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 September 8, 1999, at the Chateau, 955 Fairway Boulevard, Incline Village, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

August 30, 1999

Jerry Wells
Deputy Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Stateline 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

The Chateau
955 Fairway Boulevard
Incline Village, Nevada

September 8, 1999
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 any 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 HEARINGS

A. Amendment of Plan Area Statement 171, Tavern Heights, to Allow Government Offices (Restricted to Regional Post Office Only) as a Special Use in Special Area #1 Page 1

B. Lake Tahoe Source Water Protection Program, Ordinance Development Workshop Page 7

C. Regional Transportation Plan/Air Quality Plan Public Scoping Process for an EIS Page 21

VI. PLANNING MATTERS

A. Determination of Lands and Parcels Suitable for Multi-Residential Development in Douglas County Page 55

VII. ADMINISTRATIVE MATTERS

A. The Role of the Advisory Planning Commission Page 59

B. Status Report on Streamlining Activities Page 61
C. Local Revenue Generation

VIII. REPORTS
A. Executive Director
B. Legal Counsel
C. APC Members

IX. ADJOURNMENT
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

The Chateau
955 Fairway Boulevard
Incline Village, Nevada

July 14, 1999

REGULAR MEETING MINUTES

Chairperson Bob Jepsen called the regular July 14, 1999, meeting of the Advisory Planning Commission (APC) to order at 9:40 a.m. and asked for a roll call.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Mr. Kehne (arrived at 9:44 a.m.), Mr. Lohman, Mr. Doughty (arrived at 9:55 a.m.), Ms. Baldrica, Mr. Westerdahl, Mr. McDowell, Mr. Porta, Mr. Lane, Mr. Popoff, Mr. Lawrence, Mr. Morgan, Mr. Harper, Mr. Marchio, Mr. Jepsen

Members Absent: Mr. Cole, Ms. Kemper, Mr. Joiner, Mr. Haen, Mr. Combs

II. APPROVAL OF THE AGENDA

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

III. PUBLIC INTEREST COMMENTS - None

IV. DISPOSITION OF MINUTES

MOTION by Mr. Morgan, with a second by Ms. Baldrica, to approve the June 9, 1999, APC minutes as presented. The motion carried with Mr. Harper abstaining.

V. PUBLIC HEARINGS

A. Amendment of Chapter 91, Air Quality Control, by Deleting Subsection 91.8 and Removing the Winter Time Motor Vehicle Fuel Oxygenate Requirement

Associate Planner Jim Allison presented the staff summary amending Chapter 91, Air Quality Control, by deleting Subsection 91.8 and Removing the Wintertime Motor Oxygenated Fuel Requirement.

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. Popoff, with a second by Ms. Baldrica, to recommend approval to the Governing Board to amend Chapter 91, Air Quality Control, by deleting Subsection 91.8 and
removing the Wintertime Motor Oxygenated Fuel Requirement. The motion carried unanimously.

A. Amendment of Chapter 4, Project Review and Exempt Activities to Amend An MOU between TRPA and the California Tahoe Conservancy

Chief of Project Review Rick Angelocci presented the staff summary amending Chapter 4, Project Review and Exempt Activities to Amend an MOU between TRPA and the California Tahoe Conservancy.

Mr. Morgan voiced his concern that 24 hours was not enough notice for the closing or obliteration and restoration of roads or trails and conversion of roads.

Ms. Baldrica commented that there are some historical roads and trails that she would not want to see obliterated without some sort of provisions to identify and treat them in some fashion. She believed that 24 hours was a short period of time in which to notify TRPA.

Mr. Bruce Eisner, with the California Tahoe Conservancy, stated that the item that has been added to the MOU is an item that the California Tahoe Conservancy has been undertaking for the last dozen years, consistent with an exempt activity. For the most part, what they have been doing is closing a 100 foot section of road through an urban lot that goes to the back of somebody’s backyard to the back of their property. This is typically the kind of thing they are closing. In areas where there are larger ownerships, they have been cooperating with those owners in terms of a road network so any restoration work that they are doing is part of a consultation period. Normally, we will post a sign if it is a public trail that people are using all the time.

Ms. Baldrica questioned how the Conservancy identifies whether or not they are historic trails or parts of historical railroad grades. Mr. Eisner replied that they work with the California Department of Forestry and Fire Protection who are trained in archeological procedures, and we will use them to help evaluate them. We have access to records that might show these sorts of things. When we are dealing with subdivisions that are 30 years old and clearly the use is not going out into the general forest and is not part of some broader network, the Conservancy’s assumption has been that we are dealing with something that is not historical.

Ms. Baldrica stated that Forest Service has undertaken a study of the road system of Lake Tahoe, and she hoped that the Conservancy was looking at that particular work and talking to the Forest Service Archeologist here as well, just to see if there is the potential for the impact of any historical resources.

A discussion ensued.

Mr. Harper stated that he would be more comfortable with adding 24 hours prior notice before closing or obliteration and restoration of roads or trails and conversion of roads to trails, except for weekends or either weekend work is prohibited or there is a 72-hour notification that will occur over a weekend. He understands the trust level, but the problem is that it could vary amongst different types of people. Someone will look at this language and say you made this decision because of a trust level you have with certain people at a certain time. Don’t I have this trust level with you because I am with such-and-such county or such-and-such city.” He believed that this was a little risky.
Mr. Doughty questioned what constitutes notification, and Deputy Director Jerry Wells replied that something in writing sent to TRPA by fax would constitute notification.

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

MOTION by Mr. Harper, with a second by Mr. Morgan, to recommend approval to the Governing Board with the change to C.2. that includes language requiring a 72-hour notice for any work that is contemplated over the weekend.

Mr. Angelocci questioned Mr. Harper if he agreed with adding in parentheses the words '72 hours for weekend work'; and Mr. Harper agreed.

The motion carried unanimously.

B. Amendment of the Boundary Between the Incline Commercial Community Plan And Plan Area Statement 047, Incline Village Residential, in the Area of Cottonwood Court

Associate Planner John Hitchcock presented the staff summary amending the boundary between the Incline Commercial Community Plan and PAS 046, Incline Village Residential in the area of Cottonwood Court.

Mr. Harper stated that the current boundary would have to be amended at the County level and that requires a Comprehensive Plan Amendment, which is between a three and sixth month process. He commented that whatever action the APC takes would not necessarily drive the position of the County. There is recognition for the need of affordable housing also. The planning action we are contemplating here ought to be based on a good planning principle and a need not based on a property owners desire. His understanding of the reason this is being proposed is because the applicant does not want to be in a position of having to provide affordable housing if they decide at some future time to convert.

Mr. Hitchcock stated that he did inform the applicant that he would also have to go through the County for approval.

A discussion ensued.

Mr. Morgan suggested that TRPA and Washoe County have a meeting to resolve these issues.

Mr. Harper stated that decision on this project would not be at staff level. This requires an amendment to their Comprehensive Plan, which defines certain uses within a specific zoning category that the County has. He recommended that the applicant be required to file the appropriate Comprehensive Plan Amendment with Washoe County, direct the County and TRPA to work together to schedule the appropriate hearings so that they fall within the same timeframe, and we come forward with a joint recommendation. He stated that nothing changes; the only thing that occurs that concerns the applicant is the fact that if they want to convert this to a condominium, they would have to indicate that one of them would be at an affordable market rate. He didn’t know if the County would agree that that is the appropriate place or not. They are not prepared to make a decision without doing a more comprehensive evaluation at this point in time.
Mr. Lane stated that there should be a dialogue between the County and TRPA. He has experienced that sometimes if you go to the County first, their requirements for an application are so cumbersome in terms of what you have to provide, and turns out to be very costly. Then in turn, you still don't know what TRPA is going to require. He didn't believe that we should approve something without the two jurisdictions talking to the Agency to see if it can be approved.

Chairperson Jepsen opened the meeting up for a public hearing.

Mr. Hal Sorenson believed that TRPA should make their decision, subject to approval by the County. His experience has been that you have to go to the TRPA, the Fire Department, the architect; all before you go to the County.

Mr. Harper responded that this is not an application for a project; it is a policy issue to deal with what type of land uses is appropriate on the property. This application would be sufficient as documentation, plus a response to the County’s application, for the Comprehensive Plan Amendment. He stated that the real issue here is TRPA’s Plan Area Requirement that a percentage of the units would have to be devoted to affordable housing, which the County has adopted.

Mr. Sorenson questioned if the APC could make a decision, subject to the County’s action on it. Chairperson Jepsen stated that is a possibility.

Mr. Peter Damco, owner of Cottonwood Court Properties and the primary applicant of the project, apologized for Mr. Gilanfarr’s inability to attend the meeting. He had a conflicting appointment today. Mr. Damco spoke with Mr. Gilanfarr about this issue, and Mr. Gilanfarr has been in touch with the County. After speaking with Ms. Sharon Kvas of the County, it was his understanding that the process needed to be approved by TRPA first before being presented to the County. That is the reason this item was brought before the APC meeting today. Mr. Damco commented that if there were a problem with the procedural aspect of this, then he would go back and start over again.

Mr. Harper responded that he is Ms. Kvas's supervisor, and Ms. Kvas did visit with him last week, which was the first notification that this was moving forward. Mr. Harper commented that Mr. Gilanfarr was advised at that point in time that the County’s preference was that he would make an application to the County first before proceeding with this. The letter of notification that Mr. Gilanfarr gave to Mr. Damco indicating that the County was suggesting that this item go through the TRPA process was incorrect.

Mr. Damco stated that there is a small circular driveway on Cottonwood Court, and in that vicinity all of the other units have been converted from multi-family rentals into condominiums at this point; his is the only unit that hasn't. For the benefit of that portion of the community — and I have lived as a tenant in that unit for many years — my mother still lives there, and I know that the units that were converted were fixed up and made to be a higher standard of quality units in that area for purposes of sale. It has also made those people who own their units now in that area more concerned about his unit, and most of those owners were in favor because they like the things that have happened in the area. Those units are not inexpensive and there are a lot of working class people that live in that area. On the other hand, when I went to purchase my first home, it seems to be that the glut in Incline Village is really for the first-time home buyer finding an affordable place to live. The only real market is condominiums because no one is building affordable units for first-time homebuyers.
Mr. Harper explained to Mr. Damco that he could file a condominium map tomorrow. He stated that there was nothing in the current TRPA or County Code preventing him from turning these from rentals into individual sale units. Mr. Damco replied that he understood he could but believed that there would be some type of restrictions. Mr. Harper said that one of them would have to be offered at an affordable market rate. Mr. Harper did not know if the offer at an affordable market rate occurred after a unit becomes vacant, even if you first convert the project into a condominium, or would you have to go in and offer an affordable market to one of the current tenants now. He suggested that Mr. Damco explore this issue and make an appointment with the County to sit down and discuss the options available to him.

Mr. Damco stated that he believed that maybe we are going beyond the application and the purpose because the other aspect of this is that area he is in and the other homeowners that own their separate condominiums are in a commercial area that appears to make very little sense in that area. It is intensely residential and there isn’t any potential at all that anybody would accept in that area for some time of commercial activity going on amongst their kids, their dog, and their yards, and everything else.

Mr. Doughty questioned that in terms of the affordability and the first-time home buyer, had Mr. Damco’s agent looked into what exactly the affordability issue would do in terms of the requirements and what that would result in, particularly given what the values of property in Incline, what the medium income in the area is, and all those aspects of. Mr. Doughty commented that the frustration he was having sitting here is that this is the second time we have backed ourselves out of a project in which we could have gotten affordable housing. He voted not and the APC voted no on a Borelli project, and he believed that was a good decision. It was overridden ultimately by the Governing Board. We are now being asked again to override the requirements for affordable housing to look at this issue. He commented that we are either going to get out of affordable housing and not state anything about it and take it out of our Code of Ordinances or we are going to do something about it. He believed he was stuck in the middle of this issue. He suggested that the Agency either be in the affordable housing or they should get out of it entirely, and we need to have a discussion about this issue. He asked if Mr. Damco had looked at the issue of what affordable means and what that would mean in terms of the actual price of the unit and what he could sell the unit as. Mr. Doughty was of the opinion that before the APC takes any action, they should address this and start looking at this issue.

Mr. Damco replied that he had not specifically looked at this issue, and his understanding was that affordable housing would limit significantly his ability to sell it in the future.

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

Mr. Harper commented that the County has a big problem in providing affordable housing and identifying where that ought to be located, which also has financial impacts to the applicant. He stated that any decisions made on this item that has an affect on any other property owner in a similar situation, saying Wait a minute, if you are going to do it for this person, why don’t you do it for us also.” We need to look at this issue regarding affordable housing. The timing is fortuitous for the fact that the County is completing their housing element, which is required under State law, and therefore making a decision on this issue prior to that does seem to be wrong. He recommended that the item be continued until such time that the property owners involved and any other property owners that may need to be contacted and made an application for a Comprehensive Plan Amendment, that staff be directed to put together a joint response so that both decision making bodies have an opportunity to see a joint review.
MOTION by Mr. Harper, with a second by Mr. Morgan, that the item be tabled until such time as this can be scheduled at the same time that a Comprehensive Plan Amendment is being processed by Washoe County.

Mr. Doughty questioned Mr. Wells if we had the authority to continue the item or is there a mandate that the item be forwarded if it is an application. Mr. Wells commented that if the Agency is not comfortable moving an item forward, we have the authority to continue the item. Mr. Wells agreed with the APC on their decision, and believed that the Agency would need 30 days to resolve the issues.

