TRPA
APC
PACKETS

OCTOBER
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, October 8, 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.

September 29, 1997

By: __________________________
      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 GID office, and the North Lake Tahoe Chamber of Commerce.
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center
9318 North Lake Boulevard
Kings Beach, California

October 8, 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. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Proposed Amendment of the 1992 Transportation Plan-Air Quality Plan

B. Proposed 1997 Regional Transportation Improvement Program

C. 1996 Threshold Evaluation Cleanup Amendment to Chapter 33, Allocation of Development, Section 33.3.D(3) to Permit Special Projects in Community Plan Areas

D. Resolution Amending Goals and Policies Attachment D (TRPA-Approved Subdivisions in Conformance With Bailey Coefficients) and Attachment E (Planned Unit Development) of the Goals and Policies

E. Douglas County, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-130-04 (Portion of Kahle Park Site)

F. Prim, Amendment of Regional Plan Overlay Maps for Man-Modified Determination, Douglas County APN 07-120-08 (U.S. Highway 50 and Kingsbury Grade)

VI. PLANNING MATTERS

A. Scoping for the 1998 Regional Transportation-Air Quality Plan Draft EIS
B. Status Report on the Environmental Improvement Program

C. Policy on Eligibility of Previously Approved Projects for Special Project Commercial Floor Area Allocations

VII. REPORTS

A. Executive Director

B. Legal Counsel

C. APC Members

VIII. ADJOURNMENT
REGULAR MEETING MINUTES

Chairperson Bob Jepsen called the regular September 10, 1997, meeting of the Advisory Planning Commission (APC) to order at 9:36 a.m. and asked for a roll call.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Mr. Thompson, Mr. Hust, Mr. Doughty (arrived at 9:45 a.m.), Mr. Hansen, Ms. Baldrica, Mr. Barham, Mr. McDowell, Mr. Singer, Ms. Rohr, Mr. Poppoff, Mr. Lawrence, Mr. Morgan, Ms. Kvas, Mr. Combs, Ms. Jamin, Mr. Jepsen

Members Absent: Mr. Biaggi, Mr. Joiner, Mr. Haen

II. APPROVAL OF AGENDA

Deputy Director Jerry Wells stated that Agenda Item V.E. had been continued. Mr. Wells welcomed the new APC member, Candi Rohr.

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

III. PUBLIC INTEREST COMMENTS - There were none.

IV. DISPOSITION OF MINUTES

MOTION by Ms. Baldrica, with a second by Ms. Jamin, to approve the August 13, 1997, APC minutes as presented. The motion carried with Messrs. Hansen, Singer, Barham, and Ms. Rohr abstaining.

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Draft Environmental Improvement Program for the Lake Tahoe Region

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

Deputy Director Jerry Wells gave an update of the draft environmental improvement program.

Mr. McDowell asked for an advanced copy of the EIP before being adopted.

A discussion ensued.

Mr. Singer stated that it would be helpful if there were an explanation of where the expected dollars were coming from along with each EIP project.
Mr. Wells responded that the EIP has broken the costs down by State, local, private and Federal funds. In addition, TRPA has more detail now then when the EIP draft was first circulated.

B. Amendment of Regional Plan In-Lake Fish Habitat Map

Associate Planner Coleen Shade presented the staff summary recommending adoption of the staff proposed amendments to the In-Lake Prime Fish Habitat.

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 the League’s concern was that the existing fish studies have never looked at or analyzed the biocumulation issues, toxic chemicals and things of that nature. Mr. Cutler stated that the League has not joined on any consensus because of these issues.

Since no one else wished to comment, Chairperson Jepsen closed the public hearing.

Mr. Poppoff noted the correct spelling of Placer County.

MOTION by Mr. Poppoff, with a second by Mr. Hansen, to recommend to the Governing Board adoption of the proposed amendments to the In-Lake Prime Fish Habitat. The motion carried unanimously.


Special Projects Attorney Susan Scholley presented the staff summary repealing Ordinance 87-8 prescribing standards for amendments to the Goals and Policies and the Code of Ordinances, schedules for further implementation of the Regional Plan, and procedures for review of projects and activities pending adoption of further chapters of the Code of Ordinances.

A discussion ensued.

Mr. Jeff Cutler, representing the League to Save Lake Tahoe, stated that a side-by-side analysis of the findings that needed to be made and have to be made have not been provided. He commented that he did an analysis of his own and believed that there was a gradual weakening and deterioration of the findings.

A discussion ensued.

Since no one else wished to comment, Chairperson Jepsen closed the public hearing.
Mr. Hansen commented that the proposed amendment lacked an opinion paper or briefing stating why the ordinance was being amended. He would have liked to seen an opinion to explain the ordinance in greater detail.

Mr. Singer commented that he believed that preponderance of evidence should be substantial evidence. He stated that in Chapter 6, 2.40 on page 14 of the the staff summary, the sentence states "the amendment provides for an equal or better means of attainment of maintenance of the thresholds", but it doesn’t state anywhere in Chapter 6 that a finding had to be made that a project was consistent with attainment. He commented that we talk about not causing thresholds to be exceeded, but we know that with many of our thresholds, we are trying to attain them as opposed to exceed them; it is not that a project would cause exceedence because we haven’t attained the thresholds yet. In addition, Mr. Singer remarked that on one side we are talking about trying to attain certain things, and on the other side, we talk about exceedence.

MOTION by Mr. Singer, with a second by Mr. Doughty, to recommend approval to the Governing Board to repeal TRPA Ordinance 87-8. The motion carried unanimously.

(Break taken at 10:45 a.m.)

(Reconvened at 10:53 a.m.)

D. 1996 Threshold Evaluation Cleanup Amendment to Chapter 33, Allocation of Development, Section 33.3.D(3) to Permit Special Projects in Community Plan Areas

Principal Planner Gordon Barrett presented the staff summary amending the 1996 threshold evaluation cleanup amendment to Chapter 33, Allocation of Development, Section 33.3.D(3), to permit special projects in community plan areas.

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.

MOTION by Mr. Doughty, with a second by Mr. Popoff, to recommend approval to the Governing Board of the 1996 threshold evaluation cleanup amendment to Chapter 33, allocation of development, Section 33.3.D(3) to permit special projects in community plan areas, along with the amendment to add the words "designated community plan areas". The motion carried unanimously.

VI. REPORTS

A. Executive Director

Deputy Director Jerry Wells stated that Mr. Baetge was in Washington, D.C. following up on some of the Presidential Forum results and should be back on Thursday. He commented that there is legislation that is going through California relating to the MTBE additive in fuels. Through our influential friends in California, we were able to get that legislation amended to add in
a piece for Tahoe. The bill has not been finalized. They are setting aside a
half a million dollars to do a study on MTVE in California, a portion of which
would be targeted for the Lake Tahoe Basin. The study would be final by
January of 1999, which would come about six months prior to TRPA's phase out
of the 2-stroke engines.

Ms. Rohr stated that the water districts who take water out of Lake Tahoe do
regular testing and TRPA might want to approach the water districts about
doing some sampling.

Principal Planner Gordon Barrett stated that the application packet for
special EIP projects allocations would be brought to the APC in October for
review. He stated that the deadline for applications should be February 1,
1998.

A discussion ensued.

Mr. Singer stated that he would like to reopen Agenda Item No. V.D. because
he had a problem philosophically as to what the original intent was in the
amendment. He questioned as to how one could have an unadopted community plan
with an irrevocable commitment.

Special Projects Susan Scholley stated the rules provide that the actions of
the APC are not final until the close of the meeting, so it was appropriate to
make a motion to reconsider the item.

MOTION by Mr. Doughty for reconsideration of Agenda Item V.D.

A discussion ensued.

Mr. Wells suggested adding a period after "TRPA master Plans" and starting a
new sentence stating "Special projects in adopted community plan areas must
demonstrate that all required irrevocable commitments have been made."

Mr. Singer questioned if you had a community plan that was adopted and you
have a requirement in there for some irrevocable commitments but they had not
yet been made, you are now going to penalize a special project that we all
think is a good one in that area. He believed that this would be setting up
an inconsistent standard.

Ms. Kvas believed that the item should be tabled until next month.

MOTION by Mr. Singer, with a second by Mr. Doughty, to reopen Agenda Item
No. V.D. The motion carried unanimously.

MOTION by Mr. Doughty, with a second by Mr. Morgan, to not move forward with
Agenda Item No. V.D. and directed staff to return next month after
consideration of the commercial group and performance review committee, and
that we take a look at the entire ordinance with regards to special projects
and some of the philosophies behind that issue. The motion carried
unanimously.

Ms. Jamin asked about the ramifications of the motion timewise. Mr. Barrett
stated that the amendment would be effective 60 days after adoption and an application would not be accepted until December.

B. Legal Counsel

Special Projects Attorney Susan Scholley stated that we received an order from the Ninth Circuit regarding Suitum which had bounced the case back to the district court. In the Barbieri v. TRPA case, which was on hold pending the outcome of the Supreme Court decision, is now scheduled for Motions for Summary Judgment which will be heard at the end of October. In the TSPC v. TRPA case, the parties are in the process of filing pretrial motions. The briefing schedule for those motions is over on October 31, 1997. The pretrial or setting of a trial date probably won't be until 1998. In the Tonnemacher, et al. v. TRPA case, an enforcement action was filed against him for unauthorized grading in a stream environment zone.

C. APC Members

Mr. McDowell stated that the Forest Service has advertised the Timber Harvest associated with the North Shore and the Pioneer project and no bids have been received because of the value of material. They are being readvertising for bids. He stated that the Forest Service is having some heartache over variances that are being granted to single-family residences throughout the region where there is National Forest/Santini Burton lots adjacent to those.

Ms. Kvas stated that the County cannot tell someone that they cannot apply for a variance. She commented that if an applicant chooses to apply, the County has to have a public hearing.

A discussion ensued.

Mr. Doughty suggested Mr. McDowell bring his comments before the Douglas County Planning Commission for discussion.

Mr. Poppoff stated that there is evidence that sediment bases around the Lake are not working the way they should. He suggested that TRPA and Lahontan Regional Water Quality Control Board, NRCS and the Forest Service get together and review the design criteria and see if that is the problem. He based his rationale on the fact that the measurements made by both TRPA and Lahontan staff showed that turbidity going in and out of the Basins are roughly the same.

Mr. Singer stated that some municipal projects are not designed to the 20-year, one hour storm. They lack the area for this. He suggested that the problem may be that we are undersizing some of the facilities.

Ms. Jamin stated that her title has been changed to Public Services Director and along with that are changes in her duties as well. Her role as the City's representative on the APC has been changed; Gary Marchio will now be the lead person and she will be the alternate starting in October.

Mr. Doughty welcomed Candi Rohr to the APC.
APC REGULAR MEETING MINUTES SEPTEMBER 10, 1997

Special Projects Attorney Susan Scholley stated that the Nevada American Planning Association is having a seminar in Sparks on October 5th, 6th and 7th.

VIII. ADJOURNMENT - Meeting adjourned at 12:00 Noon.

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.
September 30, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: 1997 Regional Transportation Improvement Program (RTIP) and Associated Amendment to the 1992 Regional Transportation Plan-Air Quality Plan

Proposed Action: No action by the APC is required at this time. This item is presented for discussion purposes. It will require action at a later date.

Staff Recommendation: Staff is initially recommending the list of RTIP projects on Attachment A.

Background: The Regional Transportation Improvement Program (RTIP) is developed by TRPA to provide project programming information to the State of California. Projects listed in the RTIP may be eligible for inclusion in the State Transportation Improvement Program (STIP).

Prior to the 1996 STIP, STIP funds were allocated to El Dorado and Placer Counties for use throughout their entire county, including their portions in the Tahoe basin. Because of the highway improvement needs outside of the Basin were so great, and because of strong non-basin representation on the planning commissions responsible for STIP program development, relatively little funding was programmed for inside the Basin over the years. The Tahoe City Urban Improvements Project, approved in the 1994 STIP, has been the only state highway project funded in the STIP in either county in many years, with the exception of Transportation Enhancement Activity (TEA) projects.

A very important change to this funding situation occurred when the California Legislature amended Section 188.8(3)(b) of the California Streets and Highways Code. The amendment provided, for the first time, a "county minimum" for the Tahoe Region. The county minimum is derived from that portion of the county population and state highway road mileage in El Dorado and Placer Counties that is included within the jurisdiction of the Tahoe Regional Planning Agency. The amendment provided that county minimums be counted separately toward the area under jurisdiction of TRPA. Unfortunately, when it came time for programming projects for the 1996 STIP, the State of California did not have enough revenues to provide funds for any Tahoe area projects. Instead, the Tahoe region was able to "bank" funds for future years.
1997 Regional Transportation Improvement Program (RTIP) 
and Associated Amendment to the 1992 Regional Transportation 
Plan-Air Quality Plan - Page 2

On September 12, 1997, both the California Senate and Assembly approved SB 45 (Kopp). SB 45 provides for profound changes in the way highway funds are appropriated and allocated to regional jurisdictions, and the role that TRPA will have in project programming. As of September 26, Governor Wilson had not signed SB 45 into law, but TRPA staff are proceeding with development of the RTIP with the assumption that the Governor will approve this legislation.

