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 13, 1997, at the North
Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach,
California. The agenda for the meeting is attached hereto and
made a part of this notice.

August 1, 1997

By:  

[Signature]

Jerry Wells
Deputy Director

This agenda has been posted at the TRPA office and at the following
post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley
and Al Tahoe, California. The agenda has also been posted at the
North Tahoe Conference Center in Kings Beach, the Incline Village
GHI office, and the North Lake Tahoe Chamber of Commerce.
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center  August 13, 1997
8318 North Lake Boulevard  9:30 a.m.
Kings Beach, California

All items on this agenda are action items unless otherwise noted.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. DISPOSITION OF MINUTES

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Draft Environmental Improvement Program for the Lake Tahoe Region (January 15, 1997) (No Action)

B. Recommendation on Certification of the Final EIS for the U.S. Forest Service Lake of the Sky Facility, Placer County

VI. PLANNING MATTERS

A. Report on Presidential Forum

B. Notice of Preparation, Lake Tahoe Shorezone Development Cumulative Impact Analysis Draft Environmental Impact Statement

VII. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

VIII. ADJOURNMENT
Horizon Casino Resort
U.S. Highway 50
Stateline, Nevada

July 9, 1997

REGULAR MEETING MINUTES

Chairperson Bob Jepsen called the regular July 9, 1997, meeting of the Advisory Planning Commission (APC) to order at 9:35 a.m. and asked for a roll call.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Mr. Hust, Mr. Hansen (arrived at 11:25 a.m.), Ms. Baldrica, Mr. Westerdahl, Mr. McDowell, Mr. Biaggi, Mr. Poppoff, Mr. Lawrence, Mr. Morgan, Mr. Haen, Ms. Kvas, Mr. Combs, Ms. Jamin, Mr. Jepsen

Members Absent: Mr. Thompson, Mr. Doughty, Mr. Dodds, Mr. Joiner

II. APPROVAL OF AGENDA

MOTION by Mr. Biaggi, with a second by Ms. Baldrica, to approve the agenda as presented. The motion carried unanimously.

III. PUBLIC INTEREST COMMENTS - There were none.

IV. DISPOSITION OF MINUTES

MOTION by Ms. Jamin, with a second by Ms. Baldrica, to approve the May 14 & 21, 1997, APC minutes as presented. The motion carried unanimously.

Mr. Jepsen stated that on page 2, paragraph 8, of the June 11, 1997, APC minutes the word "Dodds" should be changed to "Jepsen".

MOTION by Mr. Morgan, with a second by Mr. Hust, to approve the June 11, 1997, APC minutes as amended. The motion carried with Ms. Baldrica and Mr. McDowell abstaining.

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Draft Environmental Improvement Program for the Lake Tahoe Region (January 15, 1997) (No Action)

Principal Planner Carl Hasty presented the draft Environmental Improvement Program for the Lake Tahoe Region (January 15, 1997).

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing. Since no one wished to comment, Chairperson Jepsen closed the public hearing.
B. Amendment of Section 41.3.A of Chapter 41 (Permissible Subdivisions) Pertaining to Subdivision of Land Conveyed to Public Agencies

Agency Counsel R. J. Nicolle presented the staff summary amending Section 41.3.A of Chapter 41 (Permissible Subdivisions) Pertaining to Subdivision of Land Conveyed to Public Agencies.

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing.

Mr. Jeff Cutler, representing the League to Save Lake Tahoe, stated that his concerns are with the restrictions that would continue to apply are not included in the proposed amendment. He stated that there was language that would continue to apply to all the other conveyances about the deed restrictions.

MOTION by Mr. Haen, with a second by Mr. Combs, to recommend approval to the Governing Board to adopt amendments to Chapter 41 to add streamlined subdivision provisions for acquisition agencies. The motion carried unanimously.

VI. PLANNING MATTERS

A. The Gateway Project (Redevelopment Project No. 3), City of South Lake Tahoe

Chief of Project Review Rick Angelocci presented The Gateway Project (Redevelopment Project No. 3), City of South Lake Tahoe.

(Break taken at 10:22 a.m.)

(Reconvened at 10:30 a.m.)

Mr. Lew Feldman, representing Harvey's Casino Resort Hotel, presented a slide show of the proposed Gateway Project Redevelopment Project, City of South Lake Tahoe.

A discussion ensued.

Chairperson Jepsen opened the meeting up to a public hearing. Since no one wished to comment, Chairperson Jepsen closed the public hearing.

B. Discussion on Conflict of Interest Rules

Agency Counsel R. J. Nicolle presented the discussion on the Conflict of Interest rules, Article VIII.