Mr. Harper suggested a meeting be set up between Mr. Gilanfarr and the County to discuss solutions to the unresolved issues.

The motion carried unanimously.

(Break taken at 11:00 a.m.)

(Reconvened at 11:12 a.m.)

D. Public Scoping for 64-Acre Tract Intermodal Transit Center EIR/EIS

Associate Planner Jim Allison presented the scope of impacts for an Environmental Impact Statement (EIS) for proposed 64-Acre Tract Intermodal Transit Center, APN 94-180-65.

Mr. Jim Jordan, consultant for the project from the firm of Balloffet & Associates, presented an overall view of the 64-Acre Tract Intermodal Center EIR/EIS.

A discussion ensued.

Chairperson Jepsen opened the meeting up for a public hearing.

Mr. Will Gardner, the Transit Manager with Placer County Public Works, explained the County's role in the project and the traffic control problem. He stated that the proposal that is moving forward now that is most prevalent is a man traffic control operation instead of a signal. The County has talked to CalTrans and so far they have not supported putting a signal at the intersection.

Ms. Jennifer Merchant, with the Truckee-North Tahoe Transportation Management Association, wanted to point out the parking on behalf of the business owners in the area. She stated that the key point here is remembering that this is an intermodal transit facility; we are not just talking about people arriving to Tahoe City on a bus and walking or leaving Tahoe City on a bus. This is a recreation and tourism area where people might be arriving in Tahoe City in a car and getting out at this point and getting on rollerblades because we are at the intersection of a 400,000 person-user per year bike trail, and maybe they are getting on rollerblades or getting on their bike or walking into town, or possibly rafting. Ms. Merchant stated there are certainly opportunities beyond just TART buses and safety issues, and we are looking at expanding a ski shuttle system, and putting all of the local ski areas in one ski shuttle system, which would be a key point for people driving to this location. They can get on a shuttle that goes to Squaw Valley or North Star. In addition, we are looking at an airport shuttle service. Ms. Merchant commented that the 130 spaces stated in the EA include replacement of about 50 or so spaces.
that would be taken away because of TRPA guidelines. This would be a loss of parking in an area where we need more parking in an effort to get people out of their cars.

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

VI. REPORTS

A. Legal Counsel

Agency Counsel John Marshall commented that TRPA would be filing in the Ninth Circuit their opening briefs in the TSPC appeal this week. Earlier this month, TRPA made the final payments in the Suitum case. Mr. Marshall stated that the results of that case are yet to be determined at this point. The Legal Division is in the process of hiring a second attorney. He stated that he may have one hired by the next APC meeting or thereafter.

B. Executive Director

Deputy Director Jerry Wells stated that Shorezone EIS has been in circulation and the comment period has ended. On the 22nd of July at 2:00 p.m., at the Kings Beach facility, a workshop will be held on the EIS and encouraged many of the APC members to attend. Then from 7:00 – 9:00, Dr. Oris, who has been working on the PAH issue relative to motorized watercraft emissions, will be speaking. In addition, Executive Director Jim Baetge has been on vacation and is due back on Monday, July 19, 1999.

A. APC Members

Mr. Lane stated that it is difficult for anybody to understand the rules and mission of the TRPA. He believed that there should be some sort of summary when an EIR or EIS is presented to the APC that is easier and shorter to understand; such as a 15 or 20 page summary with categories along the lines of TRPA's environmental checklist would be valuable to the APC and the general public.

Mr. McDowell stated that on Monday afternoon, Mr. Juan Palma, the Forest Supervisor in Lake Tahoe, announced that he had taken another job. He has been in the Basin for about 27 months and has been a real mover and shaker and leader in the Lake Tahoe community. The Forest Service will miss him a lot. He stated that he was happy for him but sad for the Forest Service. Mr. Palma would be in for another five or six weeks before he goes to Eastern Oregon with the Bureau of Land Management as a lateral position as far as pay scale goes.

Mr. Porta stated that long-time APC member, Wendell McCurry's cancer has returned and he is going through treatment. His goal is to try to return to work.

Mr. Doughty has a concern over the role of the APC and he believes that it has become a little unclear. He stated that something that concerned him occurred a couple of months at the Governing Board meeting in which the Governing Board members had a discussion on the urban boundary and an amendment. The APC was not brought into that discussion and had not been party to that, and that is a basic element of the Advisory Planning Commission. In general, Mr. Doughty has questioned over the last couple of years the role of the APC and why they are even here. It seems to him that the Governing Board does generally what they wish to do, regardless of what the APC recommends. The APC is simply a dress rehearsal for staff for the Governing Board meeting. He questions why the APC is even here and whether they are...
really being given any credence to what they do. He would like agendized for the September APC meeting a general discussion as to what the APC role is, what the APC needs to redefine what their role is, and whether the APC needs to take that forward to the Governing Board and ask for their assistance. He was of the opinion that what the APC does doesn't make much difference because the Governing Board is going to do what they want to do anyway.

Chairperson Jepsen, along with Mr. Marchio concurred with this issue. Another item Mr. Marchio would like to discuss is the difference between what is a local issue and what is a regional issue.

Mr. Morgan brought up the 4th of July fireworks issue; he would like to know how many pounds and/or tons of nitrogen and phosphorous and other metals are being dumped into the Lake from those fireworks. He believed that TRPA should address this question.

Mr. Lohman stated that the County is trying to figure how to pay for the person that would need to be hired to do those duties with regards to the MOU expansion. At this point, the County has not forwarded the MOU to the County Board of Supervisors.

Mr. Poppoff supports Mr. Doughty's suggestions. The APC has had this quandary for years, and it has never been satisfactorily resolved, and he would like to see it resolved. In addition, he supported Mr. Morgan's suggestion about looking into the amount of nitrogen and phosphorus polluting the Lake.

Mr. Harper commented that when he was the APC Chairperson from 81-84, the same issue was raised about the APC roles. At the time, he stated that the APC was very successful in formulating an understanding of what their role was and then having the Chairperson go and talk to the Chairperson of the Governing Board with the staff and lay out what was desired. For a time, the APC had a good sense and things were being referred to the APC normally had not been, although there were some Compact issues that one had to be aware of that prevented the APC from operating along the lines of what traditional planning commissions do. Mr. Harper stated that what was being conveyed to the Governing Board was not done very well or was not accepted by the Governing Board as important. He encouraged the APC to discuss this issue and use their Chair as the focal point and work with Agency staff. He also encouraged the APC to discuss the issue of local vs. regional issues.

Mr. Jim Jordan, taking off his consultant hat and putting on another, commented that when he was on the APC years ago, they were very vital to the staff. It was a dress rehearsal for everything that staff brought forward to the Governing Board. Mr. Jordan stated that many times things did not go to the Governing Board because they were sent back for further work by the APC. And because the TRPA staff had two hats, they were able to convey exactly what the APC had done. He believes that the APC is a very valuable organization and they should not get down on themselves but they should exert themselves because their role to staff can be very valuable, as well as their role to the Agency.
VIII. ADJOURNMENT - The meeting was adjourned at 12:30 p.m.

Respectfully submitted,

Sue Mikanovich

Sue Mikanovich
Clerk to the Commission

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call (775) 588-4547 to make an appointment. In addition, written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.
MEMORANDUM

August 31, 1999

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 171, Tavern Heights, Special Designation, to Allow Government Offices (restricted to regional post office only) as a use in Special Area #1

Proposed Action: The applicant, who owns APN 94-253-16, proposes to amend Plan Area Statement 171, Tavern Heights, to designate Special Area #1 as an area eligible for Government Offices (restricted to regional post office only) use. This will be accomplished through a modification to the permissible uses in the public service category and modification of the special policies for Special Area #1.

Refer to “Exhibit A” that shows the vicinity map and surrounding land uses.

Staff Recommendation: Staff recommends that the Advisory Planning Commission conduct the public hearing as noticed and, based on its outcome, recommend approval of the amendment to the TRPA Governing Board.

Discussion: The subject parcel is located within Special Area #1 of Plan Area 171. This is a residential plan area. The parcel is along State Route (SR) 89 to the north of Cathedral Drive, just south of a portion of the Tahoe City Community Plan area. The commercial uses just to the north of Special Area #1 include various office buildings, a convenience store, restaurants, and retail shops. Special Policy #2 currently reads “Special Area #1 is designated for multi-residential use” and would be changed upon adoption to “Special Area #1 is designated for multi-residential use and Government Offices.”

In the Permissible Uses under the General List, Government Offices will be listed as a special use in the public service category.

The TRPA’s Scenic Quality Improvement Program (SQIP) identifies the roadway unit adjacent to Special Area #1 as an area targeted for scenic and community design restoration. TRPA’s (SQIP) does not identify locations in Special Area #1 as needing to contribute toward such restoration (parcels to the north are identified as such). But, as with any use proposed on this parcel, the project will have to conform to the TRPA Design Standards so that the eventual project does not degrade scenic quality.

The impetus for this amendment came from the US Postal Service. In accordance with the definitions of uses in Chapter 18 of the TRPA Code, regional post offices are defined under Government Offices. There is also a definition of local post offices but this definition is not encompassing of the uses eventually planned for this site. A regional post office would include

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sufficient broad representation of US Postal Service activities to include planned postal box delivery and implementation of carrier service at this site.

To appropriately limit the range of uses suggested by Government Offices to a regional post office, specific language is proposed as Special Policy #3 and reads as follows:

Government Offices use proposed in Special Area #1, shall be limited as a permissible use under the definition of Government Offices in the TRPA Code of Ordinances as regional post offices. No regional post office use shall commence until TRPA approves an updated US Postal Service Master Plan consistent with Policy 5 F of the Regional Goals and Policy Plan. Provisions for carrier service shall be required for a regional post office in Special Area #1. (If the US Postal Service Master Plan is not approved by TRPA prior to submittal of a regional post office project in Special Area #1, TRPA and the US Postal Service shall commit to an agreement concerning operations in the Tahoe City service area alone. Such an agreement would be a component and binding element to the US Postal Service Master Plan for the Tahoe City delivery area.)

A regional post office use at this location will have a variety of positive transportation impacts. The use would reduce the vehicle miles traveled (VMT) within the Region by capturing westshore postal patrons currently utilizing the Tahoe City post office. This would also reduce congestion within the Tahoe City core area.

The US Postal Service plans to implement carrier service (business/home delivery or cluster box delivery) for the Tahoe City area by including an area for sorting mail in any new facility on this parcel. Implementation of this service is also consistent with TRPA goals to reduce VMT.

This item was noticed for the August 1999 APC meeting. Two letters of concern were received prior to the cancelled August meeting. They have been included as Attachment A with this summary.

Placer County Zoning and General Plan Designations: Placer County has adopted TRPA zoning along Tahoe's west shore. The plan designations for Placer County are the same as TRPA.

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

A. Chapter 6 Findings:

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

   Rationale: The proposed amendments to the Plan Area Statement will support implementation of VMT reduction measures identified in the Regional Plan.

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

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Rationale: The amendment will support efforts to achieve air quality thresholds. Any projects that are proposed due to this amendment will be required to comply with all aspects of the Regional Plan package, including applicable thresholds.

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

Rationale: Any new or expansion of development due to this amendment will continue to be subject to federal, state, and local air and water quality standards.

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

Rationale: For reasons stated in Findings 1 and 2 above, the Regional Plan will continue to achieve and maintain the threshold. It will not utilize any resources, nor have any “project-type” impacts discussed in Section 6.3.B of the TRPA Code.

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

Rationale: See findings 1 and 2 above

B. Chapter 13 Findings:

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

Rationale: The amendment will not expand the area of residential, commercial or public service uses beyond that which presently exist and for which the area is zoned. The proposed new use for Special Area #1 would enhance the Region’s ability to implement reductions in VMT that would occur due to relocation of west-shore postal patrons and (required) implementation of carrier service. Provision of Government Offices, regional post office use only, in a residential plan area is compatible with the residential patrons who are expected to utilize either the carrier service or a more convenient post office location than currently exists. Although the special designation is to provide scenic restoration within this plan area, the TRPA Scenic Quality Improvement Program does not target parcels in the vicinity of Special Area #1 for restoration. Adherence to the TRPA Design Standards will ensure that future projects do not conflict with the scenic restoration.

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goals identified for PAS 171. The opportunities for screening a future use from view is high due to the forested cover adjacent to SR 89. In addition, scenic design standards would be applied to any structure planned for the parcel, including a regional post office.

Environmental Documentation: Staff has completed an Initial Environmental Checklist for the proposed action. Staff recommends that a Finding of No Significant Effect (FONSE) be made based on the following:

1. The amendment will have limited applicability.

2. Threshold-related improvements that have been discussed with the applicant are anticipated and required as part of project development (including air, scenic, and water quality).

3. The amendment would not approve development greater than contemplated by the Regional Plan.

4. VMT and traffic congestion will be reduced by project development.

Staff will begin this item with a brief presentation. Please contact Jim Allison at (702) 588-4547, extension 229 or via email at Jim Allison <trpa@sierra.net>, if you have any questions regarding this matter.

Attachment
To Whom It May Concern,

We live directly across the street on the corners of Olympic and Tarvern Drs. We are very concerned with more traffic problems this post office site will create. As it stands now, traffic tie-ups stem from the "Y" which is a mile down the road. The back-ups have been a regular nuisance beginning at 11:00 am and does not subside until 4:00 pm. This gets worse during the summer season, especially on weekends. As a result many of the cars have been using Tarvern Dr. as a bypass. They are usually speeding down this street where many of the small children reside.