The following summarizes significant changes for TRPA for the 1998 STIP:

- STIP is shortened from seven years to four years, except for the 1998 STIP which will be 6 years;
- Eight existing programs are consolidated into two, interregional and regional. Caltrans is responsible for the interregional program;
- Regional improvement funds, for which TRPA would be responsible, would become a fixed entitlement, to be programmed through the RTIP;
- Regions can request to reserve funds for later STIPs;
- Regions can propose projects for the interregional program, and projects can be funded from both programs;
- Due date for the 1997 RTIPs is moved to March 1, 1998, with STIP adoption by June 1, 1998;
- Projects can be programmed by the following components: environmental studies, design engineering, right-of-way acquisition, construction, and construction engineering;
- For large projects, environmental studies would be programmed in one STIP, completed between STIPs, and decisions on alternatives made before programming construction funds in the next STIP;
- Any STIP project would be required to have a Project Study Report (PSR). A PSR includes project location, limits, description, scope, costs and schedules, and must be approved by Caltrans;
- No STIP project would have any local match requirement; and
- Regions could use up to two percent of regional improvement funds for planning.

A new fund estimate that identifies the regional improvement program funds for each region will be due by January 5, 1998. At that time, TRPA will know how much funding it has available to program. However, preliminary estimates put our program funds at approximately $9.5 million.

Discussion: Regardless of SB 45, TRPA needs to develop the RTIP list to submit to the California Transportation Commission (CTC). The projects listed below have been identified as potential projects for inclusion into the 1997 RTIP. Please keep in mind that this is a preliminary list, as there are still outstanding issues relative to whether these projects are eligible for inclusion in the RTIP. Many regions, including TRPA, do not have enough projects "on the shelf" that have approved PSRs to program all available regional improvement funds. It is important not to program projects that have not been fully examined or have not gained community support.

Attachment A is a project summary, indicating fund category, project component, PSR status, allocation year and allocation amounts for each of the projects below.
1. **Echo Summit Guardrail Replacement**

   This is a safety project to replace the metal beam guardrail on U.S. 50, 0.3 miles east of Echo Summit to 0.2 miles east of Johnson Pass road.

   This project is programmed in the 1996 State Highways Operation and Protection Program (SHOPP) for $2.488 million. Construction is planned for 1998.

2. **Echo Summit Concrete Barrier**

   This project will provide for widening the roadway and constructing a concrete barrier on U.S. 50 at the same section as the project above. The barrier would be located on the outside edge of the outside lane, and not be for lane division. This project would provide for water quality and scenic improvements. The estimated cost is $10 million. TRPA staff have requested Caltrans consider this project as part of their interregional improvement program.

3. **U.S. 50/Tahoe Keys Intersection Improvements**

   A PSR for this project was completed in 1991. The PSR calls for ROW acquisition, construction of a right-turn lane from U.S. 50 to Tahoe Keys Boulevard, and lane restriping. The project cost in 1991 was approximately $2.5 million. The project scope, however, does not include water quality treatment. Water quality treatment must be added to the project scope, and the cost estimates and schedules would need to be updated in order for this project to qualify for inclusion in the 1997 RTIP. TRPA staff have requested Caltrans to complete these changes to the PSR.

4. **U.S. 50 Sidewalks - One of Three Phases**

   This project includes construction of sidewalks, curb and gutter and Class II bike facilities on both sides of U.S. 50. At this point in time, however, Caltrans has not approved the PSR submitted by the City of South Lake Tahoe. Staff are coordinating with Caltrans for approval of at least one of three phases designed for project and included in the PSR. As with the U.S. 50/Tahoe Keys Intersection Project, the scope needs to be expanded to include water quality treatment features. The estimated cost of the entire project is $4.0 million, but water quality treatment may raise this cost. Staff have therefore estimated construction of one phase at $2.0 million.

   Staff is unaware of any other projects that have or may have a PSR approved in time for inclusion in the 1997 RTIP. The following projects use TRPA’s project support funding for preparing PSRs to be eligible for inclusion in the 2000 STIP.

5. **South Y Intersection**

   Improve the U.S. 50 and SR 89 intersection (South Y) based on the recommendations in the South Y intersection study completed in 1997. The estimated construction cost is $1.0 million, including quality treatment.
6. **SR 89 Realignment in Tahoe City**
There is significant interest by the North Shore community to assess the impacts on congestion with a realignment of SR 89. The concept is to build a new bridge downstream from Fanny Bridge, routing traffic south of the 64 acre site. Funding for a PSR would allow for inclusion in the 2000 STIP for environmental analysis.

7. **Kings Beach Sidewalks and Water Quality Treatment**
This project would provide for completion of a PSR to scope and cost out the construction of sidewalks and water quality treatment in Kings Beach.

Projects are included in the RTIP for programming Regional Surface Transportation Program "Exchange" funds, as required by the RSTP agreements between TRPA and the recipient jurisdictions. Placer County, El Dorado County and the City of South Lake Tahoe each receive Exchange funds. El Dorado County has identified two erosion control projects to use their funds on, however project descriptions are unavailable at this time.

Transportation Enhancement Activity (TEA) projects are also included in the RTIP, although there are no projects currently programmed. A new cycle of applications will likely begin during the summer of 1998.

If there are any questions or comments regarding this agenda item, please contact Richard Wiggins at (702) 588-4547.
### Attachment A - Regional Transportation Improvement Program (RTIP) Project Summary

**September 30, 1998**

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**Notes:**
- PSR - Project Study Report
- ROW - Right-of-Way Acquisition
- CONST - Construction, Construction Management, and Engineering
- (*) - Update Required
- (**) - Draft Under Review by Caltrans
MEMORANDUM

September 30, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: 1996 Threshold Evaluation Cleanup Amendment to Chapter 33, Allocation of Development, Section 33.3.D (3) to Permit Special Projects in Community Plan Areas

Proposed Action: Staff is requesting an APC recommendation on the adoption of the following amendments to clean up a mistake made with the adoption of the special project amendments recommended by the 1996 Threshold Evaluation. The 1996 recommendation did not limit special projects to adopted community plans; however, "adopted" was inadvertently added during editing to match the master plan wording. The proposed amendments delete the word adopted as follows:

3. Special Projects: A maximum of 150,000 designated square feet of commercial floor area may be permitted in adopted community plan areas or adopted TRPA master plans/... In which adopted community plans all required irrevocable commitments shall have been made. TRPA shall administer the special project allocations. The distribution of this floor area shall be as follows:

   b. Eligibility: All projects in adopted designated community plan areas or adopted master plan areas are eligible for special project allocations.

Staff Recommendation: Staff recommends approval of the proposed amendments. This language is also supported by the Commercial Workshop Group.

Background: The Commercial Workshop Group that assisted TRPA staff in the fall of 1996 did not recommend that special projects be limited to adopted community plan areas. The recommended wording that was reviewed by the APC and Governing Board in December of 1996 stated:

   A. Eligibility: It will be open to major projects (includes assessment districts) in all jurisdictions within community plan areas and adopted master plan areas.
Memorandum to Advisory Planning Commission
Chapter 33, Proposed Special Projects Amendments
Page 2

It was the intent of the Chapter 33 code language to follow the proposed policy language. However, when drafting the code language, changes in the wording are sometimes needed for technical reasons. Thus, the wording does not always match the policy language. In this case, the legal editors assumed that the word adopted should be used consistently and made a technical change. Staff has attached the policy document (Attachment A), and the Code section (Attachment B), for reference.

The Commercial Workshop Group specifically did not use "adopted" with CPs for a reason. The group did not want to limit commercial EIP projects like the Meeks relocation or the cement plant relocation to adopted CPs.

The APC reviewed this item at the September meeting and continued it until October. Staff was directed to have the Commercial Workshop Group look at the proposed amendments. On September 29, the Group reviewed the draft language and agreed it was consistent with the original policy and the environmental documentation of the 1996 Threshold Evaluation. Because the irrevocable commitment language affected only the Stateline Community Plan and there are no projects currently proposed, the Group agreed to keep the limitation.

The Commercial Workshop Group and TRPA staff did not support expanding the Special Project Program beyond the community plan boundaries. This would be contrary to the community planning process and the environmental benefits of concentrating commercial development.

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

A. Chapter 6 Findings for the Goals and Policies Plan, Code, Community Plan, and Plan Area Amendments:

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

Rationale: The 1996 Evaluation reviewed TRPA's progress toward threshold attainment and made recommendations to improve threshold attainment. These amendments are needed to be consistent with those recommendations and to permit the implementation the recommended EIP projects that will assist in the achievement of thresholds, which is the core goal of the Regional Plan.

2. Finding: That the project will not cause the environmental thresholds to be exceeded.
Memorandum to Advisory Planning Commission
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Page 3

Rationale: The 1996 Evaluation Report evaluated TRPA's progress on meeting thresholds and made recommendations for adjustments to achieve the standards. These amendments permit continuation of existing levels of development with additional requirements for the implementation of threshold-related projects. These amendments assist in the implementation the Environmental Improvement Program (EIP) which was the focus of the 1996 Evaluation.

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: The federal, state and local standards are incorporated in the thresholds; therefore, the rationale for 2 applies to this finding.

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

Rationale: See Rationale for Finding #1.

B. Ordinance 87-8 Findings: Section 2.40 of Ordinance 87-8 requires the following findings prior to Code amendments. The proposed amendment provide for an equal or better means of attainment or maintenance of the thresholds. The required findings and their rationales are:

1. The amendments are consistent with the Compact and with attainment or maintenance of the thresholds.

Rationale: The amendments are consistent with those recommended by the 1996 Evaluation Report to improve TRPA's ability to achieve thresholds and to implement the Regional Plan.

2. One of the following findings:

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

b. The provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan package and complying with the Compact; or
c. Legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code; or

d. Technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code; or

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

f. Implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:

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

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

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

Rationale: Finding d states the rationale for the proposed amendments.

Environmental Documentation: The original amendments were considered in the 1996 Evaluation Report and recommended for adoption. An Environmental Assessment was prepared to evaluate the original action. The EA disclosed the anticipated impacts and recommended mitigations. These amendments are being proposed to make Chapter 33 consistent with the original recommendations. Staff recommends that a Finding of No Significant Effect be prepared for the proposed action.

Please contact Gabby Barrett at (702) 588-4547 if you have any questions or comments regarding this matter.
I. TOTAL ALLOCATIONS: The commercial allocation for the Region will be 400,000 sq. ft. of commercial floor area, and 200 tourist bonus units for the next 10 years. This is in addition to the 300,000 plus sq. ft. and 200 units of unused 1987-97 allocations. The following special provisions shall apply:

A. The distribution of a reserve of 150,000 sq. ft. of commercial allocations and a reserve of 100 tourist bonus units will be considered for release at the 2001 Threshold Evaluation or upon use of the initial allocations set forth in IV.A and B.

B. The 200 additional tourist bonus units for "Special Projects" will be converted from the residential bonus pool and will be available only when matched by a transfer (1:1 ratio) from sensitive land that has been restored.


III. OUTSIDE COMMUNITY PLAN ALLOCATIONS: The Outside Community Plan Program and allocations will be extended to 2007.

IV. DISTRIBUTION OF ALLOCATIONS: The additional 400,000 sq. ft. of commercial allocations and 200 tourist bonus units will be distributed as follows:

A. 100,000 sq. ft. for Community Plans and Outside Community Plans. This allocation is governed by the existing allocation rules in Chapter 33 and the adopted community plans.

1. Beginning in 1997, 50,000 sq. ft. of allocation will be given to local jurisdictions to re-supply adopted community plan areas. Each jurisdiction will receive 10,000 sq. ft. to distribute to all community plans for which the irrevocable commitments have been met and outside community plan areas. Allocations not allocated by December 31, 1998 shall be transferred to the Special Project pool.

2. In 1999, the remaining 50,000 sq. ft. will be distributed by TRPA based on a ranking comparison of the accomplishment of environmental improvements set forth in the community plans of that jurisdiction.

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B. 150,000 sq. ft. and 100 Bonus Units for Special Projects. The majority of the commercial allocations and all of the additional tourist bonus units will be given to a special projects pool administered by TRPA.

C. 150,000 sq. ft. and 100 Bonus Tourist Units Reserved. These allocations are reserved for future distribution based on the success of the above allocation program.

V. SPECIAL PROJECTS: The Special Project Program goal is to promote major projects that result in the construction of threshold related environmental improvements, promote transfer of development that result in environmental benefits, and rehabilitate substandard development. This program will utilize the following concepts:

A. Eligibility: It will be open to major projects (includes assessment districts) in all jurisdictions within community plan areas and adopted master plan areas.

