July 2000

Governing Board Packet
TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING ORGANIZATION (TMPO)

NOTICE IS HEREBY GIVEN that on Wednesday, July 26, 2000, commencing at 9:30 a.m., the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will take place at the North Tahoe Conference Center, 8318 North Lake Boulevard, Kings Beach, California. The agenda is attached hereto and made a part of this notice.

Governing Board Committee items are action items unless otherwise noted

NOTICE IS FURTHER GIVEN that on Wednesday, July 26, 2000, commencing at 8:30 a.m., at the same location, the TRPA Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) discussion of allocation of fines and forfeitures; 3) eligibility for use of water quality mitigation funds; 3a. Placer County water quality mitigation fund request ($148,000) for Burton Creek government center BMP retrofit; 3b. Placer County water quality mitigation fund request ($138,000) for water quality maintenance; 4) Washoe County water quality mitigation (Bitterbrush) funds ($137,000) for Fairview/Country Club water quality improvement project; 5) update on local jurisdiction use of mitigation funds; 6) discussion of potential long-term TRPA office location; and 7) member comments. (Committee: Neft, Heller, Galloway, Solaro, Bennett)

NOTICE IS FURTHER GIVEN that on Wednesday, July 26, 2000, commencing at 12:00 p.m., at the same location, the TRPA Local Government Committee will meet. The agenda will be as follows: 1) public interest comments; 2) identification of process by which this committee will function (a) chairman and/or facilitator (b) support provided to the committee by local jurisdictions’ staff, TRPA staff, affordable housing group, and other public agencies; 3) discussion regarding assignments of committee; 4) next meeting and agenda; and 5) member comments. (Committee: Solaro, Bennett, Galloway, Miner, Cole, Sevison)

NOTICE IS FURTHER GIVEN that on Wednesday, July 26, 2000, commencing at 8:30 a.m., at the same location the TRPA EIP Committee will meet. The agenda will be as follows: 1) discussion on EIP update and criteria; 2) update on Phase II of the Regional Revenue Feasibility Analysis; 3) update on EIP finance plan and project funding; and 4) member comments. (Committee: Miner, Cole, DeLanoy, Perock, Waldie)

July 17, 2000

John L. Marshall
Acting Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.
All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear. For agenda management purposes, approximate time limits have been assigned to each agenda item. All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated.

AGENDA

I. PLEDGE OF ALLEGIANCE (5 minutes)

II. ROLL CALL AND DETERMINATION OF QUORUM (5 minutes)

III. PUBLIC INTEREST COMMENTS - All comments are to be limited to no more than five minutes per person.

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, TMPO, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, Appeal, and Planning Matter items will be taken at the time those agenda items are heard. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

IV. APPROVAL OF AGENDA (5 minutes)

V. APPROVAL OF MINUTES (5 minutes) Pg 1

VI. CONSENT CALENDAR (see agenda pg.3 for specific items) (5 minutes)

(Adjourn the TRPA, convene the TMPO)

VII. MEETING OF THE TAHOE METROPOLITAN PLANNING ORGANIZATION (TMPO)

A. Public Interest Comments - All comments are to be limited to no more than five minutes per person.

B. Consent Calendar – 1) Report on the TTD July 14 Meeting (5 minutes); Pg 61
   2) Approval of Resolution Adopting the TRPA Personnel Policy Manual for the TMPO (5 minutes) Pg 65

C. Public Hearing on Adoption of FY 2000 TMPO Federal Transportation Improvement Program (20 minutes) Pg 69

(Adjourn the TMPO, reconvene the TRPA)
VIII. PLANNING MATTERS

A. Resolution in Support of Measure E, a Proposed Half-Cent Sales Tax Increase Fund Expansion of Transit Services at North Lake Tahoe (20 minutes)

IX. PUBLIC HEARINGS

A. Notice of Opportunity to Comment on Federal Transit Administration 5311 Grant Application to Purchase Four 15-Passenger Vans for STAGE Using $132,000 in Federal Funds, Adoption of Supporting Resolution (10 minutes)

B. Scoping Session for Environmental Document for Stonewood Estates Condominiums (formerly South Shore Estates), Douglas County APN 007-050-05 (60 minutes) – 1:30 p.m.

X. PROJECT REVIEW

A. Lowe, New Single Use Pier/Conversion of an Existing Accessory Shorezone Structure, 77 Shoreline Circle, Incline Village, Washoe County APN 122-169-09, TRPA File No. 990882 (30 minutes)


XI. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee (20 minutes)

1. Placer County Request for $148,000 in Water Quality Mitigation Funds for the Burton Creek Government Center BMP Retrofit

2. Placer County Request for $138,000 in Water Quality Mitigation Funds for Water Quality Maintenance

B. Executive Director Selection Committee (5 minutes)

C. Local Government Committee (5 minutes)

D. EIP Committee (5 minutes)

XII. REPORTS

A. Executive Director Monthly Status Report (5 minutes)

1. Status Report on Project Applications

B. Legal Division Monthly Status Report (5 minutes)
C. Governing Board Members (5 minutes)

XIII. ADJOURNMENT

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**CONSENT CALENDAR**

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<th>Item</th>
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<td>1. Lombardi Pier Rebuild and Modification/Expansion</td>
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<tr>
<td>3940 North Lake Boulevard, Placer County APN 92-142-02, File #990163</td>
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<tr>
<td>2. Tahoe City Public Utility District, Lakeside Bike Trail</td>
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<td>Phase 1A, &quot;64 Acre&quot; Parcel at the Truckee River, Placer County</td>
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<td>3. Hebrew Congregation Building, New Two-Story Building,</td>
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<td>Placer County APNs 117-100-01 and -03, File #200007</td>
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<td>4. Barton Memorial Hospital, Additional Parking Lot,</td>
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<td>El Dorado County APNs 023-081-03 and -09, File #200309</td>
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<tr>
<td>5. Washoe County Request for $137,000 in Additional Water Quality</td>
<td>Approval</td>
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<td>Mitigation (Bitterbrush) Funds for the Fairview/Country Club</td>
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<tr>
<td>Water Quality Improvement Project</td>
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The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category.
Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be require to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III(g) Public Law 96-551

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Tahoe Regional Planning Agency Governing Board Members:

- **Chairman** Larry Savison, Placer County
- **Vice Chairman** Don Miner, Douglas County
- **Kay Bennett**, Carson City
- **Jim Galloway**, Washoe County
- **Hal Cole**, South Lake Tahoe
- **Dave Solano**, El Dorado County
- **Brian Sandoval**, Nevada At-Large Member
- **Dean Heller**, Nevada Secretary of State

- **Wayne Perock**, Nev. Dept. of Conservation Appointee
- **Drake DeLany**, Nevada Gov. Appointee
- **Jerry Walde**, Calif. Senate Rules Com. Appointee
- **Leslie Medina**, Calif. Assembly Spkr. Appointee
- **Joanne Neft**, Calif. Gov. Appointee
- **Terry Giles**, Calif. Gov. Appointee
- **Peter Chase Neumann**, Presidential Appointee
MEMORANDUM

July 18, 2000

To: TRPA Governing Board
From: TRPA Staff
Subject: Disposition of June Meeting Minutes

The minutes from the June 28 Board meeting will not be available in time for your action at the July meeting. They will be mailed under separate cover as soon as they are completed.

If you have any questions, please call Julie Frame at (775) 588-4547, ext. 243.
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Lombardi Pier Rebuild and Modification/Expansion

Application Type: Shorezone / Existing Pier Expansion

Applicant: Michael and Helen Lombardi

Agency Planner: Jon-Paul Harries, Associate Planner

Location: 3940 North Lake Boulevard, Placer County, CA

Assessor's Parcel Number / File Number: 092-142-02 / 990163

Staff Recommendation: Staff recommends approval of the proposed project based on this staff summary and evidence contained in the project record. The required actions are outlined in Section F of this staff summary.

Project Description: The applicants are proposing to demolish and rebuild an existing pier. The existing double-piling pier is approximately 145 feet in length and is 5½ feet wide to the pierhead, which varies from 14 to 18 feet wide and includes a four foot wide catwalk. The proposed pier will be approximately 145 feet in length (same as existing). The first 115 feet will be six feet wide and supported by single pilings. The most lakeward 30 feet will be 10 feet wide and supported by double pilings. A single low-level boatlift and three foot wide by 30 foot long adjustable catwalk are also proposed. No pilings or railings are proposed to extend above the pier deck.

Site Description: The upland project area is approximately 7,866 square feet in size and is developed with a single family residence. The parcel has an average slope of 13% with a steeper backshore bluff and is composed of Land Capability Districts 1b (backshore), 4 and 6. The parcel is situated in a residential neighborhood and is visible from Scenic Shoreline Unit Number 18 (Cedar Flat). The project area is located in an area mapped and verified as prime fish spawning habitat.

Issues: This project involves the expansion of an existing nonconforming structure (based on fish habitat) and, therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances. The primary issues associated with this project are:

1. Scenic Quality: The proposed project is visible from Scenic Shoreline Unit number 18, Cedar Flat. The 1996 Threshold Evaluation found the shoreline's scenic quality rating dropped due to pier development and expansions and poorly sited and screened residences. Therefore, any proposed development must show an improvement in the scenic quality of the shoreline travel route. TRPA staff have worked with the applicant's representative to develop a project proposal and scenic mitigation package that is consistent with the recommendations for improving the scenic quality identified in the Scenic Quality Improvement Program (SQIP) and that will result in an incremental improvement in the scenic quality the project area. Mitigating project elements include
rebuilding the pier to conform to TRPA design standards, the use of primarily single-piling supports (resulting in eight less pilings), removal of pilings that extend above the pier deck, removal of railings and seats from the pierhead and catwalk, and landscaping that will add additional screening of the residence.

