TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, August 11, 1993, at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda for said meeting is attached hereto and made a part of this notice.

August 2, 1993

By: [Signature]
Jerry Wells
Deputy Director
All items on this agenda are action items unless otherwise noted.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. DISPOSITION OF MINUTES

IV. PUBLIC HEARING AND RECOMMENDATIONS

A. Meyers Community Plan and Environmental Assessment

B. Amendment of Regional Plan Land Capability Overlay Map Pursuant to Man-Modified Determination, Tahoe Paradise Chevron, El Dorado County APN 34-671-03

C. Amendment of Prime Fish Habitat Map for Area East of Second Creek in Incline Village, Nevada

D. Amendment of Plan Area Boundary Between PAS 028, Kings Beach Residential; PAS 029, Kings Beach Commercial; and PAS 031, Brockway Residential, to Add a Block of Parcels Located in PAS 029, Which Are Generally Located on Highway 28 Between Beaver Street and Chipmunk Street, to PAS 028, and to Make Tourist Accommodation Uses a Special Use in PAS 028

V. PLANNING MATTERS

A. Discussion of Chapter 97, Transportation Demand Management, Employer Trip Reduction Program

B. Other

VI. REPORTS

A. Executive Director

1. Notice of Preparation, South Tahoe Public Utility District Future Sewer Connections Plan EIS/EIR

2. Notice of Circulation, Draft EIS/EIR for Tahoe City Community Plan

3. Notice of Circulation, Draft EIS/EIR for South Lake Tahoe Stateline/Ski Run Community Plan
4. Other

B. Legal Counsel

C. APC Members

D. Public Interest Comments

VII. PENDING MATTERS

VIII. RESOLUTIONS

IX. ADJOURNMENT
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Tahoe Sands Inn Convention Center
3600 U.S. Highway 50, South Lake Tahoe, California

July 14, 1993

REGULAR MEETING MINUTES

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice-chairperson Joe Thompson called the regular meeting of the Advisory Planning Commission (APC) to order at 9:50 a.m. Due to the fact there wasn’t a quorum, roll call wasn’t taken.

Members Present: Mr. Jepsen, Ms. Baldrica, Mr. McDowell, Mr. Dodds, Ms. Beronio, Mr. Brooks, Mr. Combs, Mr. Thompson, Mr. Barham

Members Absent: Ms. Woodbeck, Ms. Jamin, Mr. Hust, Mr. Renz, Mr. Joiner, Mr. Dodgion, Mr. Hansen, Mr. Poppoff, Mr. Lawrence, California Lay Member (vacancy)

II. APPROVAL OF AGENDA

Vice-chairperson Thompson advised that Item V.A. would be presented first in order for other APC members to arrive.

III. DISPOSITION OF MINUTES

The June 9, 1993 regular meeting minutes were not acted on.

V. PUBLIC HEARING AND RECOMMENDATIONS

A. Discussion on Employee Trip Reduction Program and Parking Ordinance

Long Range Senior Planner Keith Norberg presented the staff summary and an update with additional information on the status of the employer-based trip reduction ordinance.

Mr. Dodds questioned if Mr. Norberg had been able to find any organizations, such as CalTrans, that had a computer software program that helped people who would call in for ride share type programs. Mr. Norberg replied that CalTrans does have a program like that in place, as well as Placer, but the limits of those programs doesn’t come up within the Tahoe Region. We would like to incorporate that into this ordinance.

Ms. Beronio asked for clarification on whether the statement in the ordinance should be "employers of commercial and retail developments" or "employers and commercial and retail developments." Mr. Norberg replied that it should be and instead of the word of. Ms. Beronio reiterated what she had discussed at the previous APC meeting which is some of the requirements of the local businesses were unnecessary and should be eliminated; i.e., designation of an employee transportation manager, preparing budgets, and tracking staff hours devoted to
trip reduction programs.

VI. REPORTS
   A. Executive Director
   
   B. Legal Counsel
   
   C. APC Members
   
   D. Public Interest Comments - None

VII. PENDING MATTERS - None

VIII. RESOLUTIONS - None

IX. ADJOURNMENT - The meeting adjourned at 11:11 a.m.

Respectfully submitted,

Sue Mikanovich
Clerk to the Commission

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (702) 588-4547. In addition, any documents submitted at the meeting may be reviewed at the TRPA office, 308 Dorla Court, Elks Point, Nevada.
July 30, 1993

To: Advisory Planning Commission

From: TRPA Staff

Subject: Meyers Community Plan and Environmental Assessment

Proposed Action: The Meyers Community Plan and companion Environmental Assessment/Mitigated Negative Declaration (EA/MND) is being circulated for 30 days for public comment. The plan is a separate document in the APC packet. Staff will hand out copies of the EA/MND at the APC meeting. At the meeting, staff will present the plan and its specific components along with the EA/MND. Staff is not seeking action or formal recommendation at this time, however, the matter is scheduled for a public hearing to receive public comment. Please refer to Chapter 1, Introduction, of the plan for a summary of its goals and policies, land use concept, community design and other improvement programs.

Schedule for Adoption: At the August Governing Board meeting, staff will hold a second public hearing during the comment period. A community workshop for Meyers residents and property owners is planned for mid-August. The tentative schedule for TRPA action is to make a finding of no significant effect based on the EA, and adopt the plan in October 1993. Public hearings and action by the El Dorado County Planning Commission and Board of Supervisors are scheduled for October 1993.

Both documents were prepared jointly by TRPA and El Dorado County staffs. Subconsultants were used to prepare specific sections of the EA/MND, which is a joint document intended to meet environmental documentation requirements of both TRPA and El Dorado County. The EA serves as TRPA's environmental document while the MND is El Dorado County's CEQA document.

Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this matter.
MEMORANDUM

July 29, 1993

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Regional Plan Land Capability Overlay Map
Pursuant to Man-Modified Determination, Daum, Tahoe Paradise Chevron; APN 34-671-03, 2986 U.S. Highway 50, El Dorado County

Proposed Action: To amend the Land Capability Overlay Map (F-21) to indicate a determination of man-modified on El Dorado County APN 34-671-03, Tahoe Paradise Chevron.

Staff Recommendation: Staff recommends that the Advisory Planning Commission recommend approval of the plan amendment which changes the land capability of the parcel from land capability class 1b to land capability class 5, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1997. Implementation of BMP's relating to, but not limited to, rip- ping of compacted areas, revegetation, and stabilization of fill slopes, shall be required as part of onsite mitigation. The owner shall post a security equal to 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.

2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall restore 19,720 square feet of stream environment zone (SEZ). A funded and TRPA approved plan for the restoration of the SEZ area shall be completed by the applicant prior to acknowledgement of any permits. The restoration of SEZ shall occur on parcel APN 34-671-04, or on other parcels which have been designated as SEZ restoration sites within the Meyers Community Plan area.

AGENDA ITEM IV.B. Planning for the Protection of our Lake and Land
Background: The Daum property is a 19,720 square foot parcel located at 2986 U.S. Highway 50, Meyers, California (see map, Exhibit 1). The field work for a man-modified determination was conducted in May, 1993 by a team of TRPA experts. At the time the man-modified determination request was filed in April 1993, a soils investigation report prepared by Porter Geotechnical was submitted to TRPA. A TRPA team of experts conducted their field investigation in May, 1993. The soils investigations were conducted by Joseph Pepi, TRPA’s Certified Professional Soil Scientist, and the hydrologic evaluations and other field investigations were conducted by other TRPA staff.

A soils report was prepared and concluded the soils located on this parcel consisted of 2 to 6 feet of imported fill material placed over the native soils. This information is based on soil borings taken in close proximity to the soil boring locations completed by Porter Geotechnical. These reports support the conclusion that this parcel has been modified by the placement of fill material to the extent that the land capability has been significantly altered.

Chapter 20, Subsection 20.2.F of the TRPA Code of Ordinances, sets forth the standards for processing man-modified determinations. A man-modified determination is appropriate when land has been altered such that it no longer exhibits the characteristics of the original mapped land capability.

Analysis: The following analyses are provided to complete the man-modified report:

(a) Geomorphic characteristics - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area within geomorphic units, E-3 (Alluvial lands, high hazard lands). The soils mapped on the parcel (see item c) are consistent with the mapped geomorphic hazard rating. Due to placement of fill material, the geomorphic unit for this parcel has been changed to E2 (Outwash, till, and lake deposits, low hazard lands).

(b) Surface and subsurface hydrology - There is no evidence of near surface groundwater.

