parcel based on its environmental sensitivity,
   and establishing a score which defines the line (the "IPES
   line") between those parcels that may and may not be developed;
   and

3. The IPES line may be moved if certain conditions are met, one
   of which is that a monitoring program as defined in the
   208 Plan (Volume I, Section I, page 119) be in place; and

4. In 1991, TRPA adopted and requested state and federal
   certification for amendments to the 208 Plan related to the
   IPES monitoring program, which have been certified by the State
   of Nevada; and

5. The California Regional Water Quality Control Board, Lahaontan
   Region, has recommended that the State Water Board certify the
   amendments as submitted by TRPA; and

6. The Tahoe Regional Planning Agency, pursuant Article VII of the
   Tahoe Regional Planning Compact (California Government Code,
   Section 66800), adopted a Finding of No Significant Impact
   (FONSI) resulting from the proposed amendments; and

7. The State Water Board reviewed the FONSI submitted by TRPA and
   determined that no significant impact would result from
   adopting the proposed amendments; and

8. The State Water Board, pursuant to requirements of the
   California Environmental Quality Act, circulated the FONSI as a
   Negative Declaration and received public comments at a
   November 4, 1992 workshop and the November 19, 1992 meeting;
   and

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9. The State Water Board reviewed TRPA's proposed amendments to the 208 Plan and has determined that the amendments will clarify and improve the 208 Plan; will permit the IPES system to be applied as intended in the 208 Plan, and will not have adverse impacts on water quality.

THEREFORE BE IT RESOLVED:

That the State Water Board:

1. Approves the Finding of no Significant Impact submitted by TRPA as a Negative Declaration under the requirements of CEQA.

2. Certifies the 208 Plan amendments as submitted by the Tahoe Regional Planning Agency.

3. Directs its Executive Director to transmit copies of this resolution to the U.S. Environmental Protection Agency, the Nevada Division of Environmental Protection, and TRPA.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on November 19, 1992.

Maureen Marché
Administrative Assistant to the Board
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

RESOLUTION NO. 6-91-925

TRANSMITTING RECOMMENDATIONS TO THE STATE WATER RESOURCES CONTROL BOARD
REGARDING PROPOSED AMENDMENTS TO VOLUME I OF THE WATER
QUALITY MANAGEMENT PLAN FOR THE LAKE TAHOE REGION

WHEREAS, THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LAHONTAN
REGION, FINDS:

1. The Tahoe Regional Planning Agency (TRPA) adopted a bistate Water
Quality Management Plan for the Lake Tahoe Region ("208 Plan") in
1988. This plan was certified by the California State Water Resources
Control Board, the state of Nevada, and the U.S. Environmental
Protection Agency in 1989, and

2. The 208 Plan recognizes TRPA’s Individual Parcel Evaluation System
(IPES) for the regulation of new single family home development in the
Lake Tahoe Region. The IPES assigns a numerical score to each vacant
parcel based on its environmental sensitivity, and establishes a score
which defines the line between buildable and unbuildable parcels.
This line may be moved downwards if certain conditions are met. One
of these conditions is a requirement for a monitoring program to be in
place. The 1988 208 Plan (Volume 1, pages 118-119) defines specific
requirements for this monitoring program, and

3. In 1991, TRPA adopted and requested state and federal certification
for amendments to the 208 Plan language on the IPES monitoring
program. The amendments delete language requiring monitoring for one
representative water year, and add language describing the intent of
the monitoring program. TRPA has not yet approved a final IPES
monitoring program to implement these goals, and

4. The Lahontan Regional Board discussed the amendments at its September
12, 1991 meeting.

THEREFORE BE IT RESOLVED:

1. The Regional Board recommends that the State Water Resources Control
Board certify the amendments as proposed.

2. The Regional Board staff are directed to continue to work with TRPA
staff toward development of a satisfactory IPES monitoring program,
and to prepare a report to the Regional Board on the adequacy of the
monitoring program once it is finalized.
3. Copies of this resolution shall be transmitted to the State Water
   Resources Control Board, the U.S. Environmental Protection Agency, the
   Nevada Division of Environmental Protection, and TRPA.

   I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing
   is a full, true, and correct copy of a Resolution adopted by the California
   Regional Water Quality Control Board, Lahontan Region, on September 12,

   [Signature]

   HAROLD J. SINGER
   EXECUTIVE OFFICER
MEMORANDUM

May 13, 1991

To: TRPA Governing Board

From: Susan E. Scholley, Special Projects Attorney

Re: Amendments of the Regional Plan and 208 Plan Regarding Findings for Moving the IPES Line

BACKGROUND: In order to lower the initial IPES line, the Board must first make five findings. See Chapter 37 of Code, §37.6.C. The status of those findings was the subject of staff presentations to the Board in January and February of 1991. Although many of the findings could likely be made in one or more jurisdictions, one finding presented a particularly difficult situation. That finding, as set forth in the Goals and Policies and Code, is: "The monitoring program for that jurisdiction is in place pursuant to Chapter 32 and the TRPA monitoring program." The 208 Plan (Volume I, Section I, Program Descriptions, p.119, defines the phrase "in place."

Accordingly, at the February 1991 meeting, the Governing Board directed staff to prepare and notice proposed amendments to the portion of the 1988 TRPA 208 Plan which sets forth the required finding on an "in place" monitoring program which is one of the prerequisites to moving the IPES line. The staff was also directed to report back on the potential for opposition to such amendments.

Staff has been working since that time to prepare a proposed amendment which would be consistent with the intent of the IPES line finding relating to monitoring. Additional time was also needed to meet the notice requirements for 208 plan amendments set forth in the U.S. Code of Federal Regulations.