B. Evaluation Criteria: Projects will be judged (and conditioned) on construction of actual environmental projects that:

1. Assist in the attainment of the environmental threshold carrying capacities by constructing projects such as the ones listed in the TRPA Environmental Improvement Program (or equal or superior type projects).
2. Are beyond the normal project and mitigation requirements of TRPA.
3. Encourage the transfer of development from sensitive areas.

C. Public Assistance: Public-private partnerships are encouraged. Public assistance through redevelopment agencies, Tahoe Conservancy, local governments, and other such means can be considered in evaluating the proposed projects. Public projects that would happen any way will not be counted for credit.

D. Maximum Amount: The maximum amount of any project may acquire is 50,000 sq. ft. of commercial allocation and 100 tourist bonus units.

E. Time Limit: Initial awards of allocations will expire in one year unless extended by TRPA upon a demonstration of adequate progress.

F. Applications: In July of each year (if allocations remain), TRPA will consider applications for the allocations. TRPA shall give appropriate notice of the availability of the allocations.

1. Applications will include a project prospectus that includes site plans and elevations and preliminary environmental documentation.
2. Notification will include the general criteria by which the projects will be judged.

VI. CONVERSION OF USE: TRPA will permit conversion of existing tourist units to residential units and existing residential units to tourist units on a one unit for one unit basis. There can be no adverse impact on affordable housing resulting from the conversion. These conversions will be limited to special circumstances such as:
A. Transfers: Transfers from sensitive lands to nonsensitive lands with complete retirement and restoration of the parcel.

B. Conversions: Conversions from nonconforming use to conforming use with construction that meets standards for new development.

VII. DEVELOPED SENSITIVE LANDS: TRPA will develop special criteria for unit of use transfers or allocations to be developed, i.e. covered, sensitive lands.

A. Commercial Allocations: Allocations may be permitted in sensitive lands if:

1. matched by transfer of existing floor area from a like sensitive land on a one sq. ft. of transfer to two sq. ft. of allocation basis;

2. In Community Plans where at least one SEZ restoration project has been completed and the local jurisdiction has submitted a CIP list pursuant to the residential allocation system.

B. Transfers: Existing units of use may be transferred to sensitive lands if:

1. There is 25 percent reduction in land coverage onsite and no expansion in vehicle trips, parking, cubic volume of structures or other impacts; or

2. The transfer is from sensitive lands to like sensitive lands inside Community Plan areas with a reduction in land coverage on or offsite equal to:

   - 300 sq. ft. coverage per unit; or
   - 1 sq. ft. of coverage per 1 sq. ft. of floor area; or

3. The transfer of commercial floor area from nonsensitive lands to sensitive lands results in a restoration of like sensitive lands on a ratio of 1 sq. ft. of floor area requires removal and restoration of 2 sq. ft. of land coverage.

VII. INDUSTRIAL STORAGE PROVISIONS: TRPA will develop provisions to encourage location of, relocation to, and retention of storage/industrial facilities in seven Community Plan or Plan Area Statement designated industrial incentive areas. The floor area for commercial uses shall be calculated at half of the requirements of Chapter 33. Projects in these incentive areas with areawide BMPs in place will only require half the normal amount required through allocation or transfer. However, if any floor area is transferred out of the incentive area, regardless if areawide BMPs are in place, it will count at half the normal amount.

Local governments and TRPA at public hearings will consider designation of industrial incentive areas such as: Meyers Community Plan Industrial Area, South Ysle Community Plan Industrial Area, Tahoe Vista Community Plan National Avenue, Kings Beach Industrial Community Plan, Ponderosa Community Plan, and Kingsbury Community Plan Shady Lane.
IX. **BANKING:** TRPA should allow the banking of environmental credits with bonuses for tear downs. Environmental improvements occurring on a parcel that are not otherwise required by mitigation or by law may be documented in a project file for consideration in approval of future projects on the parcel.

X. **INCENTIVES:** Create incentives to develop in community plan areas (like the South Lake Tahoe enterprise zones). TRPA will develop streamlined procedures inside community plan areas and give priority to processing community plan projects. Also TRPA will develop mitigation fee accounts based on completed mitigation projects in lieu of the requirement to do actual projects.

XI. **STREAMLINING:** Reduce processing cost and speed up the processing time.
(b) By January 1, 1999, TRPA shall apportion 50,000 square feet of commercial floor area allocation to Washoe County, Douglas County, Placer County, El Dorado County and the City of South Lake Tahoe. The allocation assignment shall be based on a ranking comparison of the jurisdiction's accomplishment of environmental improvements set forth in the adopted community plans within that jurisdiction. The performance review committee (referred to in subparagraph 33.2.B.(5)) shall recommend the ranking to TRPA by October 31, 1998. The apportionment shall be as follows:

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(2) Outside Community Plans: Allocations permitted in (1) above may be distributed outside community plans subject to the limitations in subparagraph 33.3.C.(2) and the local jurisdiction has adopted a commercial allocation system that assists in implementing Environmental Improvement Program projects outside CP areas.

(3) Special Projects: A maximum of 150,000 square feet of commercial floor area may be permitted in adopted community plans or adopted TRPA master plans, in which all irrevocable commitments have been made. TRPA shall administer the special project allocations. The distribution of this floor area shall be as follows:

(a) Goals: The program goals are to promote major projects that result in the construction of threshold-related environmental improvements, to promote transfer of development that results in substantial environmental benefits, and to rehabilitate substandard development.

(b) Eligibility: All projects in adopted community plan or adopted TRPA master plan areas are eligible for special project allocations.

(c) Evaluation Criteria: Approval of special projects shall be evaluated and conditioned upon the implementation of environmental improvement projects or transfers of development out of sensitive lands. These projects shall:
(i) Assist in the attainment of the environmental thresholds by constructing projects listed in the TRPA Environmental Improvement Program, and

(ii) Provide substantial environmental benefits or mitigation in excess of TRPA's project mitigation requirements.

(d) Public Assistance: Public and private partnerships are encouraged. Public assistance through redevelopment agencies, conservancies, local governments, and other means may be considered in evaluating special projects.

(e) Maximum Amount: The maximum allocation that may be approved for a special project area within a calendar year is 50,000 square feet of floor area.

(f) Time Limit: Initial assignments of allocations shall expire in one year unless extended by TRPA upon a showing of adequate progress toward a project approval.

(g) Applications: Each year, TRPA shall consider applications for available special project allocations. Applications shall include a project prospectus that includes site plans, elevations, and preliminary environmental documentation.

(h) Notifications: TRPA shall give adequate public notice 90 days in advance of any action assigning allocations. Notifications shall include the general criteria by which the special project will be evaluated.

(i) APC Recommendation: The Advisory Planning Commission shall review the applications for special project allocations and make a recommendation to the Governing Board on the awards of commercial and tourist allocations. The performance review committee, referred to in subparagraph 33.2.B(5), shall assist the Advisory Planning Commission and staff in developing review criteria.
September 29, 1997

To: Advisory Planning Commission

From: TRPA Staff

Subject: Resolution Amending Goals and Policies Attachment D
(TRPA-Approved Subdivisions in Conformance With Bailey
Coefficients), and Attachment E (Planned Unit Development)
of the Goals and Policies

Proposed Action: Staff proposes to amend Attachment D of the TRPA Goals and Policies to update the list of TRPA-approved subdivisions in conformance with Bailey Coefficients and planned unit development that do not conform to the Bailey coefficients (Please refer to Exhibit A to see amendments to Attachment D). At this time, there are no changes proposed to Attachment E.

Staff Recommendation: Staff recommends the Advisory Planning Commission recommend to the Governing Board to adopt the resolution amending Attachment D of the TRPA Goals and Policies.

Discussion: Since the adoption of the Regional Plan Package, Attachment D and E has not been updated. The list is a list of approved TRPA subdivisions in which the Bailey coefficients were used to determine the base land coverage permitted on a lot. Since the adoption of the Goals and Policies, TRPA has approved new subdivisions, discovered typographical errors, and discovered subdivisions that do not exist anymore. The amendment will clean up the list and make it consistent with Goal #3, Policy 1.A of the Land Use Subelement which states:

IN THE CASE OF SUBDIVISIONS APPROVED BY TRPA IN CONFORMANCE WITH THE COEFFICIENTS, COVERAGES ASSIGNED TO INDIVIDUAL LOTS SHALL BE THE ALLOWED BASE COVERAGE FOR THOSE LOTS. A LIST OF SUCH TRPA-APPROVED SUBDIVISIONS APPEARS IN ATTACHMENT D.

The proposed changes to Attachment D are shown in Exhibit A. Currently there are no changes to Attachment E, Planned Unit Development.

Findings: Prior to amending the TRPA Goals and Policies, TRPA must make the following finds.

JH/rd

Agenda Item V.D.
Planning for the Protection of our Lake and Land
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 amendment to Attachment D, TRPA-Approved Subdivisions in Conformance with Bailey Coefficients, is typographical in nature. The amendment will delete subdivisions that do not exist and add subdivisions that were left out by mistake. The amendment will make the list consistent with Goal #3, Policy 1.A. of the Land Use Subelement, that requires TRPA to keep a list of approved subdivisions that conform with Bailey coefficients. The Goals and Policies allow the listed to be updated as needed by resolution to make it consistent.

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

Rationale: Based on the rationale listed in finding 1, the amendment will not cause the environmental threshold to be exceeded. Per Goal #3, Policy 1.A. of the Land Use Subelement, a list of TRPA approved subdivision that conform with the Bailey coefficients is to be kept and updated as necessary to to be consistent with the provisions of Policy 1.A.

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

Rationale: See findings 1 and 2 above.

4. Findings: The Regional Plan, as amended, achieves and maintains the Threshold.

Rationale: See findings 1 and 2 above, furthermore, the amendment to Attachment D of the Goals and Policies will make it consistent with Goal #3, Policy 1.A.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed amendment. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 findings shown above and on the following:

1. From a regional perspective, no additional development would be permitted by the amendment than is otherwise permissible under the Regional Plan; and
Amendment of Attachment D and E of the
TRPA Goals and Policies.
Page 3

2. The amendment will update the list, correcting typographical errors,
deleting nonexisting subdivisions and adding ones that have been left out
and making the list consistent with Goal #3, Policy 1.A of the Land Use
Subelement.

Staff will begin this item with a brief presentation. Please contact John
Hitchcock at (702) 588-4547, or by email: trpa@sierra.net if you have any
comments regarding this item.
ATTACHMENT D

TRPA-APPROVED SUBDIVISIONS
IN CONFORMANCE WITH BAILEY COEFFICIENTS

The following is a list of TRPA-approved subdivision (including planned unit development) in which the Bailey coefficients were used to determine the base land coverage permitted on a lot. The approved coverages for each lot shall be the base coverage for that lot. Parcel maps of four or less units are not listed, but, may be included if it is found that they conform to the Bailey coefficients. This list may be updated by resolution of the Governing Board to be consistent with the provisions of Goal #3, Policy 1.A of the Land Use Subelement.

Washoe County
1. Brookstone Condominium
2. Club Tahoe
3. Crystal Bay Palisades
4. Incline Crest
5. Forest Pines
6. Miners Ridge
7. Sea Cap Villas
8. Tahoe Palisades
9. Tyrolian Village #8
10. Lake Country Estates
11. Country Club Villas
12. Skiway Villas
13. Lodgepole Villas

Douglas County
1. Chalet Village
2. Chimney Rock Estates
3. Edgewood Creek Estates
4. Glenbrook Units 1, 2, and 3
5. Granite Springs
6. Hansens Hilltop Estates
7. Kingsbury Glen
8. Kingsbury Heights #3
9. Lake Village Professional Building
10. Marla Bay (Pinewild)
11. Uppaway (portion in Land Capability District 4)

Placer County
1. Agate Bay Pines
2. Cedar Point
3. Highlands #4
4. Mein Trust Subdivision
5. Northshore Unit 2
6. Rocky Ridge Units 4 and 5
7. Tall Trees Tract

El Dorado County/South Lake Tahoe
1. Christmas Valley Acres
2. Cove South Townhouses
3. Highland Woods
4. Pine Hill
5. Sugar Pine Townhouses
6. Tahoe Tyrol
7. Tahoe Valley Apartments
8. Lighthouse Shores
September 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Regional Plan Land Capability Overlay Map Pursuant to a Proposed Man-Modified Determination, Douglas County; APN 07-130-04, Kahle Park, Kingsbury Grade, Douglas County, Nevada

Proposed Action: The applicant, Douglas County, requests the Advisory Planning Commission review the proposed man-modified determination and, if appropriate, recommend approval by the TRPA Governing Board.

Staff Recommendation: Staff recommends the Advisory Planning Commission review the proposed Man-Modified Determination and recommend approval of the proposed Regional Plan amendment which changes the land capability of a 6,000 square foot portion of the parcel (Exhibit 1) from land capability class 3 to land capability class 7, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1998. Implementation of BMPs relating to, but not limited to, ripping of compacted areas, revegetation, and stabilization of fill sideslopes, shall be required as part of onsite mitigation. The owner shall post a security equal to $8,300 or 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.