(c) Physical/chemical soil characteristics - TRPA Land Capability Map F-21 shows this parcel in one land capability district and soil map unit. The land capability is Class 1b - Stream Environment Zone (SEZ) associated with the Lo (Loamy alluvial land) map unit. This parcel is mapped within one Geomorphic Unit, E-3 (Alluvial lands, high hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin. There is little or no native vegetation on the parcel, the majority of which is under asphalt pavement.

The soils on the parcel consist of coarse textured fill material placed over the native soils. The soils report prepared by Joseph Pepi is on file. One soil map unit was found on this parcel. Although the soils found on this parcel are not currently recognized in the Lake Tahoe Basin...
Amendment of Regional Plan
Man-Modified Determination, Daum, Tahoe Paradise Chevron
APN 34-671-03
Page 3

Soil Survey (Rodgers, 1974), they are most similar to the MkB (Meeks gravelly loamy coarse sand, 0 to 5 percent slopes) map unit, which is in land capability class 5.

(d) Erosion hazard - The slope on this parcel is flat and the majority of the parcel is paved. The soils on this site have low runoff potential and a slight relative erosion hazard.

(e) Vegetation - There is little native vegetation on this parcel and the vegetation on the unpaved disturbed areas is sparse.

(f) Land capability district - There was one land capability class found in this detailed soil investigation. This is land capability class 5 associated with MkB (Meeks gravelly loamy coarse sand, 0 to 5 percent slopes) map unit, as identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974)

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

A. Chapter 6 Findings:

1. **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:** The proposed amendment of the Regional Plan to amend TRPA land Capability Overlay Map F-21 is consistent with the procedures set forth in Chapter of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code and other TRPA plans and programs are anticipated.

2. **Finding:** That 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:** 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.

JP/rd
7/29/93
AGENDA ITEM IV.B.
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 reasons stated in support of findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.F. Findings

Finding: The land was modified prior to February 10, 1972.

Rationale: The fill material was placed on the parcel in the mid-1960's prior to the 1972 cutoff date. Documentation of this is contained in the administrative record.

Finding: Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area.

Rationale: Development of the graded area will not increase runoff or erosion provided all new development is completed with properly designed and installed BMPs which are properly maintained. Revegetation of the graded areas not utilized for development would enhance nutrient uptake and minimize surface erosion potential. There is no evidence of near surface groundwater and further development would not interfere with groundwater.

Finding: The land no longer exhibits the characteristics of land bearing the original land capability classification.

Rationale: The land capability of the parcel was mapped class 1b, based on the soil survey completed in 1972. The placement of fill material has raised the surface of the parcel so that no groundwater is encountered within 5 feet. Before the fill was placed, the parcel had native soils in which a seasonal high water table was found at a depth of 12 to 24 inches. Due to the change in ground surface level by placement of fill, the soils now exhibit the characteristics of a land capability class 5.
Finding: Restoration of the land in question is infeasible because of factors such as the cost thereof. A more positive cost-benefit ratio would be achieved by offsite restoration. Onsite restoration would cause environmental harm. Restoration onsite would interfere with an existing legal use and the land is not identified for restoration by any TRPA program.

Rationale: Onsite restoration of the parcel to the original land form and corresponding slope gradient would require removal of an existing gasoline service station and up to 6 feet of fill material to recreate the original land surface. Restoration of the parcel to the original land surface level would severely impact the existing legal use of the parcel. There are no current TRPA plans for restoration of this parcel. The parcel is within the area designated by the Meyers Community Plan for concentrated commercial development.

Finding: Further development can be mitigated offsite.

Rationale: The major impact related to the change in land capability of this parcel would be related to increased allowed land coverage. This loss of SEZ could be mitigated by offsite restoration of SEZ within the Meyers Community Plan Area. All new land coverage would be subject to the standard TRPA water quality mitigation fees.

Finding: Mitigation to offset the losses caused by the modification of the land and pertinent land capability district shall be as follows: (i) onsite and offsite mitigation; (ii) pursuant to a maintenance program, including a schedule of maintenance proposed by the owner and approved by TRPA, and (iii) collection of a security, if deemed necessary by TRPA, to guarantee mitigation.

Rationale: The man-modifications of this parcel has resulted in an increased benefit to the owner in that there is an increase in allowed land coverage. The onsite mitigation for development of land coverage would entail runoff control of storm water by infiltration. Revegetation of disturbed areas would reduce runoff and erosion potential onsite. Onsite mitigation measures shall be in compliance with the TRPA BMP Handbook. The owner of the property shall include appropriate onsite mitigation measures with any project proposal submitted to TRPA, for review and approval.
Amendment of Regional Plan
Man-Modified Determination, Daum, Tahoe Paradise Chevron
APN 34-671-03
Page 6

There will be an increase of 4,733 square feet in allowable coverage over the allowed land coverage associated with the previous mapped land capability, as a result of the man-modified determination. This increase in land coverage would not have been available to the property owner had the parcel remained in its natural state. This increase in land coverage can be mitigated onsite by restoration of 19,720 square feet of SEZ. The restoration of SEZ within the Meyers Community Plan Area can be accomplished by the owner restoring SEZ area on APN 34-671-04, or other parcels designated for SEZ restoration within the boundaries of the Meyers Community Plan Area.

The owner of the property shall include a program and schedule for maintenance of the required BMP's as a condition of approval by TRPA.

Conclusions: Agency staff has found that due to the placement of fill material that the original land surface has been covered to such an extent that it now has characteristics which would place it in a higher land capability class (class 5) rather than the present class 1b associated with the Lo map unit. It is infeasible to restore the 1b land capability class.

JP/zd
7/29/93

AGENDA ITEM IV.B.
July 30, 1993

To: Advisory Planning Committee

From: TRPA Staff

Subject: Amendment to Prime Fish Habitat Map

Proposed Action: The proposed action is an applicant-initiated request to amend the TRPA Prime Fish Habitat Map in the area adjacent to and east of Second Creek in Incline Village, Nevada. The amendment would modify the designation of approximately 1600 linear feet of shoreline from the currently mapped Spawning Habitat and Feeding and/or Escape Cover Habitat designation to a clear area (marginal habitat). (See Exhibit A, existing map, and Exhibit B, applicant’s proposed map.)

Recommendation: TRPA staff recommends that the Advisory Planning Commission review the proposed amendment and recommend approval to the Governing Board with the following staff recommended modification. Remove the area mapped Feeding and/or Escape Cover Habitat and retain the mapped Spawning Habitat area to the east and adjacent to Second Creek as recommended by both Nevada Department of Wildlife and California Fish and Game fisheries biologists. (See Exhibit C, staff recommended map.)

Discussion: Currently, the section of shoreline to the west of Second Creek is mapped and field verified as Spawning Habitat Targeted for Habitat Restoration. The area immediately to the east of Second Creek is mapped as Prime Spawning Habitat Targeted for Habitat Restoration and as Feeding and/or Escape Cover Habitat. However, the shorezone in this area consists of a sandy beach with a sandy substrate extending lakeward beyond elevation 5219’, Lake Tahoe Datum.

TRPA’s Code of Ordinances in Chapter 2 defines Spawning Habitat as an "area that attracts, or is capable of attracting fish for reasons of producing and fertilizing eggs. Spawning areas are typically comprised of rock, cobble, or rubble." When the TRPA Prime Fish Habitat Map was produced, shorelines that consisted of sandy substrates were for the most part designated as marginal habitat and were mapped as clear areas. Shoreline areas with substrates of gravel, cobble, rock, and/or boulders were mapped as prime fish habitat; Feeding And/Or Escape Cover Habitat or Spawning Habitat. Those areas adjacent to stream mouths with sandy substrates, however, were designated as spawning areas when those streams provided spawning habitat for migratory fish species or had the potential to provide spawning habitat. These areas were mapped as such because of the role they play in the spawning process as staging areas (Russ Wickwire, California Department of Fish and Game fisheries biologist, 7/30/93). This map was adopted by the TRPA Governing Board April 26, 1984 and

CS/ 7/30/93
is the map that is currently relied upon. According to TRPA's previous fisheries biologist, Jean Shaffer, the 1991 Fish Habitat Study Report map referred to in the applicant's submittal was not a map prepared by the Fish Habitat Study Report. The map referred to in the applicant's submittal was prepared from shorezone substrate information that came from the Final Report: Littoral Structure and Its Effects on the Fish Community of Lake Tahoe, (November, 1989). TRPA staff used this information on substrate to create a map in 1990 that defined in-lake fish habitat by substrate. This map did not take into consideration the stream/lake interface areas and their importance to migratory fish species. This map has never been adopted.