ISSUES: The current 208 Plan defines "in place" monitoring as being physically located on the selected tributaries and including the collection of samples for at least one "representative" water year (208 Plan excerpt attached as Exhibit A). The requirement that samples be collected for a representative water year cannot be met because the Tahoe Region is currently experiencing drought conditions and the past water years have been subnormal and clearly not "representative."

The expansion of tributary monitoring in the Region was the goal of the monitoring finding in the IPES line movement process. It was the intent of TRPA to encourage local governments to contribute to expanded tributary monitoring.

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Failure of TRPA or the local jurisdiction to implement an expanded tributary monitoring program would result in the IPES line not moving in that jurisdiction.

The requirement that samples be collected for one "representative" year was based on the notion that a better baseline could be established for tributary water quality conditions. The concept was that subnormal or above normal years would not be useful in establishing a baseline as the abnormal conditions would tend to cause abnormal water quality conditions (e.g., low water years would result in less runoff and lower concentrations of sediments and nutrients).

As part of the inquiry into whether the findings could be made for moving the IPES line, questions were raised as to the wisdom or validity of setting a baseline based on one representative year. Questions were also raised as to a precise definition of "representative" and the difficulties of determining what type of a year would yield baseline conditions.

PROPOSED AMENDMENTS TO 208 PLAN: Based on discussions with the U.S.G.S. and others knowledgeable about monitoring, staff believes that the goal of expanding tributary monitoring prior to moving the IPES line and obtaining baseline data for tributary water quality conditions can be better met by amending the 208 Plan as follows:

"... This monitoring program shall be in place in a local jurisdiction, and shall characterize establish baseline water quality conditions, before the numerical level defining the top rank for the jurisdiction is lowered. (Goals and Policies, p. VII-25). The term "in place" means that a TRPA-approved monitoring system, with established procedures and responsibilities, is physically located on the selected tributaries, and samples have been collected and analyzed for at least one representative the previous water year. The monitoring program, to be effective, should remain in place on a continuing and long term basis. It is the intent of TRPA to collect, on a long term basis pursuant to stringent QA/QC procedures, improved tributary water quality data which will be used to better assess average and existing conditions and to understand water quality trends and compliance with state and federal water quality standards."

If the Governing Board adopts the proposed amendment, it will take effect only after it is certified by the two states (California State Water Resources Control Board and Nevada Department of Conservation and Natural Resources, Division of Environmental Protection) and approved by the U.S. Environmental Protection Agency, Region IX, San Francisco. These state and federal approvals of 208 Plan amendments are required by the Clean Water Act.
DISCUSSION: The above amendments accomplish three important changes. First, they require the expanded tributary monitoring to be a permanent addition to the TRPA monitoring program if the IPES line is to be lowered each year in a given jurisdiction. As the 208 Plan reads now, only one representative year of monitoring is required. Second, the amendments delete the term "representative" and instead rely on an ongoing expanded monitoring program. This amendment recognizes the reality of monitoring and the importance of long-term data acquisition. One representative year is not as good as a long term program which includes a variety of climatic and other conditions. Third, the amendments state clearly the intent of the finding which is to accumulate better tributary water quality data and to use the better data to establish average conditions and improve our understanding of water quality trends.

Although not directly related, regional public interest groups are concerned about the adequacy of the expanded tributary monitoring program. In response to those concerns, staff has re-evaluated its initial proposal and expanded the program even more in 1991. At this time staff feels it has significantly improved on the original tributary monitoring program. The California State Water Resources Control Board and Lahontan staffs have indicated a need for more technical detail on the program, which staff will provide as part of the certification or IPES line movement process, as appropriate. More information on the tributary monitoring program will be provided to the Board as part of the workshop on water quality monitoring.

FINDINGS: Prior to amending the 208 Plan, Chapter 6 of the Code requires certain findings to be made. The findings and brief rationales are as follows:

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 208 Plan amendments achieve the same goal as the current language but in a more functional and realistic manner. By requiring monitoring to be in place the previous year if the IPES line is to be lowered, the amendments better insure the implementation of a continuous tributary monitoring program. The requirement of an ongoing monitoring program is stricter over time than the current monitoring requirement. The amendment does not affect other aspects of the regional plan or ordinances.

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

Rationale: The amendments achieve the same goal as the current finding and provide equal or better protection to the environment. Completion of the Article V(g) checklist also supports the finding that the amendment will not cause the thresholds to be exceeded.
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 consistent with the IPES program and will not cause any exceedance of water or air quality standards. See also finding #2 above.

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

Rationale: By improving the tributary monitoring program and requiring that expanded program to be in place every year before the IPES line is lowered, the monitoring element of the regional plan is improved. Further, by providing a more realistic method of setting average or baseline conditions, the amendments better implement the goals of the IPES line movement process.

ENVIRONMENTAL DOCUMENTATION: Although the 1988 208 Plan was the subject of an environmental impact statement, staff has completed an initial environmental checklist and recommends a finding of no significant environmental effect for the amendment.

APC RECOMMENDATION: The APC reviewed and recommended the deletion of the term "representative" but the draft language they reviewed was not identical to the current proposal. The difference between the two drafts is primarily the addition of the last two sentences.

STAFF RECOMMENDATION: Because the current 208 Plan definition of "in place" monitoring is technically flawed, staff recommends the proposed amendment. To implement the proposed amendments, the Board must take the following actions:

1. Make a finding of finding of no significant environmental effect and the findings required by Chapter 6.

2. Adopt the attached ordinance amending the 1988 TRPA 208 Plan.

5/13/91