2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall retire 1,500 square feet of land coverage in the same hydrologically related area as the parcel in accordance with Subsection 20.3.C (2) or pay a mitigation fee of $7,500 to the TRPA excess coverage mitigation fund. The fee is based on a per square foot value of land coverage at $5.00 per square foot. Either option would result in retirement of potential or existing coverage and shall be required as offsite mitigation.
Background: The portion of the property being considered for a man-modified determination is a 6,000 square foot portion of the parcel located along Kingsbury Grade near Stateline, Nevada. The area being evaluated is undeveloped, flat and sparsely vegetated.

Soil mapping completed in 1991 for the Nevada Stateline Community Plan, placed this portion of the APN 07-130-04 in land capability class 3 associated with the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) map unit. The slope gradients on this portion of the parcel range from 1 to 3 percent. The site has been extensively filled and graded. Based on evidence of grading, the land capability of the disturbed areas could not be verified without a detailed soils investigation.

An agent for the owner filed a land capability challenge on April 17, 1997. A TRPA team of experts conducted the field investigation in August 1997. The soils investigation was conducted by Joseph Pepi, Certified Professional Soil Scientist. A soils report was prepared and concluded the soils were modified by grading to the extent the land capability of the parcel had been significantly altered from its natural state.

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

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

(a) Geomorphic Characteristics - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area as geomorphic unit E-2 (Outwash, till and lake deposits) and is classified as low hazard lands. The soils identified on the parcel (see item c) are consistent with the mapped geomorphic hazard rating.

(b) Surface and Subsurface Hydrology - The parcel has no surface water drainages and there is no evidence of near surface groundwater.

(c) Physical/Chemical Soil Characteristics - The parcel is mapped as JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) on TRPA Land Capability Map H-16.

The soils report prepared by Joseph Pepi, TRPA Soil Scientist, is attached. This report found this portion of parcel 07-130-04 to have been modified by grading. The graded area now has soils which are deep loamy coarse sands intermixed with construction debris. These soils are not similar to any of the named soils recognized in the Natural Resource Conservation Service (NRCS) Tahoe Basin Soil Survey (Rodgers, 1974).

(d) Erosion Hazard - The altered soils have been graded, are deep and would have a low runoff potential. Because of the coarse texture of the surface soils, they have a slight relative erosion hazard.
Regional Plan Land Capability Overlay Map Pursuant to a Proposed Man-Modified Determination, Douglas County; APN 07-130-04, Kahle Park – Page 3

(e) Vegetation - The vegetative cover of the undeveloped portion of the parcel consists of Jeffrey pine, rabbitbrush, bitterbrush, whitethorn and manzanita. The vegetation on the disturbed areas is sparse, since much of it was destroyed as a result of the grading. Natural revegetation of the this disturbed area has been slow; this may be due to the soil conditions.

(f) Land Capability District - The graded areas are best classified as land capability class 7. There is approximately 6,000 square feet of area on the parcel identified as class 7 and allowed 30 percent land coverage.

The proposed man-modified determination does not grant a permit for any new construction. This determination solely applies to the classification of the parcel under the Bailey Land Capability Classification System, from which the amount of allowable coverage is determined.

Required Findings:

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

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, the Code and other TRPA Plans and programs.

Rationale: The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Map H-16 is consistent with the procedures set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code or other TRPA plans and programs are anticipated.

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

Rationale: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities.

All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at the Governing Board hearing and on file at TRPA.
3. Findings: Wherever Federal, State or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained, pursuant to Article V (d) of the TRPA Compact, the project meets or exceeds such standards.

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

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

Rationale: For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.F. Findings

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

The construction debris was placed on the property in the late 1960's and there is evidence that the property was graded prior to the 1972 cutoff date.

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

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

Finding (c): The land no longer exhibits the characteristics of land bearing the same original land capability classification.

The original land capability of the parcel was mapped class 3. The graded area now has a slope gradient of 1 to 3 percent which is flatter than the natural slope gradients of the surrounding lands. Due to the change in slope, the graded area now exhibits the characteristics of a land capability class 7.

Finding (d): Restoration of the land in question is infeasible because of factors such as the cost thereof, a more positive cost-benefit ratio would be achieved by offsite restoration. Onsite restoration would cause environmental
harm, restoration onsite would interfere with an existing legal use and the land is not identified for restoration by any TRPA program.

Onsite restoration of the graded area to the original land form and corresponding slope gradient would require removal of fill material to reshape the slope contours. Removal of fill material reshaped to the natural contours of 12 percent or greater would increase erosion potential and create large areas of unvegetated, erodible soil. The cost to reestablish the original contours or reshape the graded areas would exceed the costs to revegetate the graded areas to a natural vegetative community. Restoration of the graded areas would severely impact the existing use of the parcel. There are no current TRPA plans for restoration of this parcel.

Finding (e): Further development can be mitigated offsite.

The major impact related to the change in land capability of this parcel would be related to increased allowed land coverage. This increase in allowed land coverage could be mitigated by offsite retirement of potential or existing land coverage within the hydrologic region of the parcel. All new land coverage would be subject to the standard TRPA water quality mitigation.

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

The man-modification of this parcel has resulted in an increased benefit to the owner in that there is an increase in allowed land coverage. The onsite mitigation for development of land coverage would entail runoff control of storm water by infiltration. Revegetation of disturbed areas would reduce runoff and erosion potential onsite. Onsite mitigation measures shall be in compliance with the TRPA BMP Handbook. The owner of the property shall include appropriate onsite mitigation measures with any project proposal submitted to TRPA, as a result of the change in land capability from the man-modified determination, for review and approval.

There will be an increase of 1,500 square feet of allowable land coverage over the allowed land coverage associated with the previous mapped land capability, as a result of the man-modified determination. This increase in allowed coverage would not have been available to the property owner had the parcel remained in its natural state. This increase in land coverage can be mitigated offsite by retirement of either potential land coverage or existing land coverage. The retirement of land coverage in the hydrologic region of the parcel could be accomplished by the owner acquiring other lands offsite and retiring land coverage; or the owner could pay, on a per foot basis, an appropriate mitigation fee to TRPA to be passed through to another entity for retirement of potential land coverage.
The owner of the property shall include a program and schedule for maintenance of the required BMPs as a condition of approval by TRPA. The owner shall post $8,300 or 110 percent of the project cost as determined by a licensed Civil Engineer as security for completion of the necessary BMPs. The security shall be posted within 90 days of the Governing Board approval of the man-modified determination.

Conclusions: Agency staff has found that as a result of the man-modifications to the parcel, the graded areas of the parcel exhibit different land capability than what was originally mapped. The impacts of the man-modified determination are predominantly associated with increased allowable land coverage. The erosion and runoff impacts associated with the grading of the parcel can be mitigated through implementation of BMPs onsite and land coverage retirement offsite.

Environmental Documentation: An environmental checklist has been filled out for this project. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. Based on this determination, a Finding of No Significant Impact (FONSI) can be made. A copy of the completed checklist is available at TRPA.

If there are any questions related to this agenda item, please contact Joe Pepi at (702) 588-4547.
INTRODUCTION

A soil investigation was conducted on a 6,000 square foot portion APN 07-130-04, Douglas County Nevada. This area is 6,000 square feet in size and is located off Kingsbury Grade on the parcel that contains Kahle Park, near Stateline, Nevada. A detailed topographic map at a scale of 1 inch equal 10 feet shows the boundaries of the parcel. This investigation was done to obtain detailed information about the soil map units and Land Capability Classes present on this area, in order to complete a Man-Modified Determination.

ENVIRONMENTAL SETTING

TRPA Land Capability Map H-16 shows this parcel in Land Capability Class 1a. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this property within the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) map unit. This parcel is mapped within geomorphic unit B-2 (Outwash, till and lake deposits, low hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin.

This area is graded and nearly flat and is located in the south west corner of the parcel. The vegetation consists of scattered Jeffrey pine, rabbitbrush, bitterbrush, whitethorn, and manzanita.

These soils are coarse textured and are mixed with construction debris deposited on the parcel in the late 1960’s. They are deep and are somewhat excessively drained.

PROCEDURES

A soil pit was dug on the flat graded area using a backhoe and the soils were examined to determine the soil map unit present. This profile was examined and described in detail. A copy of this soil descriptions is included in this report. Slopes were measured using a clinometer.

FINDINGS

One soil map unit was found on this parcel. The soil is characterized is mixed with construction debris, including pieces of concrete and asphalt, old water pipe, cable, and steel reinforcement bar. The soil itself is a brown gravelly loamy coarse sand surface layer over a yellowish brown gravelly loamy coarse sand lower surface layer. The underlying layer is a dark grayish brown gravelly loamy coarse sand and brown gravelly sandy loam. The slope on this portion of the parcel is 1 to 3 percent. This soil is not recognized in the
Soil Survey for the Lake Tahoe Basin. This soil is classified in the A Hydrologic Group and has a low runoff potential and a slight relative erosion hazard.

CONCLUSIONS

The soil map unit and land capability class found in this detailed soil investigation for a portion of APN 07-130-04 is not identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). However, based on the criteria found on page 20 of the Bailey report, soil with the characteristics found during the soil investigation, would best be classified as land capability class 7.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

/jp

Enclosures
Representative Soil Profile:

**Soil Classification:** sandy, mixed, frigid, Entic Xerumbrept

**Soil Series:** Unnamed in the Tahoe Basin (Soil contains large volume of construction debris).

**Ap1** - 0 to 15 inches; brown (10YR 5/3) gravelly loamy coarse sand; brown (10YR 4/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 25 percent gravel; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

**Ap2** - 15 to 35 inches; dark yellowish brown (10YR 5/4) gravelly loamy coarse sand; dark brown (10YR 3/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 25 percent gravel; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

**Ap3** - 35 to 50 inches; dark grayish brown (10YR 4/2) gravelly loamy coarse sand; dark yellowish brown (10YR 3/4) moist; massive; soft, very friable, nonsticky and nonplastic; few medium and coarse roots; many very fine and fine interstitial pores; 25 percent gravel; medium acid; clear smooth boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

**Ap4** - 50 to 60 inches; brown (10YR 5/3) cobbly loamy coarse sand; dark brown (10YR 3/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 25 percent gravel and 20 percent cobble; medium acid.
MEMORANDUM

September 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Regional Plan Land Capability Overlay Map Pursuant to a Proposed Man-Modified Determination, Prim, APN 07-120-08, 155 U.S. Highway 50 at Kingsbury Grade, Douglas County, Nevada

Proposed Action: The applicant, Wayne Prim, requests the Advisory Planning Commission review the proposed Man-Modified Determination and, if appropriate, recommend approval to the TRPA Governing Board.

Staff Recommendation: Staff recommends approval of the proposed Regional Plan amendment which changes the land capability of a 37,924 square foot portion of the parcel (Exhibit 1) from land capability class 3 to land capability class 7, with the following conditions:

1. A schedule for the installation of standard BMPs be completed by the owner and a security deposit be posted prior to the acknowledgement of any permits on this parcel. All BMPs must be installed prior to October 15, 1998, or as extended by TRPA staff. Implementation of BMPs relating to, but not limited to, ripping of compacted areas, revegetation, and stabilization of fill sideslopes, shall be required as part of onsite mitigation. The owner shall post a security equal to $65,000 or 110 percent of the project cost as determined by a licensed Civil Engineer or equivalent, to ensure completion of the necessary BMPs on the parcel.

2. Prior to the acknowledgement of a permit for a new project on this parcel which relies on the increase in the allowable land coverage associated with this man-modified determination, the owner shall retire 9,481 square feet of land coverage in the same hydrologically related area as the parcel in accordance with Subsection 20.3.C (2) or pay a mitigation fee of $47,406 to the TRPA excess coverage mitigation fund. The fee is based on a per square foot value of land coverage at $5.00 per square foot. Either option would result in retirement of potential or existing coverage and shall be required as offsite mitigation.
POOR
QUALITY
ORIGINAL (S)
TO FOLLOW

HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980
PROPOSED MAN-MODIFIED
APN 07-120-08
The remainder of the parcel would fall into land capability classes 7 and 1a, associated with the EEB (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes), the TrE (Toem-Rockoutcrop complex, 9 to 30 percent slopes), and the TrF (Toem-Rockoutcrop complex, 30 to 50 percent slopes) soil map units (Exhibit 2).

Background: The portion of the property being considered for a man-modified determination is a 37,924 square foot portion of the parcel located between U.S. Highway 50 and Kingsbury Grade near Stateline, Nevada. The area being evaluated for this man-modified determination, is undeveloped, nearly flat and sparsely vegetated.

On the land capability map (H-16) for this parcel, there are two soil map units and land capability classes. These map units are, JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes) and the EEB (Elmira-Gefo loamy coarse sand, 0 to 5 percent slopes) soil map units. These map units are land capability classes 3 and 7, respectively.

The slope gradients on this parcel range from 1 to 60 percent. The site has been extensively filled and graded. Based on evidence of grading, the land capability of the disturbed areas could not be verified without a detailed soils investigation.

