TRPA
APC
PACKETS

MARCH
1997
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, March 12, 1997, at the Horizon Casino Resort, U.S. Highway 50, Stateline, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

March 3, 1997

By: [Signature]

Jerry Walle
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

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

March 12, 1997
9:30 a.m.

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

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. 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. PROJECT REVIEW

A. Lake Country Development, Plan Area 041, Borelli/Smith Architects, Multi-Family and Subdivision, 15 Attached Affordable Housing Units and 23 Detached Units, 669 Village Boulevard, Incline Village, Washoe County APN 129-500-08

VI. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Presentation of the Recommendations of the 1996 Threshold Evaluation Report, Appendix B Schedule of Implementation

1. Adoption of an Old Growth/Late Successional Stage Vegetation Threshold

2. Amendment of Chapter 6 (Findings Required) to Ensure Additional Recreation Capacity

3. Amendment of Chapter 20 (Land Coverage), Chapter 55 (Development Standards in the Backshore), and Chapter 74 (Remedial Vegetation Management) to Include Standards for Management of Stream Environment Zone and Backshore Vegetation

4. Amendment of Chapter 26 (Sign Standards) to Require Conformance With all TRPA Permits and to Adjust the Amortization Schedule

-1-
5. Amendment of Chapter 93 (Traffic and Air Quality Mitigation Program) to Make Adjustments to the Fees

6. Discussion on Amendments to Implement the Environmental Improvement Program (ZIP)
   B. Amendment of Plan Area Statement 066, Zephyr Cove, to Delete Special Area #1 and Related Provisions
   C. Amendment of Chapter 15, Redevelopment Plans, Relative to Conversion of Residential Units

VII. REPORTS
   A. Executive Director
      1. Status Report on Motorized Watercraft
      2. Other
   B. Legal Counsel
   C. APC Members

VIII. ADJOURNMENT
MEMORANDUM

March 5, 1997

TO: TRPA Advisory Planning Commission

FROM: TRPA Staff

SUBJECT: Borelli/Smith, Lake Country Development, Multiple-family Residential and Subdivision

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Proposed Action: No action is requested other than to forward a recommendation regarding the project to the TRPA Governing Board.

Staff Recommendation: Staff recommends the Advisory Planning Commission (APC) consider the project and forward comments to the TRPA Governing Board for their consideration.

Background: In October of 1996 the Advisory Planning Commission (APC) reviewed the amendment for Plan Area 041 which involved Assessor's Parcel Number (APN) 129-500-08. At that time the APC requested the opportunity to review and make a recommendation on any subsequent project proposal for this site. The proposed project is scheduled for the March 26, 1997 Governing Board meeting. The staff summary for the project could not be completed in time to be included in the APC packet. Staff will make an oral presentation of the project at the APC meeting.

Project Description: The applicants are proposing a 38 unit multi-family residential project and subdivision on a 7.2 acre parcel. The 38 unit multi-family residential project is comprised of 15 attached affordable housing units and 23 detached residential units. The proposed 38 unit residential development will be located on the western 4.7 acres of the parcel. The proposed SEZ restoration (one acre minimum) will be located on the remaining eastern 2.5 acres of the parcel. In accordance with the amendment of Plan Area 041 (Ordinance Number 87-9) the project proposal shall meet the following requirements:

1. An on-site pedestrian circulation system connecting all uses on the site and providing access to the neighborhood, common area and other facilities, which shall be maintained year-round.

2. A provision for home mail delivery to all residential units in Special Area #1.

AGENDA ITEM V.A

Planning for the Protection of our Lake and Land
3. One transit shelter near the front of the parcel along Village Boulevard, consistent with design of other transit shelters on State Route 28 in Incline Village.

4. A "will-serve" agreement with Diamond Peak Ski Area to provide ski shuttle service to the transit stop or near the front of the parcel.

5. A class I bicycle trail along the project area's frontage on Village Boulevard, in accordance with Washoe County standards.

6. The transferred developments rights or existing units of use shall be an average aggregate distance in road miles which is no less than the average aggregate distance in road miles from the parcel(s) to downtown Incline Village (defined as the nearest boundary of PAS 045).

7. The proposed density, 38 units, meets the minimum density standards and is within the maximum allowed density.

8. The project proposal includes a mixture of attached and detached units.

9. A minimum of one acre of Stream Environment Zone (SEZ) restoration along Third Creek at or near the subject parcel.

TRPA staff will be making a brief presentation to discuss the project in further detail including recommended conditions of approval. The applicants will be present at the APC meeting and will be available for questions at that time. If you have any questions concerning this item, please contact Vanessa Monegon of the TRPA staff at (702) 588-4547.
February 24, 1997

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Presentation of the Recommendations of the 1996 Threshold Evaluation Report, Appendix B Schedule of Implementation

Proposed Action: This month's proposed action is a portion of the "A" List of high priority implementation items recommended by the 96 Threshold Evaluation Report. The "A" List is a set of recommended revisions to the Regional Plan package including amendments to the Environmental Threshold Carrying Capacities, the Goals and Policies and the Code of Ordinances. The "A" List is found in the Schedule of Implementation (Appendix B) of the Draft 96 Threshold Evaluation.

Because of the staff commitments during February, staff is only presenting a portion of the "A" List for public hearing and discussion at both the APC and Governing Board meetings. At this time, no action is being requested from the Advisory Planning Commission. In April 1997 staff intends to present the remaining items on the "A" List for public hearing and discussion. In May 1997 staff plans to bring the entire final package forward for public hearing and adoption. The final package will include the "A" List items, the Final Threshold Evaluation Report and the Environmental Assessment (EA).