Our oppositions to this proposal are:

1) This will create more traffic jam along highway 89 and causing more delays.
2) These delays will cause vehicles to use Tarvern Dr. as a means of a "short cut" and sending traffic down our neighborhood street.
3) These vehicles drive at fast speed down the street where young children could be outside and become endangered.
4) This also will create more noise to disturb our peace and tranquility as they rumble through in our neighborhood.

We come up here to get away from the hustle and bustle of city life. We want a place of refuge and not a mere extension of the urban blight.

Find another suitable site closer to the heart of Tahoe City where one can do the mailing along with their other chores at the same time.

Sincerely,

Stanley and Shirley Woo
P.O. Box 873
690 Tarvern Drive
Tahoe City, Ca 95730
(530) 583-1032

Dear Sirs,

Re: Proposed Project: Amendment of Plan Area Statement 171, Tavern Heights, to permit Government Offices in Special Area #1 (regional post office use only)

Applicant: David Achiro and Mary Achiro-Collins

As homeowners of 601 Steeple Court, Tahoe City we would like insist on the following conditions:-

- no access by either vehicles or pedestrians to the PO via Steeple Court.

- no increase in the traffic both vehicular and pedestrian using Steeple Court.

- no parking of vehicles in or near Steeple Court.

- assurance that noise, smell and any other forms of pollution will not increase as a result of the project.

- normal working hours of 8am to 6pm excluding Sundays and public holidays.

- no negative impact to the environment or living conditions that are currently enjoyed by us at this time.

Thanking you in advance for your careful review of these matters.

Yours truly,

Kevin and Maureen Walsh

[Signatures]
MEMORANDUM

August 30, 1999

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Lake Tahoe Source Water Protection Program, Ordinance Development Workshop.

Proposed Action: The purpose of this workshop is to solicit comments and direction from the APC, interested stakeholders, and the general public with regards to implementation of an element of the Lake Tahoe Source Water Protection Program. TRPA will present in workshop fashion the background, purpose, and benefit of adopting a proposed ordinance which would implement the Protection Plan Element of the Lake Tahoe Source Water Protection Program (See Attachment B.)

Staff Action: Staff recommends that proposed ordinances which would strengthen protection of drinking water sources be presented to the TRPA Governing Board for adoption in September, 1999. Staff has begun identifying the elements of a proposed ordinance in coordination with the USEPA and the Lake Tahoe Source Water Group. Before proceeding further towards presenting a proposed ordinance to the TRPA Governing Board, TRPA staff requests your comments to determine if the Commission and interested stakeholders are receptive to moving forward with this protection measure. See Attachment A for letters of support from other agencies.

Background: Because Lake Tahoe is a source of drinking water for the basin, the USEPA has provided funding under the Safe Drinking Water Act to TRPA to ensure protection of public health. The Lake Tahoe Source Water Protection Program includes development of a Coordination Plan that will integrate the preparation of state source water assessment and protection plans in the Lake Tahoe Region. USEPA is looking for this plan to serve as a model for application to other interstate watersheds in the United States. This program is one of several Presidential Commitments described in the status report entitled “The Clinton-Gore Commitments of the Lake Tahoe Presidential Forum.”

One program product currently being developed is a Source Water Inventory Map. A Geographic Information System (GIS) inventory database is being compiled which forms the basis for this map. This GIS product includes the generation of buffer zones around each drinking water source (Interim Protection Zones). When certain proposed projects are located within an Interim Protection Zone, project planners could be alerted, and could review these projects to insure protection of the nearby drinking water source. However, to implement this protective measure, ordinance amendments must be adopted.

JPK/dmc

AGENDA ITEM V.B.
If you have any questions or comments regarding the Lake Tahoe Source Water Protection Program or the workshop, please contact Jon Paul Kiel at 775-588-4547, extension 261.

Attachments:
Advisory Planning Commission
Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, NV 89448-1038

Dear Commissioners:

I am writing to you to express our support for the Source Water Protection ordinance that is currently proposed by the Tahoe Regional Planning Agency (TRPA). As you know, the protection of drinking water through the Source Water Assessment and Protection Program is a high priority for the U.S. Environmental Protection Agency (EPA). The protection of Lake Tahoe for its varied uses including use as a drinking water source has our full support.

The Source Water Assessment and Protection Program protects both habitat and human health. With this in mind, we were very pleased to fund the development of a local Tahoe Basin Source Water Protection Program as one of the President’s commitments in 1997. Through this program, local stakeholders including water purveyors, health and water quality agencies, federal agencies, and affected industry have defined objectives and tasks that can make a real difference in the protection of Tahoe’s water resources. The development of the Source Water Protection ordinance is the culmination of over a year’s worth of effort by these stakeholders, and provides a mechanism for implementing some of the objectives they developed.

Safe and plentiful drinking water assures the long term success and viability of a community and its members. I hope that you will adopt the Source Water Protection ordinance, an additional tool that can be used to protect the quality of Lake Tahoe and the Basin’s water resources. Thank you for your consideration.

Yours,

Felicia Marcus
Regional Administrator
August 30, 1999

James Baetge, Director
Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, NV 89448

Dear Mr. Baetge:

SUPPORT FOR TRPA’S PROPOSED ORDINANCE TO PROVIDE ADDITIONAL PROTECTION TO WELLS, SPRINGS AND LAKE INTAKES IN THE LAKE TAHOE REGION

Thank you for the opportunity to participate in the Lake Tahoe Source Water Protection Group. The Lake Tahoe Source Water Protection Program was initiated after being identified as a Presidential Deliverable. The intent of this program is to ensure protection of drinking water sources and public health. The California Regional Water Quality Control Board-Lahontan Region (Regional Board) commends TRPA’s active and successful role in this program. The Regional Board strongly supports the much needed ordinance TRPA is proposing for the long-term protection of source water in the Lake Tahoe Region.

Currently, ground and surface water supplies in the Lake Tahoe Basin adequately serve local and visitor populations. As the populations of both year-around residents and visitors to Lake Tahoe Basin continue to increase, so does the demand for drinking water. Unfortunately, as the population increases, so do the industries, commercial and residential properties, and recreational facilities needed to support these populations. Because current and proposed land uses have the potential to contaminate viable surface and ground water resources, strict management practices must be applied to assure existing and potential sources of drinking water are protected. Regulatory agencies and the community need to implement control measures to secure the availability of safe drinking water. Currently, water consumers in the Lake Tahoe Basin are exercising water conservation because leaking underground storage tanks impacted nearly a third of South Lake Tahoe’s municipal drinking supply.

To avoid future water contamination and water shortage situations, it is necessary to critically review proposed projects that have been identified as possible contaminating activities. If current and proposed projects are associated with contaminating activities (auto-body shops, dry cleaners, horse stables, marinas etc.) then stringent best management practices shall be implemented on-site to prevent source water contamination. The proposed ordinance is designed to ensure a proposed project having
the potential to impact source water complies with certain protective standards including
the preparation of a spill prevention and contamination discharge plan. The proposed
ordinance will also allow nearby residents, the jurisdictional water purveyor, and the
Department of Health Services to comment on the proposed project. All of the above-
mentioned conditions of the ordinance will be necessary to ensure source water
protection.

As part of the Lake Tahoe Source Water Assessment and Protection Program, source
waters in the Lake Tahoe Basin have been identified, inventoried, and mapped. Possible
contaminating activities have been defined and source water protection zones have been
delineated. The Regional Board commends TRPA for its efforts in facilitating this vital
program and supports TRPA’s proposed ordinance designed to protect wells, springs, and
lake intakes, in the Lake Tahoe Region.

We look forward to working together to protect source water quality. Should you wish to
discuss this matter further, please contact me at (530) 542-5436 or Mary Fiore at (530)
542-5425.

Sincerely,

Lauri Kemper
Senior Water Resource Control Engineer
August 27, 1999

Jon Paul Kiel
Water Quality Program Manager
Tahoe Regional Planning Agency
P.O. Box 1038
Zephyr Cove, NV 89448

Dear Mr. Kiel:

The Nevada State Health Division, Bureau of Health Protection Services wishes to express its support for the proposed ordinance that seeks to protect drinking water sources in the Lake Tahoe region.

Through its Source Water Assessment Program, Nevada is committed to the concept of prevention of contamination of drinking water sources. This is cost effective and prudent public health practice. The ordinance proposed by the Tahoe Regional Planning Agency promotes this concept.

The Bureau of Health Protection Services serves as a member of the Lake Tahoe Source Water Assessment and Protection Group along with TRPA, the California Department of Health Services, the United States Environmental Protection Agency, and other interested parties. We appreciate the opportunity to coordinate our source water efforts with this group.

If you have any questions, please contact me.

Sincerely,

Jonathan C. Palm, Ph.D., P.E.
Manager, Public Health Engineering
Bureau of Health Protection Services

cc: Leah Walker, CDH
    Judy Bloom, USEPA
Jon Paul Kiel  
Water Quality Program Manager  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448

Dear Mr. Kiel:

The California Department of Health Services, Division of Drinking Water and Environmental Management (DHS) wishes to express its support for the development of a source water protection ordinance for the Lake Tahoe region by the Tahoe Regional Planning Agency (TRPA).

Encouraging source water protection efforts is one of the primary elements of the California Drinking Water Source Assessment and Protection Program developed by DHS and recently endorsed by the US Environmental Protection Agency (USEPA). The Program describes how DHS will conduct assessments for drinking water sources and encourage protection efforts.

DHS has been pleased to be a member of the Lake Tahoe Source Water Group that has worked with TRPA, the Nevada State Health Division, and the USEPA on the source water protection project and appreciates the opportunity it provides for interstate coordination of source water protection activities.

If you have any questions, please contact Leah Walker of the Drinking Water Technical Programs Branch at (707) 576-2295.

Sincerely,

Alexis M. Milea, P.E., Chief  
Division of Drinking Water and  
Environmental Management

cc: Leah Walker  
Bob Hultquist  
Jess Morehouse  
Judy Bloom, USEPA  
Jon Palm, Nevada State Health Division
Source Water Protection Ordinance Development Workshop

- TRPA Advisory Planning Commission
- Incline Village, NV
- September 8, 1999

Workshop Presentation:
- 1. Background
- 2. Lake Tahoe Source Water Protection Program Goals
- 3. Source Water Protection Plan Implementation
- 4. Ordinance Application and Benefits
- 5. Questions and Comments

Lake Tahoe Source Water Protection Program:

Background

"Where we've been."

Lake Tahoe Source Water Protection Program:

Because Lake Tahoe is a source of drinking water for the basin, EPA has provided new funding under the Safe Drinking Water Act to TRPA to insure protection of public health.

New Requirements of the Safe Drinking Water Act include:

- Development of State Source Water Assessment and Protection Programs
- Source water assessment and protection requires CA and NV to delineate the area contributing water to the drinking water supply, to identify possible contaminating activities, and to assess the vulnerability of the water system to contamination.
Program Goals:
- Coordination and Integration of State and Local Efforts to Protect Water Quality.
- Coordination of Source Water Assessment and Protection Plans.
- Integration of CWA and SDWA Objectives.
- Establishment of a Working Coordination Group.

Program Goal Elements:
- Identify common objectives of SDWA and CWA to strengthen protection of water quality.
- Utilize a Watershed Approach.
- Strengthen Protection of Groundwater.
- Identify Working Coordination Group/Regional Players.

Coordinate Interstate Source Water Assessment and Protection Efforts:
- Integrate CA and NV source water assessment and protection programs.
- Use Source Water Assessment Information to Strengthen TRPA's Stormwater Runoff Plan.
- Link Stormwater Runoff Control to Groundwater.

Coordinate Efforts, Continued:
- Evaluate Effects of Runoff Control on Groundwater Resources.
- Enhance Groundwater Protection Control Measures.

Create a New GIS Layer to Enhance Watershed Priority Identification.
- Watersheds must be prioritized to maximize benefits of management efforts to improve watershed conditions.
- Create Regional Initial Drinking Water Source Assessment Map.

Products Expected:
- Coordination Plan
- Regional Drinking Water Source Assessment Map
- Regional Protection Plan
- Public Outreach Website (www.ceres.ca.gov/trpa: Select Lake Tahoe Source Water Protection Program)
- Project Report
“Where we want to go”
Regional Protection Plan:
- Strengthen protection of water quality by enhancing existing surface and groundwater protection programs.
- Adopt new ordinances which address the need to protect source water.
  (Implement the Protection Plan.)

Purpose of an Ordinance:
- Recognize the importance of protecting source water from contamination.
- To provide protection of public health.
- To strengthen Goals and Policies regarding Groundwater Protection.
- To implement an element of the Lake Tahoe Source Water Protection Program.

TRPA Goals and Policies,
WQ Subelement, Goal #2:
- "Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, education, scientific, natural, and public health values provided by the Lake Tahoe Basin."
  (One of ten findings required to adopt the 1980 Compact Amendments.)

26 Percent of TRPA Primary Uses have been identified by CADHS and NVBHPS as being Very High Potential Possible Contaminating Activities.

Proposed Ordinance Elements:

- Definitions:
  - Source Water
  - Possible Contaminating Activities
  - Source Water Protection Zone
  - Interim Protection Zone

Ordinance Elements Cont:
- Source Water Inventory
- List of Possible Contaminating Activities
- Source Water Best Management Practices
Related Goals and Policies and Code Amendments:

- WQ Subelement, Goal #2, New Policy?
- Chapter 2, relative to Definitions
- Chapter 12, relative to adoption of Other TRPA Maps.
- Chapter 25, relative to Special Circumstances and BMP installation

Relation to State SWAPPs:

- The initial Lake Tahoe Basin Source Water and PCA Inventory may be updated upon receipt of assessment information from the states.