2. **Fisheries:** This proposed project is located in an area mapped and verified as prime fish habitat (spawning). Also, the applicable Plan Area Statement (14-Cedar Flat) and TRPA Prime Fish Habitat maps identify the area as targeted for fish habitat restoration. TRPA staff have inspected the subject parcel and determined that the proposed project, as conditioned, will not adversely impact fisheries. The proposed pier will be located in the same location as the existing pier and will have eight less pilings. A recommended condition of approval includes the implementation of a fish habitat restoration plan for the project area that is prepared by a qualified professional.

3. **Placer County Right-of-Way:** The proposed project will cross a Placer County right-of-way known as Lakeside Drive. The applicants have submitted a copy of their Permit To Encroach on County Right-of-Way, and the Placer County Department of Public Works have sent a letter to TRPA advising that Placer County has no objection to the proposed project.

**Staff Analysis:**

A. **Environmental Documentation:** The applicant has completed an Initial Environmental Checklist (IEC), a fish habitat impact determination, and visual simulation in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project, as conditioned, will not have a significant effect on the environment. A copy of the completed IEC, fish habitat impact determination, and visual simulation will be made available at the Governing Board hearing and at TRPA.

B. **Plan Area Statement:** The project is located within Plan Area Statement Number 14 (Cedar Flat). The land use classification is residential, and the management strategy is mitigation. The proposed use (pier) is an allowable accessory structure in the Plan Area Statement. TRPA staff have reviewed the plan area statement and have determined that the project is consistent with the applicable planning statement, planning considerations and special policies.

C. **Land Coverage:**

1. **Land Capability District:** The land capability districts of the project area include class 1b (backshore). The total project area is 7,866 square feet in size.

2. **Total Allowable Land Coverage:** 1,744 square feet

3. **Total Existing Land Coverage**
   (Includes 537 sq. ft. of banked coverage): 3,718 square feet

4. **Proposed Land Coverage:** 3,718 square feet

5. **Excess Land Coverage:** 1,974 square feet

7/13/00
/JPH
6. **Excess Land Coverage Mitigation**: Based on the above coverage figures, the project area contains approximately 1,974 square feet of excess land coverage. The applicants have mitigated 112 square feet of excess land coverage through a previous permit. The applicant will be required to mitigate a portion of the remaining unmitigated excess land coverage (1,862 sq. ft.) within the project area in accordance with Chapter 20 of the TRPA Code of Ordinances.

D. **Shorezone Tolerance District**: The subject parcel is located within Shorezone Tolerance District 4, which requires vegetation and stabilization of the backshore and stabilized access ways to the shoreline. The project, as conditioned, complies with the shorezone tolerance district standards.

E. **Required Findings**: The following is a list of the required findings as set forth in Chapters 6, 50, and 52 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

1. **The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code, and other TRPA plans and programs.**
   
   a) **Land Use**: The single family dwelling on the subject parcel is an allowed use within the applicable plan area statement. The proposed project involves the expansion of an allowed accessory structure (pier) and is consistent with the Land Use Element of the Regional Plan. Adjacent land uses consist of residential properties with accessory shorezone structures. The proposed project will not alter any land use patterns.

   b) **Transportation**: The existing pier serves the homeowners of the affected parcel and, as such, will not generate an increase in daily vehicle trips ends (DVTE) or vehicle miles traveled (VMT). There is no evidence that the proposed project will adversely affect implementation of the Transportation Element of the Regional Plan.

   c) **Conservation**: The project, as conditioned, is consistent with the fisheries, shorezone, and scenic subelements of the Conservation Element of the Regional Plan. The project involves replacing an existing pier and is designed to minimize impacts to the fish habitat. The proposed colors and design are consistent with the TRPA Design Review Guidelines. This project will not result in the obstruction or degradation of any scenic vista or view open to the public. There are no known special interest animal species, plant species, or cultural resources within the project area.

   d) **Recreation**: This project does not involve any recreation facilities or uses. The proposed pier will be similar in length to adjacent existing piers and will not extend beyond the TRPA pierhead line. By remaining consistent with existing development, the proposed pier will not adversely affect recreational boating or top-line angling.
e) **Public Service Facilities:** This project does not require any additions to public services or facilities.

f) **Implementation:** The proposed project does not require any allocations of development.

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

The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at the TRPA.

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

(Refer to paragraph 2, above.)

4. **The proposed project will not adversely impact:** (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including waterfowl nesting areas.

The proposed project will not have an impact on littoral processes because the project does not involve a structure that is less than 90 percent open. The proposed pier will be constructed of eight less pilings and implementation of a fish habitat restoration plan is recommended as a condition of approval. The proposed pier will be in the same location as the existing pier and will utilize the existing pathway and thus will not impact backshore stability. The proposed project is not located within an area that is mapped as on-shore wildlife habitat nor has the site been shown to be a waterfowl nesting area.

5. **There are sufficient accessory facilities to accommodate the project.**

This project involves the relocation and expansion of an existing pier. The project is located in the shorezone of a property occupied by a single family residence. The pier will only be used by the owners of the property and their guests. There is sufficient parking and shorezone access to accommodate the project.

6. **The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modification of such existing uses or structures will be undertaken to assure compatibility.**

The project is compatible with existing shorezone accessory uses (piers & buoys) in the vicinity. The proposed pier will not extend beyond the TRPA pierhead line.
7. The use proposed in the foreshore or nearshore is water-dependent.

   The pier is located in the foreshore of Lake Tahoe and, by its nature, is water dependent.

8. Measures will be taken to prevent spills or discharges of hazardous materials.

   This approval prohibits the use of spray painting and the use of tributyltin (TBT). Also, conditions of approval prohibit the discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier.

9. Construction and access techniques will be used to minimize disturbance to ground and vegetation.

   The applicant shall not be permitted to store construction materials on the beach. Permanent disturbance to ground and vegetation is prohibited. The construction of the pier will be accomplished from the lake by barge.

10. The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake’s navigable waters.

   The proposed pier will not extend beyond the TRPA pierhead line or other piers in the vicinity, and as such will not adversely impact navigation or create a threat to public safety. The project must also receive approval by the U.S. Army Corps of Engineers which typically makes its own public safety findings in addition to TRPA’s. The U.S. Army Corps of Engineers have completed a preliminary review of the project and commented that no safety or navigation impacts have been identified.

11. TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA prior to action being taken on this project.

   This project must receive approval from the California Division of State Lands, and the U.S. Army Corps of Engineers. Comments from these agencies, as well as the California Department of Fish & Game, were solicited as part of the review of this project. None of the agencies indicated that they had concerns regarding the proposed project.

12. The expansion decreases the extent to which the structure does not comply with the development standards and/or improves the ability to attain or maintain the environmental thresholds.

   The proposed pier will be an open piling design and will meet all of TRPA’s development standards except for location in spawning habitat. TRPA staff has inspected the subject parcel and determined that the proposed project will not adversely impact fisheries due to the proposed pier design, construction
methods, and implementation of a fish habitat restoration plan. The project also will not create a degradation of any of the other environmental thresholds (Finding #2 above). The proposed project is located within Scenic Shoreline Unit 18 (Cedar Flat) which is not in attainment with TRPA scenic quality thresholds. The applicants are proposing a scenic mitigation package that will result in an incremental improvement in the scenic quality the project area.

13. **The project complies with the requirements to install Best Management Practices (BMPs) as set forth in Chapter 25.**

   All of the required BMPs have been previously installed or will be installed as a condition of approval.

14. **The project complies with the design standards in Section 53.10.**

   Consistent with TRPA Code Section 53.10, the color of the new pier will be compatible with the surroundings. Conditions of approval will ensure that earthtone colors are used on the new pier and the specific colors must be reviewed and approved by TRPA prior to acknowledgement of the permit.

15. **The structure has not been unserviceable for more than five years.**

   The pier has been continually serviceable until this past winter (December 1998) when the property owner roped off the pier (preventing use) because of the pier's degraded condition and associated liability concerns.

F. **Required Actions:** Agency staff recommends that the Governing Board approve the project by making the following motions based on this staff summary and evidence contained in the record:

   I. A motion, based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect for the project.

   II. A motion to approve the project based on this staff summary subject to the conditions contained in the attached draft permit.
DRAFT PERMIT

PROJECT DESCRIPTION: Pier Rebuild and Expansion/Modification  APN 092-142-02
PERMITTEE: Michael and Helen Lombardi  FILE #990163
COUNTY/LOCATION: 3940 North Lake Boulevard, Placer County, CA

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on July 26, 2000, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on July 26, 2003, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of driving pilings for the pier and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

__________________________  __________________________
TRPA Executive Director/Designee  Date

PERMITTEE’S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

__________________________  __________________________
Signature of Permittee  Date

PERMIT CONTINUED ON NEXT PAGE

7/13/00  CONSENT CALENDAR ITEM NO. 1
/JPH
Lombardi - Shorezone / Pier Rebuild and Expansion
Page 8

APN 092-142-02
FILE NO. 990163

Excess Coverage Mitigation Fee\(^{(1)}\): Amount $_______  Paid _________  Receipt No. ___________

Shorezone Mitigation Fee\(^{(2)}\): Amount $500.00  Paid _________  Receipt No. ___________

Security Posted\(^{(3)}\): Amount $2,500.00  Posted _________  Receipt No. _________  Type _________

Security Administrative Fee\(^{(4)}\): Amount $_______  Paid _________  Receipt No. ___________

Notes:
(1) Amount to be determined. See Special Condition 3.D, below.
(2) See Special Condition 3.E, below.
(3) See Special Condition 3.F, below.
(4) $130 if cash security is posted, or $65 if non-cash security posted.