Discussion: The following "A" List elements are proposed for consideration. Proposed language for each item is attached to this staff report except for Item F. Item F will be a discussion item based on options presented at the meeting. Discussion on the need for each of the amendments may be found in the main body of the Threshold Evaluation Report. (The specific report reference is noted below each item.)

A. Adopt an old growth/late successional stage threshold for vegetation.
(Threshold Evaluation Report Reference: Chapter 3, p. 3.3-3.9)

B. Amend Chapter 6 of the Code (Findings Required) to add a finding to ensure additional resource capacities remain available to meet the recreational goals and policies of the Regional Plan when TRPA approves projects other than outdoor recreation projects.
(Threshold Evaluation Report Reference: Chapter 7, pp. 7.16-7.23)
C. Amend Chapter 20 (Land Coverage Standards), Chapter 55 (Development Standards in the Backshore) and Chapter 74 (Remedial Vegetation Management) to include standards for the management of SEZ and backshore vegetation to achieve and maintain thresholds for vegetation, wildlife and fisheries. A revision to the definition of Land Disturbance in Chapter 2 (Definitions) is recommended; however, it has not been noticed for public hearing.
(Threshold Evaluation Report Reference: Chapter 1, p. 100)

D. Amend Chapter 26 (Sign Standards) to require conformance with any permit action and to adjust the schedule for amortization of non-conforming signs along scenic threshold travel routes.
(Threshold Evaluation Report Reference: Chapter 8, pp. 8.26-8.29)

E. Amend Chapter 93 (Traffic and Air Quality Mitigation Program) to make adjustments to the air quality mitigation fee.
(Threshold Evaluation Report Reference: See Attachment E-1)

F. Discuss the options for a new Chapter 31 (Environmental Improvement Program) which implements the Environmental Improvement Program (EIP). The EIP is intended to provide primary direction to attain and maintain the environmental threshold standards.

Staff will begin this item with a brief presentation. Please contact Andrew Strain or Gabby Barrett at (702) 588-4547 if you have any questions or comments regarding this matter.
TRPA OLD GROWTH THRESHOLD

POLICY STATEMENT

PROVIDE FOR PROMOTION AND PERPETUATION OF LATE SUCCESSIONAL/OLD GROWTH FORESTS. THE GOAL IS TO INCREASE LATE SUCCESSIONAL/OLD GROWTH CONDITIONS ACROSS ELEVATIONAL RANGES OF THE LAKE TAHOE BASIN FOREST COVER TYPES.

NUMERICAL STATEMENT

PLANT AGGREGATIONS OF ANY SIZE, CONTAINING A MINIMUM OF 4 TREES PER ACRE OF 30" DBH, OR GREATER, AND/OR EXHIBITING SIGNS OF DECADENCE ASSOCIATED WITH OLD GROWTH FORESTS, SHALL BE MANAGED AS CORE AREAS FOR PROMOTION OF LATE SUCCESSIONAL CONDITIONS AND WILDLIFE HABITAT WHICH INCLUDES CONNECTING WILDLIFE CORRIDORS.

INDIVIDUAL TREES GREATER THAN 30" DBH SHALL ALSO BE FAVORED FOR RETENTION BECAUSE OF THEIR LATE SERAL ATTRIBUTES.

WHILE DIVERSE MANAGEMENT STRATEGIES SUCH AS THINNING AND PRESCRIBED FIRE SHALL BE ALLOWED, REMOVAL OF 30" DBH TREES SHALL ONLY BE PERFORMED ACCORDING TO SILVICULTURAL PRESCRIPTIONS FAVORING LATE SERAL FOREST STAND STRUCTURE AND IN COMPLIANCE WITH WILDLIFE_THRESHOLDS
CHAPTER 6

FINDINGS REQUIRED

Chapter Contents

6.0 Purpose
6.1 Applicability
6.2 Procedure For Findings
6.3 Threshold-Related Findings
6.4 Findings Necessary To Amend The Regional Plan, Including The Goals And Policies And Plan Area Statements And Maps
6.5 Findings Necessary To Amend Or Adopt TRPA Ordinances, Rules Or Other TRPA Plans And Programs

6.0 Purpose: The Tahoe Regional Planning Compact requires TRPA to make findings before taking certain actions. In addition, the Regional Plan package, including the Code and plan area statements, sets forth other findings which must be made. This chapter sets forth procedures describing how TRPA shall make the findings required.

6.1 Applicability: Prior to approving any project or taking any other action specified herein, TRPA shall make the findings required by the provisions of the Regional Plan package, including the Goals and Policies, the Code, and specifically, this chapter and any other requirement of law. All such findings shall be made in accordance with this chapter.

6.2 Procedure For Findings: Findings shall be made as follows:

6.2.A Written Findings: All required findings shall be in writing and shall be supported by substantial evidence in the record of review. The findings required by Section 6.3 shall be in writing prior to the approval of the proposed matter.

6.2.B Statement: Required findings shall be accompanied by a brief statement of the facts and rationales upon which they are based.

6.3 Threshold-Related Findings: The following specific findings shall be made, pursuant to Articles V(c), V(g) and VI(b) of the Compact in addition to any other findings required by law.

6.3.A Findings Necessary To Approve Any Project: To approve any project, TRPA must find, in accordance with Sections 6.1 and 6.2, that:
(1) The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code and other TRPA plans and programs.

(2) The project will not cause the environmental threshold carrying capacities thresholds to be exceeded, and

(3) Wherever Federal, State or local air and water quality standards applicable for the region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Tahoe Regional Planning Compact, the project meets or exceeds such standards.

6.3.B Making Specific Findings: As part of the findings required by Subparagraphs 6.3.A(1), (2) and (3), TRPA shall:

(1) Identify the nature, extent and timing or rate of effects of the project, using applicable measurement standards consistent with the available information, on all applicable:

(a) Compliance measures (Section 32.5);
(b) Indicators (Section 32.3);
(c) Additional factors (Subsection 32.3.B); and
(d) Supplemental compliance measures (Subsection 32.2.H).