An agent for the owner filed a land capability challenge on April 17, 1997. A TRPA team of experts conducted the field investigations in August 1997. The soils investigation was conducted by Joseph Pepi, Certified Professional Soil Scientist. A soils report was prepared and concluded the soils on a 37,924 square foot portion of the parcel were modified by grading to the extent the land capability of the parcel had been significantly altered from its natural state.

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

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

(a) Geomorphic Characteristics - The Geomorphic Analysis of the Lake Tahoe Basin (Bailey, 1974) maps this area as geomorphic unit B-2 (Outwash, till and lake deposits) and is classified as low hazard lands. The soils identified on the parcel (see item c) are consistent with the mapped geomorphic hazard rating.

(b) Surface and Subsurface Hydrology - The parcel has no surface water drainages and there is no evidence of near surface groundwater.
(c) Physical/Chemical Soil Characteristics - The parcel is mapped as JeD (Jabu course sandy loam, shallow variant, 5 to 15 percent slopes) and EfB (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes) soil map units on TRPA Land Capability Map H-16.

The soils report prepared by Joseph Pepi, TRPA Soil Scientist, is attached. This report determined that a portion of parcel 07-120-08 to have been modified by grading. The graded area now has soils which are deep loamy coarse sands intermixed with construction debris. These soils are not similar to any of the named soils recognized in the Natural Resource Conservation Service (NRCS) Tahoe Basin Soil Survey (Rodgers, 1974).

(d) Erosion Hazard - The altered soils have been graded, are deep and would have a low runoff potential. Because of the coarse texture of the surface soils and the slope, they have a slight relative erosion hazard.

(e) Vegetation - The vegetative cover on the flat graded portion of the parcel consists of Jeffrey pine, rabbitbrush, bitterbrush, whethorn and manzanita. The vegetation on the disturbed areas is sparse, since much of it was destroyed as a result of the grading. Natural revegetation of the this disturbed area has been slow; this may be due to the soil conditions.

(f) Land Capability District - The flat portion of the graded area are best classified as land capability class 7. There is approximately square feet of area on the parcel identified as class 7 and allowed 30 percent land coverage.

The proposed man-modified determination does not grant a permit for any new construction. This determination solely applies to the classification of the parcel under the Bailey Land Capability Classification System, from which the amount of allowable coverage is determined.

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

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, the Code and other TRPA Plans and programs.

Rationale: The proposed amendment of the Regional Plan to amend TRPA Land Capability Overlay Map H-16 is consistent with the procedures set forth in Chapter 20 of the Code. No significant impacts on the Regional Plan, Goals and Policies, Plan Area Statements, the Code or other TRPA plans and programs are anticipated.
2. Findings: The project will not cause the environmental thresholds to be exceeded.

Rationale: The basis on which this finding can be made is provided in the checklist entitled, "Checklist: Article V (g) Findings", in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities.

All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist is available at the Governing Board hearing and on file at TRPA.

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

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

4. Findings: The Regional Plan, as amended, achieves and maintains the Threshold.

Rationale: For the reasons stated in support of Findings 1, 2, and 3 above, the proposed amendment will result in the Regional Plan Package continuing to achieve and maintain thresholds.

B. Section 20.2.F. Findings

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

The construction debris was placed on the property in the late 1960's and there is evidence that the property was graded prior to the 1972 cutoff date.

Finding (b): Further development will not exacerbate the problems resulting from the modification of the land and will not adversely impact sensitive lands adjacent to or nearby the man-modified area.
Amendment of Regional Plan
Man-Modified Determination, Prim, APN 07-120-08
Page 5

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

Finding (c): The land no longer exhibits the characteristics of land bearing the same original land capability classification.

The mapped land capability of the proposed man-modified area was mapped class 3. The graded area now has a slope gradient of 1 to 3 percent which is flatter than the natural slope gradients of the surrounding lands. Due to the original removal and subsequent replacement of fill made up mostly of construction debris, and the change in slope gradients, the graded area now exhibits the characteristics of a land capability class 7.

Finding (d): Restoration of the land in question is infeasible because of factors such as the cost thereof, a more positive cost-benefit ratio would be achieved by offsite restoration. Onsite restoration would cause environmental harm. Restoration onsite would interfere with an existing legal use and the land is not identified for restoration by any TRPA program.

Onsite restoration of the graded area to the original landform and corresponding slope gradient would require importation of fill material to reshape the slope contours. Importation of additional fill material reshaped to the natural contours of 12 percent slope or greater would increase erosion potential and create large areas of unvegetated, erodible soil. The cost to reestablish the original contours or reshape the graded areas would exceed the costs to revegetate the graded areas to a natural vegetative community. Restoration of the graded areas would severely impact the proposed use of the parcel. There are no current TRPA plans for restoration of this parcel.

Finding (e): Further development can be mitigated offsite.

The major impact related to the change in land capability of this parcel would be related to increased allowed land coverage. This increase in allowed land coverage could be mitigated by offsite retirement of potential or existing land coverage within the hydrologic region of the parcel. All new land coverage would be subject to the standard TRPA water quality mitigation.

Finding (f): Mitigation to offset the losses caused by the modification of the land and pertinent land capability district shall be as follows: (i) onsite and offsite mitigation, (ii) a maintenance program, including a schedule of maintenance proposed by the owner and approved by TRPA and; (iii) collection of a security, if deemed necessary by TRPA, to guarantee mitigation.
The man-modification of this parcel has resulted in an increased benefit to the owner in that there is an increase in allowed land coverage. The onsite mitigation for development of land coverage would entail runoff control of storm water by infiltration. Revegetation of disturbed areas would reduce runoff and erosion potential onsite. Onsite mitigation measures shall be in compliance with the TRPA BMP Handbook. The owner of the property shall include appropriate onsite mitigation measures with any project proposal submitted to TRPA, as a result of the change in land capability from the man-modified determination, for review and approval.

There will be an increase of 9,481 square feet of allowable land coverage over the allowed land coverage associated with the previous mapped land capability, as a result of the man-modified determination. This increase in allowed coverage would not have been available to the property owner had the parcel remained in its natural state. This increase in land coverage can be mitigated offsite by retirement of either potential land coverage or existing land coverage. The retirement of land coverage in the hydrologic region of the parcel could be accomplished by the owner acquiring other lands offsite and retiring land coverage; or the owner could pay, on a per foot basis, an appropriate mitigation fee to TRPA to be passed through to another entity for retirement of potential land coverage.

The owner of the property shall include a program and schedule for maintenance of the required BMPs as a condition of approval by TRPA. The owner shall post $65,000 or 110 percent of the project cost as determined by a licensed Civil Engineer as security for completion of the necessary BMPs. The security shall be posted within 90 days of the Governing Board approval of the man-modified determination.

Conclusions: Agency staff has found that as a result of the man-modifications to the parcel, the graded areas of the parcel exhibit different land capability than what was originally mapped. The impacts of the man-modified determination are predominantly associated with increased allowable land coverage. The erosion and runoff impacts associated with the grading of the parcel can be mitigated through implementation of BMPs onsite and land coverage retirement offsite.

Environmental Documentation: An environmental checklist has been filled out for this project. All responses contained in said checklist indicate compliance with the environmental threshold carrying capacities. Based on this determination, a Finding of No Significant Impact (FONSI) can be made. A copy of the completed checklist is available at TRPA.

If there are any questions related to this agenda item, please contact Joe Pepi at (702) 588-4547.
INTRODUCTION

A soil investigation was conducted on a 2.6 acre parcel, APN 07-120-08, Douglas County Nevada, located between U.S. Highway 50 and Kingsbury Grade on the parcel to the immediate west of the Douglas County Government Center Building, near Stateline, Nevada. This investigation was done to obtain detailed information about the soil map units and Land Capability Classes present on this area, in order to complete a Man-Modified Determination.

ENVIRONMENTAL SETTING

TRPA Land Capability Map H-16 shows this parcel in Land Capability Class 3 and 7, associated with the JeD (Jabu coarse sandy loam, shallow variant, 5 to 15 percent slopes), and the EFB (Elmira-Gefo loamy coarse sands, 0 to 5 percent slopes) soil map units. This parcel is mapped within geomorphic unit E-2 (Outwash, till and lake deposits, low hazard lands) in the Bailey Geomorphic Analysis of the Lake Tahoe Basin.

This parcel consists of step rock outcrop areas along the southern and eastern boundaries of the parcel. The southwestern corner of the parcel is characterized by shallow soils, areas of rock outcrop and moderately steep slopes. The central portion is graded and filled, and the soil is gently sloping unvegetated and compacted. On the remainder of the parcel the vegetation consists of scattered Jeffrey pine, rabbitbrush, bitterbrush, whitethorn, and manzanita.

The soils on the unvegeted compacted portion of the parcel are coarse textured and are mixed with construction debris deposited on the parcel in the late 1960's. They are deep and are well drained.

PROCEDURES

Two soil pits were dug on the flat graded area using a backhoe and several other pits were dug using hand tools on the remainder of the parcel. The soils were examined and described in detail to determine the soil map units present. One profile was chosen as representative for each of the soils examined, and these were described in detail. Copies of these soil descriptions are included in this report. Slopes were measured using a clinometer.

FINDINGS

Three soil map units were found on this parcel. The soil on the flat graded and compacted portion of this parcel is characterized is mixed with construction debris including pieces of concrete and asphalt, old water pipe, cable and steel reinforcement bar. The soil itself is a yellowish brown gravelly loamy coarse sand surface layer over a yellowish brown loamy coarse sand lower surface layer. The underlying layer is a yellowish brown and
brown loamy coarse sand. Weathered granite bedrock is found at a depth of 42 inches. The slope on this portion of the parcel is 1 to 3 percent. This soil is not recognized in the Soil Survey for the Lake Tahoe Basin. This soil is classified in the B Hydrologic Group and has a moderately low runoff potential and a slight relative erosion hazard.

The soil on the steep cut slopes on the south and west boundary are shallow to granitic bedrock. The slope on this portion of the parcel is 40 to 60 percent. This soil is recognized in the Soil Survey for the Lake Tahoe Basin, and would fit the TrF (Toem-Rock outcrop complex, 30 to 50 percent slopes) soil map unit. This soil has a high runoff potential and a high relative erosion hazard.

On the remaining portion of the parcel are remnants of the original land surfaces present on the site prior to excavation. These areas would fall into the TrE (Toem-Rock outcrop complex, 9 to 30 percent slopes), and the EfB (Elmira-Gefo loamy coarse sand, 0 to 5 percent slopes) soil map units. The Toem soil has a moderately high runoff potential and a high relative erosion hazard. The Elmira-Gefo soils have a low runoff potential and a slight relative erosion hazard.

CONCLUSIONS

The soils found in the large flat graded portion of the parcel is not identified in the Soil Survey for the Lake Tahoe Basin and the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974). However, based on the criteria found on page 20 of the Bailey report, soil with the characteristics found during the soil investigation, would best be classified as land capability class 7.

A portion of the parcel mapped as land capability 7, associated with the EfB (Elmira-Gefo loamy coarse sand, 0 to 5 percent) soil map unit, will remain as class 7.

The portion of the parcel in the southwestern corner will fall into land capability class 1a, associated with the TrE (Toem-Rock outcrop complex, 9 to 30 percent slopes) soil map unit.

The soils on the steep cut slope areas are best placed land capability class 1a, associated with the TrF (Toem-Rock outcrop complex, 30 to 50 percent slopes) soil map unit.

Joseph Pepi
Certified Professional Soil Scientist
ARCPACS No. 2372

Enclosures
Representative Soil Profile No. 1:

Soil Classification: sandy, mixed, frigid, Entic Xerumbrept

Soil Series: Unnamed in the Tahoe Basin (Soil contains large volume of construction debris).

Ap1 - 0 to 10 inches; yellowish brown (10YR 5/4) loamy coarse sand, brown (10YR 4/4) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 10 percent gravel; medium acid; clear wavy boundary. (Large stone and boulder seize pieces of concrete, asphalt, cable, reinforcement bar, and water pipe).

Ap2 -10 to 25 inches; dark yellowish brown (10YR 5/4) loamy coarse sand, dark yellowish brown (10YR 4/4) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap3 -25 to 33 inches; brown (10YR 5/3) loamy coarse sand, dark yellowish brown (10YR 4/3) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid; clear wavy boundary. (Large stone and boulder size pieces of concrete, asphalt, cable, reinforcement bar, water pipe).

Ap4 - 33 to 42 inches; yellowish brown (10YR 5/4) loamy coarse sand, dark yellowish brown (10YR 4/4) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; medium acid.

Cr - 42 inches; weathered granite bedrock.
Representative Soil Profile No. 2:

Soil Classification: frigid, shallow, Dystric Xeropsamment

Soil Series: Toem

Ci 2 to 0 inches; Jeffrey pine needles and twigs

A1 0 to 4 inches; very dark grayish brown (10YR 3/2) loamy coarse sand, very dark brown (10YR 2/2) moist; single grain structure; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; common very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

A2 4 to 10 inches; dark brown (10YR 3/3) loamy coarse sand, dark brown (10YR 3/3) moist; single grain structure; soft, very friable, nonsticky and nonplastic; common very fine and fine and few medium and coarse roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear smooth boundary.