Required plans determined to be in conformance with approval: Date: ___________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

________________________________________________________________________
TRPA Executive Director/Designee                        Date

SPECIAL CONDITIONS

1. This permit authorizes the rebuild and modification of an existing single-use pier. The approved pier shall not exceed a total of 145 feet in length (no additional length is authorized by this permit). The pier shall be 6 feet wide until the pierhead, which shall be 10 feet wide and 30 feet long including an adjustable 3 foot wide catwalk. A single low-level boatlift is also authorized by this permit.

2. The Standard Conditions of Approval listed in Attachment S, where applicable.

3. Prior to permit acknowledgement the following special conditions of approval must be satisfied:

   A. The site plan shall be revised to:

      (1) Delete all notes, land coverage calculations, and proposed development that pertains to previous projects on this property.

      (2) Include stabilization and restoration of the bluff at the south-east corner of the property.

   B. The permittees shall prepare a fish habitat restoration plan prepared by a qualified professional for review and approval. As a part of this project, the applicants shall implement the approved fish habitat restoration plan.

7/13/00
/JPH

CONSENT CALENDAR ITEM NO. 1
C. The pier plans shall be revised to:

1. Eliminate the proposed lockable gate and storage box.
2. Show a proposed pierhead of 30 feet in length.

D. The permittee shall mitigate 1,974 square feet of excess land coverage on this property by submitting an excess coverage mitigation fee, or by removing coverage within Hydrologic Transfer Area Number 9, Agate Bay.

The excess coverage mitigation fee shall be calculated as follows:

1. Estimated Project Construction Cost x 0.0075.

   Please provide a construction cost estimate by your contractor, architect or engineer. In no case shall the mitigation fee be less than $100.00.

2. Excess land coverage may be removed in lieu of an excess coverage mitigation fee. To calculate the amount of excess coverage to be removed use the following formula:

   Excess coverage mitigation fee (per formula (1), above) divided by $5.00 per square foot. If you choose this option, please revise your final site plan and land coverage calculations to account for the coverage removal.

E. The applicant shall submit a shorezone mitigation fee of $500 for the addition of one low-level boatlift ($500 per application).

F. The security required under Standard Condition A.3 of Attachment S shall be determined upon the permittees submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.

4. All construction activity shall take place during the non-spawning season, between October 15 and May 1.

5. Spray painting and the use of tributylin (TBT) is prohibited.

6. The trees on this parcel shall not be removed or trimmed without prior written approval from TRPA. Any such removal or trimming shall constitute a violation of project approval.

7. The use of wood preservatives on wood in contact with the water is prohibited and extreme care shall be taken to insure that wood preservatives are not introduced into Lake Tahoe.

8. No containers of fuel, paint, or other hazardous materials may be stored on the pier.

9. Gravel, cobble, or boulders shall not be disturbed or removed to leave exposed sandy areas, before, during, or after construction.
10. Prior to return of the posted security, the applicant shall submit post-construction photos demonstrating any resultant impacts to scenic quality as viewed from 300 feet from shore looking landward and to lake bottom conditions as viewed from the subject parcel. TRPA staff shall evaluate the photographs to determine if the project is in compliance with the required conditions prior to returning the posted security.

11. No existing buoys are verified under this permit.

12. All construction staging shall take place from a barge (off-shore).
EXISTING PIER PLAN

SCALE: 1" = 20'

EXISTING WATER LINE ELEV. = 6228.22

PROFILE

SCALE: 1" = 20'

NOTES:

1) THIS DOCUMENT IS FOR PERMIT PURPOSES ONLY AND SHOULD NOT BE USED AS A CONSTRUCTION DRAWING.

2) THE CONSTRUCTION ACTIVITY ASSOCIATED WITH THIS PROJECT SHALL COMPLY WITH THE APPLICABLE AGENCY CODES, REGULATIONS, AND STANDARDS.

NOTES:

SHOREZONE TOLERANCE DISTRICT:

NEAREST SHOREZONE STRUCTURE
NORTH: 45' ± PIER
SOUTH: 30' ± PIER

PROJECT NO.
NOTES:
1) THIS DOCUMENT IS FOR PERMIT PURPOSES ONLY AND SHOULD NOT BE USED AS A CONSTRUCTION DRAWING.
2) THE CONSTRUCTION ACTIVITY ASSOCIATED WITH THIS PROJECT SHALL COMPLY WITH THE APPLICABLE AGENCY CODES, REGULATIONS, AND STANDARDS.

NOTES:
SHOREZONE TOLERANCE DISTRICT:
NEAREST SHOREZONE STRUCTURE
NORTH: 45° PIER
SOUTH: 30° PIER
PROJECT NO.
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD STAFF SUMMARY

Project Name: Lakeside Trail, Phase 1A

Application Type: Public Service/Recreation

Applicants: Tahoe City Public Utility District (TCPUD) and U.S. Forest Service (USFS)

Applicant's Representative: Jerusha Crockett, Auerbach Engineering Group

Agency Planner: Kathy Canfield, Project Review Division

Location: “64-Acre Tract”, Highway 89 and the Truckee River, Tahoe City

Assessor's Parcel Number/File Number: APN 94-180-65/200225

Staff Recommendation: Staff recommends approval of the subject project. The required actions and recommended conditions are outlined in Section E of this staff summary.

Project Description: The applicant is proposing the first of six phases of the Lakeside Trail project. This portion of the project includes a ten foot wide paved pathway for approximately 700 linear feet. The majority of the trail will be located on the “64 Acre” parcel owned by the U.S. Forest Service with a small portion of the trail on an adjacent parcel (APN 94-540-18). The proposed trail parallels the Truckee River and connects to an existing trail system on the “64 Acre” parcel. This phase of the Lakeside Trail will not provide a direct connection to Fanny Bridge or Highway 89. The project also includes two river overlooks and a weather station interpretive overlook.

Site Description: The project area for the proposed trail will consist of a linear easement which will encompass the proposed improvements. The project area is a combination of Class 5 and Class 1b land and is relatively flat except for the river bank area. The trail has been sited to cause the least amount of disturbance and vegetation removal.

Advisory Planning Commission (APC): Because an Environmental Impact Statement (EIS) was prepared for the total Lakeside Trail project, the APC requested to review the proposed project prior to the Governing Board reviewing the project. A copy of the draft staff summary was presented to the APC at their July 12, 2000 meeting. The APC recommended that the Governing Board approve the proposed project.

Issues: The proposed project is a project for which an EIS was prepared and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances. The primary project related issues are:

1. Environmental Impact Statement (EIS): The TRPA Governing Board certified the Tahoe City Public Utility District, Community Trail Interline Project EIS at the May 1998 meeting. While this staff summary relates to only a portion of the entire trail system, the EIS addressed the entire trail system. As a condition of project approval, the applicant will

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CONSENT CALENDAR ITEM NO. 2
be required to provide a written summary of the mitigation requirements for the entire project and how the proposed mitigation relates to this phase of the project.

2. **Land Coverage**: As a condition of project approval, the applicant will be required to demonstrate that public access easements have been obtained for the area of the proposed trail system that encompasses Phase IA. As a public access easement, the project area is calculated based on the area of the easement, not the underlying parcel, consistent with Subsection 20.3.D of the TRPA Code of Ordinances. Because of the public service/recreation nature of the project, the applicant is permitted to transfer additional land coverage to the easement project area for the Class 5 portion of the site and to provide additional restoration for the new land coverage in the Class 1b areas consistent with the findings in Chapter 20. The applicant has worked with the California Tahoe Conservancy to obtain all needed land coverage and restoration credits for the project.

**Staff Analysis:**

A. **Environmental Documentation**: The TRPA Governing Board has certified an Environmental Impact Statement (EIS) for the proposed project. No significant environmental impacts were identified, and staff has concluded that the Phase 1A portion of the trail project, with the mitigation measures identified in the attached permit, will not have a significant effect on the environment. A copy of the certified EIS will be made available at the Governing Board hearing and at TRPA.

B. **Community Plan/Plan Area Statement**: This project is located within the Tahoe City Community Plan (TCCP), Special Area 3 and Plan Area Statement (PAS) 174 - 64 Acre Tract. The Land Use Classification for PAS 174 is Recreation and the Management Strategy is Redirection. The Land Use Classification for TCCP is Commercial/Public Service and the Management Strategy is Redirection. Agency staff has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. The proposed trail is an allowed use for both TCCP and PAS 174.

C. **Land Coverage**: The TRPA verified land capability districts for the project area are Class 1b and 5. The project proposes 255 square feet of additional land coverage in Class 1b land and 11,635 square feet of additional land coverage in Class 5 land. All needed Class 5 land coverage will be transferred to the site and all Class 1b land coverage shall be mitigated by demonstrating restoration of Class 1b land at a rate of 1.5 to 1.

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

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

   a. **Land Use**: The proposed trail is an allowed use for both the Tahoe City Community Plan and Plan Area 174. Surrounding land uses include commercial to the north, the Truckee River and commercial to the west, and Forest Service land to the east and south. The proposed project is an extension to the existing trail system located on the adjacent Forest Service property.

   b. **Transportation**: The proposed project is not expected to generate any additional daily vehicle trip ends (dVTE). The proposed trail is the first phase of the Lakeside Trail project which is expected to reduce vehicle congestion with the Tahoe City community.

   c. **Conservation**: The proposed trail and associated overlooks will not be readily visible from Highway 28 or 89. This phase of the project is not expected to have an impact to scenic quality. There are no known special interest species, sensitive or uncommon plants or cultural or historic resources within the Phase 1A portion of the Lakeside Trail project. The applicants shall install temporary and permanent Best Management Practices (BMPs).

   d. **Recreation**: The proposed project will provide an extension to an existing trail network through the “64 Acre” parcel and to an existing non-vehicular bridge across the Truckee River. Expanding trail systems and encouraging opportunities for dispersed recreation is consistent with the TRPA Goals and Policies.

   e. **Public Service and Facilities**: The linear nature of the project can be considered a transportation route which is identified as a public service facility. No other additions to public services or facilities is required.

   f. **Implementation**: This project does not require any allocations of development.