(2) Quantify any contribution of the project to any of the cumulative accounts for the items listed in Subsection 32.7.B and record that contribution in the current cumulative account:

(3) Confirm that any resource capacity utilized by the project is within the amount of the remaining capacity available, as that remaining capacity has been identified in any environmental documentation applicable to the project, including the environmental impact statement for the Regional Plan package.

(4) Confirm that the project will not prevent attainment of any adopted target date (Subsection 32.4.A) or interim target (Subsection 32.4.B).

(5) For project-specific mitigation measures, relied upon to confirm the matters in Subparagraphs 6.3.A(2) and (3), TRPA shall identify an adequate means including setting a baseline status by which the mitigation measure's effectiveness will be evaluated.
(6) For all projects other than recreation projects contained in the Environmental Improvement Program (EIP) which will use additional water supply, additional sewage capacity, create additional land coverage, or create additional air quality impacts, find that sufficient capacity remains in each of the resources which are utilized by the project to permit development of recreation projects which are contained in the EIP.

6.4 Findings Necessary To Amend The Regional Plan, Including The Goals And Policies And Plan Area Statements And Maps: To approve any amendment to the Regional Plan, TRPA must find, in addition to the findings required pursuant to Subparagraphs 6.3.A(2) and 6.3.A(3) and Subsection 6.3.B, and in accordance with Sections 6.1 and 6.2, that the Regional Plan, as amended, achieves and maintains the thresholds.

6.5 Findings Necessary To Amend Or Adopt TRPA Ordinances, Rules Or Other TRPA Plans And Programs: To approve any amendment or adoption of the Code, Rules or other TRPA plans and programs which implement the Regional Plan, TRPA must find, in addition to the findings required pursuant to Section 6.3, and in accordance with Sections 6.1 and 6.2, that the Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.
Chapter Contents

74.0 Purpose
74.1 Applicability
74.2 Stream Environment Zones
74.2.1 Remedial Vegetation Management Problem/Identification
74.3 Preparation Of Remedial Vegetation Management Plans

74.0 Purpose: In accordance with the Vegetation Conservation Element of the Regional Plan Goals and Policies, this chapter provides for the protection of Stream Environment Zone (SEZ) vegetation, other common vegetation, uncommon vegetation, and sensitive plants. It also provides for remedial management of vegetation to achieve and maintain environmental thresholds for plant species and structural diversity in vegetation, and to maintain the maintenance of vegetation health. The management and protection of vegetation shall, at a minimum, consider the diversity of plant species and landscape pattern of plant communities, and their attributes, in relationship to wildlife and fisheries habitat, scenic quality, recreation use, soil conservation, and water quality.

74.1 Applicability: TRPA requires the protection and maintenance of all vegetation types. TRPA may require the preparation and implementation of a remedial vegetation management plan for any parcel where the need for remedial vegetation management has been identified for purposes of environmental threshold maintenance or attainment. The use, protection, and maintenance of vegetation is also addressed in Chapters 2, 20, 25, 30, 37, 50, 55, 65, 71, 72, 73, 75, 77, 78, and 79 of the Code of Ordinances.

74.2 Stream Environment Zones: No project or activity shall be undertaken in an SEZ which converts naturally-occurring native SEZ vegetation to a non-native or artificial state, or which negatively impacts naturally-occurring native SEZ vegetation through action including but not limited to reducing biomass, removing vegetation, or altering vegetation composition. Manipulation or management of naturally-occurring native SEZ vegetation may be permitted in accordance with the Code of Ordinances for purposes of SEZ vegetation health, wildlife or fish habitat improvements, and after approval of a vegetation management plan pursuant to Section 74.4.B., or as provided in Sections 20.4 and 20.5.C.
74.23 Remedial Vegetation Management Problem/Identification: TRPA and land management agencies including the states' forestry departments shall identify areas where remedial management of vegetation is necessary to achieve and maintain environmental thresholds for health and diversity in vegetation.

74.34 Preparation Of Remedial Vegetation Management Plans: At the request of TRPA, remedial vegetation management plans shall be prepared by the property owners of areas identified for remedial vegetation management in cooperation with TRPA and appropriate resource management agencies. The state forestry departments.

74.34.A Plan Content: Remedial vegetation management plans shall contain, at a minimum, the following information:

(1) Purpose of the management plan, including a list of objectives;

(2) Description of existing vegetation, including the abundance, distribution, and age class of tree species;

(3) Remedial measures necessary to achieve the stated objectives, including details of harvest and revegetation plans (see Chapter 77); and

(4) An implementation schedule, including a monitoring program to report progress on monitoring of vegetation.

74.34.B Plan Approval: TRPA may approve a remedial vegetation management plan provided TRPA finds that the plan is necessary to achieve, and can reasonably be expected to achieve, the purposes set forth in Section 74.A.9/
AMENDMENTS RELATED TO CHAPTER 74 REVISIONS

Chapter 2, Definitions

Revised Land Disturbance: Disruption of land that includes alteration of soil, vegetation, surface hydrology, or subsurface hydrology on a temporary or permanent basis, through action including, without limitation, but not limited to, grading.

Chapter 55, Development Standards in the Backshore

Revised 55.6 Vegetation: Naturally occurring vegetation shall not be removed or damaged in the backshore, unless otherwise authorized under TRPA permit pursuant to Sections 55.4 and 74.2. Species used in the backshore for revegetation or landscaping shall be those listed on the TRPA-approved plant list, and be naturally occurring species appropriate for the backshore.