Ordinance Application, Proposed Uses:

Yes

Application Review

PCA

No

Located in IPZ

Ordinance Application, Existing Uses:

Yes

Ordinance Benefits:

- Use information available today to protect source water (Surface and groundwater).
- Use an Adaptive Management Strategy.
- Recognizes a link between surface water quality and groundwater quality.
- Provide a template for other watershed managers to consider.
TRPA Potential Contaminating Activities, Very High Potential, Examples:

COMMERCIAL:

Retail:
- Service Stations
- Auto repair and service
- Launderies and dry cleaning plants
- Repair services

Light Industry:
- Battery plants
- Fuel and ice dealers
- Wholesale/Storage
- Storage yards
- Vehicle storage and parking

Letters Received in Support of a Source Water Protection Ordinance:

- U.S. Environmental Protection Agency
- California Department of Health Services
- Nevada Bureau of Health Protection Services
- Others

Process Considerations:

- Draft Ordinance back to APC in October?
- Draft Ordinance to Governing Board Only?
- Draft Project Report to APC in October?
MEMORANDUM

August 30, 1999

To: Tahoe Regional Planning Agency Advisory Planning Commission

From: Jim Allison, Long Range Planning Division

Subject: Regional Transportation Plan / Air Quality Plan Public Scoping Process for an Environmental Impact Statement (EIS)

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Proposed Action: Staff requests that the Tahoe Regional Planning Agency Advisory Planning Commission (APC) assist in the scoping of the Regional Transportation Plan / Air Quality Plan EIR/EIS and elements of the Plan for TRPA, federal and state purposes. In addition, staff is requesting that the APC solicit public comments through a public hearing on the scope of the proposed EIR/EIS and the content (policies, programs, projects) of the plan at the meeting. No formal action is required by the APC.

An environmental checklist is included with this memorandum for your review.

Background: The need for a RTP for the Tahoe Region exists on three levels: federal, state, and regional. On a regional level, TRPA is required to periodically adopt a RTP. The state of California has designated TRPA the Regional Transportation Planning Authority (RTPA) to satisfy the state RTP requirement. And with designation of the TMPO, the Region has a federal requirement to complete an RTP every three years. Given these requirements TRPA staff are initiating the process of developing a RTP and combined AQP for the year 2000.

When the Tahoe Region was designated an MPO by the Governors of California and Nevada, developing a RTP according to the federal guidelines became a requirement prior to completing the Regional Transportation Improvement Program (RTIP). The RTIP is required before additional federal transportation monies are allocated to any transportation, air quality, or water quality projects. Because TRPA and its partners in transportation do not wish to cause any unnecessary delay in project implementation, there is a sense of urgency in completing the RTP and then the RTIP in a timely and comprehensive manner.

The RTP/AQP must reflect a blend of TRPA’s thresholds (mainly Air Quality Thresholds), the TRPA Compact direction to ‘reduce dependency on the private automobile’, and rules that satisfy California state and Federal requirements. The RTP required by the Federal purposes must include several key elements outlined as follows:

1. At least a 20-year planning horizon
2. Projected transportation demand of persons over the planning horizon

JA:jrw

AGENDA ITEM V.C.
3. Identify adopted congestion management strategies (traffic operations, ridesharing, pedestrian and bicycle facilities, etc.)
4. Assess capital investment and other measures to ensure preservation of the existing transportation system (restoration, modernization, rehabilitation)
5. Include design and scope of existing and proposed transportation facilities sufficient to permit conformity determinations
6. Reflect a multimodal evaluation of transportation, socioeconomic, environmental, and financial impact of the overall plan
7. For major transportation investments for which analyses are not complete, indicate design concept and scope and where more analysis may be required
8. Reflect consideration of the area's comprehensive land use plan reflecting community development and employment plans
9. Indicate any proposed transportation enhancement activities
10. Include a financial plan that demonstrates consistency of proposed transportation investments with already available and projected sources of revenue

To summarize, the plan must indicate with specificity (over a 20 year planning horizon) what projects and policies will be included and how, within realistic funding constraints, these projects and policies will be implemented. Once adopted and approved by all levels, the RTP becomes the guiding document for the more immediate 3-year RTIP and state and federal funding of transportation projects. According to federal regulations, the RTP must be updated every three years.

The financial element behind the projects in the RTP is of key importance. Once adopted, the projects are set unless the plan is amended. This makes the participation of entities involved in transportation key players in the development of the RTP/AQP. To the extent possible, TRPA staff will reach out to our partners in transportation during the development process of this document for their active participation. Broad representation is required so that the Tahoe Region can develop the best RTP/AQP possible within the limited financial resources available.

In addition to this meeting, TRPA staff has scheduled 4 other meetings that will seek public comment. A Notice of Preparation (NOP) and Notice of Intent (NOI) was sent to the California Clearing House (Office of Planning and Research) and the Nevada Clearing House, respectively, as part of the environmental documentation process. The NOP/NOI identifies the scoping period that began August 19, 1999 and ends on September 17, 1999 (30 day review). All the public meetings are identified in the table below. In addition, TRPA will receive scoping comments on the EIR/EIS until September 17, 1999. However, written public comments are welcomed throughout the development phase of the plan. Additional opportunities for the public to be involved will be during review of the draft plan and prior to final adoption.
### RTP/AQP Process

**Page 3 -**

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<td>El Dorado Public Library</td>
<td>TRPA Advisory Planning Commission</td>
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<td>1000 Rufas Allen Blvd.</td>
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**Discussion:** Prior to the designation of the Tahoe Region as an MPO, TRPA staff was developing a RTP/AQP. TRPA staff made the decision to postpone development of the RTP/AQP to concentrate on MPO implementation and wait for details of the new MPO status. Designation as an MPO has changed some of the funding and planning requirements as compared to previous RTP/AQPs. But, as some work was done on the RTP/AQP already, many projects have already been identified. The Environmental Improvement Program (EIP) reflects the transportation and air quality projects considered for this RTP/AQP.

Matching the projects to realistic funding will be the primary challenge of TRPA staff and its transportation partners. Table 1 includes the draft listing of available funding from federal, state, and local sources over the FY 2000 to FY 2021 time period. It is expected that a significant portion of the projects identified in draft project lists of the RTP (this draft listing is not provided in this summary but TRPA will provide a poster sized listing with initial cost estimates at the Governing Board meeting) do not have funding and therefore must be placed on the 'wish list.' Realistic funding requires the postponing or elimination of some projects communities around Lake Tahoe deem important. A portion of the public involvement and outreach to transportation entities in the Region will be to select the projects and policies for the RTP.

A proposed table of contents is developed for review and comment. The table of contents is structured to maintain the distinctions between the federal, state, and TRPA RTP/AQP focus.

If you have any questions regarding this agenda item, please contact Jim Allison of TRPA at (775) 588-4547.

**Attachments**
Lake Tahoe Regional Transportation Plan / Air Quality Plan

Executive Summary

Introduction/Problem Assessment

i) Introduction

ii) Using this Document
   (1) Federal Sections
   (2) TRPA Sections

iii) Purposes for RTP/AQP
   (1) Federal Purposes
   (2) State Purposes
   (3) TRPA Purposes

iv) Transportation/Air Quality Standards
   (1) Federal Standards
      (a) Status
      (2) State Standards
      (a) Status
      (3) TRPA Standards and Thresholds
         (a) Status

v) Background
   (1) Authority
      (2) Lake Tahoe Transportation/Air Quality Planning History
         (a) Summary of 1992 RTP/AQP Implementation

vi) Setting
   (1) General
   (2) Climate
   (3) Land Use
   (4) Population
   (5) Transportation System
      (a) Highways
      (b) Transit
      (c) Waterborne Services
      (d) Aviation
      (e) Bikeways
      (f) Pedestrian Facilities
Regional Transportation Plan

i) Program and Goals
   (1) Visioning
   (2) Projects of Regional Significance
   (3) Mass Transit
   (4) Traffic Management
   (5) Parking Management
   (6) Pedestrian
   (7) Bicycle
   (8) Aviation
   (9) Waterborne

ii) Projects (organize from database source)
   (1) Projects of Regional Significance
   (2) Mass Transit
   (3) Traffic Management
   (4) Parking Management
   (5) Pedestrian
   (6) Bicycle
   (7) Aviation
   (8) Waterborne

iii) Funding Plan
   (1) Funding Sources
       (a) Federal Funding
       (b) State Funding
       (c) Local Funding
   (2) Federal Fiscally Constrained Funding Plan
       (a) Summary of Projects and Funding
   (3) TRPA EIP Funding Plan
       (a) Summary of Projects and Funding
iv) Policies
   (1) Mass Transit
   (2) Traffic Management
   (3) Parking Management
   (4) Pedestrian
   (5) Bicycle
   (6) Aviation
   (7) Waterborne

Air Quality Plan
   i) Air Quality Program
      (1) Federal Aspects
      (2) TRPA Aspects
   ii) Air Quality Projects
   iii) Air Quality Policies
   iv) Air Quality Funding Plan

Environmental Impact Statement/Report
   i) EIS/EIR Summary
   ii) Statement of Purpose and Need
   iii) Levels of Environmental Analysis
      (1) NEPA
      (2) CEQA
      (3) TRPA
   iv) Transportation Modeling
   v) Air Quality Modeling
   vi) Alternatives
      (1) Alternative One – No Action
         (a) Projects
      (b) Policies
      (2) Alternative Two – EIP Action
         (a) Projects
      (b) Policies
      (3) Alternative Three – Capital Intensive Action
         (a) Projects
      (b) Policies
   vii) Environmental Analysis and Mitigation
      (1) Transportation
         (a) Transportation and General Conformity
      (2) Air Quality
         (a) Transportation and General Conformity
(3) Water Quality
(4) Scenic Quality
(5) Noise
(6) Soils Impact
(7) Community Design
(8) Cultural/Historical
(9) Energy
(10) Fisheries
(11) Housing
(12) Natural Hazards
(13) Public Health, Safety, And Welfare
(14) Recreation
(15) Vegetation
(16) Wildlife
(17) Economic

viii) Summary of Impacts
(1) Alternative One
(2) Alternative Two
(3) Alternative Three

ix) Identification of the Preferred Alternative
x) Response to Comments
Attachment B

**TRPA INITIAL ENVIRONMENTAL CHECK LIST**

for

The Initial Determination Of Environmental Impact

Assessor Parcel Number(s) **Not Applicable – Regional Planning Document**

I  **Project Name and Description:** *(USE ADDITIONAL SHEETS, IF NECESSARY)*

The planning document is a Regional Transportation Plan and Air Quality Plan (RTP/AQP) for the Lake Tahoe Region. The planning document is meant to satisfy the requirements of the Tahoe Metropolitan Planning Organization, the Tahoe Regional Planning Agency, the Regional Transportation Planning Agency (TRPA for Lake Tahoe) and will assist the Tahoe Transportation District. For these agencies, TRPA staff is preparing the document and the associated environmental documentation to satisfy the TRPA, the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) process. The RTP/AQP is a 20-year plus planning document that is updated every three years. The document includes presentation of planned projects, programs, and policies to be implemented over the planning horizon to meet both the requirements of the Transportation Equity Act for the 21st Century, the Federal Clean Air Act, and the TRPA Compact. Projects will include roadway and intersection improvements, transit, parking management, pedestrian, bicycle, aviation, and waterborne transportation. Programs and policies will also be developed that address those same issues. All projects, policies, and programs will be developed according to the financial limitations present for the Region as anticipated over the 20-year planning horizon. Environmental analysis of projects, programs, and policies will be included in the document. The AQP portion of the document will address the same topics with respect to the effect on the Federal Clean Air Act, the Conformity Process, and to California and TRPA Air Quality Thresholds.

II  **Environmental Impacts:**

The following questionnaire will be completed by the applicant based on evidence submitted with the application. **All "yes" and "no, with mitigation" answers will require further written comments.**

1  **Land**

Will the proposal result in

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

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It is expected that some projects in the document will compact or cover the soil beyond the limits allowed in the land...
b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

<table>
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<th>Yes</th>
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Proposed projects have the potential to result in changes to the topography and the ground surface relief features that would be inconsistent with the natural surroundings. If projects do so, mitigation will be required to restore all sites impacted by the projects to as close to natural conditions as possible.

c. Unstable soil conditions during or after completion of the proposal?

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There is the possibility that the grading required to develop proposed projects will result in short term unstable soil conditions. However, it is expected that BMPs would be applied that would meet the requirements of TRPA and the RWQCB. Assuming that these mitigation measures would correct any unstable earth conditions, there should be no impact.

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

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There exists the possibility that there will be grading required in excess of 5 feet. If this occurs, mitigation per the TRPA Code will be required to address any such impacts.

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?
f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

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While the grading associated with the development of any proposed project could result in soils exposed that could be eroded by wind or water, it is assumed that BMPs would be applied that meet the requirements of TRPA and the RWQCB. The application of these BMPs should result in site conditions that do not pose a problem with respect to wind or water erosion. In addition, it is assumed that proposed projects would contain a landscape plan, including revegetation of all disturbed soils so there is no potential of wind or water erosion.

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

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It is assumed that a stormwater management program would be developed as part of proposed projects to mitigate any potential changes with respect to siltation, deposition, or erosion.

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While the area has been subject to historical seismic activity proposed projects would have to be designed to meet current seismic codes.
2 Air Quality
Will the proposal result in:

a. Substantial air pollutant emissions?