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

The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. In addition, the TRPA Governing Board has certified an EIS for this...
project. A copy of the certified EIS and the completed checklist will be made available at the Governing hearing and at TRPA.

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

(Refer to paragraph 2, above.)

Chapter 20 – Land Coverage:

4. The project is on the list of additional public service facilities if required pursuant to Section 33.5.

This project is not considered additional public service as defined by Section 33.5.B of the TRPA Code of Ordinances.

5. There is no feasible alternative that would reduce land coverage.

The applicant has proposed a design which provides access for several types of users of the trail system. Reducing land coverage would create the potential for users to leave the trail system.

6. The project, because of its unusual configuration or service requirement, requires special consideration.

The trail is proposed to provide the general public with access and recreation opportunities in a controlled environment. Although these areas are accessible today, the access is through existing vegetation and not defined to a single pathway.

7. The facility primarily serves the needs of persons other than those who are, or will be, residents of the lands in question, or the owners of the land in question.

The trail system is open and available to the general public. The general public is encouraged to utilize the trail system.

8. The project is necessary for public health, safety or environmental protection.

This finding is necessary to allow for additional land coverage in the Class 1b portion of the project. The new land coverage in the Class 1b will allow for access and an overlook of the Truckee River. By providing a defined access area, the project will reduce the potential for users to leave the trail system and disturb currently undisturbed areas. This will protect the surrounding environment and provide safe access to the Truckee River.

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CONSENT CALENDAR ITEM NO. 2
9. There is no reasonable alternative, including bridge span or relocation, which avoids or reduces the extent of encroachment in the stream environment zone. The project includes a small portion of land coverage to provide for an overlook of the Truckee River. The alternative to providing access would be to not provide access to the Truckee River which may create disturbance to currently undisturbed areas by individuals creating their own pathways.

10. The impacts of the land coverage and disturbance are fully mitigated in the manner set forth in Subparagraph 20.4.A(2)(e), with the exception that the restoration requirement in such Subsection shall apply exclusively to stream environment zone lands and shall include coverage and disturbance within the permitted Bailey coefficients.

The applicant has coordinated with the California Tahoe Conservancy to obtained the needed Stream Environment Zone restoration. The applicant will demonstrate that land coverage or disturbance at a rate of 1.5:1 has been restored.

E. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section D above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the Standard Conditions of Approval listed in Attachment Q and the Special Conditions of Approval listed in the attached draft permit.
DRAFT PERMIT

PROJECT DESCRIPTION: Lakeside Trail Phase 1A APN 94-180-65

PERMITTEE(S): Tahoe City Public Utility District/U.S. Forest Service FILE # 200225

COUNTRY/LOCATION: Placer/West Side of the 64 Acre Parcel at the Truckee River

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on July 26, 2000, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on July 26, 2003 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREDARING INSPECTION HAS BEEN CONDUCTED.

TRPA Executive Director/Designee Date

PERMITTEE’S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) Date

PERMIT CONTINUED ON NEXT PAGE

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Lakeside Trail Phase 1A
Page 7

APN 94-180-65
FILE NO. 200225

Security Posted: Amount $*  Posted _________ Receipt No. _________ Type _________
Security Administrative Fee: Amount $**  Paid _________ Receipt No. _________

* To be determined.
** $130 if cash security posted, $65 if non-cash security posted, see Attachment J.

Required plans determined to be in conformance with approval: Date: __________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of
approval as of this date:

______________________________  ___________________
TRPA Executive Director/Designee  Date

SPECIAL CONDITIONS

1. This permit is for the first phase of the Lakeside Trail project. The majority of this portion of
the trail will be constructed on the “64 Acre” parcel, with a portion on an adjacent
parcel (APN 94-540-18). The project parallels the Truckee River. The path will be
approximately 10 feet wide and extend approximately 700 linear feet. The project
includes two river overlooks and a weather station interpretive overlook. This portion of
the trail will connect with existing pathways within the “64 Acre” parcel and will not
connect to the Fanny Bridge area.

2. Prior to acknowledgement of the permit, the permittee shall demonstrate that the
following special conditions of approval have been satisfied:

A. The site plans shall be revised to include the following:

   (1) The proposed land coverage calculations on the submitted site plan shall
       be revised to reflect the following:

       Class 1b: 255 square feet
       Class 5: 11,635 square feet

   (2) The project area and/or location of all existing and proposed easements, shall be shown on the site plan.

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CONSENT CALENDAR ITEM NO. 2
B. The permittee shall demonstrate that 382 square feet of Class 1b land coverage (255 s.f. x 1.5 = 382 s.f.) has been restored within the Lake Tahoe Basin. Please note that restoration is not limited to the hydrologic boundaries.

C. The permittee shall transfer 11,635 square feet of land coverage to the project area. All transferred land coverage shall be located within Hydrologic Area 8 and be consistent with the requirements of Chapter 20. Separate TRPA review and approval of the transfer may be required.

D. The permittee shall demonstrate that all required easements needed to construct this portion of the project have been obtained. Copies of the recorded easements shall be provided to TRPA.

E. The permittee shall submit a project security based on the cost and installation of all required Best Management Practices (BMPs) for the project area. The security shall be equal to 110% of the estimated cost. Please submit an estimate prepared by a qualified professional. Please see Attachment J, Security Procedures, to determine appropriate methods to post a security and for calculation of the required Security Administrative Fee.

F. The permittee shall prepare an EIS mitigation compliance report for TRPA. This report shall identify all mitigation measures identified in the certified Community Trail Intertie Project Environmental Impact Statement and the Phase 1A portion of the mitigation.

G. The permittee shall submit a construction schedule for TRPA review and approval. Scheduling of the installation of temporary and permanent BMPs shall be included. Details of the construction methodology shall be provided for TRPA review and approval.

H. The permittee shall submit three sets of final construction drawings and site plans to TRPA.

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7/17/00

CONSENT CALENDAR ITEM NO. 2
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD STAFF SUMMARY

Project Name: North Tahoe Hebrew Congregation

Application Type: Public Service, Special Use Determination

Applicant: Ernest Grossman

Applicant's Representative: Leah Kaufman, Kaufman Planning

Agency Planner: Elizabeth Harrison, Assistant Planner, Project Review Division

Location: Latone Avenue & Agatahope Avenue, Placer County

Assessor's Parcel Number/Project Number: 117-100-01, -03/ 200007

Staff Recommendation: Staff recommends approval of the subject project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: The applicant is proposing to construct a new 7,200 square foot, two story Hebrew Congregation Building and an associated 41 space parking area. The proposed church includes a multi-use room, classrooms, a kitchen, a library, and offices. Access to the project area will be from Latone Avenue, which is an unimproved dirt road. All proposed development is within high capability land. The construction of this project will require a right of way abandonment with Placer County and the consolidation of lots 1-11 (APN 117-100-01) with lot 12 (APN 117-100-13). The applicant has initiated the right of way abandonment/consolidation process and approval of the right of way abandonment/consolidation will be required as a condition of this project approval.

Site Description: The project area is approximately 1.7 acres and is located in Tahoe Vista. The site currently contains approximately 1,868 square feet of dirt parking and seven square feet of asphalt paving. The site contains a verified Stream Environment Zone (SEZ) in on the southwest portion of the project area that will be used to infiltrate parking lot runoff. This sediment basin was previously approved as a part of the National Avenue Erosion Control Project.

Issues: The proposed project involves a new public service facility with floor area greater than 2,000 square feet, is a special use for the plan area, and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code of Ordinances. The primary issues associated with this project are:

1. Unimproved dirt road access: The access to the project is from Latone Avenue, which is a dirt road. In order to protect air and water resources which would be impacted from the creation of fugitive dust and through plowing of the road in winter, the applicant will be required to pave this roadway in its entirety prior to construction of the project. Paved access is required for this project, pursuant to TRPA Code of Ordinances, Chapter 27 and to enable staff to make the required special use findings.

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CONSENT CALENDAR ITEM NO. 3

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2. **Vegetation impacts:** The project plans show that the trees on the perimeter of the parking areas will be maintained. Paving of areas beneath the dripline of trees has the potential to cause substantial damage if not death to the trees. Chapter 30 of the TRPA Code of Ordinances provides standards that require existing natural features to be retained and incorporated into the site design to the greatest extent feasible. These design standards include minimization of vegetation removal. Many large trees exist less than five feet from the proposed parking areas. In order to sustain these trees which include the 32 inch pine adjacent to the front entrance and the 36 inch pines and the 26 inch pines adjacent to the rabbi parking and secretary parking, grading and parking plans should be modified to eliminate paving in the driplines of these trees to be in conformance with Chapter 30 of the TRPA Code and to enable staff to make the required special use findings.

**Staff Analysis:**

A. **Environmental Documentation:** The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.

B. **Plan Area Statement:** The project is located within Plan Area Statement 023, Tahoe Vista Subdivision. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area Statement and has determined that the project is consistent with the applicable special area, planning considerations, and special policies. The proposed use (church) is listed as a special use.

C. **Land Coverage:**

1. **Land Capability Districts:** The verified land capability districts for the project area are Class 6 and Class 1b. The total project area is 73,840 square feet.