Chapter 20, Land Coverage Standards

Added 20.4.B(5) Vegetation: Naturally occurring vegetation shall not be removed or damaged in land capability district 1b unless otherwise authorized under TRPA permit pursuant to Sections 20.4.B., 20.5.C., 55.6, and 74.2. Species used for revegetation or landscaping shall be naturally occurring species appropriate for stream environment zones.
26.14 **Existing Signs**: An existing sign is a sign that is legally existing or approved on November 27, 1989.

26.14.A **Conforming Sign**: A sign that is existing as of the effective date of this Chapter, which complies with the standards set forth in this Chapter is a conforming sign.

26.14.B **Nonconforming Sign**: A sign that is existing as of the effective date of this Chapter, which does not comply with the applicable standards set forth in this Chapter is a nonconforming sign.

26.14.C **Removal of Nonconforming Signs**: Nonconforming signs shall be brought into conformance with the applicable standards, if conformance is possible, or removed as follows, including substitute standards for nonconforming signs within the Jefferson Community Plan which may be in effect unless otherwise specified by the substitute sign standards.

(1) Where the cost of conforming the sign is less than one hundred dollars or where the sign is valued at less than one hundred dollars, such sign shall be conformed or removed within one year after the effective date of this subparagraph.

(2) If a nonconforming sign is destroyed or damaged to an extent in excess of 50 percent of the sign value.

(3) If the sign is relocated.

(4) If the sign is altered structurally, or if the sign is altered except for changeable copy signs and maintenance.

(5) If the business or use for which the nonconforming sign(s) was installed is expanded or modified, and if the value of the expansion or modification exceeds 50 percent of the value of the existing improvements. All improvements to a single business or use within any 12-month period shall be treated cumulatively in the administration of this subparagraph.

(6) By the expiration date for any permit for a use authorized by TRPA, or if the permit expiration date is later than July 1, 2001, then by July 1, 2001, unless otherwise specified by substitute sign standards.
(7) Nonconforming signs which are visible in whole, or in part, from any scenic threshold roadway or shoreline travel route shall be made to conform to the standards set forth in this Chapter or shall be removed//in accordance//with the//following//schedule//no later than July 1, 2001, provided that written notice is given by TRPA no later than July 1, 2000, that a nonconforming sign exists, unless otherwise specified by substitute sign standards.

Time/Id/which/Sign/Shall Value/of/Sign/1/1/2000
Vol/04/16/00/001/1/1/1999
5/5/001/1/1/1999
04/04/16/001/1/1/1997

(8) On the happening of any of the events described in Subparagraphs (2) and (3) above, the sign or signs shall be immediately brought into compliance with this chapter with a new permit secured therefor, or shall be removed.

(9) On the happening of the events described in Subparagraphs (4) and (5), above, the sign or signs shall be immediately brought into compliance with this chapter with a new permit secured therefor, or shall be removed.

(10) Sign value shall be determined based on an actual sales receipt for the sign, a cost estimate for the replacement cost provided by a qualified professional, or the replacement cost as determined in the current edition of the Signwriters Guide to Easier Pricing, whichever is greater.

(11) Exceptions to subparagraphs (1) through (8) of this subsection may be approved for existing signs provided the following findings can be made:

(a) The exception is in harmony with the purpose and intent of the sign ordinance;
(b) There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property that are not contemplated or provided for by this ordinance;
(c) The approval of the exception will not be materially detrimental to the public health, safety, and welfare;
(d) Alternative signage concepts that comply with the provision to which the exception is requested have been evaluated, and undue hardship would result if the strict adherence to the provision is required;
(e) A scenic quality analysis demonstrates that the exception, if approved, will be consistent with the threshold attainment findings listed in the Scenic Resources Management Package Final Environmental Impact Statement, 1989;

(f) The exception which is approved shall not increase the number, area, and height of the existing sign or signs for which the exception is requested; and

(g) The exception is the minimum departure from the standards.

26.14.D Maintenance And Repair of Nonconforming Signs: Nothing in section 26.14 shall be construed to relieve the owner or user of a nonconforming sign, or owner of the property on which such nonconforming sign is located, from maintaining the sign in a state of good repair; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more nonconforming.
93.3.D Fee Schedule: As provided in subsection 93.3.C, TRPA shall assess an air quality mitigation fee, based on information, according to the following schedule:

(1) For new residential units - $200/$240/daily vehicle trip.
(2) For new tourist accommodation units - $200 $240/daily vehicle trip.
(3) For new campground site or recreational vehicle site - $200 $240/daily vehicle trip.
(4) For new commercial floor area - $25 $25/daily vehicle trip.
(5) For all other development - $25 $25/daily vehicle trip.

93.3.E Limited Exception for Additional or Transferred Development Within Adopted Community Plans: Additional or transferred development located within an adopted community plan, the traffic and air quality impacts of which were evaluated in the EIS for the community plan and mitigated by the provisions of the community plan, shall be exempt from the requirements of Subsection 93.3.C, provided TRPA finds that the implementation element of the community plan as a whole meets the standards of Subsections 93.3.B and 93.3.C.

93.4 Standards for Changes in Operation: The following standards shall apply to changes in operation:

93.4.A Applicant Responsibility: Information about vehicle trip generation relevant to the project shall be made available to TRPA by the applicant at the time application is made.

93.4.B Traffic Analysis: As part of the project application for changes in operation which would result in a significant increase in daily vehicle trips, the applicant shall prepare and submit to TRPA, a technically adequate analysis of potential traffic and air quality impacts. For changes in operation which would result in a minor increase in daily vehicle trips and are located within 300 feet of U.S. Highway 50 in a non-attainment area, the applicant shall prepare and submit to TRPA, as part of the project application, a technically adequate analysis of potential traffic and air quality impacts. A traffic analysis shall include the elements listed in Subsection 93.3.B.