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It is expected that construction of proposed projects would utilize equipment and methods that comply with the requirements of TRPA and the local air protection agencies. Because projects, program, and policies identified in the RTP/AQP are intended to reduce air pollutant emissions, it is unlikely that any air quality standards will be violated as a result of implementation of the projects, programs, or policies.

b. Deterioration of ambient (existing) air quality?

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It is expected that the construction of the proposed project would utilize equipment and methods that comply with the requirements of TRPA and local air agencies. It is unlikely that any existing air quality will be negatively affected by implementation of proposed projects, programs, or policies as they are usually neutral or positive with respect to improving air quality.

c. The creation of objectionable odors?

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There should be nothing associated with the development and the operation of proposed projects that would result in objectionable odors other than the exhaust of the vehicles and equipment used in the construction at sites and the operations associated with some projects.

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

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Proposed projects are not of sufficient size to alter the climate of the local project area, the or the Lake Tahoe Basin.

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Increased use of diesel fuel is expected as more vehicles utilizing diesel as a fuel source can be expected to increase. This includes increasing the use of busses in the Tahoe Basin which typically use diesel. Increasingly, however, a major thrust is to convert existing diesel fleets to alternative fuels.

### 3 Water Quality
 Will the proposal result in

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Surface and ground waters may be impacted by implementation of projects in the RTP/AQP. It is assumed that BMPs that comply with the requirements of TRPA and the RWQCB would be implemented to prevent changes in currents or the course of water movements.

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It is assumed that projects proposed in the RTP/AQP that may have these impacts would include adequate design to insure that runoff in excess of a 20 1 hour storm would not occur.

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c. Increased use of diesel fuel?

### a. Changes in currents, or the course or direction of water movements?

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b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

c. Alterations to the course or flow of 100-year flood waters?
d. Change in the amount of surface water in any water body?

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Proposed projects should not change the amount of surface water in Lake Tahoe or other tributaries.

c. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

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It is assumed that the construction associated with proposed projects would include the application of all BMPs required by TRPA and the RWQCB to protect water quality.

f. Alteration of the direction or rate of flow of groundwater?

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It can be anticipated that there will be projects in the RTP/AQP that would alter the direction or rate of flow of groundwater. If this occurs such projects may only be permitted if they meet the TRPA Code requirements with respect to groundwater.

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

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h. Substantial reduction in the amount of water otherwise available for public water supplies?

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Proposed projects are not expected to result in additional dwelling units or commercial activities that would need large amounts of additional water. It is not expected that projects would result in a substantial reduction in the amount of water otherwise available for public water supplies.

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

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Proposed projects in the RTP/AQP are not expected to result in exposure of people or property to floods from Lake Tahoe or other tributaries or wave action from Lake Tahoe in excess of the 100-year storm event.

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

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Proposed projects in the RTP/AQP do not include provisions for the storage or use of known contaminants. If such contaminants are utilized in association with any project, the projects will be conditioned or designed in such a manner such that no discharge of such contaminants occurs to groundwater or affects its quality.
Vegetation
Will the proposal result in:

a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

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While existing trees and other vegetation will likely be removed for many projects, the design of projects should minimize such removal. In addition, many projects will be required to include a landscaping plan that includes for revegetation of disturbed sites.

b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

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It is likely that riparian vegetation will be removed in association with some projects in the RTP/AQP. This may have impacts to wildlife habitat or alterations to the groundwater table. If a project does impact these factors mitigation will be required to reduce or minimize the impact in accordance with the TRPA Code.

c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

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Projects in the RTP/AQP will be required to, when they are planned and permitted, to include landscaping plans when required by TRPA staff. In such plans the use of native vegetation would be required so that excessive fertilizer or water is not utilized. In addition, use of native species will not affect normal replenishment of existing species.
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

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Proposed projects in the RTP/AQP are expected to have no impact on the diversity or distribution of species of plants. Each project at best could only have minor impacts to existing plant life.

e. Reduction of the numbers of any unique, rare or endangered species of plants?

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Proposed projects in the RTP/AQP are expected to have no impact on the reduction of rare or endangered species of plants.

f. Removal of streambank and/or backshore vegetation, including woody vegetation such as willows?

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Some projects in the RTP/AQP may have impacts to streambanks, backshore vegetation, including woody vegetation. These projects would be required to mitigate their impact in accordance with the TRPA Code.

g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA’s Conservation or Recreation land use classifications?

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The implementation of some projects in the RTP/AQP may require removal of some trees in excess of 30 inches dbh.

h. A change in the natural functioning of an old growth ecosystem?

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5 Wildlife
Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

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Development of the proposed projects in the RTP/AQP should not result in any changes to the diversity or distribution of natural animal populations.

b. Reduction of the number of any unique, rare or endangered species of animals?

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If projects in the RTP/AQP are discovered to reduce the number of unique, rare, or endangered species of animals, modification of the project and/or mitigation of the impact will be required so that the impacts are minimized or reduced.

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

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The proposed projects in the RTP/AQP would not introduce new animal species to the site. Nor would the buildings or other developments be of such a nature as to act as a barrier to the migration or the movement of animals.

d. Deterioration of existing fish or wildlife habitat quantity or quality?

It is not expected that any projects identified in the RTP/AQP will impact the natural functioning of old growth ecosystems.
6 Noise
Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

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The application of BMPs to meet the requirements of TRPA and RWQCB for protecting water quality and the environment would prevent the release of silt or other materials that would deteriorate fish habitat in other lakes, tributaries or Lake Tahoe. It is possible that wildlife habitat quantity or quality may be impacted by development of RTP/AQP projects. If so, such impacts must be mitigated or minimized pursuant to the TRPA Code.

b. Exposure of people to severe noise levels?

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It is possible that as a result of implementing the projects in the RTP/AQP there will be increases in the CNEL. It is unclear as to whether the noise would be beyond that permitted in the PAS, Community Plan, or Master Plan.

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

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It is unlikely that projects in the RTP/AQP will be of such a nature to expose people to severe noise levels.

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It is not possible to evaluate if a single event associated with any particular proposed project in the RTP/AQP will result in a noise level greater than those
7 Light and Glare
Will the proposal:

a. Include new or modified sources of exterior lighting?

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There will be new sources of lighting introduced in association with some of the projects in the RTP/AQP.

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

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New lighting would have to comply with TRPA Design standards so that new illumination would not become more substantial than other lighting within the surrounding area of any proposed RTP/AQP projects.

c. Cause light from exterior sources to be cast off-site or onto public lands?

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Some projects in the RTP/AQP will include exterior lighting that will cast onto public lands. In general, however, all new lighting installed will be of such a nature that new lighting will only be installed according to TRPA Design Standards. This would minimize light cast off-site.

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?


8 Land Use
Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

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All proposed projects visible from identified scenic areas would include features to prevent reflection, glare, and other lighting problems. Proposed projects would also have to comply with TRPA Design Standards.

b. Expand or intensify an existing non-conforming use?

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Each project considered in the RTP/AQP will not be reviewed to assess whether the use is permissible. In general the projects along roadways are permissible uses. Final determination of permissibility will occur during the development of proposed projects.

9 Natural Resources
Will the proposal result in

a. A substantial increase in the rate of use of any natural resources?

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There are no non-conforming land uses in the area where the proposed project would be developed.

The development of proposed projects in the RTP/AQP would require the use of readily available construction materials and would not require the use of substantial natural resources.
b. Substantial depletion of any non-renewable natural resource?

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The development or operation of proposed projects would not require the substantial depletion of a non-renewable natural resource.

10 Risk of Upset
Will the proposal:

a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

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It is not expected that any projects in the RTP/AQP will involve risk of an explosion, release of hazardous substances in the event of accidents or upset conditions on any project site.

b. Involve possible interference with an emergency evacuation plan?

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Except during construction, it is not expected that any project in the RTP/AQP will interfere with any emergency or evacuation plan.

11 Population
Will the proposal:

a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

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Policies in the RTP/AQP may have some effect on the location, distribution, density, and growth rate on the human population.

b. Include or result in the temporary or permanent displacement of residents?
12 Housing
Will the proposal:

a. Affect existing housing, or create a demand for additional housing?

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The proposed projects in the RTP/AQP are not expected to include or result in any temporary or permanent displacement of residents.

b. Result in the loss of affordable housing?

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Projects in the RTP/AQP would not affect existing housing or create the demand for additional housing.

13 Transportation/Circulation
Will the proposal result in:

a. Generation of 100 or more daily vehicle trip ends (DVTE)?

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It is expected that some of the projects included in the RTP/AQP may bring more than 100 DVTE to project sites.

b. Changes to existing parking facilities, or demand for new parking?

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Projects in the RTP/AQP will include parking facilities and address demands for parking. On a regional basis parking may not necessarily increase but demand for parking in some areas may
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

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The purpose of the RTP/AQP is to have a substantial impact on existing transportation systems, including highway, transit, bicycle and pedestrian facilities.


d. Alterations to present patterns of circulation or movement of people and/or goods?

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The purpose of the RTP/AQP is to, in some cases alter the present patterns of circulation, movement of people and goods.

e. Alterations to waterborne, rail or air traffic?

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Waterborne, rail, and air travel are transportation modes that can be expected to be proposed to be altered in the RTP/AQP.

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

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There is the potential for projects in the RTP/AQP to increase traffic hazards to motor vehicles, bicyclists, and pedestrians. If projects have that potential, when those projects are implemented, design and operation of the project will mitigate the increased traffic hazards.

14 Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?
a. Fire protection?

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Projects that would be constructed pursuant to the RTP/AQP would meet all current fire codes. The projects planned are not expected to require additional fire protection services.

b. Police protection?

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Proposed projects in the RTP/AQP are not of the nature to require any unprogrammed services with respect to police protection. It is plausible that additional enforcement will be required, however, for parking management but it is not considered police protection. The enforcement aspects of parking management would not necessarily be the responsibility of police services.

c. Schools?

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There are no projects in the RTP/AQP that may have any influence on schools other than the school bus fleets which are targeted for conversion to compressed natural gas.

d. Parks or other recreational facilities?

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Projects, programs, or policies in the RTP/AQP that involve parking and parking management may have an impact on parks or other recreational facilities. It is expected that parking management and parking will be planned in such a way as to be consistent with recreational plans for the Tahoe Region.

e. Maintenance of public facilities, including roads?

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Projects, programs, and policies in the RTP/AQP may have an influence on maintenance of public facilities including roads.

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As projects, programs, and policies from the RTP/AQP are implemented it is expected that governmental services will be impacted through a variety of means ranging from implementation, funding support, to maintenance and enforcement.

15 Energy
Will the proposal result in

a. Use of substantial amounts of fuel or energy?

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The proposed projects in the RTP/AQP would not result in the substantial used of fuel or energy for the construction or operation of the proposed projects.

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

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The proposed projects would not be of sufficient size to require the development of a new energy source.

16 Utilities
Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities

a. Power or natural gas?

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The proposed projects in the RTP/AQP should not result in the need for new systems or the substantial alteration of power or natural gas systems.
b. Communication systems?

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The proposed projects in the RTP/AQP should not result in the need for new communication systems.

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

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The proposed projects in the RTP/AQP should not result in the need for new water that will exceed the maximum permitted capacity of the water service providers.

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

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The proposed projects in the RTP/AQP should not result in the need for new systems or the substantial alternation of sewage systems.

e. Storm water drainage?

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Design of all proposed projects in the RTP/AQP that include facility installation or building may have an impact on storm water drainage. As required by the TRPA Code, the project must include BMPs to comply with the requirements of TRPA and the RWQCB so that there are no additional demands on the storm system.

f. Solid waste and disposal?

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The proposed projects in the RTP/AQP should not result in the need for new
Human Health
Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

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The proposed projects in the RTP/AQP would not include any components that would create a health hazard.

b. Exposure of people to potential health hazards?

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The proposed projects in the RTP/AQP would not include any components that would create a health hazard.

Scenic Resources/Community Design
Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

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Projects in the RTP/AQP will be visible from state and federal highways, Pioneer Trail and Lake Tahoe.

b. Be visible from any public recreation area or TRPA designated bicycle trail?

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Projects in the RTP/AQP will be visible from public recreation areas and TRPA designated bicycle trails. New bicycle trails are anticipated in the RTP/AQP.

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?
d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

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At this time, it is unknown but likely that projects in the RTP/AQP will block or modify and existing view of Lake Tahoe or other scenic vistas as seen from public roads or other public areas.

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

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Projects contemplated for the RTP/AQP are not by their nature of such a character as to exceed height standards or inherently violate design standards.

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Projects planned in the RTP/AQP may be inconsistent with the SQIP and/or Design Review Guidelines but would have to be brought into substantial compliance with the SQIP and Design Review Guidelines prior to implementation.

19 Recreation:
Does the proposal:

a. Create additional demand for recreation facilities?

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The projects, programs, and policies in the RTP/AQP, especially with regards to parking, may create additional demand for recreation facilities. Implementation of such projects must be accomplished such that the RTP/AQP is consistent with recreation plans in the Tahoe Region.

48
b. Create additional recreation capacity?

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The projects, programs, and policies in the RTP/AQP, especially with regards to parking, may create additional demand for recreation capacity. Implementation of such projects must be accomplished such that the RTP/AQP is consistent with recreation plans in the Tahoe Region.

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

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The projects, programs, and policies in the RTP/AQP, especially with regards to parking, may create conflicts between recreational uses. Implementation of such projects must be accomplished such that the RTP/AQP is consistent with recreation plans in the Tahoe Region.