2. **Allowable Land Coverage:**

   - Class 1b: 6,283 s.f. x 1% = 62 s.f.
   - Class 6: 67,557 s.f. x 30% = 20,266 s.f.

   **Total Allowable:** 20,328 s.f.

3. **Existing Land Coverage:**

   - Dirt Driveway/Parking 1,868 s.f.
   - A.C. Driveway 7 s.f.

   **Total for Project Area** 1,875 s.f.
4. Proposed Land Coverage:

Class 6
Building 4,420 s.f.
Paver Entry 168 s.f.
Rear Exit Stair 60 s.f.
A.C. Paving 15,408 s.f.
Path 180 s.f.
Dumpster pad 40 s.f.
Stone patio 40 s.f.
Total proposed Onsite 20,316 s.f.

5. Land Coverage Mitigation: As a condition of project approval, the applicant will be required to mitigate the additional land coverage created onsite. A water quality mitigation fee of $24,710.94 shall be paid to mitigate 18,441 square feet of new land coverage. In addition, the 445 square feet of offsite land coverage shall be mitigated at $5.00 per square foot ($2,225).

D. Building Height: Based upon a natural cross slope of 6 percent across the building site, and 5:12 roof pitch, the maximum allowed height for the building is 31 feet 6 inches. The proposed building will be approximately 29 feet which meets the requirement.

E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, and 33 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 6-Required Findings:

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

(i) Land Use: The applicant proposes to construct a church on a property, which currently is vacant. Churches are defined as a special use for the Tahoe Vista Subdivision Plan Area. Surrounding land uses are single-family dwellings.

(ii) Transportation: The proposed project is estimated to generate 72 additional daily vehicle trips ends (dvte) which is defined by the TRPA Code of Ordinances as an insignificant increase. A traffic analysis is not required for this project. As a condition of project
approval, the applicant will be required to mitigate the additional dvi generated as a result of this project consistent with Chapter 93 of the TRPA Code of Ordinances.

(iii) Conservation: The project should not be visible from a TRPA designated scenic corridor or recreation area. Many trees exist on the south end of the property that will help to screen the proposed development. In addition, colors and materials that are consistent with the surrounding environment will be a condition of approval. There are no known special interest species, sensitive or uncommon plants or historical or cultural resources within the project area. The project includes the installation of both permanent and temporary Best Management Practices (BMPs).

(iv) Recreation: This project will not impact existing recreational opportunities.

(v) Public Service and Facilities: The project is considered a new public service facility. The required findings to allow for the new public service facility are included below. No other additions to public services or facilities are required as a result of this project.

(vi) Implementation: This project does not require any allocation of development.

(b) The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B. of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph (b), above)
Chapter 18-Special Use Findings

(a) The project, to which the use pertains, is of such a nature, scale, density, intensity and type to an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed 7,200 square foot church will be located on a 73,840 square foot property. Surrounding land use is residential. Areas already disturbed or disturbed by construction shall be revegetated.

(b) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The proposed project will install temporary and permanent Best Management Practices (BMPs) for the entire project area. All runoff generated by a 20 year/1hour storm event will be treated and infiltrated onsite. All existing disturbed areas outside of the building and parking areas, and areas disturbed by construction will be revegetated.

Access to the property will be limited to Latone Avenue. In order to protect both air and water resources, which would be impacted through the creation fugitive dust and through plowing of the road in winter, staff is recommending that Latone Avenue be paved pursuant to Chapter 27 of the TRPA Code of Ordinances and in accordance with Placer County Public Works Department Standards.

In order to incorporate the existing natural features of the property by minimizing vegetation removal, staff recommends that the parking areas be redesigned in order to eliminate paving within the dripline of the following trees: the 32 inch pine adjacent to the front entrance and the 36 inch pines and the 26 inch pines adjacent to the rabbi parking and secretary parking. This measure is recommended in order to help prevent damage to the trunks of these trees.
This project area surrounds lot 12 (APN 117-110-02) on three sides. Staff is recommending that landscaping and a minimum three (3) foot high fence will be implemented as part of this approval that will located along the perimeter of the project area that surrounds the residential parcel. In addition, staff recommends a lighting plan that is designed to limit the use of lighting and to direct light away from the residence located on lot 12 and the surrounding homes to the greatest extent feasible.

(c) The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed project is not located within a community plan, specific plan or master plan area. The proposed project is consistent with the plan area statement, special policies and considerations. The proposed use is a special use for the plan area. The size and scale of the building is compatible with other structures in the neighborhood.

3. Chapter 20 Findings-Relocation of Coverage

(a) The relocation is to an equal or superior portion of the parcel or project area.

All relocated land coverage will be place on high capability land. No new land coverage will be place in the Stream Environment Zone (SEZ).

(b) The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.4.C.

As a condition of project approval, the applicant will be required to submit a landscape/revegetation plan.

(c) The relocation is not to Land Capability Districts 1a, 1b, 1c, 2, or 3 from any higher numbered land capability district.

4. Chapter 33 Findings-Regulation of Additional Public Facilities

(a) There is a need for the project.

Currently, there are no Hebrew Congregations serving the North Shore of Lake Tahoe. This public service facility is proposed to serve the Incline and West Shore residents of Lake Tahoe.
(b) The project complies with the Goals and Policies, applicable plan area statements, and Code.

Staff has reviewed the project against the requirements of the Goals and Policies, the Tahoe Vista Subdivision Plan Area, the TRPA Code. With the special conditions of approval outlined in Section F of this staff summary, the project is consistent with these requirements.

(c) The project is consistent with the TRPA Environmental Improvement Program (EIP).

This project does not effect the EIP or compromise implementation of the EIP.

(d) The projects meets the findings adopted pursuant to Article V(g) of the Compact as set forth in Chapter 6 as they are applicable to the project's capacity.

(Refer to paragraph 1(b), above)

(e) If the proposed project is to be located within the boundaries of the community plan area, then, to the extent possible consistent with public health and safety, the project is compatible with the applicable community plan.

The proposed project will not be located within a community plan.

(f) Where a public service project is proposed for construction in a community plan area before the community plan has been adopted by TRPA, the sponsoring entity shall demonstrate that the need for such a construction schedule outweighs the need for the prior completion of the community plan process.

The proposed project will not be located within a community plan.

F. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in this staff summary, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit:

/eh 07/26/2000

CONSENT CALENDAR ITEM NO. 3

33
-D-R-A-F-T-

PERMIT

PROJECT DESCRIPTION: North Tahoe Hebrew Congregation
APN: 117-100-01, -03

PERMITTEE(S): Ernest Grossman
FILE #200007

COUNTY/LOCATION: Placer County/ Latone Avenue & Agatashoe Avenue

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on July 26, 2000 subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on July 26, 2003 without further. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADE INSPECTION HAS BEEN CONDUCTED. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

________________________________________________________________________
TRPA Executive Director/Designee
Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permitee(s) ____________________________________________ Date __________________

/kw

PERMIT CONTINUED ON NEXT PAGE

/eh
07/26/2000

CONSENT CALENDAR ITEM NO. 3
Air Quality Mitigation Fee: Amount $1,800 Paid __________ Receipt No. __________
Offsite Coverage Mitigation Fee: Amount $2,225 Paid __________ Receipt No. __________
Water Quality Mitigation Fee: Amount $24,710.94 Paid __________ Receipt No. __________
Security Posted: Amount $_________ Posted __________ Receipt No. __________ Type __________
Security Administrative Fee: Amount $_________ Paid __________ Receipt No. __________
Additional Security Posted: Amount $5,000 Posted __________ Receipt No. __________ Type __________
Security Administrative Fee: Amount $_________ Paid __________ Receipt No. __________

* To be determined.
** $130 if cash security posted.
   $65 if non-cash security posted, see Attachment J.

Required plans determined to be in conformance with approval: Date: __________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

________________________________________________________________________
TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. This permit authorizes the construction of a new 7,200 square foot, two story Hebrew Congregation building and an associated 41 parking spaces. The total proposed land coverage approved for this permit is 20,316 square feet in the Class 6 land capability portion of the project area.

2. Prior to permit acknowledgment, the following conditions of approval must be satisfied.

   A. The site plan shall be revised as follows:

      (1) Amend or remove the notes pertaining to the building sign. The Placer County Area Wide Standards designates that allowable building sign square footage permitted may be based either on the building frontage or the floor area square footage. The building sign plans shall be revised to not exceed 50 square feet and to be in conformance with all sign requirements set forth in the Placer County Area Wide Standards.

/EH
07/26/2000
(2) A note indicating, “All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment.”

(3) Identification of construction staging areas.

(4) Vegetation protection fencing around the entire construction area. All trees within the perimeter vegetation protective fencing shall be individually protected with vegetation fencing.

(5) A detailed design of the sediment pond. The design should include engineer stamped plans that show flow rates for both the parking area runoff and National Avenue and the basin capacity.

(6) A snow storage area that is conformance with Chapter 30 and 81 of the TRPA Code of Ordinances.

(7) Landscapes islands in both parking areas that include an average ratio of at least one tree planted per 4 parking spaces.

(8) A note indicating that wheel stops and an appropriate method of protecting landscape islands from vehicle damage will be installed.

(9) A minimum three (3) foot high wood fencing around the perimeter of lot 12. The fencing shall be located behind the proposed landscaping as viewed from lot 12.

(10) A note indicating that Latone Avenue shall be paved.

(11) The grading and parking plan shall be modified to eliminate paving within the dripline of the following trees: the 32 inch pine adjacent to the front entrance and the 36 inch pines and the 26 inch pines adjacent to the rabbi parking and secretary parking in order to sustain all of these trees.