In Appendix D of the Study Report for the Establishment of Environmental Threshold Carrying Capacities (October, 1982), Second Creek was assessed and ranked based on its own qualities of providing fish habitat. (It should be noted that these stream assessments were not based on comparisons relative to the values of other streams. A small stream can be designated as "excellent" even though it supports far fewer fish than a larger stream.) Second Creek is a Threshold stream ranked marginal with the recommendation "that this stream be used as a nursery stream with the introduction, in the future, of a Tahoe strain of fry or fingerling rainbow for ultimate lake recruitment."

The west side of Second Creek is currently and accurately mapped Spawning Habitat and Feeding And/Or Escape Cover Habitat in the adopted TRPA Prime Fish Habitat map. The substrate to the east of Second Creek provides marginal in-lake fish habitat, which has been correctly addressed in the applicant's submittal of a "Fisheries and Fish Habitat Report." However, the applicant's report does not address the fact that this area serves a necessary role in the spawning process by providing a staging area for migratory spawning species, such as Tahoe Rainbow trout, that use such tributaries of Lake Tahoe to spawn (see Exhibit D, letter from Brant Allen, fisheries biologist with the Tahoe Research Group). It should be noted that there are other examples of creek mouths mapped Fish Spawning Habitat where the substrate consists of sand and the streams are threshold streams. The adopted map intended to minimize intrusions into the stream/lake interface areas. The following is a list of creeks whose inlets enter Lake Tahoe through sandy beaches and are currently mapped as spawning habitat: Slaughterhouse Creek, Glenbrook Creek, Zephyr Creek, Burke Creek, Edgewood Creek, and Tallac Creek. These creeks represent tributaries that are either currently supporting migratory populations or potentially could.

Nevada Department of Wildlife fisheries biologist, Mike Sevon, recommends that the fish spawning map designation be as set forth on Exhibit 'C' so that adequate protection is afforded the mouth of Second Creek and the Lake Tahoe Rainbow trout fisheries that they plan to restore to this tributary. (See Exhibit E)

In the Nevada Department of Wildlife's efforts to enhance the population of Lake Tahoe Rainbow trout they will be including an annual stocking of trout fry in Second Creek. In the future, there will be fingerling trout downmigrating from Second Creek to Lake Tahoe and in the future there will be adult rainbow staging at the mouth of Second Creek during the spring.
In retaining the Spawning Habitat designation, TRPA is complying with the adopted thresholds which intended to protect the mouths of those tributaries that provide habitat or potentially could provide habitat for migratory fishes. In addition, retaining the protective status of this creek mouth also takes into consideration the meandering nature of this tributary. In the last 12 months this creek mouth has meandered 50 feet to the east. When tributaries flow into another body of water they create a plume many times broader than the inlet’s mouth. The waters contained within the plume are nutrient rich and provide environmental cues for the staging migratory fish.

According to fisheries biologists of both the Nevada Department of Wildlife and the California Fish and Game, retaining the Spawning Habitat designation to the east of Second Creek, as delineated on Exhibit 'C' is the minimum necessary to adequately protect the habitat.

In a letter dated July 23, 1993 from David Greer, the former TRPA biologist who prepared the Prime Fish Habitat map for adoption and wrote the fisheries portions of the EIS for the adoption of the Environmental Thresholds Carrying Capacities (see attachment F), it states that "the adopted thresholds for fisheries is intended to protect the mouths of those tributaries that provide spawning habitat for migratory fishes. The mouth of any particular tributary may not exhibit the physical characteristics of spawning habitat but often serves a useful role in the spawning process by providing a staging area for spawning."

Required Findings: The following findings must be made prior to adopting the proposed amendments:

A. 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 to the TRPA Prime Fish Habitat map is a map correction and is consistent with adopted mapped marginal habitat criteria in that the existing lakebed consists of a sandy substrate which does not provide feeding and/or Escape habitat as mapped (see Exhibit A) at this location. Specialists from the Nevada Department of Wildlife and California Fish and Game have commented on this amendment and recommend the retention of the mapped Spawning Habitat as shown on Exhibit C as a staging area for migratory fish.

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

CS/ 7/30/93
Rationale: The proposed amendment is a map correction as supported by field verifications and recommendations by Nevada’s Department of Wildlife and California’s Department of Fish and Game fisheries biologists. The staff recommended amendment retains the Spawning Habitat map designation adjacent to Second Creek and changes the Feeding and/or Escape Habitat to marginal habitat (see Exhibit C). Since the proposed action does not involve any project approvals, the amendment poses no new impacts to water quality, air quality, vegetation, backshore stability or littoral transport, wildlife, fisheries, scenic quality or recreational access.

3. Finding: 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: Refer to #2 above.

Environmental Documentation: Based on the above analysis and the completion of the initial environmental checklist, staff finds the amendment, as proposed by staff, will not have a significant environmental effect. This Finding of No Significant Environmental Effect is based on staff’s recommendation which is a modification of the applicant’s application. Based on the information provided to TRPA by the applicant there is not sufficient evidence in the record to support the deletion of the Spawning Habitat designation adjacent to Second Creek. The information we have received from those with the technical expertise in fisheries at Lake Tahoe clearly indicates the need to retain the adopted fish habitat map’s Spawning Habitat designation. Without a more comprehensive study that looks at both the biological issues and physical issues (the meandering nature of this stream), TRPA staff can not recommend making the required finding of no significant effect to support the applicant’s entire request.

If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.
LEGEND

- Spawning Habitat
- Feeding and/or Escape Cover Habitat
- Areas Targeted for Habitat Restoration

SCALE 1" - 500'
PRIME FISH HABITAT
APPLICANT'S PROPOSED AMENDMENT

LEGEND
S  Spawning Habitat
F  Feeding and/or Escape Cover Habitat
●  Areas Targeted for Habitat Restoration

PORTION OF
SW^4 SEC 18
SE 4 SEC 17
T.16N-R.18E.

EXHIBIT B

SCALE 1" - 500'
LEGEND
S  Spawning Habitat
F  Feeding and/or Escape Cover Habitat
/R Areas Targeted for Habitat Restoration

EXHIBIT C

SCALE 1" = 500'
Loren Shade  
Tahoe Regional Planning Agency  
June 1, 1993

The Tahoe Research Group conducted observations of rainbow trout spawning runs during the spring of 1989, 1990, and 1991. The focus of the observations was to determine which of Lake Tahoe's streams were being used and at what time of the year the fish aggregated off the mouths of these streams.

The observations concluded that rainbow trout do stage in the lake prior to entering the streams and that they stay as much as 500 feet from the stream mouth. This distance exceeds the 100 yard no fishing limit imposed by California Department of Fish and Game. There were several factors contributing to the distance from the stream mouth that the fish would aggregate.

Stream mouths tend to wander from year to year as higher spring flows scour beaches and deposit debris. There were streams that flowed parallel to shore as they entered the lake. This flow pattern created a current along shore that was still present a great distance from where the stream initially entered the lake. Staging rainbows associated with the current could easily be beyond the 100 yard no fishing limit. Other streams entering Lake Tahoe may flow directly offshore, but may enter the lake in a shelf area. In these situations the rainbow trout may be forced offshore to a depth that provides adequate protection. This distance may also exceed the 100 yard no fishing limit.

Based on our observations of rainbow trout staging and the potential fluctuation in timing and magnitude of stream discharge entering Lake Tahoe, we recommend that a 200 yard limit be the appropriate habitat requirement necessary to protect Lake Tahoe's rainbow trout population.

Sincerely,

Brant Allen

cc: Dave Beauchamp, USU  
Russ Wickwire, CFG  
Mike Sevón, NDDW
POOR QUALITY ORIGINAL (S) TO FOLLOW

HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980
TO: Colleen Shade  
SUBJECT: Second Creek Fisheries file:  
FROM: Mike Sevon

Sorry for the delay in getting this information back to you. We will both be glad when we finally get a replacement for the Lake Tahoe biologist position. I am sending you a copy of a report on Second Creek that was done by Ted Frantz in March of 1982. This brief report classifies the lowest 400 feet of Second Creek as a migratory fish section with the fish barrier a Lakeshore Blvd. being the upper limit of the section. Ted recommended at that time that a 2.3 mile section of the stream above the migratory section be designated as the resident or nursery section.