93.4.C Required Offsets: All changes in operation shall offset the potential traffic and air quality impacts of the project in accordance with the following provisions:
March 4, 1997

ATTACHMENT E-1

ANALYSIS AND DISCUSSION OF THE PROPOSED
TRANSPORTATION AND AIR QUALITY MITIGATION FEES

The adopted Regional Plan for the Lake Tahoe Region contains a detailed
Implementation Element. Policy 2 of Goal #4 of the Development and
Implementation Priorities Subelement states:

ALL PROJECTS SHALL OFFSET THE TRANSPORTATION AND AIR QUALITY IMPACTS OF
THEIR DEVELOPMENT

The implementing ordinances for the Regional Plan will define stationary
sources of air pollution which may locate in the Region, and define what
constitutes a significant environmental impact on air quality form
stationary sources. Commercial and residential development contribute
indirect impacts to air quality by increasing the number of vehicle
trips in the Region. The cumulative impacts of such trips is significant.

The ordinances will establish a fee to offset the impacts from minor
projects. The fee will be assessed on both commercial and residential
development. The ordinances will also define what projects have
significant environmental impacts; these projects will be required to
complete and EIS and mitigate air quality and traffic impacts with
specific projects and programs.

In addition to the above policy, Goal #1 of the Financing Subelement states:

IN COOPERATION WITH OTHER AGENCIES, PROVIDE FUNDS TO CARRY OUT THE
CAPITAL IMPROVEMENTS PROGRAM AND OTHER PROGRAMS OF THE REGIONAL PLAN,
PROVIDE FOR THE REVENUE SOURCES THAT DISTRIBUTE COSTS EQUITABLY AMONG
USERS OF THE BASIN, MEET PERFORMANCE OBJECTIVES, AND ATTAIN ENVIRONMENTAL
THRESHOLDS.

Section 93.6 of the Code of Ordinances also states:

As part of the biennial revisions to the Regional transportation Plan,
TRPA shall review the fee schedules in 93.3D and 93.4 D in light of the
costs of needed improvements and the funds available to support those
improvements, and recommend adjustments to the fee schedules as
appropriate.

Background

Mitigation of the development impacts is often financed through impact fees
imposed at the time of project approval. The traffic mitigation program
currently utilized by TRPA (Chapter 93) is similar to the traffic mitigation
programs of many other jurisdictions. These jurisdictions have determined
that public monies are not adequate to fund transportation improvements needed
to offset the impacts of additional development and that additional
development should pay for a fair share of these improvements.

To determine appropriate impact fee levels, Frank and Rhodes (1987) recommend
the application of the following three criteria:
1. The rational nexus test requires that:
   a. the occupants of the development will use the service;
   b. the service is one the government has legitimate authority to provide; and
   c. there is likely to be a shortage of the service if steps aren't taken to provide it.

2. The impact fee must be proportional to the expected usage level. To meet this requirement, any generally accepted methodology can be used to establish a fee schedule.

3. The linkage between the development and the impact fee must be established by determining that:
   a. the problem the service is intended to correct is created by the development;
   b. the amount of the impact fee is at least roughly proportional to the share of the problem created by the development; and
   c. the impact fee will be used to alleviate the problem created.

Cost of Offset Growth

In summary, additional development must offset its transportation and air quality impacts. In general, when a fee is assessed, the fee is calculated by estimating the cost of needed improvements, and dividing all or a part of that cost among anticipated growth. The most efficient way to determine the cost for offsetting growth is to use an averaging method. In this method, the costs of necessary improvements are totalled, and then allocated among growth by some consistent unit applicable to all development.

The cost of offsetting growth can be calculated in at least three ways. These different ways all are based on an estimate of cost to implement improvement projects, but vary by the averaging time used. In 1992, the air quality mitigation fee was updated using a five year averaging method. The same method will be used to update the fee now.

The TRPA Environmental Improvement Program (EIP) estimates that from FY 1997 through 2002, approximately $73.3 million will be needed to implement the Mass Transit, Bicycle and Pedestrian projects on the EIP project list for transportation and air quality projects. By the year 2002, internal daily vehicle trips will increase by 11,618, with regionwide vehicle trips increasing to 363,380. Vehicle trips internal to the Region will increase by 4.27 percent from 1995-2001. Using an averaging method, growth should pay for 4.27 percent of $73.3 million, or $3.13 million.

The most consistent unit to use for allocating the cost of growth is the daily vehicle trip. Unlike commercial floor area or other measures of development, vehicle trips apply equally to all development. As noted above, TRPA estimates that internal growth will result in increases in daily vehicle trips of 11,618 by the year 2001. The following is the estimate using the above cost scenario:
Cost of Growth $3.13 million

$/Daily Vehicle Trip $270 ($3.13 / 11,618)

Application of Fee

Each DVT has two trip ends. One end is a production, the other end is an attraction. The "beds" account for the attractions (houses, hotel/motel rooms, campgrounds, etc.) because they produce a vehicle trip. Commercial business, and recreation areas attract vehicle trips.

The fee associated with each DVT should be divided between the production and attraction trip ends. This fee may be divided equally, or it can be weighted toward either production or attraction trip end. Since 1987, TRPA has weighted the production end of a vehicle trip at 90 percent, and the attraction end of the trip at 10 percent.

Based on the $270/DVTE fee shown above, and rounding the fees for the production and attraction ends, the following would be the new fee schedule:

- Commercial Trips: $25/DVTE
- Residential/Production Trips: $240/DVTE

So, the current fee for commercial and attraction trips would increase from $20 to $25/DVTE, and the mitigation fee for new residential type units would increase from $2,000 per unit to $2,400 per unit.