B. The permittee shall provide evidence of final TRPA acknowledgement of the lot line adjustment/Right-of-Way Abandonment permit with the Placer County (APN 117-100-01 TRPA File No. 200136). A deed restriction shall be recorded that assures that these parcels and the portion of the right of way are permanently considered one project area.

C. The permittee shall provide a pedestrian, automobile, and bicycle circulation plan to avoid conflicts between visitors to the property. This plan should follow the guidelines as set forth in the Placer County Area Wide Standards for parking.

D. All notes pertaining to the building sign shall be amended or removed on all floor plans and elevations as set forth in Special Condition 2.A(1) of this permit.
The security required under Standard Condition A.3 of Attachment R shall be determined upon the permittee's submittal of required Best Management Practices plan, paving plan for Latone Avenue, and related cost estimate. Please see Attachment J, Security Procedures.

The permittee shall submit three (3) sets of final construction drawings and site plans to TRPA.

The colors and materials submitted for approval shall be indicated on the elevation plans.

The permittee shall demonstrate that the proposed parking is consistent with the Placer County Community Plan Area Wide Standards and Guidelines.

A water quality mitigation fee of $24,710.94 shall be paid to TRPA. This fee is based on the creation of 18,441 square feet of land coverage.

The permittee shall revise the building elevations to reflect a height of approximately 29 feet. The allowable height calculations shall also be revised to show a building cross slope of 6% and an allowable height of 31 feet, 6 inches.

The permittee shall submit an offsite coverage mitigation fee of $2,225 for the creation of 445 square feet of land coverage in the public right-of-way.

The permittee shall pay an air quality mitigation fee of $1,800 to offset the regional and cumulative air quality impacts of the project based on $25 per additional vehicle trip created by project.

The permittee shall provide evidence that all basic service requirements for minimum fire flow will be met or exceeded in accordance with Section 27.3.B., Table 27-1 of the TRPA Code.

As required by Chapter 27 of the TRPA Code of Ordinances, all projects shall be served by a paved roadway. Latone Avenue shall be paved as a condition of this project approval. Permittee shall provide a signed agreement between the permittee and Placer County to pave Latone Avenue in its entirety. Paving of Latone Avenue shall be completed prior to any construction or grading.

An additional security of $5,000 will be required to ensure that Latone Avenue is paved in its entirety. This security may be returned at the completion of road paving as verified by the TRPA Environmental Compliance Division.
P. The permittee shall provide a landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA review and approval for the dirt parking area.

Q. The permittee shall provide a lighting plan for both the building and the parking areas. The lighting plan shall be designed to minimize disturbance to the surrounding residences and in accordance with the Placer County Area Wide Standards.

R. The permittee shall submit a construction schedule prior to commencement of construction. This schedule shall identify dates for the following: when installation of temporary erosion control structures each building season will occur; when construction will start; when construction slash and debris will be removed; when installation of all permanent erosion control structures will occur; and when construction will be completed.

3. Excavation equipment shall be limited to the foundation footprint to minimize site disturbance.

4. Blasting of rocks should be kept to an absolute minimum to avoid damage to surrounding rocks and vegetation.

5. All excavated materials shall be hauled away from the site to a TRPA approved location.

6. Only the boulders designated on the site plan to be moved shall be moved. Boulders shall be moved to a TRPA approved location.
POOR QUALITY ORIGINAL (S) TO FOLLOW

HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980
TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD STAFF SUMMARY

Project Name: Barton Memorial Hospital Parking Lot Addition

Application Type: Public Service Addition

Applicant: Barton Memorial Hospital

Applicant's Representative: Jay Knipe, Land Planning

Agency Planner: Elizabeth Harrison, Assistant Planner, Project Review Division

Location: 2170 South Street, City of South Lake Tahoe, El Dorado County

Assessor's Parcel Number/Project Number: 23-081-03, 09/ 200309

Staff Recommendation: Staff recommends approval of the subject project. The required actions and recommended conditions are outlined in Section E of this staff summary.

Project Description: The applicant is proposing to construct an additional parking lot for Barton Memorial Hospital that will create eighty-eight additional parking spaces and will consist of 27,509 square feet of new land coverage within land capability district Class 7. This project also consists of lighting for the new parking lot that is in accordance with the City of South Lake Tahoe Area Wide Standards and Guidelines. The existing on-site parking does not meet the parking demand needed for both employees and visitors to the hospital which leads to many visitors and employees to park in the street or offsite in other businesses' parking lots. The need for 88 new parking spaces is based on a parking analysis submitted by the applicant and the applicant stating that parking in the street will no longer be permitted by the City of South Lake Tahoe.

Site Description: The project area includes the Barton Memorial Hospital, associated outbuildings, a helipad, and parking areas. The site contains Class 1b, 4, 6, and 7 land capability districts. No land coverage exists or is proposed within the Class 1b land.

Issues: The proposed project involves the creation of over 3,000 square feet of land coverage, which therefore requires Governing Board review in accordance with Chapter 4, Appendix A of the TRPA Code of Ordinances.

Staff Analysis:

A. Environmental Documentation: Staff has completed an Initial Environmental Checklist (IEC) and a parking analysis in order to assess the potential impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA.
B. **Plan Area Statement:** The project is located within Plan Area Statement 110, South Y. The Land Use Classification is Commercial/ Public Service and the Management Strategy is Redirection. Agency staff has reviewed the subject plan area statement and has determined that the project is consistent with applicable planning considerations and special policies. The proposed project is accessory to an allowed use (hospitals) for the plan area statement.

C. **Land Coverage:**

1. **Land Capability Districts:** The verified land capability districts for the project area are Class 1b, 4, 6, and 7. The total project area is 547,242 square feet.

2. **Allowable Land Coverage:**

<table>
<thead>
<tr>
<th>Class</th>
<th>Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1b</td>
<td>215 s.f. x 1% = 2 s.f.</td>
</tr>
<tr>
<td>4</td>
<td>28,940 s.f. x 20% = 5,788 s.f.</td>
</tr>
<tr>
<td>6</td>
<td>16,670 s.f. x 30% = 5,001 s.f.</td>
</tr>
<tr>
<td>7</td>
<td>501,417 s.f. x 30% = 150,425 s.f.</td>
</tr>
</tbody>
</table>

3. **Existing Land Coverage:**

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<th>Class</th>
<th>Coverage</th>
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<tbody>
<tr>
<td>1b</td>
<td>0 s.f.</td>
</tr>
<tr>
<td>4</td>
<td>0 s.f.</td>
</tr>
<tr>
<td>6</td>
<td>0 s.f.</td>
</tr>
<tr>
<td>7</td>
<td>236,952 s.f.</td>
</tr>
</tbody>
</table>

4. **Proposed Land Coverage:**

<table>
<thead>
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<th>Class</th>
<th>Coverage</th>
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<tbody>
<tr>
<td>1b</td>
<td>0 s.f.</td>
</tr>
<tr>
<td>4</td>
<td>0 s.f.</td>
</tr>
<tr>
<td>6</td>
<td>0 s.f.</td>
</tr>
<tr>
<td>7</td>
<td>264,461 s.f.</td>
</tr>
</tbody>
</table>

5. **Land Coverage Mitigation:**

   The applicant will be required to transfer 27,509 square feet of land coverage to this project area. All transferred coverage shall be from land capability Classes 1 through 7 or have any IPES score; and be located within Hydrologic Area 5. Transferred land coverage is considered to be existing, mitigated land coverage and therefore no additional water quality mitigation fees will be required.

   Additional land coverage may be transferred to this project area pursuant to TRPA Code of Ordinances Subsection 20.3.B(6) for reasons of public health and safety.
D. **Required Findings:** The following is a list of the required findings as set forth in Chapters 6 and 20 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. **Chapter 6-Required Findings:**

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

   (i) **Land Use:** The proposed project is accessory to an allowed use (hospitals) for the plan area statement. Currently, hospital employees and visitors are parking in offsite locations and other businesses’ parking lots. This project will be an improvement in land use by providing adequate parking onsite.

   (ii) **Transportation:** No increase in vehicle trips is expected as a result of this project. This parking lot is proposed to remedy the problematic parking situation existing at Barton Memorial Hospital.

   A parking survey provided by the applicant showed that an average of 60 vehicles were parked on the street at 10 o’clock a.m. on a weekday due to the lack of parking in the hospital parking lot. Vehicles parked on street block snowplows in the winter months.

   In addition, twenty-five (25) existing parking spaces are designated for physician parking and are not available for use by either employees or visitors. The number of parking spaces permitted for the hospital was based in part on the number of employees at the hospital. Physicians have reserved 25 spaces in the hospital parking lot, but are not employees of the hospital and so therefore were not accounted for in the previous traffic analysis calculations. This resulted in a deficit of twenty-five parking spaces from the number of spaces demonstrated necessary for employees and visitors.
The number of parking spaces proposed exceeds the parking ratios found in the City of South Lake Tahoe City Wide Standards. An exception to these standards may be approved provided a parking analysis is submitted that demonstrates the need for additional spaces beyond the parking ratio figures. This project should remedy the existing parking problems by providing adequate onsite parking for employees and visitors.

(iii) **Conservation:** The applicant will be required to apply temporary and permanent water quality improvements associated with the proposed project. Existing development in this project area has been retrofitted with water quality improvements through previous TRPA approvals. The proposed project is not visible from a designated TRPA scenic corridor or recreation area. There are no special interest species, sensitive or uncommon plants or historic or cultural resources in the location of the proposed parking lot addition.

(iv) **Recreation:** This project does not involve any recreation facilities or uses.

(v) **Public Service and Facilities:** This project does not require any other additions to public services or facilities.

(vi) **Implementation:** This project does not require any allocation of development.