In an earlier conversation I believe that I told you that we may have stocked some Lake Tahoe strain Rainbow trout fry into Second Creek. In checking with our main office files I have determined that no plants of these fry were made into Second Creek during the last two summers. We would have planted fry in Second Creek this last summer but with the flows associated with the drought the fry were stocked elsewhere.

Our efforts to enhance the population of Lake Tahoe Rainbow trout will include the annual stocking of trout fry in Second Creek. I believe that your recommendations for protection of the mouth of Second Creek should consider that in the future there will be fingerling trout down-spilling from Second Creek to Lake Tahoe and at some time in the not to distant future there will be adult rainbow staging at the mouth of Second Creek during the spring.

Sincerely,

Mike D. Sevon  
Region I  
Supervising Fisheries Biologist

MDS  
cc: Reno Fisheries
RE: TRIBUTARY SPANNING HABITAT

Dear Coleen:

The adopted thresholds for fisheries is intended to protect the mouths of those tributaries that provide spawning habitat for "migratory" fishes. The mouth of any particular tributary may not exhibit the physical characteristics of spawning habitat but often serves a useful role in the spawning process by providing a staging area for spawning. Fish will usually congregate at the mouths of streams for a period of time until the environmental cues (water flow, temperature, etc.) are ideal for the upstream migrations. This staging behavior was always evident at the mouth of Taylor Creek relative to the upstream migration of salmonids.

The text of the EIS for adoption of Environmental Threshold Carrying Capacities indicates that a best-standing policy by the DEPPOS for Lake Tahoe was to "recommend against issuance of all permits for docks or piers... in or proximate to biologically important stream inlets". Said EIS further states that "habitat use by fishes... if disturbances keep the fish away from suitable spawning or feeding areas..." Marine mortality associated with additional dockage use or similar activities may negatively affect the staging and subsequent migration of spawning fishes. The EIS for Adoption of a Regional Plan identified "artificially constructed docks" as a major impact to the Tahoe fishery. Success of attaining the fishery thresholds will "depend on the ability to limit disturbance in areas of prime fish habitat...". See pages 63 & 64 of latter EIS.

The mapped habitat at stream mouths serves a useful purpose for spawning and, to some extent, as spawning habitat. It is critical to protect these areas from any additional disturbance which may directly or indirectly influence the spawning success of the rainbow trout, kokanee, and other stream spawning fisheries.

The adopted thresholds for fisheries clearly intended to minimize intrusions into the stream-mouth spawning areas. Please contact me if you require any additional clarification on this matter.

Sincerely,

[Signature]

David M. Greer
July 30, 1993

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment Of Plan Area Boundary Between PAS 028, Kings Beach Residential; PAS 029, Kings Beach Commercial; And PAS 031, Brockway Residential, To Add A Block Of Parcels Located In PAS 029 and PAS 031, Which Are Generally Located On Highway 28 Between Beaver Street And Chipmunk Street, To PAS 028, And To Make Tourist Accommodation Uses A Special Use In PAS 028

Proposed Action: The proposed action is an applicant-initiated plan area boundary amendment and a permissible use amendment in Kings Beach. Specifically, the amendment will relocate a block of 13 parcels (listed below) into Plan Area 028, Kings Beach Residential. Two of the 13 parcels would be moved from Plan Area 031, Brockway Residential, and 11 would be moved from Plan Area 029, Kings Beach Commercial (community plan area). The amendment would also add hotels, motels, and other transient dwelling units to Plan Area 028 as a special use. This item was continued from the June and July, 1993 APC meetings.

The purpose for the amendment is to facilitate development of an affordable housing residential project, and make adjustments to the Plan Area Statements to reflect existing and proposed uses. Refer to Attachment A, Vicinity Map and Attachment B, Proposed Plan Area Statement Boundaries.

Recommendation: Staff recommends the Advisory Planning Commission conduct the public hearing and, based on its outcome, recommend approval to the Governing Board. The recommendation shall include a condition that an open space buffer at least 30 feet wide be provided along the present boundary which borders the single family neighborhood in PAS 031 (APN 90-222-29). The buffer should include landscaping and natural open space and a continuous solid fence 6 feet in height. No parking, trash dumpsters, structures, or buildings would be permitted within the buffer.

Discussion: The following 13 parcels are proposed to be relocated into Plan Area 028:
Amendment of Plan Area Boundary Between PAS 028, Kings Beach Residential; PAS 029, Kings Beach Commercial; and PAS 031 Brockway Residential -- Page 2

### Parcels Relocated From Plan Area 031 into Plan Area 028

<table>
<thead>
<tr>
<th>APN</th>
<th>Existing Use</th>
<th>Estimated Size (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>90-222-28*</td>
<td>Single family residential</td>
<td>12,992</td>
</tr>
<tr>
<td>90-222-29*</td>
<td>Vacant</td>
<td>+14,732</td>
</tr>
</tbody>
</table>

Total: = 2 parcels

= 27,724 sq. ft.

= 0.63 acres

### Parcels Relocated From Plan Area 029 into Plan Area 028

<table>
<thead>
<tr>
<th>APN</th>
<th>Existing Use</th>
<th>Estimated Size (sq. ft.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>90-222-07*</td>
<td>Multi-family residential (8 units)</td>
<td>19,786</td>
</tr>
<tr>
<td>90-222-08</td>
<td>Vacant</td>
<td>3,412</td>
</tr>
<tr>
<td>90-222-09</td>
<td>Vacant</td>
<td>6,953</td>
</tr>
<tr>
<td>90-222-10</td>
<td>Vacant</td>
<td>7,087</td>
</tr>
<tr>
<td>90-222-12</td>
<td>Foothill Motel (5 units)</td>
<td>11,250</td>
</tr>
<tr>
<td>90-222-13</td>
<td>Single family residential</td>
<td>7,525</td>
</tr>
<tr>
<td>90-222-15*</td>
<td>Vacant</td>
<td>12,090</td>
</tr>
<tr>
<td>90-222-16*</td>
<td>Multi-family residential (4 units)</td>
<td>8,275</td>
</tr>
<tr>
<td>90-222-17*</td>
<td>Multi-family residential (2 units)</td>
<td>6,338</td>
</tr>
<tr>
<td>90-222-18*</td>
<td>Multi-family residential (3 units)</td>
<td>9,219</td>
</tr>
<tr>
<td>90-222-19*</td>
<td>Multi-family residential (2 units)</td>
<td>+10,000</td>
</tr>
</tbody>
</table>

Total: = 11 parcels

= 101,935 sq. ft.

= 2.34 acres

* Parcels proposed by project applicant for affordable housing project.

As previously discussed with the APC, the project applicant desires to include the two parcels now in Plan Area 031 into the project to make it financially attractive.

The remaining 11 parcels, now in Plan Area 029, should be dealt with as a block to avoid spot zoning or bifurcating the plan area. The same 11 parcels were part of the Kings Beach Community Plan, however, none of the Plan's incentives or community design improvements were targeted for them. The majority of existing uses on the parcels is multi-family residential. The Kings Beach Community Plan team concurs that multi-family residential is an appropriate use for the parcels except for the existing Foothill Motel. The motel will be accommodated by adding hotels, motels, and other transient dwelling units to Plan Area 028 as a special use.

AS/rd
7/30/93

AGENDA ITEM IV.D.
Analysis: There are several older hotels and motels presently in Plan Area 028. They are not an allowed use under the current Regional Plan. Several of them may, in fact, be used as multi-family housing. The amendments will make those used as hotels and motels permissible uses. There are no bonus tourist accommodation units assigned to or contemplated for Plan Area 028. Under the amendments, the hotels and motels could expand through a transfer of existing units. The election of conversion of use provision in Chapter 33 of TRPA's Code of Ordinances will still be available to qualifying uses regardless of the amendments.

The two parcels presently in Plan Area 031 will have more available uses than are presently allowed if relocated to Plan Area 028. The six parcels presently in Plan Area 029 which are not a part of the proposed affordable housing project will generally be more restricted in terms of permissible uses if relocated to Plan Area 028.

At the June 1993 APC meeting, several neighbors voiced concerns over the amendment because of conflicts with residents of the existing multi-family project on part of the site; lack of apparent management by the applicant of the existing project; existing land use and development code violations at the existing site; and potential loss of surrounding property values.