The rest of the Air Quality mitigation fee program outlined in Chapter 93 would remain the same, and the fee would be assessed to any increase in the number of daily vehicle trips ends attributable to a proposed project.

References

February 28, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 066, Zephyr Cove, Recreation, to delete Special Area #1 and related provisions for additional density

Proposed Action: The proposed action will delete Special Area #1 of PAS 066, which allows multi-family dwelling units, and related provisions for additional density.

Staff Recommendation: Staff recommends that the APC recommend adoption of the plan area statement amendment to the Governing Board.

Background: Special Area #1 of PAS 066 surrounds the subject parcel, Douglas County APN 05-060-10 (see Exhibit A). The special area was created to encompass the existing residential uses found in PAS 066, also known as the Dreyfus Estate. PAS 066 is a recreation plan area that includes the federally-owned Zephyr Cove Resort and Marina, a library, a senior citizen center, an elementary school, a high school, a Douglas County park, and the subject parcel, known as the Dreyfus Estate. The Estate was given the special area designation, which allowed expansion opportunities of residential uses. The subject parcel is approximately 20 acres in size and has an existing residential use with a guest/caretaker unit as an accessory use. Allowed uses in Special Area #1 include single family and multiple family dwellings with a maximum density of 1 unit per five (5) acres.

Discussion: A portion of the Dreyfus Estate has been acquired by the Forest Service through a BLM exchange with the Olympic Group, the property owners. As part of the negotiated agreement, the Special Area #1 and related provisions are to be deleted. Special Area #1 allowed for additional development capacity, under multiple family dwellings at a density of 1 unit per 5 acres. The U.S. Forest Service has acquired approximately two-thirds of the portion of the parcel from the Olympic Group. The remaining one-third, comprised of the two residential uses, are still in private ownership. The Forest Service is seeking to acquire the remaining private property.

Exhibit B illustrates the proposed changes and Exhibit C shows proposed language changes to PAS 066. Although Special Area #1 is being deleted, the single family residential uses are still consistent with the Plan Area. Single family is a permissible use in PAS 066 under the General List. The only use deleted as part of this amendment is the multiple family dwelling use.

JH: jh
02/28/97

AGENDA ITEM VI.B.
Planning for the Protection of our Lake and Land
The acquisition of the Dreyfus Estates creates additional access to the shorezone of Lake Tahoe and is consistent with policy statements of the Recreation Element of the Regional Plan. Further, the acquisition is consistent with the special policy #4 of PAS 066, which states "expansion of access to public beach areas should be a high priority". The amendment is consistent with the plan area and the recreation threshold of the Regional Plan.

The Compact requires Chapter 6 and Chapter 13 Findings to adopt a plan area amendment. The Findings are listed below.

A. Chapter 6 Findings:

1. **Findings:** 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 Plan Area Statement amendment will bring a once privately owned parcel situated in a recreation plan area into conformance with the Plan Area. With the acquisition of the Dreyfus Estate, additional public access to the shoreline of Lake Tahoe is created, which will implement an existing special policy in PAS 066. Conversion of the residential use to recreational use is consistent with the policies of the Plan Area and consistent with surrounding land uses.

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

   **Rationale:** The Forest Service's acquisition of the Dreyfus Estate creates additional access to public beaches which is consistent with a goal of one of the Recreation Thresholds of providing additional public access to the shoreline of Lake Tahoe. The amendment will maintain and assist in attaining the Recreational Threshold of providing additional public access to the shoreline of Lake Tahoe.

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:** Any additional development will continue to be subject to the Regional Plan Package, Plan Area Statements, including maintenance of applicable air and water quality standards.
Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: For reasons stated in Findings 1 and 2 above, the Regional Plan will continue to achieve and maintain the threshold.

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

Rationale: For the reasons stated in Findings 1 and 2 above, the Regional Plan, as amended, achieves and maintains the thresholds.

B. Chapter 13 Findings

1. Finding: Prior to adopting any plan area amendment, TRPA must find the amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B and 13.5.C.

Rationale: The amendment will delete a special area, which was created for a privately owned parcel located within a recreation plan area. Two-thirds of the parcel has now been acquired by the U.S. Forest Service and will be used for recreation purposes. The amendment will make the subject parcel consistent with the surrounding land uses and the recreation designation of PAS 066. The remainder of the parcel remaining in private ownership, with single family uses, is still consistent with the General List of Permissible Uses of PAS 066.

Environmental Documentation: Based on the above analysis and completion of an Initial Environmental Checklist (IEC), staff recommends a Finding of No Significant Effect. The amendment is a clean-up amendment which will make the land uses available on the subject parcel consistent with the rest of PAS 066. Any additional development due to the amendment will be required to be consistent with the Regional Plan package.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact John Hitchcock at (702) 588-4547 or Email to trpa@sierra.net.

JH:jh
02/28/97
Exhibit A
Existing Conditions
3/2/97

No Scale

PAS 065
Skyland
Residential

PAS 066
Zephyr Cove
Recreation

PAS 067
Marla Bay/Zephyr Cove
Residential

PAS 060
Genoa Peak
Conservation

Subject Parcel

Special Area
#1
Exhibit B
Proposed Conditions
3/2/97

Subject Parcel

PAS 065
Skyland Residential

PAS 066
Zephyr Cove Recreation

PAS 067
Maria Bay/Zephyr Cove Residential

PAS 060
Genoa Peak Conservation

North

No Scale
066 -- ZEPHYR COVE

PLAN DESIGNATION:

Land Use Classification  
RECREATION

Management Strategy  
MITIGATION

Special Designation  
TDR RECEIVING AREA FOR:

1. Existing Development
2. Multi-Dwelling Units

DESCRIPTION:

Location: This area is located on both sides of Highway 50 in the vicinity of Zephyr Cove and is depicted on TRPA map H-14.