Mr. Popoff stated that an engineer or contractor serving on the APC has less rights in terms of dealing with the Agency on one of their projects then someone else would.
Ms. Nicolle stated that there were more limits put on their behavior in terms of contacting the Agency about their project. Mr. Popoff remarked that this did not seem fair.

Mr. Haen stated that as a private consultant, there is no way that he and others cannot influence staff if they have a project submitted for approval. He stated that he was sorry that the APC lost Mr. Caterino and believed that he was a great asset to the APC and was of the opinion that he did not misuse his power. In addition, Mr. Haen believed that NRC, as a public employee, should not have been involved in discussions over the Borelli-Smith project. He was of the opinion that this was a conflict of interest.

(Mr. Hansen arrived at 11:25 a.m.)

Ms. Nicolle responded that generally these laws have been interpreted to exclude sources of income from public employment. If we interpreted these laws differently and said that they included public employment, we would be disqualifying a lot of the public employees who can provide the best assets and would not be able to perform their job.

Mr. Hansen stated that some public agencies are pseudo-consultants.

Mr. Popoff agreed with Mr. Haen and stated that the loss of some of the people over whatever conflict of interest is a loss to the APC. He believed that Mr. Haen and Mr. Caterino added a lot to the APC, as much as the public agency representatives do. It appeared to him that there is a slant there.

A discussion ensued.

Ms. Jamin questioned whether the APC could create their own policy that would be more specific than what is stated in the rules. She questioned if both from the private and public side if it would be possible for the APC members to step down into the audience; not to advocate but to be available to answer questions should an APC member direct a question to the APC and then return to sit on the APC when the item is over.

Mr. Morgan questioned why we can’t depend upon counsel to give the proper advise on each issue instead of trying to put something on paper that is very difficult to live with. We should look at each issue on a case-by-case basis.

Ms. Baldrica questioned if TRPA staff was aware of who the APC members are and whether they are in a position to say this is excessive and I need to check with Susan Scholley or R. J. Nicolle.

Ms. Nicolle replied that TRPA staff knows who the APC members are and generally they come to her or Susan for advise. She stated that unfortunately a letter went out to Mr. Caterino resulting in him deciding to resign from the APC.

Mr. Jepsen questioned whether someone approached Mr. Caterino before the letter went out or was it just sent and all of a sudden here is a letter
saying that you are a bad boy.

Ms. Nicolle stated that the letter did not state he was a bad boy; it was a reminder of the law.

Mr. Jepsen stated that someone should have approached him personally first and said let's talk about this before sending the letter. Ms. Nicolle said that this would have been a good idea.

(Mr. McDowell left at 11:35 a.m.)

Ms. Nicolle stated that each APC member is required to fill out an economic interest form each year. She stated that she would make sure each APC member has a form sent to them if they have not already done so.

A discussion ensued.

VII. REPORTS

A. Executive Director

Executive Director Jim Baetge stated that the Transportation and Air Quality Workshop would be held in Reno on July 19th. He wasn't sure where the Presidential event would be held on July 24th & 25th.

B. Legal Counsel

Agency Counsel R. J. Nicolle stated that on June 25th, the Governing Board adopted the motorized watercraft ordinance. TRPA is receiving a lot of litigation threats but none have been filed at this point in time. In the Suitum v. TRPA case, it has been sent back to trial by the Supreme Court. We anticipate it going to trial within the next year or two at the trial court level. In the Barbieri v. TRPA case, it has been reactivated and TRPA would be going to Summary Judgment Motions in October. In the TSPC v. TRPA case, it is moving through the trial court level and trial motions will be filed this month. No trial date has been set at this time.

Mr. Haen questioned if Pershing was an enforcement case or litigation, and Ms. Nicolle replied that it was an enforcement case.

C. APC Members

Mr. Morgan questioned if TRPA knew what the impact was of the four major fireworks displays on the Lake; both on air quality, water quality and nutrients. Mr. Baetge replied that they cannot. Mr. Morgan believed that we should have an answer for these issues. Mr. Baetge stated that at this point in time, it is highly unlikely that TRPA could devote the time to research this issue.

Mr. Westerdahl said that some studies have been done around Disneyland and a peak of iron and iron sulphur nutrients were found at the fireworks. He believed that it was a modest, substantial impact on visibility.
Mr. Popoff pointed out how well Mr. Baetge can forecast the Governing Board action. He stated that Mr. Baetge had pointed out that with regards to the Incline issue presented last month, no matter what the APC recommends, the Governing Board does the opposite.

Mr. Hansen apologized for not being here for the last two months. He has been working on the Presidential visit and believed that it would be very significant for the Basin. He stated that he was proud of what Mr. Baetge has put together and what the Steering Committee would be presenting.

Mr. Baetge stated that Mr. Hansen has done a great job.