Since the meeting, several residents of the existing single family neighborhood on Beaver Street (PAS 031) who are adjacent to the parcels to be moved have called or written to express their concerns. They advocate rejecting the portion of the amendment which converts the two parcels in the single family plan area (031) to PAS 028. They feel that the quality of their existing single family neighborhood would be significantly degraded by permitting multi-family uses and densities. See attached letters of concern. To solve the identified problem, staff recommends that the applicant provide a continuous 30 foot wide landscaped and open space buffer along the property which abuts the single family neighborhood in PAS 031 (APN 96-222-29). The buffer should be substantially landscaped and include a solid, continuous fence six feet in height. No parking, trash dumpsters, structures or buildings would be permitted within the buffer. See Attachment C.

Environmental Analysis: Staff has completed an Initial Environmental Checklist for the proposed action and proposes a finding of no significant effect (FONSE). The amendments will not increase development potential otherwise permitted by the Regional Plan.

Required Findings: The following findings must be made prior to adopting the proposed amendments:

A. 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: The project will not adversely affect implementation of the Regional Plan because it will not produce development greater than otherwise permitted by the Plan. The amendments will facilitate development of affordable housing which is advocated by the Regional Plan (Land Use Element, Housing Subelement, Goal #1). The Kings Beach Community Plan Area will be reduced by the amendments, thereby helping to concentrate commercial uses and resultant impacts.

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

Rationale: The proposed action is not expected to cause the environmental thresholds to be exceeded because it approves no development otherwise inconsistent with the environmental threshold carrying capacities.

3. Finding: 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: Not applicable. Project applicants will continue to be subject to the Regional Plan package, including maintenance of applicable air and water quality standards.

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

Rationale: For the reasons stated in Finding 2 above, the Regional Plan will continue to achieve and maintain the thresholds.

Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this agenda item.
ATTACHMENT C

EXISTING SITE CONDITIONS
SHOWING RECOMMENDED
OPEN SPACE BUFFER
ON APN 90-222-29

August 3, 1993
July 26, 1993

Tahoe Regional Planning Agency  
Attn: Andrew Strain  
P.O. Box 1038  
Zephyr Cove, Nevada 89448-1038

Re: Attached Notice Dated July 12, 1993

Dear Mr. Strain:

This is to register my strenuous objection to the proposed Plan Amendments regarding APN 90-222-28 and 29.

The homes located immediately north of these parcels were sited and built on the basis that a "buffer zone" existed between them and the commercial zone along Highway 28.

The proposed Plan Amendments would combine a substantial increase in housing density with on encroachment into the existing residential area. Together, these factors will have a significant negative impact on the peace, tranquility and property values of the surrounding homes.

I strongly urge TRPA to reject these Plan Amendments with respect to APN 90-222-28 and 29.

Sincerely,

[Signature]

John W. Bersinger II

Enclosure
July 19, 1993

Mr. Andrew Strain
P.O. Box 1038
Zephyr Cove, NV 89448

Dear Mr. Strain:

I have reviewed the attached proposal dated July 12, 1993, and strongly disagree with the intent of this request. As an adjoining neighbor I do not believe that allowing hotels, motels and other such transient dwelling units is consistent with the intention of residential dwelling and request that the TRPA reject this request.

I cannot attend the hearing so am compelled to voice my concern and objection in this letter.

Thank you.

Sincerely,

R. J. McHills
Parcel #90-222-035
July 10, 1993

Tahoe Regional Planning Agency
Attention: Andrew Strain
Re. Proposed Regional Plan Amendment between Plan Area Statement, 029
Kings Beach Commercial and Plan Area 031, Brockway Residential.

We are property owner's in the surrounding area of the proposed amendment. We fear that this amendment could allow for the further deterioration of our neighborhood, including the lowering of our property values. Issues such as, the affordable/transient housing designation, appearance of the complex, regulation of the number of tenants per unit, paved roads, parking conoeation, erosion control, and owner/management neglect should be resolved before further growth is considered.

The term used in the staff summary, transient dwelling units, has negative connotations, especially when combined with the term affordable housing. There is enough affordable (translated, low income) housing in the Kings Beach area. We protest the designation of our area for more affordable (low income) housing. The general appearance and atmosphere of the apartment complex has been in a steady decline. Complaints have been handled by playing a game of phone tag with the property manager. Maintenance has been performed on an emergency basis only.

In conclusion, we would like to see this property improved and rented to low-impact commercial offices and businesses or to middle to upper income households. In addition, the present owner and property manager should first demonstrate their ability to properly manage this development, before any new plans go forward.

Thank you for your time and consideration in this matter. We will be attending the APC meeting on July 16, and would like to meet with you concerning this amendment. If you have any questions concerning the above mentioned issues, please call us.

Sincerely,

[Signature]

281 Beaver
Brockway, CA 96105 (916) 546-4364
510 Verano Dr
San Mateo, CA 94402 (415) 342-4241
POOR QUALITY ORIGINAL (S) TO FOLLOW
July 10, 1993

Tahoe Regional Planning Agency
Attention: Andrew Strain
Re: Proposed Regional Plan Amendment between Plan Area
    Statement, 029 Kings Beach Commercial and Plan Area 031,
    Brockway Residential.

We are property owner's in the surrounding area of the proposed
amendment. We fear that this amendment would allow for the
future deterioration of our neighborhood, including the lowering of
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Thank you for your time and consideration in this matter. We
will be attending the APC meeting on July 16th and would like to
meet with you concerning this amendment. If you have any
questions concerning the above mentioned issues, please call me.

Cordially,

Joe Bucher
210 Chipmunk P.O. Box 908
Kings Beach, Ca. 96143

Mona Mallory

Joe Bucher
P.O. Box 685
Crytal Bay, NV 89402
July 10, 1993

Tahoe Regional Planning Agency  
Attention: Andrew Strain  
Re: Proposed Regional Plan Amendment between Plan Area 329 Kings Beach Commercial and Plan Area 031, Brockway Residential.

We are property owner's in the surrounding area of the proposed amendment. We fear that this amendment would allow for the future deterioration of our neighborhood, including the lowering of our property values. Issues such as, the affordable/transient housing designation, appearance of the complex, regulation of the number of tenants per unit, paved roads, parking congestion, erosion control, and owner/management neglect should be resolved before further growth is considered.

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Cordially,

[Signature]

[Date]  
9/6-5/16-8890  030
July 10, 1993

Tahoe Regional Planning Agency
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Re: Proposed Regional Plan Amendment between Plan Area Statement, 029 Kings Beach Commercial and Plan Area 031, Brockway Residential.

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Cordially,

Mohamed S.    P.O Box 2116
916-546-7271    CHIMPUNK 211
KING'S BEACH CA 96145

031
July 10, 1993

Tahoe Regional Planning Agency
Attention: Andrew Strain
Re: Proposed Regional Plan Amendment between Plan Area
    Statement, 029 Kings Beach Commercial and Plan Area 031,
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Cordially,

Michael and Claudia Balaz
248 BEAVER ST.
646-5839
July 10, 1993

Tahoe Regional Planning Agency
Attention: Andrew Strain
Re: Proposed Regional Plan Amendment between Plan Area 029 Kings Beach Commercial and Plan Area 031, Brockway Residential.

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Cordially,

[Signature]

Alex Martinez
Cason Martinez

[Phone number]

033
July 10, 1993

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Re: Proposed Regional Plan Amendment between Plan Area Statement, 029 Kings Beach Commercial and Plan Area 031, Brockway Residential.

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Cordially,

Mrs. Zamberlan
P. O. Box 655
Kings Beach, Ca 96143
(916) 546-4075

Wilma Zamberlan
269 Beaver
Kings Beach
96143

034
July 10, 1993

Tahoe Regional Planning Agency
Attention: Andrew Strain
Re: Proposed Regional Plan Amendment between Plan Area
Statement, 029 Kings Beach Commercial and Plan Area 031,
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Cordially,

[Signature]

Mr and Mrs Wiens
P. O. Box 553
212 Chipmunk St
Kings Beach, Ca 96143
(925) 546-2952
FAI6-8109
July 10, 1993

Tahoe Regional Planning Agency
Attention: Andrew Strain
Re: Proposed Regional Plan Amendment between Plan Area
Statement, 029 Kings Beach Commercial and Plan Area 031,
Brockway Residential.

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Cordially,

[Signature]

Mr. and Mrs. Mclaughlan
293 Beaver St
P. O. Box 1676
Kings Beach, Ca 96143
(916) 546-2956
August 3, 1993

To: Advisory Planning Commission

From: TRPA Staff

Subject: Draft Employer-Based Trip Reduction Ordinance.

Proposed Action: No formal action is being requested at this time. Based on APC and Chamber of Commerce comments during the past month, staff has revised the previous draft ordinance and would welcome additional comments on the revised draft (attached).