Existing Uses: This area includes the federally-owned Zephyr Cove Resort and Marina, which includes the mooring location of the M. S. Dixie Tour Boat, a library, a senior citizen center, an elementary school and a high school, a Douglas County park, and a large estate. The area is approximately 50 percent built out. The shoreline is 50 percent in public ownership.

Existing Environment: The lands are classified as 10 percent high hazard, 25 percent SEZ, 30 percent moderate hazard and the remaining as low hazard. The shorezone tolerance districts are 1, 7, and 8. The land coverage and disturbance is moderate to high. Habitats for Rorippa subumbellata are found in limited areas on the beach.

PLANNING STATEMENT: This area should continue to serve as a recreation/education center with limited opportunities for recreation expansion consistent with the need to improve the quality of the recreation experience associated with the resort facilities.

PLANNING CONSIDERATIONS:

1. Traffic congestion at the resort aggravates pedestrian and vehicular safety.
2. The public beach near Skyland is not readily accessible.
3. There are at least two barriers to fish migration on Zephyr Creek and several water filings have the potential to dry the creek up in late summer.
4. The campground, roads, and portions of parking at the resort are contributing to water quality problems.
5. Scenic Roadway Unit 30, Shoreline Units 28 and 29, and Scenic Resource Evaluation Area 2 are within this Plan Area.

SPECIAL POLICIES:

1. Bring all road and parking areas up to 208 Water Quality Standards, prevent vehicular access to open space lands, and restore disturbed SEZ whenever possible to their naturally functioning capabilities.
2. Improve the traffic flow between the resort and highway.

3. Certain areas of the beach should be managed for the protection of Rorippa.

4. Expansion of access to public beach areas should be a high priority.

5. The Douglas County Park Master Plan should be used as a planning guide for the county lands.

6. The Zephyr Cove Resort is a preferred area for tour boat operations.

7. Existing residential uses (Special Area #1), outside publicly-owned lands, shall be allowed to remain as allowed uses with opportunities for expansion consistent with Agency regulations. New single family houses permitted through TDR shall not be eligible for multi-residential bonus units.

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

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted in Special Area #1).

Residential
Domestic animal raising (S), employee housing (S), and single family dwelling (S).

Tourist Accommodations
Hotel, motel, and other transient dwelling units (S).

Commercial
Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), outdoor retail sales (S), service stations (S), amusements and recreation services (S), and secondary storage (S).

Public Service
Churches (S), cultural facilities (S), pipelines and power transmission (S), public assembly and entertainment facilities (S), local public health and safety facilities (S), public utility centers (S), transmission and receiving facilities (S), transportation routes (S), cemeteries (S), government offices (S), membership organizations (S), schools - kindergarten through secondary (S), transit stations and terminals (S), and schools - college (S).

Recreation
Marinas (S), recreation centers (A), cross country skiing courses (S), day use areas (A), riding and hiking trails (A), undeveloped campgrounds (A), participant sports (S), developed campgrounds (A), outdoor recreation concessions (A), recreation vehicle parks (S), rural sports facilities (S), group facilities (S), and snowmobile courses (S).

Resource Management
Reforestation (A), sanitation salvage cut (A), selection cut (A), special cut (A), thinning (A), timber stand improvement (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), farm/ranch accessory structures (S), grazing
(S), range pasture management (S), range improvement (S), fire
detection and suppression (A), fuels treatment (S), insect and dis-
ease suppression (A), prescribed fire management (A), sensitive
plant management (A), uncommon plant community management
(A), erosion control (A), runoff control (A), and SEZ restoration
(A).

Special Area #1: The following are permissible uses applicable to Special Area #1:

All the uses listed on the General List plus the following addition:

Residential                  Multiple family dwellings (A) and single family dwelling (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted
in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations
applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following
structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory
to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 1, 7 and 8

Primary Uses

Water oriented outdoor recreation concessions (A), beach recreation
(A), tour boats (A), safety and navigation facilities (A), water borne
transit (A), and marinas (S).

Accessory Structures

Buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jet-
ties (S), floating docks and platforms (A), water intake lines (A), and
shoreline protective structures (S).

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

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Employee Housing</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwelling</td>
<td>1 unit per 5 acres (S.A. #1 only)</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast Facilities</td>
<td>10 bedrooms per parcel</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>Timeshare (transient)</td>
<td>20 units per acre</td>
</tr>
<tr>
<td>Resorts</td>
<td>25 persons per acre</td>
</tr>
</tbody>
</table>

26  PAS 066 -- ZEPHYR COVE  Page 3
Recreation

Developed Campgrounds 8 sites per acre
Group Facilities 25 persons per acre
Recreational Vehicle Park 10 units per acre

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

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.

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

SUMMER DAY USES 0 PAOT WINTER DAY USE 0 PAOT OVERNIGHT USES 200 PAOT

OTHER: Two miles of trail.

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

1. Improvements required by the Surface Water Management Plan as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Plan. Volume IV of the Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

March 4, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 15 Relating to Conversion of Residential Units

PROPOSED ACTION: The proposed action is to amend Chapter 15 to permit the conversion of existing residential units into tourist accommodation units (TAUs) within certain redevelopment projects.

STAFF RECOMMENDATION: The staff recommends that the APC recommend adoption of the proposed Code amendment to the Governing Board.

DISCUSSION: The proposed amendment to Chapter 15 is to add a sentence to Subsection 15.9.D as follows (new language is underlined):

15.9.D. Relocation of Development: Relocation of Development within a redevelopment project area shall be considered the same as a relocation of development on a single parcel and not subject to the provisions of Chapter 34. In conjunction with relocation of development within a redevelopment project area, existing residential units within the redevelopment project area may be converted to tourist accommodation units within the project area at the ratio of 1:1.