(b) **The project will not cause the environmental threshold carrying capacities to be exceeded.**

The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B. of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph (b), above)
2. Chapter 20 Findings - Land Coverage

(a) The project is on the list of additional public service facilities if required pursuant to Section 33.5.

Pursuant to TRPA Code of Ordinances Subsection 33.5.B., this project is not considered to be an "additional" public service facility.

(b) There is no feasible alternative that would reduce land coverage.

There are no opportunities currently to reduce the existing land coverage on site. This project is necessary to provide adequate parking for the Barton Memorial Hospital and to alleviate parking congestion on the surrounding streets. The proposed land coverage shall be transferred to this project area and placed on high capability land only.

(c) There is a demonstrated need and requirement to locate the facility outside a community plan.

Barton Memorial Hospital is an existing public service facility that serves the entire area of South Lake Tahoe. This project is accessory to an existing, allowable use pursuant to the Plan Area Statement, (PAS 110, South Y). This plan area is identified as a preliminary community plan area.

E. Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in this staff summary, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.
-D-R-A-F-T-

PERMIT

PROJECT DESCRIPTION: Barton Memorial Hospital New Parking Lot  APN: 023-081-03

PERMITTEE(S): Barton Memorial Hospital  FILE #200309

COUNTY/LOCATION: City of South Lake Tahoe/El Dorado County/2170 South Street

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on July 26, 2000 subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on July 26, 2003 without further. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A CITY BUILDING PERMIT. THE CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADEING INSPECTION HAS BEEN CONDUCTED. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A CITY BUILDING PERMIT.

__________________________________________  _______________________
TRPA Executive Director/Designee  Date

PERMITTEE’S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) __________________________  Date ________________

__________________________________________
PERMIT CONTINUED ON NEXT PAGE

/EH 07/26/00

CONSENT CALENDAR ITEM NO. 4

50
SPECIAL CONDITIONS

1. This permit authorizes the addition of 27,509 square feet of land coverage for the purpose of constructing a new parking lot. The parking lot shall consist of eighty-eight (88) new parking spaces. The additional parking area shall be surrounded by split-rail fencing to eliminate parking on unpaved surfaces.

2. Prior to permit acknowledgment, the following conditions of approval must be satisfied.

A. The site plan shall be revised to include:

   (1) Identification of construction staging areas.

   (2) A note and details indicating that wheel stops or bumper guards will be placed in each parking space in accordance with the City of South Lake Tahoe standards.

   (3) Protection of the landscape islands such as curbing, tree wells, changes in grade, or boulders.

   (4) Landscaping detail of the landscape islands. Landscaping species should include species native to the Lake Tahoe Basin.

   (5) The slope of the parking areas shall be revised to at least 2 percent slope to eliminate ponding in parking areas.

/EH
07/26/00
B. The permittee shall provide a landscape plan and fertilizer management plan for the area between the parking area and the chain-link fence on the south side of property in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA review and approval.

C. The permittee shall provide a clean-out maintenance schedule for the sand-oil separator for TRPA review and approval.

D. The security required under Standard Condition I.2 of Attachment Q shall be $3,000. Please see Attachment J, Security Procedures for appropriate ways to post a security and for calculation of the required Security Administrative Fee.

E. The permittee shall submit three (3) sets of final construction drawings and site plans that include lighting specifications and revegetation plans to TRPA.

F. The permittee shall provide a detailed update on the implementation schedule for the employer-based trip reduction program (Subsection 97.3.A) submitted for the previous approval (File No. 990365). If these proposals have not been successful, the permittee shall provide an amended implementation schedule that identifies other methods to reduce vehicle trips associated with employees.

G. Permitee shall transfer 27,509 square feet of coverage to this parcel. All transferred coverage shall be from land capability class 1-7, or have any IPES score, and be located within Hydrologic Area 5. (Note all coverage transfers must be in compliance with Chapter 20 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure and shall require separate TRPA review and approval.)

H. The permittee shall provide a pedestrian circulation plan as required by the TRPA Code of Ordinances Subsection 30.5.B.

I. A solid wooden fence shall be erected to replace the chain-link fence located at the South end of the project area. The fence will be at least four (4) feet high in order to block headlights from vehicles from the adjacent campground.

J. The permittee shall provide evidence that the City of South Lake Tahoe City Council has approved the prohibition of street parking on South Street. The approval of eighty-eight (88) new parking spaces was based on information that South Street would no longer be available for hospital parking.

K. The permittee shall submit a long-term maintenance and monitoring plan (minimum period of 10 years) to TRPA for review and approval. The monitoring portion of this plan shall include bi-annual sampling of storm water runoff and shall compare the sampling results to the following adopted TRPA surface runoff discharge standards (pursuant to Subsection 81.2.A, TRPA Code).
<table>
<thead>
<tr>
<th>Threshold</th>
<th>Description</th>
<th>Parameter</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>WQ- 5</td>
<td>Storm water runoff quality</td>
<td>Surface discharge to water surface</td>
<td>TRPA thresholds:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Dissolved inorganic nitrogen as N: 0.5mg/l</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Dissolved phosphorus as P: 0.1mg/l</td>
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<td></td>
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<td></td>
<td>• Dissolved iron as Fe: 0.5mg/l</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>• Grease and oil: 2.0 mg/l</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Suspended sediment: 250 mg/l</td>
</tr>
</tbody>
</table>

Sampling shall occur during the peak spring runoff period and during a summer thunderstorm event (if any). Two sampling locations shall be established for the project area. Baseline data shall be collected during the first year after construction. Pollution concentrations shall meet the above discharge standards, if possible. In no case shall discharge waters be allowed to leave the project area in a worse condition than at the primary discharge point. Reasonable corrective measures based on Best Available Technology (BAT) may be required to improve water quality discharges if the system fails to meet any TRPA discharge standard. The long-term maintenance and monitoring plan shall also report on the general effectiveness of approved vegetation used to stabilize on-site soils and improve water quality. By accepting this condition, the permittee agrees to implement any identified correction measures in a timeframe acceptable to TRPA.

3. No trees other than those indicated on the site plan shall be removed.

4. No signs are authorized pursuant to this permit. New signs shall be reviewed under separate application to CSLT.

5. The proposed landscaping island design may need to be modified in order to meet the design criteria in the TRPA Design Review Guidelines if future projects require the removal of the trees maintained in the parking lot for this project. The variance to the design criteria was based on the permittee’s attempt to maintain most of the mature trees on the proposed parking lot site.

6. Pavement around trees should be designed to cause the least amount of damage to the tree trunks. Pursuant to the City of South Lake Tahoe, City Wide Standards, “pavement shall not encroach within the dripline of a tree unless the drip line extends more than five feet from the trunk of the tree. In the case where the drip line is more than five feet from the trunk of the tree, no person shall pave within five feet of the trunk of the tree; provided, that if paving extends around less than fifty percent of the circumference of the trunk of the tree, such paving may be placed within one foot of the tree.”
POOR QUALITY ORIGINAL (S) TO FOLLOW

HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV  89502
(775) 359-6980
July 13, 2000

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of Water Quality Mitigation Funds (Bitterbrush Settlement) in the amount of $137,000 to Washoe County for the Fairview / Country Club Water Quality Improvement Project.

Proposed Action: Authorize the release of an additional $137,000 in water quality mitigation funds (Bitterbrush Settlement) to Washoe County for the above mentioned project.

Staff Recommendation: Staff recommends granting the release of all funds subject to the conditions cited below.

Summary: Washoe County has modified the scope of work for the project, and due to the additional work the Incline Village Tourist portion of the previous request has been removed. The revised Fairview / Country Club Project is essentially all of project #230 (formerly referred to as Chateau / Country Club) and includes the Whispering Pines subdivision area below Ski Way (number to be assigned for the Mill Creek project area) in the Environmental Improvement Program. See map attached. These project areas were refined after a second field tour following the March 2000 request ($325,000). This project will include source control and revegetation, runoff control and water quality treatment. The preliminary cost estimate for this revised project is $1,850,000, and proposed for summer 2001 construction.

Bitterbrush Settlement: The main focus for the Bitterbrush Settlement funds is for onsite mitigation for cut slope stabilization and water quality treatment.

The settlement also required onsite runoff retention facilities and revegetation. According to Susan Scholley (former TRPA attorney), the original developer still owes up to $40,000 for the onsite revegetation and treatment. Washoe County retains a bond for $150,000 for the onsite work to be completed. TRPA staff have been working with the Bitterbrush Owners Association to evaluate onsite BMP Retrofit needs, which would accomplish the revegetation and other elements required under the settlement. TRPA and Washoe County staff will coordinate on the onsite project relative to the bond, once the estimate for the onsite work is complete.

Staff recommends approval of release subject to the conditions cited below.

Conditions:

1. The County shall only use the funds for the Fairview / Country Club Project approved by TRPA.
2. The County shall keep complete records of all funds expended on this project and how they were used. Such records shall be made available for review and audit by TRPA upon written request.

3. Any unused mitigation funds shall be returned to TRPA, or TRPA approval shall be acquired before their re-allocation to another project is made.

4. Signage used to identify the project(s) during construction shall include all funding sources.

If you have any questions regarding this item please contact Larry Benoit, Associate Planner, at (775) 588-4547.
June 29, 2000

Tahoe Regional Planning Agency
PO Box 1038
Zephyr Cove, Nevada 89448

ATTN: Larry Benoit

SUBJECT: WATER QUALITY MITIGATION FUNDS (Bitterbrush Settlement)
       FAIRVIEW/COUNTRY CLUB
       WATER QUALITY IMPROVEMENT PROJECT

Dear Mr. Benoit:

Washoe County has modified the scope of work for the referenced erosion control project in Indine Village. The project includes the entire area between Country Club and Fairview and removes the I.V. Tourist area (see attached map of the proposed treatments). The proposed schedule for construction is Summer 2001.