C 12 to 17 inches; yellowish brown (10YR 5/4) loamy coarse sand, dark brown (10YR 3/3) moist; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; common very fine and fine interstitial pores; medium acid; abrupt smooth boundary.

R 17 inches; Hard granodiorite bedrock.
Representative Soil Profile No. 3:

Soil Classification: mixed, frigid, Alfic Xeropsamment

Soil Series: Elmira

O1 -- 3 to 0 inches; Jeffrey pine needles and twigs

A -- 0 to 6 inches; dark brown (10YR 3/3) loamy coarse sand, very dark grayish brown (10YR 3/2) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; many very fine and common fine roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

AC -- 6 to 22 inches; yellowish brown (10YR 5/4) loamy coarse sand, very dark grayish brown (10YR 3/2) moist; weak fine granular structure; soft, very friable, nonsticky and nonplastic; few medium and coarse roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; gradual wavy boundary.

C1 -- 22 to 43 inches; yellowish brown (10YR 5/4) loamy coarse sand, dark brown (10YR 4/3) moist; massive; soft, very friable, nonsticky and nonplastic; few coarse roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

C2 -- 43 to 52 inches; yellowish brown (10YR 5/4) loamy coarse sand, brown (10YR 5/3) moist; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine interstitial pores; 5 percent gravel; medium acid; clear wavy boundary.

C3 -- 52 to 59 inches; yellow (10YR 7/6) loamy coarse sand, yellowish brown (10YR 5/4) moist; massive; soft, very friable, nonsticky and nonplastic; few very fine and fine roots; many very fine and fine interstitial pores; 5 percent gravel; strongly acid; clear smooth boundary.

C4 -- 59 to 65 inches; brownish yellow (10YR 6/6) gravelly coarse sand, yellowish brown (10YR 5/6) moist; massive; soft, very friable, nonsticky and nonplastic; many very fine and fine interstitial pores; 30 percent gravel; strongly acid.
September 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: 1997 Regional Transportation Plan - Air Quality Plan
Scoping Process for Environmental Impact Statement

Proposed Action: Staff is requesting the Advisory Planning Commission (APC) comment on the attached Scope of Work for the 1997 Regional Transportation Plan - Air Quality Plan (RTP-AQP) draft Environmental Impact Statement (DEIS). TRPA will serve as the lead agency for the DEIS for the completion of all tasks in the Scope of Work. The major purpose of this item is to review the alternatives analyzed for the DEIS and provide input on the Scope of Work.

In addition, staff requests that comment be taken so that requirements for a public scoping process are satisfied for the preparation of the DEIS.

Background: TRPA transportation/air quality staff are required to update the RTP-AQP. The previous RTP-AQP update was completed in 1992. TRPA staff have been in the process of developing background information for this update. Scoping, although informal, has been occurring since earlier this year. A technical advisory committee (TAC) has been formed to develop a list of transportation projects and their descriptions and to comment on transportation goals, background, setting, funding, air quality thresholds, and a description of the existing transportation situation. A RTP-AQP update requires preparation of a DBIS according to the rules and procedures in the TRPA Code of Ordinances and Rules of Procedure.

TRPA, in coordination with the RTP-AQP TAC, has developed a list of transportation projects organized under the heading of "Programs" in the working draft copy of the RTP-AQP. Many of these projects were derived from or are consistent with the transportation improvement program developed in the 1992 RTP-AQP. For this update, transportation projects have been organized into the categories of visioning, projects of regional significance, mass transit, air quality, traffic management, parking management, pedestrians/bicycles, and aviation/waterborne transportation. Collectively these programs include all transportation and air quality oriented projects listed in the Environmental Improvement Program (EIP).

These projects are, for the most part, intended to be common to all the alternatives analyzed in the DEIS. Substantial differences between the alternatives are aimed at the approaches used thereafter to demonstrate attainment, within the plan analysis, of the established air quality thresholds.

If you have questions regarding this item, please contact Jim Allison at extension 229.
1997 Regional Transportation Plan - Air Quality Plan

Draft Environmental Impact Statement
Draft Scope of Work for Public Hearing

Scope of Work

The scope of work is broken down to tasks necessary to develop an environmental impact statement (EIS) that analyzes the impacts of transportation system and land use development plans. A variety of alternatives developed for the environmental review process are required. Development of the DEIS shall incorporate the information on the background, setting, transportation programs, and the description of the existing transportation/air quality situation.

The following tasks shall be incorporated to the DEIS process for the Regional Transportation Plan-Air Quality Plan (RTP-AQP):

Task 1: Scoping

TRPA shall conduct a hearing at the TRPA Governing Board and the Advisory Planning Commission (APC) for the purposes of obtaining public, Governing Board, and APC input on the scope of work, alternatives development, and analysis for the update of the RTP-AQP. TRPA shall continue to work with the RTP-AQP Technical Advisory Committee (RTP-AQP TAC) for these purposes as well. Comments from these entities shall be used to develop and refine the Scope of Work and alternatives for the RTP-AQP.

A list of projects has been developed both for the current Environmental Improvement Program (EIP) and through the RTP-AQP TAC for the working draft of RTP-AQP in development at this time. Where possible, for each alternative, this list of projects will be used as a common basis for each alternative. The differences between alternatives are the differences in how each alternative will demonstrate achievement of the air quality thresholds thereafter. The alternatives developed are described below:

Alternative One: No Action Alternative

The adopted Regional Plan growth package identified in the 1987 Regional Plan, as re-evaluated by the 1996 Threshold Evaluation Environmental Analysis, is the growth pattern identified for analysis purposes in future years. The No Action Alternative makes the 1992 RTP-AQP the default action plan for transportation improvements. All action elements of that plan shall be incorporated as de facto transportation improvements for this alternative. Since the list of transportation/air quality improvements in the current version of the EIP is, in many cases, consistent with the 1992 RTP-AQP, where possible, the more complete descriptions of the projects from the EIP will be used for the analysis. No projects, policies, and programs beyond that described in the 1992 RTP-AQP will be included in this alternative. The 1992 RTP-AQP list of projects will be used in situations where no more detailed description of projects exists.

Alternative Two: Preferred Alternative

The Preferred Alternative includes the Regional Plan growth package identified in the 1987 Regional Plan, as re-evaluated by the 1996 Threshold Evaluation Environmental Analysis. The transportation projects, policies, and programs for this alternative represent those in the EIP and draft Transportation Program section for the DEIS reviewed by the RTP-AQP...
TAC. Additional projects, policies, and programs beyond those already included in the current draft of the EIP will be included to develop a plan which can achieve the air quality thresholds. The orientation of these will be capital intensive which are aimed at transit ridership and services. The focus will be on achieving a mode split which reduces the traffic volumes, vehicle miles traveled (VMT), and improves level of service (LOS), along with improved air quality. A combination of incentives and disincentives, parking management, land use changes are examples of programs which can work jointly to achieve the air quality thresholds. Further development of the projects, policies, and programs for this alternative will be done with the RTP-AQP TAC. Examples of the projects, policies, and programs may include the following:

- Implementation of a parking management plan which includes a mixture of incentives and disincentives that are aimed at increasing transit ridership.
- Access to recreational areas, both winter and summer, via shuttle service.
- Transit oriented design land use design regulations which provide incentives for such development (and redevelopment).
- Construction and/or designation of park-n-ride lots at or near transit center locations.
- Implementation of transit transfer and coordination between present day services.
- Implementation of the Coordinated Transit System concept basinwide.
- Implementation of a basinwide transit color scheme and marketing program.
- Construction and/or designation of an alternative Loop Road system for the South Stateline area different than described in the 1992 RTP-AQP

**Alternative Three: Regulatory Alternative**

The Regulatory Alternative includes the 1987 Regional Plan growth package, as re-evaluated in the 1996 Threshold Evaluation Environmental Analysis. The transportation projects, policies, and programs for this alternative will include some of those identified in the Preferred Alternative as well as additional regulatory programs, policies, and projects designed to achieve air quality thresholds. Specifically, some of the more transit oriented projects, policies, and programs will not be borrowed from the Preferred Alternative for this alternative. The additional regulatory projects, policies, and programs may include the following:

- All new development will be required to offset trips generated by the new use by demonstrating a reduction and removal of trips from existing uses.
- Leasing of rental cars within the Region will be prohibited or a complete phase in of alternative fuel vehicles for rental fleets will be required over the next five years.
- Large employers would be required to provide shuttle service to 40% of their work force or provide 100% transit subsidy for employees.
- Limitations on the amount of new parking.
- Requirements that large commercial and recreation centers charge parking fees.
- Steps would be taken to impose a user fee at all Tahoe Basin entry points.
- Transit fares would be reduced to $0.25 for all transit routes and trips.
• At basin entry/exit points, a visitor capture program (visitors only) would be developed which requires vehicles under an occupancy of three to ride transit into and around the Lake Tahoe Basin.

• Only new parking for new residences, new overnight lodging, and new public service would be permitted.

• Transit-oriented design standards and areas would be designated and new residences and overnight lodging would be permitted only in such areas.

• All public and government fleets will be required to utilize alternative fueled vehicles for 75% of their fleet.

Task 2: Refine the Alternatives Descriptions and Final Scope of Work

The alternatives and scope of work described in Task 1 shall be revised, to the extent possible, based on public, RTP-AQP TAC, Governing Board, and APC comments.

Task 3: Develop Setting Description, Conduct Analysis, and Identify Mitigation Measures

For each environmental issue to be addressed, the DEIS shall describe the setting and/or background for that issue. The analysis shall take into account anticipated growth both inside and outside the Lake Tahoe Basin for each alternative. The analysis years for future conditions shall be 2001, 2006, and 2016. The base year shall be 1995.

In no particular order within the DEIS, the following environmental issues shall be addressed with a discussion of existing conditions, impacts, and mitigation measures for each alternative:

Water Quality

The potential water quality impacts from increased surface discharge to surface waters, including tributaries and groundwater, including drinking water; SEZ protection; clarity; primary productivity for algal production; other lakes in the Region; and impervious coverage shall be discussed for each alternative. The alternatives will also be evaluated for compliance with thresholds.

Soil Conservation

The potential impacts to soil conservation shall be discussed with respect to site topography, floodways, drainage, geology/seismicity, and soils. The impacts of the alternative on land coverage shall be evaluated for compliance with TRPA thresholds.

Streamzones

The impacts of the alternatives will be evaluated to determine compliance with the TRPA thresholds.

Transportation and Circulation

Analysis of Vehicle Miles Traveled (VMT), traffic volumes, and Level of Service (LOS), for a representative number of intersections within the Lake Tahoe Basin, for each alternative shall be included. The TRPA Transportation Model, including model runs for years 1995 (base year), 2001, 2006, and 2016 shall be incorporated. Other relevant data shall also be applied. Compliance with air quality thresholds related to transportation (e.g. VMT and winter traffic volumes) and transportation standards (LOS) shall be evaluated using these information sources as well. Other analysis related to parking impacts, transit,
bikeways and pedestrian travel shall be included in situations where it is appropriate for evaluation of the alternatives.

**Air Quality**

Analysis of potential air quality impacts of each alternative shall be included for carbon monoxide (CO), ozone (and its precursors), particulate matter 10 microns (PM 10) or less, and visibility.

Analysis of carbon monoxide shall be done using emission factors tailored for the vehicle fleet at various locations in the Lake Tahoe Basin. Where possible, carbon monoxide analysis shall utilize the screening procedures outlined in Transportation Project-Level Carbon Monoxide Protocol, University of California, Davis, May 1996. The South Stateline area shall be subject to CO analysis using CALINE4 for microscale modeling analysis.

Ozone and its precursors, reactive organic gasses and nitrogen oxides, shall be analyzed using regional analysis techniques available from data developed by California Air Resources Board or through other alternative techniques as may be appropriate.

Particulate matter, including PM 10 and fine particulates, analysis shall be done using regional analysis data and evaluation of relative program analysis comparing each alternative.

Each alternative shall be evaluated with respect to the thresholds for air quality.

Visibility shall be assessed by examining past trends in visibility monitoring data and by evaluation of potential impacts for each alternative.

**Fisheries**

The potential impact with respect to existing stream barriers to fish migration, water quality, and toxicity, and the overall biological health and physical conditions of streams and reaches within the influence of transportation routes shall be discussed for each alternative.

**Vegetation**

The potential impacts to vegetation from highway deicing activities including the use of salt, sand, and salt substitutes shall be discussed for each alternative. The effect of ozone concentrations upon threshold vegetation types shall be evaluated. Each alternative shall be evaluated for compliance with the thresholds for vegetation.

**Wildlife**

The potential impact on wildlife with respect to habitat quality and quantity of wildlife corridors and special interest species shall be discussed for each alternative.