A copy of Subsection 15.9 is attached.

The amendment permits a very limited number of redevelopment projects to convert existing residential units within the project area to TAUs. The traffic impact of TAUs and residential units are comparable. Within redevelopment areas, many of the existing residential units were motel units at one time and conversion of the use is generally appropriate. Section 15.9 requires a substantial reduction of coverage (Subsection 15.9.A) and conversion of residential units to TAUs is an appropriate incentive for coverage reduction.

Conversion of residential units to TAUs has been permitted elsewhere in the Code in limited circumstances. See Chapter 33.7.A and Subparagraph 15.11.D(3).

ENVIRONMENTAL DOCUMENTATION: Based on an IEC, staff recommends a finding of no significant environmental effect.

ACTION REQUESTED: The APC should conduct a public hearing and make a recommendation to the Governing Board.
projects within a redevelopment project area shall be subject to the special use findings in Subparagraphs 18.1.B(1) and (2), unless the same findings are made and adopted as part of the redevelopment plan.

15.9.C Grading Standards: Basement excavation may be permitted as an additional exception to the provisions in Subsection 64.7.B if the basement will not create groundwater interference. Basements shall be designed and constructed such that no damage occurs to mature trees, including root systems and hydrologic conditions of the soil, which are determined to be necessary for the screening of the building. To ensure protection of the trees necessary for screening, a special tree protection report shall be prepared by a qualified professional identifying measures required to ensure damage will not occur to mature trees as a result of basement excavation or construction.

15.9.D Relocation of Development: Relocation of development within a redevelopment project area shall be considered the same as a relocation of development on a single parcel and not subject to the provisions of Chapter 34.

15.9.E Best Management Practices: Permanent BMPs, including retrofitting, shall be required for the entire redevelopment project area as a condition of approval of any project in the redevelopment project area.

15.9.F Merger of Redevelopment Project Area: The parcels within the redevelopment project area shall have recorded against them a deed restriction or other covenant running with the land, permanently assuring that the calculations for land coverage, density, parking, height, and impact mitigation for the parcels shall always be made as if the parcels had been legally merged.

15.9.G Transfer of Redevelopment Retirement Requirement: Notwithstanding Subparagraph 34.4.B(6), projects which rely on transfer of existing development shall demonstrate prior to occupancy adequate sewer capacity and unit of use retirement pursuant to Section 34.5, 15.11.D.

15.10 Redevelopment Plan Process: Except as set forth in Section 15.11, public entities eligible to prepare redevelopment plans pursuant to applicable state law shall develop redevelopment plans in accordance with the following procedures:
TRPA GOVERNING BOARD ACTION

MOTORIZED WATERCRAFT IMPACT ANALYSIS

The Governing Board directed TRPA staff to:

Action to be taken at the March Governing Board meeting.

1. Draft a resolution requesting assistance from California Environmental Protection Agency (Cal EPA), Lahontan Water Quality Control Board, Nevada Department of Environmental Protection (NDEP) and Environmental Protection Agency (EPA) to help resolve issues related to motorized watercraft and MTBE.

2. Prepare a report on the feasibility of implementing a boating registration program and an inspection and maintenance program.

Actions to be taken at the June Governing Board meeting.

Direct staff to prepare the necessary findings, environmental documents, and ordinances for presentation at the June 1997 Governing Board meeting. This should include the following:

1. In response to the unburned fuel impacts - Draft an ordinance to be adopted that will phase out the use of carburetted 2 stroke engines in the Basin effective June 1, 1999. This ban may be modified with an ordinance amendment if further scientific data indicates a more or less restrictive measure is appropriate.

2. In response to noise impacts, water quality impacts, recreation conflicts, boating safety impacts, and wildlife impacts - Draft an ordinance that establishes a no wake zone (speed limit) for all watercraft that is sufficient to allow people on the beach to have a normal conversation at four to six feet (PSIL concept), sufficient to prevent recreational conflicts between beach users, swimmers, fisherman, and watercraft, sufficient to provide for increased boating safety in congested areas, sufficient to protect fish habitat and water intakes, and sufficient to protect shorezone wildlife.
3. In response to fishery and wildlife impacts - draft an ordinance that **bans use of motorized watercraft within tributaries** of Lake Tahoe.

**Impacts and Mitigation to be Resolved with the Shorezone Consensus Process.**

1. In response to the impacts identified for all motorized watercraft - Direct TRPA staff and the Shorezone Consensus Group to consider standards and programs to **mitigate the watercraft impacts** identified at the February Governing Board meeting. This will include:

   a) An Inspection and Maintenance program for all motorized watercraft.
   b) An air quality mitigation fee focused on NOx.
   c) A limitation on the number of motorized watercraft permitted on the Lake.
   d) A program to require the use of bilge sponges.
   e) A program to implement shorezone BMPs and other mitigation on existing uses related to motorized watercraft use.
   f) Establishing of more restrictive noise standards for individual watercraft and special area performance standards.
   g) Establishing of limits on the hours of operation for concessionaires who rent watercraft with 2-stroke engines.
   h) Establishing a limit on the number of commercial watercraft until the regulations are adopted
   i) Establishing a boating registration program.

*To be included in the 97/98 TRPA Work Program.*

1. In response to the need to inform the public and to promote an orderly implementation of the mitigation measures over the next two years - Direct staff to include an educational program, a MOU program to establish enforcement program and possible use of TRPA mitigation fees, and a signage program.

2. In response to the need for coordination - Direct the Local Government Committee and staff to work with state and local agencies to implement the mitigation measures.