Mr. Jepsen introduced the students in the audience who were with the Tahoe Baikal Institute.

VIII. ADJOURNMENT - Meeting adjourned at 11:53 a.m.

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.
MEMORANDUM

August 4, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Draft Environmental Improvement Program for the Lake Tahoe Region

A public hearing and formal adoption of the Environmental Improvement Program document will take place this fall. This agenda item is to discuss any concerns and modifications prior to that action.

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

CH:jf
8/4/97
MEMORANDUM

August 4, 1997

To: Advisory Planning Commission

From: Lyn Barnett, Senior Planner, Project Review Division

Subject: Final Environmental Impact Statement, U.S. Forest Service Lake of the Sky Facility

Staff Recommendation: Staff requests that the APC recommend to the Governing Board that they make a finding of technical adequacy for the Lake of the Sky Facility Final Environmental Impact Statement (EIS) in accordance with Article VII of the Compact, Chapter 5 of the Code, and Article VI of the TRPA Rules of Procedure.

Background: In December 1993, the APC and Governing Board reviewed and took public testimony on the Draft Environmental Impact Statement (EIS). The TRPA public comment period on the draft document closed on January 21, 1994. Public comments were also received through the Forest Service’s National Environmental Policy Act (NEPA) review process. All comments have been incorporated and addressed in the Final EIS.

Staff has reviewed the Final EIS and has determined that it is adequate for certification, with the exception of some minor revisions to the section on scenic quality impacts. These revisions will be addressed in an addendum which will be distributed at the APC meeting. Copies of the Final EIS were hand-delivered to APC members on July 9, 1997 (the last APC meeting). The final document package includes a Summary; EIS and U.S. Forest Service Record of Decision; and Appendices.

The Final EIS examines the environmental impacts of the construction of a new visitor center, public pier, and community transit center in Tahoe City on public land known as the "64 acre tract". Existing uses on the property include: a raft launch for the Truckee River, 66 car parking area, bicycle trails, and beach access. Please see the Final EIS Summary for an outline on the project alternatives, including the preferred alternative.

No applications have been received for construction of the visitor center, pier or transit center in accordance with the EIS. The transit center may require additional environmental review depending on the scale of the proposed project. The exact scale of this center is not known at this time.

A representative from the Forest Service will be present at the APC meeting and will give a brief summary on the final document, including identified environmental impacts of the proposed project. If you have any questions concerning this item, please contact Lyn Barnett in the Project Review Division at (702) 588-4547.

/lb
8/4/97
MEMORANDUM

August 4, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Report on Presidential Forum

Attached for your information are copies of the following:

- July 22 MOU between Nevada Governor Bob Miller and California Governor Pete Wilson;
- President Clinton's July 26 Executive Order and the resulting specific actions to be taken by the Administration.

Staff will update the AFC further on the Presidential Forum and its outcomes at the August meeting.

Attachments
A MEMORANDUM OF UNDERSTANDING
BETWEEN THE
STATE OF CALIFORNIA
AND THE
STATE OF NEVADA

WHEREAS, the Lake Tahoe basin is one of the world's extraordinary
natural features and is an ecological, biological, and aesthetic resource of great
significance to the people of California, Nevada, and the United States;

WHEREAS, the natural and recreational attributes of Lake Tahoe are the
foundation of the regional economy, and future prosperity is dependent upon the
sustainable development of the Lake Tahoe basin and on continued progress in
achieving a careful balance between conservation and economic goals;

WHEREAS, there exists among the citizens of the Lake Tahoe basin in
both California and Nevada a unique and strong consensus on the need to
aggressively and effectively manage and protect the natural assets of the Lake
Tahoe basin; the partnership of public and private interests includes the
environmental community, the local business community, and the recreation and
gaming industries; and this partnership is exemplified by the Lake Tahoe
Transportation and Water Quality Coalition;

WHEREAS, the States of California and Nevada since 1969 have been
parties to a bi-state compact that pursues joint efforts to protect the quality and
the clarity of Lake Tahoe's waters, control soil erosion, protect the forests of the
basin, ensure the Lake's scenic beauty, provide recreational opportunities and
public access to the Lake, restore streams and watersheds, improve
transportation, and generally enhance the rich biodiversity of the region;

WHEREAS, the people of California and Nevada have provided more
than $200 million to protect and manage the natural resources of the Lake
Tahoe basin since the bi-state compact was created in 1969, including the
approval of $10 million and $20 million by the voters of California and Nevada,
respectively, in 1996 alone;