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

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No decrease or loss of public access to any lake, waterway or public lands is anticipated as a result of implementation of any plans, programs, or projects included in the RTP/AQP.

20 Archaeological/Historical

a. Will the proposal result in an alteration of a significant archaeological or historical site, structure, object or building?

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There is the possibility that ground disturbing activities associated with projects in the RTP/AQP could uncover unknown cultural resources. In the event of such an occurrence, it would be necessary to implement mitigation measures to protect those resources.
b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?

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There is the possibility that ground disturbing activities associated with projects in the RTP/AQP could uncover unknown cultural resources. In the event of such an occurrence, it would be necessary to implement mitigation measures to protect those resources.

c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

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There is the possibility that some projects in the RTP/AQP may result in some physical change that would affect unique ethnic cultural values. Development of an RTP/AQP itself is not expected to affect this matter.

d. Will the proposal restrict historic or prehistoric religious or sacred uses within the potential impact area?

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There is the possibility that some projects in the RTP/AQP may result in some physical change that would affect pre-historic religious or sacred uses within the individual project impact area. However, development of an RTP/AQP itself is not expected to affect this matter.

21 Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

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There is the possibility that some of the projects, programs, and policies included in the RTP/AQP as identified above will degrade the quality of the environment in some TRPA threshold or public health category. Implementation of mitigation measures or environmental analysis of particular projects will be required when is such projects are developed. In general, the RTP/AQP will be developed in such a manner so that the improvements to transportation and air quality will be of environmental benefit and that no other thresholds will be negatively impacted by the project or that they will be mitigated to less than significant levels.

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

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The RTP/AQP is a document with a 20-year planning horizon. There are no expected short term impacts expected by developing the plan that would affect long term environmental quality.

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It is the goal of the RTP/AQP that it serves as a document that can direct positive environmental quality improvements by the implementation of projects, programs, and policies that may be individually limited but cumulatively be considerably positive.
d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

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<thead>
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There are no known aspects of the RTP/AQP that are expected to have adverse impacts on human beings either directly or indirectly (other than on the authors and collaborators who are to produce the document). If such impacts exist, it is expected that the impacts will be mitigated.

III Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

[Signature]

August 30, 1999

Signature of Person Completing this Form

Date

Written Comments: (USE ADDITIONAL SHEETS AS NECESSARY)

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
IV Determination (To Be Completed By TRPA)

On the basis of this evaluation:

a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedure.

__________________________________________________________
Signature of Evaluator

__________________________________________________________
Title of Evaluator

Date

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MEMORANDUM

August 31, 1999

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Determination of Lands and Parcels Suitable for Multi-Residential Development in Douglas County.

Proposed Action: Staff requests APC to review the following analysis of need for multi-residential housing in Douglas County and possible alternatives to achieve more multi-residential housing. APC is further requested to rank the alternative solutions on the attached matrix, Exhibit A.

Staff Recommendation: Staff will present a recommended ranking at the meeting.

Background: There are limited opportunities for multi-residential development in Douglas County within the Tahoe Region. Currently, TRPA has two controversial applications for re-zoning lands for multi-residential development in Douglas County. These applications resulted from a recent project approval that requires offsetting mitigation for the loss of 135+ units of multi-residential in Douglas County. Consistent with the conditions of that approval and the Fair Share Report, TRPA has investigated the possibilities for rehabilitation and/or the locations for development of multi-residential dwellings to allow employees to live within the jurisdiction that they are employed.

Discussion:
Affordable Housing Needs Assessment, December 1996, (a.k.a. Fair Share Report). This report found that Douglas County’s housing conditions demonstrate a lack of affordable housing. The majority of these housing problems can be attributed to renters who are overpaying (more than 30 percent of their income) for housing costs. According to the Assessment, 75% of Douglas County employees earn less than 80% of the county median income. This does not mean that they are all in need of affordable housing; however, these are the households that represent Douglas County’s fair share of affordable housing. It was determined that Douglas County’s fair share of affordable housing is 36% of the Regional employee base earning 80% or less than their county’s median income.

Within the Tahoe Region, Douglas County has 553 multi-residential units, of which 289 are found in mobile home parks. The Assessment concludes that Douglas County’s fair share of affordable housing is 1,456 households above that which existed in 1996. If each jurisdiction could realistically house all of their low and very low-income employees, then the 1,456 households identified would be the amount of housing that Douglas County would need to create or rehabilitate. However, it is recognized that constructing
all of these units is not realistic. Therefore, the Report recommends that local jurisdictions focus their initial efforts on housing rehabilitation and first-time homebuyers programs.

A percentage of the identified affordable housing shortfall in Douglas County could be accommodated via new housing construction or rehabilitation/retrofitting of existing structures. TRPA staff took an inventory of areas that could be developed and/or rehabilitated for multi-residential housing, and rated them upon criteria ranging from existing zoning and ownership to proximity to mass transit (see Exhibit A.) There may be other locations that TRPA staff did not consider, especially in the case of developed land wherein the structures could be rehabilitated or converted into residential uses. The results of the analysis revealed that potential multi-family residential development sites are scarce in Douglas County (see attached maps Exhibits B). Of the fifteen sites examined within Douglas County, few were found to have the potential for multi-family development. Two other options for multi-residential development include the City of South Lake Tahoe and the top of Kingsbury Grade, outside of the Tahoe Region, but within Douglas County. No specific sites for these two alternatives were examined.

Ranking the viability of the various sites for development can be subjective, and susceptible to change over time; a site can possess all of the physical attributes necessary for development, but is located outside of an Urban Boundary, or require a land exchange. Staff is reviewing the results of the evaluative matrix, and will present a ranking of the sites during the meeting. The ranking will result from empirical scoring and professional judgement.

Staff will begin this item with a brief presentation. Please contact Peter Eichar at (775) 598-4547 if you have any questions or comments regarding this agenda item.

Attachments
### Multi-Residential Development Alternatives within Douglas County

#### Exhibit A

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<th>Criteria</th>
<th>Alternative 1</th>
<th>Alternative 2</th>
<th>Alternative 3</th>
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Generalized Land Capability

Note: Does not include Land Capability Challenges
MEMORANDUM

August 30, 1999

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: The Role of the Advisory Planning Commission

Staff will be prepared to discuss this with the APC at the meeting on September 8. In the meantime, we are including in the APC members' packets a copy of the pertinent section of the bi-state Compact and minutes from previous APC discussions on this subject.
MEMORANDUM

August 30, 1999

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Status Report on Streamlining Activities and Local Revenue Generation

Staff will be presenting an update on these two items at the September 8 meeting.
The wide range of policies and programs that are designed to ensure access to effective educational opportunities for all children, including those with disabilities, is critical. However, the current system of education in the United States, which is based on a state-level approach, does not provide adequate support for the diverse needs of students. This is particularly true for students with significant disabilities who require specialized education services.

The document outlines a number of key issues and recommendations for improving the current system of education. These include:

1. Ensuring that all students, regardless of their abilities, have access to high-quality education.
2. Providing adequate support and resources for students with disabilities.
3. Implementing evidence-based practices and strategies for successful education.
4. Addressing the needs of low-income and marginalized students.

The document also emphasizes the importance of collaboration and coordination among stakeholders, including educators, parents, and policymakers, to ensure that all students have access to equitable education opportunities.

In conclusion, the document highlights the need for a comprehensive and coordinated approach to education that addresses the unique needs of all students, particularly those with significant disabilities. This requires ongoing investment in research, policy development, and implementation to ensure that all students have the opportunity to reach their full potential.
No official or legal document could be read or understood from the image provided. The content appears to be a scan of a page written in English, but the quality is too low to extract meaningful text.
Article VII
ADVISORY PLANNING COMMISSION

7.1 General: The Compact provides for the appointment of an Advisory Planning Commission (APC) by the Agency and establishes and sets forth certain functions and duties of the APC relating to the Regional Plan and amendments thereto. In addition, it is contemplated that the APC make recommendations to the Agency respecting matters over which the Agency has jurisdiction and exercises powers.

7.2 APC Review: Matters regarding Agency plans and ordinances and other matters the Governing Board determines appropriate for APC consideration shall first be submitted to the APC for review and recommendation. The Governing Body may determine that a particular matter is of such urgency that the public interest requires it to act without delay and without review and recommendation of the APC.

7.3 Recommendations: The APC shall consider each matter submitted concerning conformity with the Tahoe Regional Planning Compact, as amended, the Regional Plan and the ordinances, rules, regulations and policies of the Agency. Based upon such consideration, the APC shall submit a report and recommendation of the pertinent matters to the Governing Board. The report shall show the vote of the members of the APC and may include the position of the minority, if any.

7.4 Procedures: The APC shall be governed by these Rules and Regulations of Practice and Procedure. To the extent practicable, the rules provided herein for the Governing Board shall also govern the APC, but the APC may provide a different time and place of meeting from that set forth herein for the Governing Board and may also adopt different rules in those cases where these rules and regulations are not applicable or would be impracticable for the APC to follow. The APC shall notify the Governing Board in writing of any such rule or regulation which the APC has determined to be inapplicable or impracticable when applied to it and the change or substitute for such rule or regulation adopted by the APC.

7.5 Transmittal of Reports: Copies of reports and recommendations made by the APC shall be mailed or delivered to the Governing Board and to every interested party, including the local government affected by the matter reported upon.

7.6 Consideration by Governing Body: At the next regular meeting of the Governing Board, or at any special meeting that may be scheduled, the Governing Board shall consider the report and recommendations of the APC. The Governing Body may hear additional testimony and argument concerning any matter or proposal submitted before acting thereon.

7.7 Participation by Governing Body Members: Members of the Governing Board may attend and participate in APC meetings, but their presence shall not be counted in determining whether a quorum is present nor shall Governing Board members be entitled to vote.
TRPA REGULAR MEETING MINUTES FEBRUARY 22, 1995

MOTION by Ms. Neft to receive the January financial statement and check register. The motion carried unanimously. (Members absent: Mr. Cronk, Mr. Uhler)

B. Legal Committee

1. Report on Committee Meeting

Agency Special Projects Attorney Susan Scholley advised that the Legal Committee would have a recommendation on the Bitterbrush secondary access issue for the Board in March. The Board had conducted a very long, emotionally charged debate on this two years ago.

Chairman Upton asked if Ms. Scholley could provide the Board members with some historical information on this before the discussion, particularly for the benefit of new Board members.

Legal Committee member Waldie noted that there was sentiment on the Committee to eliminate the requirement for TRPA’s intervention in the access road problem, since the Committee felt it was a local issue. Mitigation funds should not be expended to provide an access road.

Chairman Upton noted that there was not a quorum of the Legal Committee earlier in the day for this item, and there was a range of sentiment on use of the funds. The affected fire chief had attended the Committee meeting and suggested the need for the secondary access for fire safety had gotten lost in all the discussions.

Mr. Bradhurst commented on the secondary access alignment options and the litigation to ensure that Tyrolian Village could not prohibit access for emergency vehicles through its property to Bitterbrush. There was some question about the legality of the secondary access alignment and authorization from Incline Village GID for access. It was his understanding that if the property owners wanted to build as the plans existed today Washoe County had no ability to step in and stop construction.

Mr. Upton suggested that the fire district needed to be aware of Washoe County’s position as expressed by Mr. Bradhurst; he had the impression the district was not aware of this.

Mr. Waldie commented that the lack of an access road was a disaster. He did not, however, think it was an environmental disaster. It was not TRPA’s role to use mitigation funds for an access road.

Mr. Upton suggested that the players get together in the next month and try to work out the issues before bringing them back to the Board.

D. Rules Committee

1. Report on Committee Meeting

Chairman Bradhurst reported on the discussion regarding the role of the
TRPA REGULAR MEETING MINUTES FEBRUARY 22, 1995

Advisory Planning Commission and its review of projects that were the subject of an EA or EIS. The feeling of the Rules Committee was that if the Board wanted the APC to review such projects the APC could be asked to review them. The Committee agreed that the Board Chairman and APC Chairman along with the Executive Director or Deputy Director would review the items to be placed on the Board agenda and ask the Chairman of the APC if there was a desire to review any of these projects. If so, the Board Chairman would ask the APC to review the projects.

Mr. Wells noted that Rules Committee Chairman Bradhurst also agreed to meet with the APC on this issue.

Mr. Upton commented that his sense of the Board’s feeling on this was that Mr. Bradhurst could proceed with his discussions with the APC.

E. Shorezone Policy Committee

1. Report on Committee Meeting

Mr. Wells advised that the Committee met following the last Board meeting and decided not to have any additional meetings until the TRPA Draft Shorezone EIS was out in late March, early April. There would be additional meetings after that time.

C. Capital Financing Committee

1. Report on Committee Meeting

Mr. Upton advised that the 1995 legislative package was completed by all participants prior to the trip back to Washington, D.C. The group had a good series of meetings with three California Congressmen, the Nevada Senators and Representatives, and representatives from Senator Feinstein’s and Senator Boxer’s offices. He and Executive Director Jim Baetge had also met with the chief engineer of the Army Corps of Engineers regarding funding for Cove East and Spooner Summit projects and with Forest Service representatives on forest health issues. The meetings were fruitful. Everyone was very impressed with the fact that the meetings were a consensus effort by the Tahoe community.

Mr. Wells recognized Carl Hasty and John Hitchcock, the staff members responsible for compiling and finaling the packet. Staff would get copies to all of the Board members.