Background

The Regional Transportation Plan - Air Quality Plan (RTP-AQP) includes a transportation control measure that requires employers of commercial and retail development to implement trip reduction programs. Employer-based trip reduction is a program of measures designed to reduce the number of vehicles travelling to and from employment sites. Volume III, page 13-14 of the RTP-AQP states:

"TRPA shall propose for adoption ordinances requiring employers and commercial or retail developments to implement trip reduction programs. Employer-based trip reduction programs should achieve an average employee vehicle ridership of 1.5 employees per vehicle. This average vehicle ridership may be achieved through car-pooling, vanpooling, employee shuttles, public transit programs, or promoting non-vehicular transportation. Commercial and retail employers are urged to form or join Transportation Management Associations (TMA) to help develop and and implement trip reduction plans and programs."

On June 9, 1993, and July 14, 1993, TRPA staff received APC member comments and recommendations concerning the initial draft of the Employer-Based Trip Reduction Ordinance. Following is a general summary of those comments:

- What is the availability of existing Caltrans rideshare programs?
- What costs by businesses will be incurred by the proposed ordinance?
- Incentives need to be encouraged.
- Disincentives need to be discouraged.
- Good promotional information is needed.

AGENDA_ITEM_V.A

Planning for the Protection of our Lake and Land
Memorandum to Advisory Planning Commission
Draft Employer-Based Trip Reduction Ordinance
Page 2

During the months of June and July, TRPA staff presented the draft ordinance to the City of South Lake Tahoe Chamber of Commerce Environmental Affairs Committee, the South Lake Tahoe Chamber of Commerce and the Tahoe Douglas Chamber of Commerce. Following is a general summary of those comments:

- A performance over paperwork approach is needed.
- What are the business costs associated with the ordinance?
- Will the Ordinance require a consultant to be hired?
- What are the TRPA costs associated with ordinance?
- Other suitable transportation modes need to be in place.

TRPA staff have also worked with staff from the Placer County Transportation Commission (PCTC) and the Truckee North Tahoe Transportation Management Association (TNT-TMA) and other local jurisdictions to develop the draft ordinance and have utilized this information in the attached draft.

Based on the completion of the initial environmental checklist, TRPA staff is preparing a finding of no significant environmental impact, to be presented with the ordinance at the time of adoption.

Staff has scheduled additional workshops with the local Chambers of Commerce on the draft ordinance and will place the ordinance on the Advisory Planning Commission agenda in September for their recommendation to the Governing Board. If you have any questions concerning this agenda item, please contact John Hoole or Bridget Mahern at (702) 588-4547.
DRAFT TRIP REDUCTION ORDINANCE

PURPOSE

Reduce total vehicle miles travelled in the Tahoe Region by reducing the number of vehicular trips that might otherwise be generated by home-to-work commuting.

Reduce total vehicle emissions in the Tahoe Region by reducing the number of vehicular trips that might otherwise be generated by home-to-work commuting.

Reduce traffic congestion in the Tahoe Region by reducing both the number of vehicular trips and the vehicular miles traveled that might otherwise be generated by home-to-work commuting.

Reduce present and future motor vehicle emissions as a contribution for complying with federal, state, and local ambient air quality standards.

Increase the average vehicle ridership (AVR) during the commute period ("peak period") to work towards goals set forth in the Regional Transportation Plan - Air Quality Plan for the Lake Tahoe Region.

OBJECTIVE

The fundamental objective of the trip reduction program is to increase the average vehicle ridership (AVR) for home-to-work commuting to an average of 1.5 passengers per vehicle (AVR = 1.5). Large employment facilities or common work locations will be expected to accomplish a higher portion of this reduction than small employment centers in recognition of the greater opportunity for rideshare matches and increased viability of transit at large employment facilities.

INTENT

It is the intent of this ordinance that employers strive to reach the goal of an Average Vehicle Ridership (AVR) of 1.5 persons per vehicle within the air basin by 1999. Employers and property controllers are required to put forth a good faith effort to encourage employees to use alternative transportation modes through the methods described below.

DEFINITIONS

Alternative Commute Mode: Method of traveling to and from the worksite other than by single occupant vehicle (i.e., transit, carpool, vanpool, bicycle, walking, telecommuting)
Average Vehicle Ridership (AVR): The average number of persons occupying each vehicle. AVR is calculated by multiplying the number of employees by the standard number of trips in a work week (generally 10), then divided by actual number of vehicular trips per work week. For example, if all employees drive alone to work each day, the AVR = 1.0. 10 employees would be expected to take 10 trips each per week for a total of 100 trips. If only 67 vehicular trips are taken, then the AVR is 1.5, which means that, on average, each vehicle is transporting 1.5 people to their destination. The higher the AVR, the more people are using alternative transportation methods.

Carpool: A motor vehicle occupied by two or more persons traveling to and from work.

Common Work Location: Single building, building complex, campus, or work sites at common location. A common work location is typified by a common private parking lot or area to be used by employees, tenants, customers, and/or other visitors to the complex, notwithstanding parking slot designations, such as specific spaces designated for specific tenants. For Trip Reduction Ordinance purposes, to be considered a common work location, the site must have a central contact point such as a property manager, property owner or lessor.

Commuter: An employee who travels regularly to and from an employment facility three or more days a week.

Commuter Matching Service: Any system for mapping and matching home and work locations of interested commuters to identify prospects for ridesharing.

Employee Transportation Coordinator (ETC): Employee or other individual designated by the employer or project controller to coordinate and implement TCM activities as required by the Transportation Plan.

Peak Period Commuter: Any employee who travels regularly to and from a work facility three or more days a week and arrives or departs from the facility during the peak period specified by the jurisdiction. This peak period should be linked to the hours that commuter congestion actually occurs.

Project Controller: Owner, lessor and/or manager of a common work location.

Property Transportation Coordinator (PTC): Owner, lessor and/or property manager of a common work location, or designee thereof, designated to coordinate and implement TCM activities as required by the Transportation Plan.

Ridesharing: Any employee who commutes to and from his or her work location by any mode other than single occupancy light or medium duty vehicle, motorcycle, or moped.

Shift of Employment: Any group of employees who work at a common work location and who arrive and depart from work in a common time interval not greater than one hour.
**Single Occupant Vehicle (SOV):** A motor vehicle occupied by one employee for commute purposes.

**Transportation Control Measures (TCMs):** Measures used to maintain or improve the efficient movement of persons and goods while reducing the congestion and air quality impacts associated with motorized vehicles.

**Transportation Control Measure (TCM) Coordinator:** TRPA employee or other individual designated to manage and enforce employer compliance with TRO requirements.

**Transportation Management Association (TMA):** An association, usually of employers, developers, property managers, and public agencies, organized to facilitate, support, and encourage the use of alternative transportation methods for commuters.

**Transportation Plan:** The plan developed by the employer or project controller to reduce single occupant vehicle trips.

**Trip Reduction Credit:** The number of points credited to an employer's Transportation Plan for implementing a specific Transportation Control Measure (TCM) program.

**Vanpool:** A motor vehicle, other than a motor truck or truck tractor, suited for occupancy by more than six (6) but less than 16 persons including the drive, traveling to and from work.
LEVEL 1:
ALL EMPLOYERS

POSTING
Every employer shall encourage use of alternative commute modes by providing the following:

A. Posting in a conspicuous place or places informational material provided or updated annually by the TCM Coordinator, to encourage ridesharing, such as:

1. Current schedules, rates (including procedures for obtaining transit passes), and routes of mass transit service to the common work location or employment site;

2. The location of all bicycle routes within at least a five-mile radius of the facility;

3. Posters or flyers encouraging the use of ridesharing and referrals to sources of information concerning ridesharing.

LEVEL 2:
ALL EMPLOYERS OR COMMON WORK LOCATIONS, WITH A CENTRAL CONTACT POINT, WITH 50 OR MORE EMPLOYEES AT A SINGLE SITE

In addition to the requirements of Level 1, all employers or Common Work Locations, with a central contact point, with 50 or more employees working at a single site shall provide additional encouragement for the use of alternative transportation modes through the provision of the following incentives and resources:

EMPLOYEE TRANSPORTATION COORDINATOR (ETC)

For the purposes of clarity any reference to an employer also includes, as appropriate, reference to Common Work Locations. In addition, any reference to an Employee Transportation Coordinator (ETC) for employers also includes, as appropriate, reference to Property Transportation Coordinators (PTC) for Common Work Locations.