WHEREAS, the States of California and Nevada, in close cooperation
with the people and agencies of the Lake Tahoe basin and the native peoples of
the region, have supported effective and innovative efforts at protection and
management of the natural resources of Lake Tahoe through the work of many
agencies of both States, local governments, and the United States;
WHEREAS, the Tahoe Regional Planning Agency has adopted nine thresholds for environmental quality, lake restoration and protection, and the carrying capacity of the Lake Tahoe basin; the thresholds are water quality, air quality, soil conservation, vegetation, fisheries, wildlife, scenic resources and community design, recreation, and noise; and the Agency has compiled a database of existing programs and projects designed to attain and maintain the thresholds;

WHEREAS, based on the thresholds and the database, the Tahoe Regional Planning Agency has proposed an Environmental Improvement Program for the long-term protection and management of the region's natural resources and economy;

WHEREAS, a renewed commitment to the bi-state compact between California and Nevada, the continuation of existing State and local programs, and pursuing the objectives of the Environmental Improvement Program remain the greatest opportunities for achieving both the long-term well-being of the natural resources and the economic growth of the Lake Tahoe basin;

BE IT THEREFORE RESOLVED,

THAT, the States of California and Nevada reaffirm their commitment to the bi-state compact, and to the sound management and protection of the Lake Tahoe basin's natural resources and the support of a healthy, sustainable economy through their respective State programs and policies;

THAT, the States of California and Nevada commit to working with the outstanding public-private partnerships that exists in the Lake Tahoe basin, including, but not limited to, the Tahoe Regional Planning Agency, the Lake Tahoe Transportation and Water Quality Coalition, and many Federal and local agencies;

THAT, the States of California and Nevada express their commitment to the attainment of the environmental thresholds for Lake Tahoe and to the development and implementation of an appropriate Environmental Improvement Program, and urge other members of the public-private partnerships to also make such commitments;

THAT, the States of California and Nevada commit especially to active involvement with our Federal partners, who will share with the States and local members of the partnership the implementation and funding of this effort;

THAT, the States of California and Nevada request the Tahoe Regional Planning Agency to be the lead agency in bringing together those parties needed to pursue implementation of the Environmental Improvements Programs; and
THAT, this Memorandum of Understanding is to be expeditiously transmitted to all appropriate parties, including the President of the United States, the United States Congress, the California and Nevada Legislatures, the local governments of the Lake Tahoe basin, Tahoe Regional Planning Agency, and the Lake Tahoe Transportation and Water Quality Coalition.

SIGNED

P. Wilson
Governor of California

B. S. Miller
Governor of Nevada

This 22nd day of July 1997

At South Lake Tahoe, California
EXECUTIVE ORDER

FEDERAL ACTIONS IN THE LAKE TAHOE REGION

By the authority vested in me as President by the Constitution and the laws of the United States of America; and in order to ensure that Federal agency actions protect the extraordinary natural, recreational, and ecological resources in the Lake Tahoe Region ("Region") (as defined by Public Law 91-148); an area of national concern, it is hereby ordered as follows:

Section 1. Tahoe Federal Interagency Partnership.

1-101. The Federal agencies and departments having principal management or jurisdictional authorities in the Lake Tahoe Region are directed to establish a Federal Interagency Partnership on the Lake Tahoe Ecosystem ("Partnership").

1-102. Members of the Partnership shall include the Secretary of Agriculture, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, the Secretary of the Army, and the heads of any other Federal agencies operating in the Region that choose to participate. Representation on the Partnership may be delegated. The Partnership shall be chaired by the Secretary of Agriculture for the first year after its establishment. The Chair of the Partnership shall thereafter be rotated among the members on an annual basis.

1-103. The Partnership will:

(a) facilitate coordination of Federal programs, projects, and activities within the Lake Tahoe Region and promotion of consistent policies and strategies to address the Region's environmental and economic concerns;

(b) encourage Federal agencies within the Region to coordinate and share resources and data, avoid unnecessary duplication of Federal efforts, and eliminate inefficiencies in Federal action to the greatest extent feasible;

(c) ensure that Federal agencies closely coordinate with the States of California and Nevada and appropriate tribal or local government entities to facilitate the achievement of desired terrestrial and aquatic ecosystem conditions and the enhancement of recreation, tourism, and other economic opportunities within the Region;

more
(d) support appropriate regional programs and studies needed to attain environmental threshold standards for water quality, transportation, air quality, vegetation, soils (stream environment zone restoration), wildlife habitat, fish habitat, scenic resources, recreation, and noise.

(e) encourage the development of appropriate public, private, and tribal partnerships for the restoration and management of the Lake Tahoe ecosystem and the health of the local economy.

(f) support appropriate actions to improve the water quality of Lake Tahoe through all appropriate means, including restoration of shorelines, streams, riparian zones, wetlands, and other parts of the watershed; management of uses of the lake; and control of airborne and other sources of contaminants.