XI. REPORTS

A. Executive Director

1. Monthly Status Report

Deputy Director Jerry Wells explained that Executive Director Jim Baetge was not at the meeting because he had the flu.
Minutes of the Rules Committee meeting
February 22, 1995

In attendance were Jerry Wells, R. J. Nicolle, Steve Chilton, Alice Baldrica, Joanne Neft, Stewart, Gregg Lien, Susan Scholley, Steve Bradhurst, Jane Hagedorn, Paul Kaleta

1. Public Interest Comments: None

2. Amendment to Article IX: It was agreed that the order to show cause hearing should not be eliminated. It was also agreed that amendments to Article IX were necessary, and that the order to show cause hearings should be held before the Legal Committee. It was also agreed that the rule amendments should be received by the Legal Committee and that the procedural rules should be tightened and that evidentiary standards be established for the hearing.

3. Future Meetings
   a. APC Amendments: It was discussed whether the Rules Committee would meet with the APC to discuss potential APC amendments. It was agreed that the APC would look at agenda items and that Steve Bradhurst would too.
   b. Future Personnel Rules and Fiscal Procedures: These items were reviewed by R. J. Nicolle, and potential timetables were discussed.
D. South Tahoe Public Utility District, Future Facilities Connection Plan Draft EIR/EIS.

Rick Angelucci, Chief of Project Review, states that the technical appendices were not mailed due to their size. First stage of the process is issuing the Draft EIS for a 60-day public comment period. This was done on 1/19/95 and will end on 3/20/95 at 5:00 p.m. Following the 60-day comment period, the consultants and TRPA staff will prepare an administrative draft of the final EIS which is the response to all the comments received. The APC will be asked to make a finding on the EIS technical adequacy, and the Board will be asked to certify it.

Comments on the STFUD plans were made by Chris Strohm, a STFUD Director; Bob Baer, General Manager; John Thiel, Staff Engineer; and Bill Ziebron, President of EIP Associates. They showed slides of the District's proposal.

As no one else wished to comment, Chairman Thompson closed the hearing.

Break for lunch at 12:15 p.m.
Meeting resumed at 1:21 p.m.

VI - PLANNING MATTERS -

A. Discussion of Proposed 1996 Threshold Evaluation Process

John Hoole, Chief of Long Range Planning, handed out a packet on the 1996 Threshold Evaluation Program (the History, Program Organization, Program Budget and Program Scheduling).

Mr. Hoole stated that the environmental thresholds were a key guide to most of the planning functions of the Agency. He presented background information on Regional Plan adoption in 1984, litigation, and threshold evaluation schedules.

Executive Director Jim Baetge stated that what is at issue is the funding to do the evaluation so we have to decide where our priorities lie in terms of what we evaluate. This will become a discussion as we go to the Board and here at APC.


Agency Counsel, R. J. Nicolle, stated that Chairman Thompson suggested we schedule a meeting with the Governing Board Rules Committee. There is a big split on the Governing Board whether APC functions as a traditional planning commission or as a technical advisory committee. The issue has not been resolved, and the Rules Committee will discuss a joint meeting schedule with the APC.

Chairman Thompson states that this process will likely take another two months at a minimum.
Mr. Poppoff asked that this joint meeting be scheduled.

VII. REPORTS

A. Executive Director

Executive Director Jim Baetge states that over the last six months or so staff has been working with the Capital Financing Committee to get agreement between all the parties on a legislation and funding package to take back to Washington next week. This agreement is substantial and addresses how we are going to ask for Clean Water Act amendments, amendments to ISTEA, and forestry issues. Five participating groups will go back to Washington next week to meet with the Congressional delegation.

B. Legal Counsel

Agency Counsel R. J. Nicolle reported on the status of the following cases: Hellman v. TRPA, Stack v. TRPA, Peterson v. TRPA and TRPA v. Schumacher, and Tahoe Sierra Preservation Council.

C. APC Members

Mr. Caterino addresses the revegetation bond being released. Project Review stamps plans that state "all barren areas to be revegetated". Getting anything to grow on decomposed granite is a difficult process. Compliance cannot release the bond until this condition is met.

Mr. Mudgett expresses a concern at sod being trucked in. Sod issue should be revisited.

VIII. ADJOURNMENT - The meeting adjourned at 3:04 pm.

Respectfully submitted,

Judith S. DeMeola, Clerk to the Advisory Planning Commission

These minutes were approved as presented on May 10, 1995.

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call (702) 588-4547 to make an appointment. In addition, written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.
Minutes of the Rules Committee meeting
October 26, 1994

In attendance were Cheryl Lau, Drake DeLanoy, Kay Bennett, Jerome Waldie, Jane Hagedorn, Steve Bradhurst, R. J. Nicolle, Susan Scholley, Rochelle Nason

1. Public Interest Comments - Nason went over the problems with coordination with local planning agencies, especially as it relates to the Meyers Community Plans.

2. Amendment to the Rules of Procedures regarding project review, testimony, role of official APC members: Susan Scholley went over the history of the APC's duties and legal background. She covered the procedures which allowed the Governing Board to bypass the APC.

Rochelle Nason explained that she stopped going to the APC after the Douglas County Community Plan and her inattendance was the reason for the amendments. She supports the amendments on the theory that they should go to the APC.

Steve Bradhurst went over the history of the APC's and Rules Committee joint meeting in August 1994.

Kay Bennett said she supported the amendments since that was the policy in Carson City. Carson City requires all information to be presented first before the Planning Commission.

Jane Hagedorn felt that the APC should not be viewed as a traditional planning agency. She felt the APC was the opportunity of the officials to comment on proposed planning.

Drake DeLanoy suggested that we continue the item to a time with the full APC and the full Governing Board to decide on the role of the APC.

Steve Bradhurst suggested that we need to give the APC a recognized role. They should receive all the information on the issues.

1. Cost of amendments to applicants or staff in dollars.

2. Cost of amendments in terms of time.

3. Will the amendments make the basin better?

4. Outline of role of APC.

5. If we decide that the authority of APC is to be changed, can we create
6. Local vs. TRPA interface.

7. Flexibility concerning members of APC.

8. Legality of denying members of the public the opportunity to present testimony.

9. Legal consequences of saying official members don't bind their agencies.

10. Run items through local governments first.

Schedule joint APC/Governing Board meeting.

3. The Rules Committee continued the discussion of the appointment of APC members until November.

Minutes of the Rules Committee meeting
August 24, 1994

In attendance were Steve Bradhurst, Drake DeLanoy, Kateri Cavin, Joanne Neft, Robert McDowell, Jane Hagendorn, Wayne Chimarusti, Richard Mudgett, Rob Joiner, Joe Thompson, Stan Hansen.

Staff: Jim Baetge, R. J. Nicolle, Susan Scholley, Steve Teshara, Rochelle Nason, Gabby Barrett

Joe Thompson, Chairman of the APC, said there has been a problem with the public failing to raise issues for the APC.

Ms. Scholley pointed out that the APC only reviews plan amendments, ordinance amendments and EISs. They do not review projects.

Mr. Chimarusti pointed out that APC also had attendance problems.

Ms. Scholley said the rules were redrafted to take the [power of appeals to projects in connection with an EIS from the APC. The APC requested that appeals be removed from them and project review duties were removed as a streamlining.

Ms. Nason said her organization looked at its priorities from watchdogging TRPA to lobbying the states and Congress. As part of the recollection of resources, they dropped the APC. She felt the APC's duties were to work with staff to formulate the best plan. She felt the APC had no interest in the League’s opinions. She said the League would be willing to go back to the APC if the Board feels they should.

Mr. Mudgett felt the APC’s benefit was to handle the pick and shovel work. There is a lack of flow of information to the Governing Board.

Mr. Chimarusti felt that the Governing Board got the APC’s recommendations through the staff. We ought to get the minutes from the APC.

Mr. DeLanoy said he felt that the League should present their ideas to the APC.

Mr. Bradhurst said as a supervisor, when land use issues are raised from the first time at the supervisor level, they must send it back to the zoning board. We ought to formalize rules to focus on the role of the APC and whether or not things

Mr. Chimarusti said if applicants raise new issues at the Governing Board.
Mr. Thompson said all APC members would like there to be a requirement that all issues be raised before the APC.

Ms. Nason said not to forget that for most people, they must take a day off work, so she thinks it's unfair to require them to take two days off. She also asked that the Committee order staff to send out the APC agenda sooner. She pointed out the difficulty of reading all the material.

Ms. Hagedorn pointed out that it sounds like TRPA may need to do less.

Ms. Nason pointed out finding problems: Burton-Santini, CalTrans, Cal Paus (field) and Nevada money problems. There is a need for money for environmental problems.

Mr. Mudgett asked why we couldn't delegate more residential review to the Counties.

Mr. Chimarusti pointed out that MOUs have been entered into for residential review in the City of South Lake Tahoe, El Dorado County, and Placer County. County of Douglas and Washoe have not, but Washoe would like to.

Issue what role are APC members fulfilling. The issue has arose whether APC members represent the policy on issues of their appointing issue.

Mr. Baetge suggested a single rule amendment that the APC members are representing their technical background; they are not locking in their Agency.

Mr. Mudgett said the previous Forest Service

Representing yourself and your expertise; not the Forest Service. Use their best professional judgment.

Mr. Mudgett she he wants to hear the Forest Service.

APC Review of Projects

Mr. Thompson said the APC would like the opportunity to review projects in connection with an EIS.

Mr. Chimarusti said he things instead of a blanket rule, it is better for the APC to request to see the project.

Mr. Angelocci said that in most cases, the project and the EIS go together so the APC can't ask for review.

Ms. Scholley pointed out that requiring both the project and EIS to go to the APC may create delays for project applicants. They complained in the past that the scheduling created delays.

Mr. Angelocci said the APC can request to see the project.

APC Consent Calendar

It was agreed that a consent calendar could be used.

Public Interest Comments
Ms. Nason said that a scheduling change that would move up the final EIS prior to the APC meeting would give the APC the ability to receive the League's comments. She hopes the APC will be able to her question and explain its vote.
MOTION by Mr. Popoff to recommend to the Governing Board approval of amendment to Chapters 2, 3, 4, 8, 18, 20, 22, 24, 30, 38, 52, 54, 73, 78, and 91 pertaining to Clarification and Simplification of the Code. Seconded by Mr. Hansen. The motion carried unanimously.

VI ADMINISTRATIVE MATTERS

A. The Role of the Advisory Planning Commission

Mr. Hansen commented that he is concerned with role of the APC members and how they are being treated by certain individuals at TRPA by not addressing the issues when they are agendized for the APC. Mr. Hansen believed that concerns about particular projects being presented were not being voiced to the APC members for their expertise. He questioned whether there was a process whereby testimony had to be heard at the APC meeting before being presented to the Governing Board members, and no new testimony on a particular item could be presented at the Board meeting. Mr. Hansen suggested that the responsibility of the APC members be increased.

Executive Director Jim Baetge agreed with Mr. Hansen and mentioned that this was something that needed to be brought before the Governing Board, with no formal action necessary.

Mr. Mudgett experienced a similar situation as Mr. Hansen and was of the opinion that base subjects should be addressed at the APC meeting before the Governing Board.

Mr. Popoff commented that some of the presentations by applicants are very expensive and time consuming so why should they have to be presented both at the APC meeting and the Governing Board meeting. He believed that they should go directly to the Governing Board and bypass the APC.

Mr. McDowell stated that there wasn’t very much public testimony at the APC meetings so how could the work that occurred at the meetings be valued.

Mr. Thompson believed that issues could be resolved and discussed at the APC meetings before they are presented to the Governing Board and thus the best advice given to the Board Members for their review.

Mr. Hansen commented that applicants sometimes use strategy to bypass the APC and go directly to the Governing Board. He also complimented Mr. Baetge on the strategic plan.

(Mr. Hansen left the meeting at 4:05 p.m.)

Mr. Mudgett was of the opinion that the planning commission played a very important part and did not review items that were covered in the ordinances. He felt that items such as variances should be brought before the APC for review.
Executive Director Jim Baetge suggested that using the local governmental agencies as a sounding board was very valuable.

Mr. Popoff inquired as to how comments made by the APC members are forwarded to the Board, and Mr. Baetge replied there were several ways in which the way information was passed on to the Board that can be improved.

Mr. Joiner believed that the Governing Board gave the APC Commission a lot of credence. Although the TRPA Compact did not allow the APC to make binding decisions except on appeals, the Carson City Planning Commission members are allowed to do this. He suggested stipulating that projects that are not brought before the APC cannot be presented to the Governing Board. If a project was on the consent calendar, it could not be pulled off by someone who did not agree with the action taken by the Commission unless they have participated at the APC meeting. In addition, an opponent would not be able to do that either. The Governing Board relied on the APC’s expertise.

Mr. Hudgett questioned why an applicant would go before the APC Commission, subject themselves to Lahontan and the Forest Service scrutiny, when they can go directly to the Governing Board.

Ms. Woodbeck commented that the Washoe County Planning Commission had the same policy as the Carson City Planning Commission. A project couldn’t be brought before the Board unless it was heard at the Commission level. This prohibited people from bringing the same items forward time and time again.

Mr. Hudgett suggested that the Governing Board delegate items that need only be heard by the APC; not the Governing Board. Special Projects Attorney Susan Scholley agreed with him. She said that although the Governing Board had been somewhat territorial in the past, from a legal standpoint, the Governing Board could delegate that authority.

Mr. Hudgett suggested that the Governing Board set up and codify a procedure so that applicants would have to appear before the APC before going to the Governing Board. Ms. Scholley replied that she would not be comfortable doing it by policy. She believed that if it wasn’t codified and not clear what the rules were, it would be very hard for the Governing Board to say no to someone who showed up at the meeting and didn’t know the policy. If the Governing Board and APC were heading in that direction, it would be appropriate to have a written rule.