Every employer or Common Work Location with 50 or more employees, working at a single site shall facilitate the employees use of an area-wide ridesharing program by designating an Employee Transportation Coordinator (ETC) for employers or a Property Transportation Coordinator (PTC) for Common Work Locations. The name, title, address, and telephone number of such Coordinator shall be reported to the TRPA TCM Coordinator within 60 calendar days of the effective date of this Ordinance for those employers or Common Work Locations.
currently having 50 or more employees working at a single site, or within 60 calendar days after reaching 50 or more employees working at a single site. In the case of Common Work Locations, property managers or owners may not be immediately aware when the 50 employee threshold is met. Annual surveys and/or employers database updates may provide this information to the TCM Coordinator sooner, in which case they would then notify the property manager or owner of the new employment level. The ETC should be strongly encouraged to take advantage of educational resources, including training seminars, workshops, training manuals, and discussions with other ETCs. ETCs need not be full time employees, nor is it necessary that ETC duties take up a majority of the designated employee’s time.

The ETCs responsibilities shall include:

a. Publicizing the availability of public transportation.

b. Communicating employee or tenant transportation needs to the TRPA TCM Coordinator, THA representative, property manager, property owner, and/or city and county staff as appropriate.

c. Assisting employees or tenants in forming carpools or vanpools.

d. Develop, coordinate, and implement the employer’s Transportation Plan.

e. Perform an annual survey of employees and tenant transportation profile showing the distribution of employees and tenants by transportation mode.

f. Coordinate with property owner/manager and other tenants’ Transportation Plans as applicable.

g. Participate in the development of a ridesharing program through a Transportation Management Association, either as a member agency or otherwise.

h. Coordinate with TRPA TCM Coordinator as applicable.

TRANSPORTATION PLAN

A Transportation Plan is required for each employer or Common Work Location, with a central contact point, having 50 or more employees working at a single site, and/or for every employer or Common Work Location upon reaching a level of 50 or more employees working at one site.

In the case of seasonal work locations, the Transportation Plan shall be in effect only at such times that the employment level reaches 50 or more employees at a single site.
Transportation Plan Elements

The Transportation Plan shall include:

A. **Description.** A description of the activity and operating characteristics of the proposed or existing project (e.g., business hours and peak hours of travel), including a parking area map or diagram.

B. **Existing Conditions.** A description of the alternative transportation facilities and programs currently in place, such as bike lockers, preferential carpool parking, rideshare information posting, vanpool subsidies, etc.

C. **Estimate.** A description and estimation of the commuting characteristics of the labor force (e.g., travel distance and mode).

D. **Transportation Control Measures (TCMs).** Measures designed to reduce the number of single occupant vehicle trips. Each TCM is assigned a point value for trip reduction based on its effectiveness in reducing trips.

E. **Implementation Schedule.** A timeline showing the approximate schedule of implementation of each of the selected mitigation measures.

F. **Management Support letter.** In order for the Transportation Plan to be successfully implemented, the top management of the employer or Common Work Location must be aware of the program and committed to making it work. A letter expressing that commitment is required.

If an existing project generates or a new project is expected to generate 50 or more employees, the Plan shall be designed to help achieve a goal of 1.5 AVR. To do this, the Plan must include mandatory and optional Transportation Control Measures (TCMs). Each of these Transportation Control Measures (TCMs) are assigned a Trip Reduction Credit; the Plan must include measures that have a cumulative total of 30 trip reduction points.

**Trip Reduction Credit for Transportation Control Measures (TCMs)**

In order to meet the required levels of trip reduction, every Transportation Plan shall list the TCMs proposed to be implemented. Every plan shall include and implement all of the mandatory TCMs set forth in the Project Requirements. The employer or project controller may then select from optional TCMs from the Transportation Control Measure Menu shown below that will best serve to reduce commute trips of the employees and/or tenants of the particular project. The Transportation Plan will then receive the vehicle trip reduction credits as defined in this section.

**TRANSPORTATION CONTROL MEASURE (TCM) MENU**

Each of the following Transportation Control Measures (TCMs) are assigned a Trip Reduction Credit. Each Transportation Plan must include measures that have a cumulative total of 30 trip reduction points. The code shown to the
left of each measure explains the suitability of that measure for different types of Transportation Plans. A code (E) means it is suitable for Employer plans; a code (P) means it is suitable for Project plans.

**Required Transportation Control Measures (TCMs)**

*(E)* Designation of an Employee Transportation Coordinator (ETC).

Trip Reduction Credit - 2 points

*(E, P)* Posting of Ridesharing information, including:

1. Posters or flyers encouraging the use of ridesharing and referrals to sources of information concerning ridesharing.

2. The names and phone numbers of the Employee Transportation Coordinator (ETC), Transportation Management Association, and the TRPA TCM Coordinator.

Trip Reduction Credit - 2 points

*(E, P)* Posting (by employers) or providing to employers (by project controllers) of Alternative Transportation Mode information, including:

1. Current schedules, rates (including procedures for obtaining transit passes), and routes of mass transit service to the common work location or employment site.

2. The location of all bicycle routes within at least a five mile radius of the facility.

Trip Reduction Credit - 2 points

*(E, P)* Bicycle Parking Facilities. Unless there are overriding considerations specific to the employment site, sufficient bicycle parking must be supplied for employees. To receive credit, the employer must provide bicycle parking for all bicycle commuters, as determined by the Employee Transportation Coordinator. The bicycle parking facilities shall be, at minimum, Class II stationary bike racks.

Trip Reduction Credit - 2 points

*(E, P)* Preferential Carpool/Vanpool Parking. Unless there are overriding considerations specific to the employment site, parking spaces for 4% of employees must be painted "Carpool Parking" or "Vanpool Parking" and must be, with the exception of handicapped and customer parking, the spaces with most convenient access to the employee entrances. The ETC may issue Carpool and Vanpool stickers to the vehicle owners and shall be responsible for monitoring the spaces.

Trip Reduction Credit - 2 points
Optional Transportation Control Measures (TCMs)

Each employer, in preparing a Transportation Plan, may choose from the following menu of TCMs to achieve the required number of trip reduction credits. It is at the discretion of the individual employer to choose which are best suited to his location, business, and employees.

*(E, P) ETC Education Program. ETC must attend educational seminars, workshops, or other approved training programs on an annual basis. Points given are based on number of hours of attendance; 2 points are given for 8 hours of training, with an additional point for every additional 4 hours of training, to a maximum credit of 4 points. However, since initial education of the ETC is critical, additional points are available for ETC education in the first year. In the first year, 4 points are given for 8 hours of training, with an additional 2 points for every additional 4 hours of training, to a maximum credit of 10 points. The ETC training is provided free of charge by the Truckee/North Tahoe TSA and Sacramento Rideshare.

Trip Reduction Credit - 2-10 points

*(E, P) In-House Carpool Matching Service. The ETC conducts a survey of all employees in order to identify persons interested in being matched into carpools. Potential carpoolers are then matched by work address and shift. Credit is given if this service is performed on an annual basis and for all new employees interested in ridesharing.

Trip Reduction Credit - 4 points

*(E, P) Additional Preferential Carpool/Vanpool Parking. Additional employee parking spaces must be painted "Carpool Parking" or "Vanpool Parking" and must be, with the exception of handicapped and customer parking, the spaces with most convenient access to the employee entrances. The ETC may issue Carpool and Vanpool stickers to the vehicle owners and shall be responsible for monitoring the spaces. An additional point is provided for each additional 2% of total number of employees for employer plans, and for each additional 10% of total employee designated parking for project plans, for which preferential carpool/vanpool parking is provided, up to a maximum of 3 additional points.

Trip Reduction Credit - 1-3 points

*(E, P) Transportation Management Association (TMA) Membership. The ETC or other designated management employee shall actively participate in a regional TMA. The ETC shall attend all membership meetings or send a designated representative, pay all required dues, and/or be involved in any other programs which the TMA Board administers.

TRPA Reduction Credit - 4 points

*(E, P) Guaranteed Ride Home Program. Employers will provide or contract to provide a guaranteed ride home for employees who rideshare two days a week or more. The guaranteed ride home would be provided to the ridesharer in the event that an emergency or illness requires that
they or their carpool or vanpool driver must leave work early.

**Trip Reduction Credit - 3 points**

* *(E)* Clean Air Fuel Vehicles. The employer leases or purchases and maintains fleet vehicles that use clean air fuels, such as compressed natural gas, electricity, methanol, and propane. 2 points are given for each dedicated alternative fuel vehicle, and 1 point is given for each flexible fuel (able to use either gasoline or alternative fuel vehicle, to a maximum of 10 points.