(g) encourage the development of appropriate vegetative management actions necessary to attain a healthy Lake Tahoe ecosystem, including a program of revegetation, road maintenance, obliteration, and promotion of forest health.

(h) support appropriate regional transportation and air quality goals, programs, and studies for the Region;

(i) support appropriate fisheries and wildlife habitat restoration programs for the Region, including programs for endangered species and uncommon species;

(j) facilitate coordination of research and monitoring activities for purposes of developing a common natural resources data base and geographic information system capability, in cooperation with appropriate regional and local colleges and universities;

(k) support development of and communication about appropriate recreation plans and programs, appropriate scenic quality improvement programs, and recognition for traditional Washoe tribal uses;

(l) support regional partnership efforts to inform the public of the values of managing the Lake Tahoe Region to achieve environmental and economic goals;

(m) explore opportunities for public involvement in achieving its activities; and

(n) explore opportunities for assisting regional governments in their efforts.

1-104. The Partnership will report back to the President in 90 days on the implementation of the terms of this order.

Sec. 2. Memorandum of Agreement.

2-201. The Partnership shall negotiate a Memorandum of Agreement with the States of California and Nevada, the Washoe Tribal Government, the Tahoe Regional Planning Agency, and interested local governments.
2-202. The Memorandum of Agreement shall be designed to facilitate coordination among the parties to the Agreement, and shall document areas of mutual interest and concern and opportunities for cooperation, support, or assistance.

Sec. 1. General Provisions.

1-301. The Chair of the Partnership shall advise the President on the implementation of this order. The Chair may recommend other administrative actions that may be taken to improve the coordination of agency actions and decisions whenever such coordination would protect and enhance the Region's natural, ecological, and economic values.

1-302. Nothing in this order shall be construed to limit, delay, or prohibit any agency action that is essential for the protection of public health or safety, for national security, or for the maintenance or rehabilitation of environmental quality within the Region.

1-303. Nothing in this order is intended to create, and this order does not create, any right to administrative or judicial review, or any other right or benefit, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,
July 26, 1997.

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President Clinton and Vice President Gore:
Actions to Protect Lake Tahoe
July 26, 1997

"Our land of new promise will be a nation that meets its obligations ... a nation that fortifies the world's most productive economy even as it protects the great natural bounty of our water, air, majestic land."

President Clinton
Second Inaugural Address,
January 20, 1997

Over the past two months, the Clinton Administration has sought to highlight the progress made in Lake Tahoe and to reaffirm our commitment to its protection. The Administration convened three workshops leading up to today's Presidential Forum—on water quality; forest restoration, recreation and tourism; and transportation.

The Administration heard two clear messages at the workshops: First, the Administration should reaffirm its role in helping to manage this national treasure by improving coordination among federal agencies and with California, Nevada, the Washoe Tribe, the Tahoe Regional Planning Agency, other local units of government; this cooperation should be guided by the people in the region. Second, the Administration should take meaningful new actions on water quality, transportation, forest management, and recreation and tourism to protect Lake Tahoe's environment, and with it the area's economy and quality of life.

Today, the President directed his Administration to begin acting on those recommendations. Over the past five years, federal agencies have committed an average of $12 million a year in the Lake Tahoe basin. The Administration is committing to double its annual investment in the basin for the next two years and will work with state and local partners to expand our joint commitment in succeeding years. Specifically, the Administration will take the following actions:

1. **Protecting Lake Tahoe—and the Local Economy.** The Administration is taking significant new actions to help Lake Tahoe's environment and economy.

   **Improving Lake Tahoe's Fabled Water Quality.**

   ✓ The President will work with Congress to secure funding for a new pipeline to carry wastewater out of the Tahoe basin. The Administration supports this effort aimed at preventing a catastrophic spill of wastewater into the lake by replacing the deteriorating wastewater pipeline at South Lake Tahoe.

   ✓ In an expansion of the University of California at Davis' long history of scientific leadership at Lake Tahoe, the Environmental Protection Agency (EPA) will award the University an $880,000 grant for new computer modeling tools to accurately predict...
the benefits of different water quality improvement projects. Additional grants and technical assistance will go to the Tahoe Regional Planning Agency (TRPA) for developing a continuous monitoring data for use in the model. These actions together will allow planners to prioritize and evaluate the effectiveness of water quality improvement projects. In addition, the Administration is providing new resources for a number of other actions to improve scientific and public understanding of Lake Tahoe’s complex environment, including new support for monitoring, research and public education.

✓ The Department of Transportation (DOT) will boost funding and EPA will provide technical support for the master plan to upgrade paved roads in the basin to improve erosion control and stormwater management. DOT will also fund a new joint California/Nevada plan to utilize an advanced weather information system to reduce wintertime application of sand, salt, and de-icing chemicals, some of which enter the lake and harm water quality.