Mr. Thompson questioned whether the timing between the APC meeting and the Governing Board meeting could be extended to 30 days to alleviate the problem. Ms. Scholley said the meetings could be changed, but there would have to be a schedule. Because of the turnaround time between the APC meeting and the Governing Board meeting and getting the information to the two groups in advance, the schedule usually ends up back-to-back.

Mr. Hudgett commented that the minutes from the APC meetings were not available to the Governing Board members and thus they cannot benefit from what occurred at the APC meeting. He suggested using a court reporter to transcribe the minutes.
Ms. Woodbeck said that the Washoe County Commission included a detailed summary or a portion of the minutes into the report that went to the County Commission about a project. She suggested that one or two paragraphs be included in the Governing Board staff summary reviewing what the APC Commission had discussed.

Ms. Jamin commented that the City of South Lake Tahoe was considering using laptop computers for the recording secretary at their meetings. This would cut down on staff time because of the time it took to transcribe the minutes, which was lengthy. Ms. Woodbeck commented that Washoe County had tried using laptop computers, also.

Mr. Poppoff inquired as to how discussions at the APC meeting were translated to the Governing Board, and Mr. Baetge replied that the staff person presenting the item would summarize what the APC did. He suggested that an APC member could come to the Governing Board meeting and relate the ideas presented at the APC meeting.

Mr. Thompson requested better representation of proponents of a project or concerned publics or agencies on an issue so the APC would have the opportunity to hear the full discussion rather than partial when asked to give direction to the Governing Board. He asked what would be the appropriate way to present this issue to the Governing Board.

Special Projects Attorney Susan Scholley responded that initially, the item should be brought before the Rules Committee rather than the Board. She suggested the APC form a subcommittee and have them meet with the Rules Committee to try and formulate a joint league.

Mr. Thompson requested some type of feedback and representation from the Governing Board. He felt that a joint meeting between the Governing Board, the Rules Committee and a subcommittee from the APC would be beneficial.

Executive Director Jim Baetge wanted to know how we would approach the Rules Committee, and Ms. Scholley said that meetings are noticed and they meet once a month, usually at a local restaurant close to where the Governing Board was being held.

Deputy Director Jerry Wells suggested the Commission go to the Governing Board in July as a whole and present the ideas discussed today to get a sense of whether they would be supportive of that type of approach and concept. If they are receptive, he suggested then going to the Rules Committee to detail it out and bring something back to the Governing Board. This would be an indication of whether the Board would endorse the idea or not.

Special Projects Attorney Susan Scholley said that this could be agendized for the Governing Board meeting in July, but there was a conflict with the Rules Committee meeting. She encouraged everyone to consider that the Rules Committee typically had been the channel for proposed rule amendments before being considered by the Governing Board.
Ms. Baldrica agreed with Ms. Scholley's idea and believed it would be easier for a small delegation from the APC to approach the Rules Committee and then present the ideas to other Board members to see what direction they wanted to take.

Mr. Thompson asked for any volunteers as part of the subcommittee to meet with the Governing Board to discuss the issue. Mr. Mudgett, Mr. Joiner, Mr. Hansen and Mr. Thompson all volunteered.

Mr. Popoff asked if there was a way for the APC to get feedback on what influence their recommendations had on the Board's decisions. Mr. Baetge commented that the Governing Board Chairman Wayne Chimarusti offered to talk to the APC members about the impact of their recommendations.

Mr. Thompson commented that Mr. Chimarusti stated that the direction the APC provided to the Governing Board was very valuable to him and other Governing Board Members. Mr. Jepsen also commented that Mr. Chimarusti stressed the fact that the Governing Board was dependent upon the APC's expertise but if they do not attend the meetings, the Board cannot get the feedback that is required.

Mr. Popoff believed there were a number of APC members who only attended the meetings when there was an issue that directly affected them. Also, some of the agendas may not be very interesting to some APC members. Some of the planners from various agencies come to the meetings in the morning and then leave after lunch, making it hard to get a quorum. If an agency wanted to have a representative on the Commission, they should allocate that time for that particular member to come and participate in the meetings. Laypersons seem to attend more than agency members and they are not being paid for their time. He thought that maybe the Commission should be restructured.

Mr. Popoff believed it is the responsibility of the agencies involved in the APC to send representatives who can spend the time to study the agenda and participate and people who can speak on behalf of the agency.

Executive Director Jim Baetge stated that attainment of the environmental thresholds in the Basin affects all the agencies. Mr. Baetge was of the opinion that an APC member is not bound by what he/she said at the meeting as a member of an agency. They can give their expertise on an item instead of representing a specific agency.

Mr. McDowell commented that under the direction of the former Acting Supervisor of the Forest Service, she was of the opinion that the federal government should not have a say in matters that had to do with private or commercial land allocation or use. Mr. Harris, the present Forest Service Supervisor, had requested a written letter of the role of each of the APC members. Mr. Harris was struggling with the concept of whether the votes that each individual member made represented agency positions or professional judgment.

Ms. Woodbeck recommended training APC members so they were aware of what role they played. She suggested a copy of the compact be provided to each planning commission and APC member so they understood what the compact said they should
do. Ms. Woodbeck didn't feel that the planners were always taking off. One of the reasons they could not attend the meetings was because of the length of the agenda items.

(Ms. Woodbeck left the meeting at 5:00 p.m.)

Chairman Thompson believed that the role of the APC members needed further discussion. Mr. Thompson was of the opinion that he carried the knowledge of the agency he worked for and the regulations that the APC was involved with, but he also carried the technical expertise that had been developed over the years and thus relied on that to address a broader range of issues and as a resident of the Basin. There may be times when an APC member said "From an agency perspective, this is how we view this situation", particularly if they were representing a regulatory agency and very specific regulations that applied were being clarified for someone's benefit. Other than that, it was the APC members as individuals and the knowledge that we possess that needed to be brought to the meeting.

Mr. McDowell questioned whether APC members vote as an agency representative or commission member. Mr. Thompson reiterated that APC members vote as commission members; not agency representatives.

Executive Director Baetge suggested writing a letter clarifying whether members vote as an agency representative or commission member.

B. 3-Year Strategic Plan

Executive Director Baetge presented the three-year strategic plan update. The purpose of the plan is to identify the key goals and objectives of the TRPA for the next three years. The strategic plan was the cornerstone of work planning and budgeting and a vehicle for discussion of strategic issues. Mr. Baetge planned to present overhead pictures at the meeting in August outlining some of the thresholds that needed to take place. The plan showed where we were going and how we were going to get there.

Mr. Poppoff requested more priority given on evaluating what TRPA has done and is doing in the area of SEZ restoration and BMPs. He would like studies done as to their effectiveness.

Mr. McDowell suggested Carl Hasty contact Carrie Lukacic at the Forest Service regarding the BMP effectiveness monitoring program initiated by the California Forest Service.

Mr. Hudgett mentioned the declining fishery in Lake Tahoe. He could not disassociate water quality and the fishery quality because they go hand in hand. He believed the fishery goes parallel with the water quality. He requested the plan include solutions to the fishery problem from both the California and Nevada Fish & Game. Mr. Hudgett wanted the Shorezone Committee included in the plan.
B. Legal Counsel

Agency Special Projects Attorney Susan Scholley updated the APC on the Chase enforcement matter, Agency Counsel R.J. Nicolle's plan to take the Nevada Bar in July, the status of the TSPC case, and the status of the settlement proposal in the Douglas County Community Plan litigation.

C. APC Members

Mr. Dodds advised that the State Water Resources Control Board had mailers out notifying people of the availability of federal grant funds for water quality planning and clean lakes projects. The deadline for submittals was September.

Mr. McCurry advised that the State of Nevada would be making similar information available. Nevada's submittal requirements were similar.

Mr. Mudgett asked staff to research a file of information which he had compiled on an exempt remodeling project in Incline. He asked that the matter be scheduled for the next APC agenda for discussion, because the work that was done was clearly more than a remodel. The applicant had greatly modified a trout stream.

Chairman Thompson noted that this was a matter more appropriately handled by the staff.

Mr. Wells suggested that the Compliance staff look at the file and research the matter. The APC did not normally deal with these issues.

Chairman Thompson noted he had met with the TRPA Board Chairman Wayne Chimarusti, Executive Director Jim Baetge, Deputy Director Jerry Wells, and APC members Stan Hansen and Bob Jepsen to discuss the role of the APC. It was a good open and productive meeting, and Mr. Chimarusti had reinforced the Board's reliance on the APC's recommendations. He was more than willing to meet with the APC as a body and with the Board or individually. Mr. Thompson asked that this matter be placed on the next agenda for discussion so that there would be some focus on specific items of concern and ways to address them.

VII. ADJOURNMENT - The meeting adjourned at 5:15 p.m.

Respectfully submitted,

[Signature]
Julie D. Frame
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 written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.

[Handwritten note: These minutes were approved as amended on July 13, 1994. (see p.12)]
illega1 tree cutting and construction. The Douglas County Community Plan litigation filed by the League to Save Lake Tahoe and the Committee for Lake Planning were originally scheduled for May 13 but had been reset for July 29. An appeal had been filed in the Suitum v. TRPA case. Ms. Nicolle also commented that she would be taking the Nevada State Bar Examination in July and probably would not be attending the July APC meeting and most likely working part-time in June.

C. APC Members

Chairperson Joe Thompson commented on the letter APC members received from the Governing Board Chairman Wayne Chimarusti regarding recent attendance at the APC meetings. He proposed an informal meeting between he and any interested Commission members with Mr. Baetge, Mr. Wells and the Governing Board Chairman to discuss APC attendance and the relationship between the Governing Board and the Advisory Planning Commission and how they function together, what each of their roles are, and how the Governing Board viewed the APC's function. He welcomed comments from APC members.

Mr. Joiner commented that having alternates attend APC meetings would not be a solution in his case because of the difficulty of keeping abreast of current issues. The comments of an outside entity criticizing the APC for their lack of knowledge of an issue or are not being motivated and then mentioning they stopped attending APC meetings, should be taken with a grain of salt.

Mr. Joiner also mentioned that his Board of Directors would not entertain comments from an outside entity that were not addressed to the Advisory Board before going to the Governing Board. He said that it should be noted when an outside entity that represents a council or league goes before the Governing Board and voices comments and/or opinions that were not presented at the APC meeting. Mr. Joiner made the statement that it was not fair for outside people to criticize the APC for not responding to particular items when the APC members were not privileged to the information.

Ms. Baldricka agreed with Mr. Joiner's comments and believed people felt that the APC was not very important and what they did didn't matter in the scheme of things. Ms. Baldricka commented that it would be beneficial to know whether the Governing Board took the APC's comments serious. She also would like to receive some positive feedback from the Governing Board members. Ms. Baldricka believed that APC members would be more willing to attend meetings if they knew that their role as APC members was taken seriously by the Governing Board members.

(Mr. Ruben arrived at 10:15 a.m.)

Mr. Dodds commented that the day of the week in which APC meetings were held was inconvenient for him because it conflicted with his Regional Board's meetings. He would like the role of the APC defined and the expectations of the Governing Board clearly spelled out. When a particular item was voted on, Mr. Dodds requested that the votes be reiterated and explained so APC members know exactly what they voted for. He commented that he had a personal problem with the irrelevance of some of the items that were presented on the agenda.
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Mr. Combs felt there was a sense of frustration on the part of APC members because they are excluded from voting on some important issues which is reflected in the occasional lack of full attendance. He commented that the role of the APC seemed to be diminishing and their votes didn't seem to matter. Mr. Combs suggested reexamining the APC voting structure.

Ms. Jamin agreed with Mr. Combs and also suggested that the APC could be valuable in looking at the streaming issues that have been presented to the Governing Board and excluded from the APC. She also believed that some items could be delegated from the Governing Board to the APC that would give the APC a more valuable role. This would also streamline the process for applicants and staff members as well. Ms. Jamin also requested that the role of the APC be defined.

Executive Director Jim Baetge questioned if anything had been written as to the issues raised, and Mr. Wells replied that the APC's role was defined in the Rules of Procedures. Mr. Wells believed that a workshop would be a good way to develop a plan that would be beneficial to both the APC and Governing Board members.

Mr. Hansen commented that laypersons can't have someone substitute for them when they are not able to attend APC meetings which made it difficult in terms of achieving full attendance. He was of the opinion that a workshop with the Governing Board members would be very beneficial.

Mr. Jepsen suggested the APC agenda be sent out two months before the Governing Board meeting. He commented that sometimes items are heard by the Governing Board and not the APC.

Mr. Haen believed there was a closer peer contact between the APC and staff than the Governing Board. He wanted to make things easier for staff members so things go smoother at the Governing Board meetings.

Ms. Jamin was of the opinion that it would be beneficial for a Governing Board member to attend the APC meetings on a short-term basis.

Mr. Joiner was of the opinion that attendance at meetings was considerably less when they were held at the South Shore as opposed to the North Shore.

Mr. Dodds suggested that items of insignificant importance be omitted from the agenda.

Mr. Thompson commented that he planned to set up a meeting between the Governing Board and the APC members and hopefully, as a result, changes would be made. He thanked the APC members for their comments and suggestions.

Mr. Dodds commented that the Lahontan Regional Board approved an MOU with TRPA which would be presented to the APC in June for approval.

Mr. Hansen commented that a public hearing would be held on May 18th & 19th, 1994, regarding the Heavenly EIS on its master plan at the California Main Lodge.