**Noise**

A full discussion of existing noise environment and project noise levels will be predicted. Impacts of each alternative will be evaluated relative to the noise analysis conducted by Brown-Buntin Associates for the 1996 Threshold Evaluation. Compliance with environmental thresholds will be assessed for each alternative.

**Recreation**
The use conflicts and the impacts of the alternatives will be assessed relative to the recreation thresholds established for the Region.

**Scenic Resources**

The potential scenic impacts for each alternative shall be discussed to assess compliance with TRPA Scenic Thresholds. Emphasis shall be placed on the identification of significant and cumulative effects associated with each alternative. Mitigation necessary to offset identified adverse impacts shall also be identified.

**Land Use**

The potential impacts of each alternative on land use shall be discussed.

**Community Design**

The potential impacts of each alternative on community design shall be discussed.

**Cultural, Historical, and Archeological Resources**

The potential impacts of each alternative on cultural, historical, and archeological resources shall be discussed.

**Energy**

The potential impacts of each alternative on energy shall be discussed.

**Housing**

The potential impacts of each alternative on housing shall be discussed.

**Natural Hazards**

The potential impacts of each alternative on the effects of natural hazards shall be discussed.

**Public Health, Safety, and Welfare**

The potential impacts of each alternative on public health, safety, and welfare shall be discussed.

**Economy**

The potential impacts of each alternative on the economy shall be discussed.

**Impact Summary**

A summary of the proposed impacts for all alternatives shall be presented in a matrix format for ease of evaluating and comparing the effects of each alternative.

**Task 5: Administrative Draft Environmental Impact Statement Production**

The administrative DEIS shall be developed and edited for consistency of style and format. Camera ready or computer disk copies shall be provided to members of the RTP-AQP TAC and TRPA staff.

**Task 6: Draft Environmental Impact Statement Production**

The comments on the Administrative DEIS shall be reviewed and the document shall be revised to incorporate the comment responses. A final camera-ready DEIS shall be prepared and adequate numbers of copies shall be produced for public review.
Task 7: Circulation and Response to Comments

Once the DEIS has been circulated to satisfy environmental review requirements, comments which are received shall be responded to and addressed in the DEIS.

Task 8: Present Final Draft Environmental Impact Statement and Regional Transportation Plan - Air Quality Plan to APC and TRPA Governing Board for Discussion and Adoption

The final DEIS shall be presented for discussion and adoption to the APC and Governing Board.

Schedule

The schedule for developing the DEIS is as follows:

- September 24 - Governing Board public hearing for RTP-AQP DEIS scoping
  Task 1
- September 25 - RTP-AQP TAC Meeting
  Task 1
- October - APC public hearing for RTP-AQP DEIS scoping
  Task 1
- October - DEIS document preparation
  Task 2-5
- November - Complete DEIS
  Task 2-6
- December Release DEIS for 60 circulation period
  Task 7
- January - DEIS circulation period
  Task 7
- February - DEIS circulation period closes
  Task 7
- March - Respond to comments
  Task 7
- April - Respond to comments
  Task 7
- May - Present RTP-AQP with DEIS to APC and Governing Board for discussion
  Task 8
- June - Present RTP-AQP with DEIS to APC and Governing Board for adoption as final EIS
  Task 8

Costs

TRPA shall assume all costs for producing the DEIS.
MEMORANDUM

September 29, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Status Report on the Environmental Improvement Program (EIP)

Staff will provide the APC with a status report on the EIP at the October meeting.

jf
9/29/97
September 30, 1997

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Policy on Eligibility of Previously Approved Projects for Special Project Allocation of Commercial Floor Area

Proposed Action: Agency staff is requesting that APC review the attached special project allocation application package (Attachment A), the policy document for commercial allocations (Item V.C, Attachment A), and the adopted Code language (Item V.C, Attachment B). Staff will also make a presentation on the documents and the proposed special allocation process. Based on the documents and the presentation, staff requests the APC recommend the applicability of these documents to previously approved projects. Also, the Performance Review Committee would welcome any comments regarding the application package.

Staff Recommendation: Staff is recommending that applicants may apply for credit environmental mitigation improvements that are not constructed or have not been acknowledged for construction in a TRPA permit. All other improvements that are constructed or are permitted for construction are not eligible as credit in the special project allocation program. This recommendation is supported by the Commercial Workshop Group.

Background: The issue of what applicants may submit for credit as environmental improvements or mitigation was raised at the Performance Review Committee as they assisted the TRPA staff in drafting the attached application packet. The Performance Review Committee requested that the Commercial Workshop Group, the APC, and the Governing Board discuss the policy for crediting such improvements. It is important to establish a policy, or Code amendment, before TRPA accepts the applications for special project allocations.

At issue, is whether or not previously approved projects may apply for additional special project allocation and use their environmental mitigation for credit to earn allocations. The Performance Review Committee recommends the APC consider three options:
1. Do not allow approved projects to apply for credit.

2. Allow approved projects to apply for credit only if they do additional environmental improvements.

3. Allow all approved projects to apply for credit.

Also with this question, the issue of what does "approved" mean. In the TRPA permitting structure, there are: projects that are approved but may not start construction, projects approved with the permit acknowledged and may start construction, projects under construction, and projects that are completed.

It is TRPA staff’s belief that the special allocation program is designed to encourage the construction of new environmental improvements (i.e., EIP projects). This is one of many tools used to implement the EIP. It is focused on using the commercial market to get needed improvements and not to reward previous projects. Staff is also aware that just approving a project does not insure its implementation. Therefore, we support the limited inclusion of considering approved but not constructed environmental improvements for consideration as credit. The intent is to allow projects like the recently approved Park Avenue Project (which needs some additional assistance) to apply for allocation credit.

If you have any questions or comments regarding this agenda item, please contact Gabby Barrett at (702) 588-4547.
MEMORANDUM

September 5, 1997

To: Commercial Workshop Group

From: Gabby Barrett

Subject: Special Project Allocation Packet for 9/11/97 Meeting

Enclosed is a draft packet TRPA staff intends to use in our evaluation of special project commercial allocations. This is a working draft and is for discussion purposes only. The Performance Review Committee (local government officials and TRPA staff) has been working on the packet and would like your input.

At our Thursday meeting, we will review the packet and consider appropriate revisions based on your comments. It should be noted that the TRPA evaluation criteria still needs to be tested. Hopefully, staff will be able to report on some test cases.

If you have any questions, please contact me at 702/588-4547.

GWB/rd

Enclosure
Special Project Allocation Packet

Tahoe Regional Planning Agency Special Project Allocation Process

This packet explains the TRPA process for applying for commercial floor area through the TRPA Special Project Allocation Pool. Please read the packet thoroughly. We hope it answers most of your application questions. If you have questions which are not answered in this packet, please call TRPA at (702) 588-4547.

It is difficult to cover all the information some projects may require in a general application packet. Occasionally, there are some projects which require information beyond that presented in this packet. TRPA staff requests that you schedule a pre-application meeting prior to the special project allocation application submittal. TRPA staff will attempt to identify all the required information with you during that meeting. However, if after the submittal additional information is needed, TRPA staff will contact you.

Getting Started

Included in this packet is a Special Project allocation evaluation form, application and application checklist. All the items on these forms must be addressed in your project submittal. Project applications without all required items will not be accepted for review by TRPA.

The application consists of a project evaluation, an application form and an application checklist. The evaluation form identifies the criteria on which projects will be judged. Included in the evaluation is the requirement for the applicant to provide written documentation of the substantial environmental benefits the project will provide.

In order to be considered for allocation of commercial floor area from the Special Project Pool, the applicant must participate in the implementation of an Environmental Improvement Project (EIP). A list of recommended EIP projects is included with this packet. The amount of participation is determined by the applicant, however, the greater the participation, the greater the chance of obtaining an allocation. Projects will be judged by the environmental benefit their project provides.

TAHOE REGIONAL PLANNING AGENCY

September 1997
Prior to Complete Application Submittal

Prior to submitting your project application, the following items should be completed:

✓ Complete the Special Project Evaluation Form. This form requires the applicant to demonstrate substantial environmental benefit the proposed commercial project and EIP project will generate.

✓ Check the Community Plan or Plan Area Statement. The Community Plan or the Plan Area Statement (PAS) lists the permissible uses allowed for your project. The Community Plan or the PAS may also have specific design criteria that will need to be incorporated into your project.

✓ Complete the Change in Operation Form. This form is required for any type of change in operation. This form determines the number of daily vehicle trip ends (dvte) that are associated with your project. If your project generates more than 100 new dvte, a traffic impact assessment will be required. The traffic impact assessment will identify the amount of new vehicle trips generated by the project, potential impacts to the surroundings and proposed mitigation measures.

✓ Complete an Expanded Initial Environmental Checklist (IEC). The Expanded IEC evaluates the potential environmental impacts of your project on the environment. The Expanded IEC requires the applicant to submit a written response to each question on the checklist, as opposed to just indicating yes or no answers as required by the regular IEC.

✓ Complete the Scenic Impact Assessment Form. The scenic assessment form will help to determine the impact of your project on the TRPA scenic threshold. If your parcel is visible from a TRPA designated scenic corridor or resource, additional items will be required to be submitted with your application. A checklist is include on the form.

✓ Have a Pre-application Meeting with TRPA staff. All potential applicants are encouraged to schedule a pre-application meeting with TRPA staff. This meeting will attempt to identify the significant potential impacts of the proposed commercial and EIP projects.
ALLOCATION PROCESS

Complete Application
TRPA staff will review an application for completeness within 30 days from the date of submittal. If additional items are needed or checklist items are lacking, a letter will be sent to you and/or your representative indicating what additional information is needed to provide a complete application. TRPA staff will make every attempt to review the application for completeness within 30 days, however, projects submitted after January 1, 1998, may not have adequate time to respond to an incomplete application notification prior to the January 30, 1998 deadline for complete applications.

If the application is determined to be complete, a postcard will be sent to you or your representative. Once complete, your application is now ready to be reviewed by TRPA staff. A complete application notice is NOT a conceptual approval of your application, nor is it a determination that the information submitted for review is accurate or approvable. Please note the a complete application must be submitted prior to January 30, 1998. The quicker your application is submitted, the better you can ensure that any missing items will be identified in time to provide the items prior to the required complete application deadline.

Request for Additional Information
Once review has begun on your project, additional information may still be required. TRPA staff will attempt to identify all information needed to review a project at the pre-application meeting and at the “complete application” stage, however, some items can not be identified until the review of the project has commenced. If additional information is required, you and/or your representative will be notified.

Review of Applications
Complete project applications will be reviewed by a panel of TRPA staff. The projects will be ranked against each other based on the scoring system outlined in the attached scoring system worksheet. In order to be considered for a TRPA staff allocation recommendation of approval, your projects must score a minimum of 75 points.

Awarding of Allocation Recommendations
The highest scoring project applications will receive a recommendation for allocation from TRPA staff. If the top three projects do not use all the available 150,000 square feet of commercial floor area allocation available, the fourth highest project may be considered for a recommendation if enough commercial floor area remains in the pool to cover the entire amount requested by the fourth highest project. This process would continue for the fifth highest project, if the entire amount of requested commercial floor area is available in the pool, then the sixth, etc... until the total requested commercial floor area is no longer available for the next ranked
project. Any unused commercial floor area will remain in the allocation pool for future competition.

The TRPA staff recommendation will be taken to the Advisory Planning Commission for its recommendation and then to the TRPA Governing Board for the actual awarding of the allocation recommendation to the project. Please note that the awarding of the allocation recommendation is not an approval of the commercial or EIP project. The applicant will still be required to submit project applications to TRPA for review and approval.

**Project Submittal**

If your project is awarded a commercial allocation recommendation from the TRPA Governing Board, you will have one year from the date of issuance of the recommendation to submit a complete project application for both the commercial project and the EIP project to TRPA. The EIP project must be submitted prior to or concurrent with the commercial project. If a complete application for both projects has not been submitted to TRPA by the one year deadline, the commercial floor area shall be returned to the allocation pool for future competition.

It is important to remember that your project was chosen for an allocation recommendation by what was contained in your project proposal. Any modifications to the project proposal that could negatively affect the ranking of your project will automatically forfeit the allocation recommendation and the commercial floor area will be returned to the allocation pool for future competition.