✓ The USDA Forest Service (USFS) will significantly increase its work to obliterate old logging roads, eliminating 29 miles per year and, in 10 years, completely eliminating the unused roads and returning that land to its natural condition. Many such roads were built at the turn of the century to provide timber for the Comstock silver mines. Now unused, these roads shed sediment into streams and diminish the lake’s fabled water quality.

✓ EPA will provide additional funding to the states for wetland and stream restoration projects to filter out contaminants and improve water quality and habitat.

✓ The Army Corps of Engineers, in partnership with the local community, is completing a federally-funded Tahoe Basin study to focus on water quality, wetlands habitat, and other environmental restoration opportunities in the Lake Tahoe Basin.

✓ The USDA Natural Resource Conservation Service (NRCS) will provide technical expertise to implement a “backyard conservation” initiative for individual homeowners who ask for assistance with nutrient and water management of their landscape. NRCS will also provide technical assistance to individuals in local communities with erosion and sediment control efforts on private land.

✓ Because Lake Tahoe is a source of drinking water for the basin, EPA will provide new funding under the Safe Drinking Water Act to TRPA to ensure protection of public health.

✓ The USFS will conduct a $2.6 million comprehensive watershed assessment in the Lake Tahoe Basin over the next five years.
Guarding Against Catastrophic Wildfire. The Administration is acting to restore the forest and reduce the risk of catastrophic wildfire.

✓ Over the next five years, USFS will spend $2 million to clear brush and dead wood from more than 3,500 federally owned lots interspersed with private commercial and residential lots in the Tahoe basin. This action will protect private property from forest fires and help the environment.

✓ USFS will use prescribed fire and other means to reduce fuels on approximately 3,000 acres of open forest lands each year. About 1,000 acres will be burned per year. These steps will help return natural ecological processes to Tahoe's forests.

✓ USFS will continue efforts to acquire environmentally sensitive and valuable parcels of land in the Lake Tahoe Basin through various authorities including the Land and Water Conservation Fund and the Burton-Santini Act. These purchases, all done on the basis of willing seller/willing buyer, will help reduce development pressures in the Tahoe basin and ensure that special places are protected forever. USDA will commit $1 million of new funds annually in addition to the $1 million currently being provided.

✓ The President will support the Lake Tahoe Basin Forest Health Consensus Group's efforts to shape, monitor and update a comprehensive and widely supported forest management strategy for the Tahoe basin, and ask that recommendations of the Group be forwarded to the Administration for changes in law or policy needed to support that strategy.

Improved Transportation. The Administration is taking action to improve transportation in the Lake Tahoe Basin. These measures will reduce congestion and cut transportation-related pollution of the air and water.

✓ At the south end of the lake, EPA and Department of Transportation will award funds to implement the Coordinated Transit System (CTS). This CTS will coordinate and combine operation of mass transit vehicles owned by various public and private entities serving visitors at Lake Tahoe.

✓ On the east side, DOT and USDA Forest Service will evaluate a new shuttle service for Lake Tahoe beachgoers. The East Shore Beach Shuttle, which began July 12, is designed to address erosion, congestion and safety hazards along SR 28.

✓ On the north shore, the Administration supports attempts to provide $1.5 million in DOT funding and USFS will provide up to 60 acres of land for a transit center to reduce traffic congestion and pollution.
✓ As the Vice President announced yesterday, DOT will provide $6 million to fund work at Reno/Tahoe International Airport to repair the cross-wind runway damaged during the recent winter floods. This will ensure that this critical gateway is open for travelers heading to Lake Tahoe.

✓ The United States Postal Service will help Lake Tahoe and its residents by extending home and clustered box mail service to communities on the west shore of Lake Tahoe and by replacing its current antiquated fleet of diesel-powered trucks with cleaner burning compressed natural gas vehicles. These actions will reduce local vehicle traffic and air pollution. The Postal Service, which is an independent agency, is taking these important steps after listening to comments during Forum-related workshops this summer.

2. Working in Partnership. The Administration is expanding and strengthening coordination among its own agencies and with California, Nevada, TRPA, and the Washoe Tribe.

✓ The President is signing an executive order directing federal agencies to establish a formal interagency partnership charged with assuring coordination and efficient management of federal programs, projects, and activities within Lake Tahoe. This will include the development of a linked database sponsored by the US Geological Survey. The partnership will also be directed to take a range of steps to ensure close coordination with state, local and tribal governments—and more input from local citizens. This will not be a top-down federal mandate on the states or TRPA, but a pledge to collaborate and share resources for the greatest possible benefit to Lake Tahoe.