**Trip Reduction Credit - 1-10 points**

* *(E, P)* Shuttle Bus/Buspool Program. The employer must provide sufficient shuttle service to transport workers to and from their residences, a park-and-ride lot, or other staging area to the workplace. The employer may choose to lease a bus and may work with nearby employers or employment complexes to maximize ridership.

**Trip Reduction Credit - 4 points**

* *(E, P)* Vanpool Program. The employer is required to continuously extend an offer to purchase or lease a van or vans, to obtain insurance, and to make available to any group of at least seven employees a van for commute purposes. The employer may recover full or partial operating costs from the vanpool participants.

**Trip Reduction Credit - 4 points**

* *(E, P)* Transit Pass Subsidy. The employer provides a monthly transit or rail pass subsidy of 50% or the maximum taxable benefit limit, whichever is higher. The workplace must be within a reasonable walking distance of a transit stop. The ETC will be responsible for distribution of the passes and collection of fees.

**Trip Reduction Credit - 4 points**

* *(E, P)* Transit Shelter. The employer will construct a shelter on the designated bus route or will post a bond for future construction once the transit route is extended to the site. Credit is given when the transit shelter is constructed in conformance with City/County regulations and when the employment site is on or adjacent to existing or planned bus route.

**Trip Reduction Credit - 2 points**

* *(E, P)* Secure Bicycle Parking Facilities. Parking must be supplied for at least 3% of employment. The bicycle parking facilities shall be of the following types:

1. A Class I bicycle parking facility with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle storage compartment.

2. A fenced or covered area with Class II stationary bike racks and a locked gate.

**Trip Reduction Credit - 2 points**
Showers and Lockers. Two showers, one men's and one women's, shall be provided for employers of less than 200 persons. For employers of more than 200 persons, there shall be four showers with the number increasing by two for every 500 employees. Ten lockers shall be provided for employers of less than 200 persons. For employers of more than 200 persons, there shall be 20 lockers, with the number increasing by 10 for each 500 employees.

Trip Reduction Credit - 2 points

Flexible Work Location/Telecommuting. A management strategy allowing the employee flexibility in work place outside of the employer's established location. These strategies may include, but are not limited to, telecommuting from the employee's home, or the creation of neighborhood office satellites. Credit is given when employees in appropriate positions, which may not include the entire work force, are permitted to telecommute at least one day per week.

Trip Reduction Credit - 4 points

Flexible Work Hours. A work hour management strategy allowing the employee to adjust work hours outside of the employer's established start and stop time and outside peak hours. Variable work hours may include, but are not limited to: 1) staggered work hours involving a shift in the set work hours of all employees at the workplace to those outside of peak hours; and 2) flexible work hours involving individually determined work hours within guidelines established by the employer. Credit is given when employees in appropriate positions, which may not include the entire work force, are permitted to take advantage of flexible work hours.

Trip Reduction Credit - 2 points

Compressed Work Weeks. A management strategy allowing the employee to compress the total number of hours required in a week to fewer days. For example, a typical 40-hour work week could be compressed into 4 10-hour days. Credit is given when employees in appropriate positions, which may not include the entire work force, are permitted to reduce their number of work days by at least one in two weeks (9-80 schedule).

Trip Reduction Credit - 3 points

On-Site Services. Necessary services would be provided within 1/4 mile of the employment site that eliminates the need for a vehicular trip before, during, or after the work day. Necessary services would include, but are not limited to, child care, cafeteria/restaurant, lunch room, automated teller machine, dry cleaners, or post office. These services may be provided by the employer, through cooperative efforts of employers and service providers, or by other means. Actual credits awarded will depend on which service or combination of services are provided and proximity to employment site.
Trip Reduction Credit - Negotiable with TCM Coordinator and designated approving body. Expected range for each service: 1-10 or more points, depending on service type, proximity, and extent of service provided. Maximum point award for all services is 15 points total.

*(E, P)* Transit System Subsidy/Grant. Employer provides support to local transit system, which could be for system operations, marketing or for capital needs such as new buses. Subsidies or grants could be financial or through donation of capital needs. Actual credits awarded will depend on the amount and type of subsidy or grant.

Trip Reduction Credit - Negotiable with TCM Coordinator and designated approving body. Expected range: 1-20 points, depending on amount and type of subsidy or grant.

*(E, P)* Other. Trip reduction measures that are not included in this menu or do not specifically fit the descriptions contained herein may also be considered. Innovative methods are strongly encouraged. An example would be a high school setting up a ridesharing educational program for their students.

Plan Review

The Transportation Plan shall be referred to the TRPA TCM Coordinator for review and evaluation of the proposed mitigation measures and recommendation made to the Executive Director of the TRPA to approve the plan.

ANNUAL REPORTING REQUIREMENTS

All designated Employee Transportation Coordinators shall meet with the TRPA TCM Coordinator at least once a year to review progress of ETCs transportation plans and to submit the annual transportation surveys regarding employees' use of alternative transportation modes.

IMPLEMENTATION SCHEDULE

Employers and Common Work Locations with 50 or more employees working at a single site must comply with this ordinance within 6 months of adoption. Employers and employment complexes with less than 50 employees must comply with this ordinance within thirty days of receipt of posting information.

In the case of seasonal work locations, the Transportation Plan shall be in effect only at such times that employment level reaches 50 or more employees at a single site.
COMPLIANCE MONITORING

It is not the responsibility of employers to meet this goal in isolation; rather, it is expected that employers will contribute towards meeting this goal. If the AVR of 1.5 is not being reached within the Tahoe Region by the end of the third year, the Tahoe Regional Governing Board may amend this Ordinance to require employers of 50 or more to amend their Transportation Plan. For example, the amended plan may include measures that increase the total trip reduction points to 35 points, adding measures to increase the total trip reduction points by 5 points annually until an AVR of 1.5 is achieved within the Tahoe Region.

A good faith effort to encourage employees to use alternative transportation as provided in the Transportation Plan is required. However, this ordinance does not hold employers liable if TRPA finds that the results of the Transportation Plan on employee commute habits did not achieve the stated trip reduction goals.
July 28, 1993

To: APC Members

From: TRPA Staff

Subject: Notice of Preparation, South Tahoe Public Utility District Future Sewer Connections Plan Environmental Impact Statement/Environmental Impact Report

Please be advised that the South Tahoe Public Utility District is preparing an Environmental Impact Statement/Environmental Impact Report addressing the preparation of a long-range plan to accommodate future allocated sewer connections within the District. The EIS/EIR will evaluate the following 5 alternatives:

1. Expand Wastewater Flow Reduction Program
2. Recognize Revised Treatment Plant Capacity
3. Revise Sewer Unit Allocation Methodology
4. Recalibrate Sewer Unit Flow Allowance
5. Revise Treatment Plant Capacity Allocation Methodology

Current scheduling calls for a release of the Draft EIS/EIR in the fall of this year. TRPA staff will be scheduling the Draft EIS/EIR for public discussion before the APC at a future date. If you have any questions regarding this agenda item, please contact Rick Angelocci, Chief of Project Review, at (702) 588-4547.
July 30, 1993

To:        Advisory Planning Commission
From:      TRPA Staff
Subject:   Notice Of Circulation; Draft EIS/EIR For The
           Tahoe City Community Plan

Please be advised that the 60-day public comment period for the Draft EIR/EIS
entitled, "Draft Environmental Impact Statement/Environmental Impact Report
for the Tahoe City Community Plan, commences on August 13, 1993 and will con-
clude on October 15, 1993. This document assesses the environmental impacts
of the proposed community plan. This document will be mailed to the APC
members when it is available.

If you have any questions, please contact Gordon Barrett at (702) 588-4547.

GWB:rd
7/30/93

AGENDA ITEM VI.A.2.

Planning for the Protection of our Lake and Land
MEMORANDUM

July 30, 1993

To: Advisory Planning Commission
From: TRPA Staff
Subject: Notice of Circulation; Draft EIS/EIR For The South Lake Tahoe Stateline/Ski Run Community Plan

Please be advised that the 60-day public comment period for the Draft EIR/EIS entitled, "Draft Environmental Impact Statement/Environmental Impact Report for the South Lake Tahoe Stateline/Ski Run Community Plan will commence on August 6, 1993 and conclude on October 8, 1993. This document assesses the environmental impacts of the proposed community plan. This document will be mailed to the APC members when it is available.

If you have any questions, please contact Gordon Barrett at (702) 588-4547.