**SPECIAL PROJECT COMMERCIAL ALLOCATION TIMELINE**

<table>
<thead>
<tr>
<th>I</th>
<th>Pre-application conference with TRPA staff.</th>
</tr>
</thead>
<tbody>
<tr>
<td>II</td>
<td>Submit complete application form and filing fee to TRPA.</td>
</tr>
<tr>
<td>III</td>
<td>Request for additional information (if applicable) by TRPA staff.</td>
</tr>
<tr>
<td>IV</td>
<td>All applications must be determined complete prior to January 30, 1998.</td>
</tr>
<tr>
<td>V</td>
<td>Request for project clarifications (if applicable) by TRPA staff.</td>
</tr>
<tr>
<td>VI</td>
<td>TRPA staff review and rankings completed by April 1, 1998. Staff recommendations for special project allocations completed.</td>
</tr>
<tr>
<td>VII</td>
<td>TRPA Advisory Planning Commission and Governing Board review recommendations at April 1998 meetings.</td>
</tr>
<tr>
<td>IX</td>
<td>Applicant submits EIP and commercial project for TRPA review.</td>
</tr>
</tbody>
</table>
SPECIAL PROJECT ALLOCATION APPLICATION

OWNER(S) OF RECORD (EIP Project):
Name(s):______________________________ Phone: ( )__________
Mailing Address:____________________________________________
City:_________________________ State:_____________ Zip Code:_____

OWNER(S) OF RECORD (Commercial Project):
Name(s):______________________________ Phone: ( )__________
Mailing Address:____________________________________________
City:_________________________ State:_____________ Zip Code:_____

PERSON AUTHORIZED TO REPRESENT THE PROJECT:
Name(s):______________________________ Phone: ( )__________
Mailing Address:____________________________________________
City:_________________________ State:_____________ Zip Code:_____

LOCATION OF PROJECTS:
EIP Project:
County:_________________________ Assessor’s Parcel Number (APN) ______________
Street Address:____________________________________________
Legal Description:____________________________________________
Existing Use on Property:________________________________________

Commercial Project:
County:_________________________ Assessor’s Parcel Number (APN) ______________
Street Address:____________________________________________
Legal Description:____________________________________________
Existing Use on Property:________________________________________
PROJECT DESCRIPTIONS (attached additional sheets if necessary):

EIP Project:

Commercial Project:

PROPERTY RESTRICTIONS (list any deed restrictions, easements, or other restrictions on the properties):

PRIOR APPROVALS (list any prior CTRPA/TRPA approvals/permits received for the subject property):
AUTHORIZATION FOR REPRESENTATION:

The following person(s) own the subject property (APN ______________) or have a sufficient interest therein to make application to TRPA:

Print Owner(s) Name(s):

__________________________________________

I/We authorize ________________________________________________________________

to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. I understand that additional information may be required by TRPA, beyond that submitted by my representative, to review this project. Any cancellation of this authorization shall not be effective until receipt of written notification of same by TRPA. I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further accept that if this project is approved, I, as the permittee, will be held responsible for any and all permit conditions.

Owner(s) signature(s):

__________________________________________ Date ______________

__________________________________________ Date ______________

I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate, to the best of my knowledge. I have been authorized in writing by the owner(s) of the subject property to represent this application, and understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further understand that additional information may be required by TRPA to review this project.

Signed: ________________________________ at ____________________ on ___________

Person preparing application County Date

******************************************************************************

FOR OFFICE USE ONLY

Date Received: ______________ Application Accepted: ______________ By: ______________

Filing Fee: $______________ Receipt Number: ______________
COMMERCIAL APPLICATION CHECKLIST

APPLICATIONS LACKING ANY OF THE FOLLOWING ITEMS WILL NOT BE ACCEPTED. TRPA MAY REQUIRE ADDITIONAL INFORMATION, ABOVE AND BEYOND THE CHECKLIST ITEMS, TO REVIEW THIS APPLICATION.

Applicant: ____________________  TRPA: ____________________

1. Completed application form with original signed authorization

2. Results of land capability verification(s)

3. Results of Soils/Hydrologic Report (if excavating beyond 5 feet in depth)

4. Expanded Initial Environmental Checklist(s)

5. Change in Operation Form(s)/Traffic Impact Analysis

6. Scenic Impact Assessment Form(s)

7. Application fee ($ )

8. Commercial Project Site Plan: Minimum 18" x 24" on blackline or blueline print paper showing the following:
   a. All property lines and recorded easements
   b. Map scale and north arrow
   c. Assessor's Parcel Number (APN) and property address
   d. Property owner's name
   e. Parcel size in square feet
   f. Topographic contour lines at 2' intervals
   g. Verified land capability districts
   h. Verified backshore and Stream Environment Zone (SEZ) boundaries, including setbacks
   i. High and low water lines
   j. Trees greater than 6" in diameter, trees to be removed indicated; any rock outcroppings.
   k. Location and dimensions of existing and proposed structures
   l. Driveway and driveway slope
m. Parking space calculations

n. Edge of pavement at street(s)

o. Best Management Practices (BMPs), both temporary and permanent

p. Allowable land coverage by land capability district

q. Existing and proposed land coverage calculations by land capability district (with breakdown of type of coverage, i.e. buildings, paving, etc.)

r. Identification of added and/or removed land coverage

s. Existing and proposed commercial floor area

t. Slope calculation across the building site

9. Preliminary Building Elevations (existing and proposed) of all all sides of the building(s) showing:

a. Natural grade

b. Finished floor elevations (with respect to contour elevations shown on the site plan)

c. Lowest elevation of foundation wall at natural grade

d. Roof pitch of each roof plane

e. Allowed and proposed height calculations

f. Drawing scale and view aspect

10. Preliminary Floor Plans (existing and proposed) showing:

a. Scaled dimensions

b. Existing and proposed commercial floor area

c. All exterior entrances and exits
11. EIP Project Site Plan: Minimum 18” x 24” on blackline or blueline print paper showing the following:

   a. All property lines and recorded easements
   b. Map scale and north arrow
   c. Assessor’s Parcel Number (APN) and property address
   d. Property owner’s name
   e. Parcel size in square feet
   f. Topographic contour lines at 2’ intervals
   g. Verified land capability districts
   h. Verified backshore and Stream Environment Zone (SEZ) boundaries, including setbacks
   i. High and low water lines
   j. Trees greater than 6” in diameter, trees to be removed indicated; any rock outcroppings.
   k. Location and dimensions of existing and proposed structures
   l. Driveway and driveway slope
   m. Parking space calculations
   n. Edge of pavement at street(s)
   o. Best Management Practices (BMPs), both temporary and permanent
   p. Allowable land coverage by land capability district
   q. Existing and proposed land coverage calculations by land capability district (with breakdown of type of coverage, i.e. buildings, paving, etc....)
   r. Identification of added and/or removed land coverage
   s. Existing and proposed commercial floor area
   t. Slope calculation across the building site

12. Grading Plan and Revegetation Plan
SPECIAL PROJECTS EVALUATION CRITERIA

The following criteria will be used by TRPA staff in evaluating requests for allocations under the Special Project Allocation System. Based on the applicants' submittal addressing the criteria, a panel of TRPA staff will score each applicant's proposal from 0 to 100 points. A minimum score of 75 will be required for a positive recommendation. Based on the score, all the applications will be ranked. The staff's recommendation to the Advisory Planning Commission and the Governing Board will be based on the ranking. The allocations will be distributed based on applicants' requests starting with the highest ranked proposal. Unused allocations will be deferred to the next evaluation. There will be no recommendations for partial allocation. Projects that are constructed or have TRPA acknowledged permits may not submit their environmental improvements for allocation credit. The improvements that are eligible for evaluation shall be in excess of the normal TRPA project requirements.

1. Priority of EIP Project: Maximum number of points is 20.

All projects are required to implement an EIP project. Points will be given based on the importance of that project to TRPA and local government. Priority considers immediate needs and benefits, cost and magnitude of the project, relationship to community planning efforts, and project need for assistance. Priority A (20 points) would be the most sought after, Priority B (10 points) would be projects not scoring as well in the categories, or Priority C (5 points) would be EIP projects not relating to community planning efforts or being implemented through other processes. Examples of most sought after EIP projects that TRPA and local government would like to see implemented are attached.

2. Cost and Contribution Considerations: The maximum number of points for this section is 25.

   A. Contribution by Applicant: Maximum number of points is 10.
   
   The amount of the applicant's contribution to the EIP project will be considered. The higher the percentage, the higher the number of points assigned.

   B. Total Cost of EIP Project: Maximum number of points is 10.
   
   The total cost of the EIP project will be considered. The higher the project cost, the more points awarded.

   C. EIP Cost as a Percent of Total Project Cost: Maximum number of points is 5
   The total cost of the EIP project as a percent of the total project cost will be considered.

3. Commitment Plan: Maximum number of points is 10.

The more the assurances for the EIP project to be completed, the higher number of points assigned. This includes consideration of property acquisition, financing, grants, committed funding, and time schedules. The preferred schedule would show the applicant acquiring complete project application within one year of the allocation. Construction starting in the second year after the approval.

4. Transfer: Maximum number of points available is 10.

Matching transfers of development with allocations for the proposed project is encouraged. The more transfers proposed that result in environmental benefits, the higher the points. Transfers of development from sensitive lands will score higher than transfers from high capability land.

5. Rehabilitation of Substandard Development: Maximum number of points is 5.

Rehabilitation of existing development, the use of disturbed sites and restoration of disturbed sites will score the highest.

6. Public/Private Partnerships: Maximum number of points is 5.

Proposals that utilize a public/private partnership will be awarded points based on the amount of cooperation and the extent of the public benefit.
7. **Substantial Environmental Benefits**: Maximum number of points is 15.

Substantial environmental benefits will be judged by the nine threshold categories, the amount of threshold improvement, and the number of thresholds improved. Also, projects will be evaluated on the difficulty to implement the project, e.g. not funded, not approved, in need of property acquisition, etc...

8. **Other Substantial Environmental Benefits**: Maximum number of points is 10.

This is based on the evaluation of the environmental benefits of the proposed commercial project. Projects producing non-required benefits such as improved drainage treatment, improved access, scenic improvements, and restoration will score the highest.
RECOMMENDED EIP PROJECTS

The following Environmental Improvement Program (EIP) projects are the most sought after projects and would scored as A priority projects. See the TRPA EIP or TRPA staff for project description.

DOUGLAS COUNTY:

Scenic Road Unit 32, Casino Area. Project # 0097. U.S. 50 at Stateline.
Pedestrian Improvements from Stateline Ave. to Loop Road. Project # 0415. U.S. 50 at Stateline to Loop Road.
Burke Creek Culvert Replacement, Habitat Restoration. Project # 0409. U.S. 50 at Burke Creek.
Kingsbury-Lake Tahoe Trail. Project # 0369. Kahle Drive from U.S. 50 to Lake Tahoe.
Burke Creek SEZ Restoration. Project # 0161. Burke Creek at former Tahoe Nugget.
Elks Point Road Intersection Improvements. Project # 0069. U.S. 50 at Elks Point Road.
Kingsbury Pedestrian/Drainage Improvements. Project # 0068. State Route 207.
Casino Core Mountain Lake Pedestrian Improvements.

EL DORADO COUNTY

U.S. Forest Service Meyers Visitor's Center, Phase 2. Project # 0141. U.S. 50 and 89.

CITY OF SOUTH LAKE TAHOE

South Y Intersection Improvements. Project # 0048. U.S.50 & State Route 89.
Trout Creek Watershed, Meeks SEZ Restoration. Project # 0023. U.S. 50 at Trout Creek.
South Y Industrial Tract SEZ. Project # 0013. Lake Tahoe Boulevard at the Industrial Tract.
U.S. 50 Sidewalks. Project # 0011. Ski Run to South Y.
Park Avenue Redevelopment. Project # 0003. U.S. 50 at Park Avenue.
South Shore Transit Fleet Replacement. Project #0478.

PLACER COUNTY

Tahoe Vista/Kings Beach Pedestrian Improvements. Project # 0393. S.R. 28 from Kings Beach to Tahoe Vista.
California Parks SEZ Restoration. Project # 0351. Tahoe State Recreation Area.
Fanny Bridge Pedestrian/Bicycle Improvements. Project # 9240. S.R. 28 at Fanny Bridge
Scenic Shore Unit 15 Improvements. Project # 0106. Tahoe City.
S.R. 89 & 267 Intersection Improvements. Project # 0078, Kings Beach
Carnelian Creek Phase I. Project # 0052. S.R. 28 at Carnelian Creek.
64 Acre Tract Transit Center. Project # 0006. Tahoe City

WASHOE COUNTY
Third Creek Fish Habitat Restoration. Project # 0327, 0443. Incline Village
Third Creek SEZ Restoration. Project # 0264, 0562. Village Blvd. to Peepslight.
Incline Creek SEZ & Fish Habitat Restoration. Project # 0123. Hyatt Property.
North Stateline Pedestrian/Bicycle Improvements. Project # 0109. North Stateline Casino Core.
Scenic Road Unit #25 Improvements. Project # 0095. Ponderosa Area.
Incline Village Commercial SEZ Restoration. Project # 0118.
Incline Village #1 BMPs. Project # 0228, 0229, 0230, 0231.
Scenic Road Unit # 21 Improvements. Project # 0502. North Stateline
Scenic Road Unit # 22 & 23 Improvements. Project # 0094, 0499. Crystal Bay.

PROJECTS REQUESTED TO BE ADDED TO THE EIP LIST
City of South Lake Tahoe:
U.S. 50 Sidewalks, Ski Run to Stateline.
Lake Access to the Stateline Area.
Environmental Learning Center in the Stateline Area.