✓ The United States, through USFS, and the Washoe Tribe are entering into a government-to-government agreement to promote a stronger working relationship on issues affecting the Washoe Tribe in the Lake Tahoe Basin.

✓ USFS and the Washoe Tribe will enter into a special use agreement to use an approximately 350 acre meadow for the care and harvesting of plants for traditional purposes.

✓ USFS and the Washoe Tribe will enter into a special use permit for 12 to 15 acres to begin the process of establishing a Washoe Cultural Center. The agreement will include provisions for an additional parcel of land that will ensure tribal members' access to the water's edge for the first time in more than 100 years. This return to the water's edge is central to the Washoe's cultural identity; in Washoe, the word (DaOwAga) that translates approximately into Tahoe means "edge of the lake."

✓ Two weeks ago, the Army Corps of Engineers and Tahoe Regional Planning Agency reached a partnership agreement on watershed restoration.
✓ Earlier this week, California and Nevada announced a cooperative agreement to strengthen their already exemplary relationship on Lake Tahoe, a partnership the Administration supports and applauds.

✓ EPA, California, and Nevada are already drafting an agreement to ensure that they coordinate in research and implementation of water quality restoration measures with local partners.

✓ The agencies are directed to provide the funds necessary for these commitments within the budget targets set in the Bipartisan Budget Agreement.

✓ The President is directing his cabinet to make every effort to ensure that all necessary agreements are in place not later than 90 days after the event.
MEMORANDUM

August 4, 1997

To: Advisory Planning Commission

From: TRPA Staff

Subject: Notice of Preparation, Lake Tahoe Shorezone Development Cumulative Impact Analysis, Draft Environmental Impact Statement

The Tahoe Regional Planning Agency (TRPA) is preparing a new Draft Environmental Impact Statement (DEIS) to consider the cumulative effects of development in the shorezone which may result from the adoption of revised shorezone development standards found in TRPA's Code of Ordinances.

The existing TRPA Code of Ordinances requires TRPA to reconsider location standards for piers, mooring buoys, boat ramps, floating docks, and platforms once a study assessing the impacts resulting from the construction and use of structures on fish habitat and spawning areas in Lake Tahoe and the mouths of its tributaries has been completed. This study has been completed.

The DEIS will include, as a substantial portion of the document, a cumulative impact analysis of all activities anticipated in the shorezone. The purpose of this is to disclose all foreseeable impacts that could be attributable to reconsidering the location standards for certain shorezone structures and to disclose the cumulative impacts created by overall development in the shorezone.

In 1995, TRPA circulated a similar DEIS for review and comment in accordance with TRPA's Rules of Procedure. No Final EIS or Response to Comments document was prepared by TRPA on this matter. Instead, TRPA formed a Shorezone Partnership Committee to address many of the substantive and procedural issues raised in the DEIS and in public hearings held thereon.

The DEIS is being circulated as a new document and includes a new scoping process. Four alternatives are proposed to be analyzed and are summarized in the attachment following this memorandum.
The TRPA Governing Board Shorezone Policy Committee and the TRPA staff will conduct a scoping meeting which will be held on Friday, August 15, 1997, beginning at 3:00 p.m. The meeting will be held at the Fairway Community Center, located at 330 Fairway Drive, Tahoe City, California.

The purpose of the meeting is to receive comments on and discuss the scope of the Lake Tahoe Shorezone Development Cumulative Impact Analysis DEIS. Advisory Planning Commission members are invited to attend the scoping meeting or submit written comments by August 15, 1997.

If you have further questions or require additional information regarding this matter, please contact Coleen Shade or Andrew Strain at (702) 588-4547.
Alternative #1 - No Project

TRPA would continue to review shorezone projects under the current TRPA Code of Ordinances. The current rules for placement of piers, buoys, boat ramps and floating platforms/docks in prime fish habitat are summarized below. This alternative includes standards for motorized watercraft which were adopted by TRPA in June 1997.

1. New Structures - New piers, buoys, boat ramps, or floating docks/platforms would not be permitted in mapped or field-verified fish spawning habitat, feed and cover habitat, or within 200 feet of a certain designated stream mouths. TRPA may permit new structures in marginal habitat areas.

2. Repairs, Modifications, and Expansions - Reconstruction, modification, and expansion of existing structures listed above, would be permitted under the standards set forth in the TRPA Code, Chapter 52, Existing Structures. Generally, expansion is permitted in protected areas only if there is no net increase in the surface area of the structure, or if there is a decrease in the extent to which the structure does not comply with the development standards, or the expansion improves the ability to attain and maintain one or more of the environmental thresholds.

3. Other Structures - New or existing marinas, jetties, groin walls, breakwaters, or fences would be permitted under the standards set forth in the TRPA Code, Chapter 52, Existing Structures, and Chapter 54, Development Standards Lakeward of High Water. Projects proposed under these standards would prepare environmental assessments (EAs) or environmental impact statements (EISs) to address the fisheries as well as other threshold issues. However, piers, buoys, boat ramps, or floating docks/platforms associated with a marina could be located in the protected areas.

Alternative #2 - No Fish Habitat Restrictions

All provisions of the TRPA Code would continue to apply, except that the prohibition on placement of new or expanded structures in fish habitat areas would be eliminated.

1. New Structures - No restrictions would be placed on the location of piers, mooring buoys, boat ramps, floating docks/platforms, based on fish habitat or setbacks from stream mouths. Structures could be constructed, expanded, or modified, at most locations within the shorezone of Lake Tahoe, as long as the TRPA structures otherwise complied with the Code.
2. Repairs, Modifications, and Expansions - Reconstruction, modification, or expansion of existing structures listed above would be permitted under the standards set forth in Chapter 52, Existing Structures. The structures would be considered conforming regarding fishery location standards, and could be expanded if they were conforming to other development standards.

3. Other Structures - New and existing marinas, jetties, groin walls, breakwaters, or fences would be permitted under the standards set forth in TRPA Code, Chapter 52, Existing structures, and Chapter 54, Development Standards Lakeward of High Water. Projects proposed under these standards would prepare environmental assessments (EAs) or environmental impact statements (EISs) to address the fisheries as well as other threshold issues. However, piers, buoys, boat ramps, or floating docks/platforms associated with a marina could be located in the protected areas.

Alternative #3 - Lifting of New Construction Prohibition in Feed and Cover Fish Habitat and Allow Public Structures in All Habitat Types

Based on the 1991-92 Fish Study recommendations, TRPA would remove the prohibition on locating structures in feed and cover habitat, but would keep the prohibition in spawning areas. However, in order to mitigate existing and additional development, and to promote public access, this alternative would only allow new or expanded public structures, that are open to the general public, in the unprotected areas.

1. New Private Structures - TRPA would not permit new piers, buoys, boat ramps, or floating docks/platform which restrict public access.

2. New Public Structures - Only new and expanded structures for public use would be permitted in unprotected areas, provided that the Code development standards are met. This alternative would not permit new or expanded structures that are not open for general public use.

3. Repairs - All existing structures could be maintained or repaired within the regulations of TRPA Code, Chapter 52, Existing Structures.

4. Modifications and Expansions - Modification and expansion of existing structures listed above would be permitted under the standards set forth in TRPA Code, Chapter 52, Existing Structures. Generally, expansion is permitted in the protected fish habitat only if there is no net increase in the surface area of the structure, or if there is a decrease in the extent to which the structure does not comply with the development standards or the structure improves the ability to attain or maintain one or more of the thresholds.

5. Other Structures - New or existing marinas, jetties, groin walls, breakwaters, or fences would be permitted under the standards set forth in TRPA Code, Chapter 52, Existing Structures, and Chapter 54, Development Standards Lakeward of High Water. Projects proposed under these standards would prepare
environmental assessments (EAs) or environmental impact statements (EISs) to address the fisheries as well as other threshold issues. However, piers, buoys, boat ramps, or floating docks/platforms associated with a marina could be located in the protected areas.

**Alternative #4 - Spawning Study Recommendations, Consensus Recommendations, and Staff Recommendations on Points of Non-Consensus**

This alternative contains elements of Alternative #2 in that it analyzes the impacts of lifting the prohibitions on construction in all Prime Fish Habitat areas. All other provisions of the TRPA Code would continue to apply. The mitigation package for Alternative 4, unless otherwise stated, is the product of the Shorezone Partnership Committee consensus process and the Shorezone Policy Committee oversight.

There will be no restrictions based on fish habitat for the placement of piers, mooring buoys, or floating docks/platforms. However, based on habitat type there may be conditions on the timing of construction.

- New Boat ramps in spawning habitat will not be allowed.

- New structures as well as modification and expansion of existing structures, that have been listed above, if built in spawning habitat, will be required to mitigate any loss of spawning substrate.

- All new, modification, expansion, and repair of shorezone structures will comply with a new shorezone Scenic Mitigation Program.

- New and existing marinas, jetties, groin walls, or breakwaters would be permitted under the standards set forth in the TRPA Code. Chapter 52, Existing Structures, and Chapter 54, Development Standards Lake-ward of High Water. Projects proposed under these standards would prepare environmental assessments (EAs) or environmental impact statements (EISs) to address the fisheries as well as other threshold issues. However, piers, buoys, boat ramps, or floating docks/platforms associated with a marina could be located in the protected areas.