The County previously requested and received $325,000.00 from the Water Quality Mitigation Fund (Bitterbrush Settlement) and hereby requests an additional $137,000.00 from the same fund for the modified project. The project may include pipe, catch basins, curb and gutter, retaining walls, detention basins and re-vegetation. The preliminary project cost estimate is $1.85M.

Thank you for your support. If you have any questions or require additional information, please call me.

Sincerely,

DAVID T. PRICE, P.E.
County Engineer

KIMBLE O. GORBRIDGE, P.E.
Registered Engineer

attachment
KOC/bp
MEMORANDUM

July 17, 2000

TO: Tahoe Metropolitan Planning Organization
    Tahoe Regional Planning Agency

FROM: Richard Wiggins, Transportation Programs Manager

SUBJECT: Agenda and Report of the Tahoe Transportation District/Tahoe
         Transportation Commission July 14, 2000 Meeting

Proposed Action: Review of the attached TTD/TTC Agenda and Action Sheet from the
July 14, 2000 meeting, and review of items presented.

Staff Recommendation: Seek clarification as necessary.

If there are any questions regarding this agenda item, please contact Richard Wiggins at
(775) 588-4547.
TAHOE TRANSPORTATION DISTRICT (TTD)
TAHOE TRANSPORTATION COMMISSION (TTC)
AGENDAS

North Tahoe Conference Center 9:00 a.m.
8313 No. Lake Blvd. July 14, 2000
Kings Beach, CA
(530) 546-7249

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

I. TAHOE TRANSPORTATION DISTRICT AND TAHOE TRANSPORTATION COMMISSION CALL TO ORDER AND GENERAL MATTERS

A. Roll Call and Determination of Quorum

B. Approval of Agenda for July 14, 2000

C. Approval of Minutes of June 9, 2000

II. PUBLIC INTEREST COMMENTS (No Action)

III. CONSENT CALENDAR

A. Updated Trolley Management Agreement
   Between TTD and SS/TMA
   Recommendation: Approve

B. Updated Trolley Management Agreement
   Between TTD and TNT/TMA
   Recommendation: Approve

IV. PLANNING AND PROGRAMMING MATTERS

A. USPS Master Plan For The Tahoe Basin
   (Time Certain 9:30 a.m.)

B. Recommendation to the TMPO Regarding the 2000 Federal Transportation Plan for the Lake Tahoe Basin

C. Recommendation to the TMPO Regarding the 2000 Federal Transportation Improvement Program

D. I. Discussion and Possible Approval of the North Lake Tahoe Resort Transportation Authority Expenditure Plan
   II. Discussion Forum Regarding Proposed North Shore Transportation Ballot Measure and Direction Regarding Preparation of Resolution

V. OPERATIONS AND PROJECT MATTERS

RW:jrwb

AGENDA ITEM VII.B1.
TTD/TTC Report
Page 3

A. Discussion Regarding the Acquisition of Real Property to Support
   Maintenance of the CTS Project (No Action)

VI. POLICY MATTERS

A. Report by the Nominating Committee, Discussion and Election of TTD
   and TTC Chair and Vice Chair

VII. REPORTS AND INFORMATIONAL ITEMS

A. Transportation Technical Advisory Committee

B. Board and Commission Members

C. Tahoe Regional Planning Agency and Staff
   1. Staff Activity Report
   2. TRPA Governing Board June meeting and CTS report
   3. California Transportation Commission July 19-20 meeting in Tahoe
      and 2000 STIP Augmentation

VIII. ADJOURNMENT OF THE TAHOE TRANSPORTATION DISTRICT AND THE
      TAHOE TRANSPORTATION COMMISSION

XI. ATTACHMENTS

The next Meeting of the Tahoe Transportation District and the Tahoe Transportation
Commission will be held Friday, August 11, 2000, beginning at 9:00 a.m., at the Offices
of the Tahoe Regional Planning Agency, Zephyr Cove, NV. (Regular TTD and TTC
Board meetings are held on the second Friday of each month).
TAHOE TRANSPORTATION DISTRICT
TAHOE TRANSPORTATION COMMISSION
Board of Directors Meeting
July 14, 2000

ACTION SHEET

ITEMS
TTD/TTC Public Interest Comments
TTD/TTC Consent Calendar

ACTION TAKEN
Received
Approved

TTD/TTC PLANNING AND PLANNING MATTERS
A. USPS Master Plan for The Tahoe Basin
   Received

B. Recommendation to the TMPO Regarding the 2000
   FTP for the Lake Tahoe Basin
   Continued
to August

C. Recommendation to the TMPO Regarding the 2000
   FTIP
   Approved
   w/edit

D. I. Discussion and Possible Approval of the North
   Lake Tahoe Resort Transportation Authority Expenditure
   Plan
   Continued
   To August

D. II. Discussion Forum Regarding Proposed North Shore
   Transportation Ballot Measure and Direction Regarding Preparation
   Of Resolution
   Continued
   To August

TTD/TTC OPERATIONS AND PROJECT MATTERS
A. Discussion Regarding the Acquisition of Real Property to Support
   Maintenance of the CTS Project
   Received

TTD/TTC POLICY MATTERS
A. Report by the Nominating Committee, Discussion and Election
   Of TTD and TTC Chair and Vice-Chair
   Continued
   To August

TTD/TTC REPORTS AND INFORMATIONAL ITEMS
Received

RW:jrwb
AGENDA ITEM VII.B1.
July 13, 2000

To: Tahoe Metropolitan Planning Organization

From: Staff

Subject: Adoption of Personnel Policy Manual for TMPO

Action Requested: Approve the attached resolution adopting the TRPA Personnel Policy Manual for the TMPO.

Staff Recommendation: Staff supports the action to adopt the TRPA Personnel Policy Manual for the TMPO.

Background / Discussion: At the May, 2000 meeting, the TRPA Governing Board voted to adopt policies 1.18 (Duty to Defend) and 1.19 (Indemnification) into the TRPA Personnel Policy Manual. Members of the Governing Board expressed concern because these policies did not specifically indicate their applicability to the TMPO. The TRPA staff was given direction to ensure that these policies applied to the TMPO. After consideration, the TRPA staff determined that the preferred approach is to adopt the entire TRPA Personnel Policy Manual for the TMPO. Such an action will ensure that the TMPO staff and Board members are provided with the rights and obligations set forth in the TRPA Personnel Policy Manual.

If you have any questions, please feel free to call Jordan Kahn at (775) 588-4547.

JK:

AGENDA ITEM VII.B.2.
Tahoe Metropolitan Planning Organization,
TMPO Resolution No. 2000--

Resolution Adopting Personnel Policy Manual

WHEREAS, the Tahoe Metropolitan Planning Organization (TMPO) has been
designated a metropolitan planning organization by the Governors of California and Nevada; and

WHEREAS, the TMPO is a distinct entity apart from the Tahoe Regional Planning
Agency (TRPA) and should have its own Personnel Policy Manual; and

WHEREAS, the TRPA and TMPO are similar entities and the functioning of the two
entities would be streamlined by the adoption of the same Personnel Policy Manual; and

WHEREAS, the proposed Personnel Policy Manual is attached as Exhibit A and is the
TRPA Personnel Policy Manual; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe
Metropolitan Planning Organization hereby adopts as its Personnel Policy Manual the TRPA's
Personnel Policy Manual, as it may be amended.

PASSED AND ADOPTED this ________ day of July, 2000, by the Governing Board
of the Tahoe Metropolitan Planning Organization, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

________________________________________
Larry Sevison, Chairman
Tahoe Metropolitan Planning Organization

67
July 18, 2000

To: Tahoe Metropolitan Planning Organization

From: TRPA Staff

Subject: Public Hearing on Adoption of FY 2000 Federal Transportation Improvement Program (FTIP) for the Lake Tahoe Region.

---

**Action Request:** Conduct a public hearing and adopt the proposed 2000 FTIP.

**Recommendation:** Staff recommend the TMPO adopt the 2000 FTIP as proposed.

---

**Background:** The TMPO must also provide for the adoption of a federal, or metropolitan, transportation improvement program. The FTIP for Lake Tahoe will serve as the programming document that will provide the ability to spend federal funds. The FTIP must be consistent with the FTP. As with the FTP, this FTIP is fiscally constrained, meaning that the proposed list of projects have funding options to back them up.

The FY 2000 FTIP meets federal MPO requirements as described in 23 CFR Parts 450 and 1410. The Tahoe Regional Planning Agency is not required to adopt a transportation improvement program under the Compact, but is required to develop a regional transportation improvement program as a California Regional Transportation Planning Agency.

The State of California requires that MPOs submit their updated FTIPs by August 1 every even-numbered year. Amendments are provided for as information or issues change. The TMPO FTIP is then adopted into the California Federal Statewide Transportation Improvement Program and the Nevada Statewide Transportation Improvement Program.

The TRPA Advisory Planning Commission reviewed the draft FTIP at their July 12, 2000 meeting. The TTD Board of Directors and the members of the Tahoe Transportation Commission reviewed the draft FTIP at their July 14, 2000 meeting. The Transportation Technical Advisory Committee reviewed the draft FTIP at their July 17, 2000 meeting. The FTIP has been distributed to numerous public and private transportation stakeholders for their individual review and comment.

---

RW:jrwb
Staff will provide the TMPO Board with an overview of the FTIP. Copies of the proposed FY 2000 FTIP are being mailed to TMPO members only. For others who wish to receive a copy, please contact Joy Wimer-Biller at (775) 588-4547, ext. 271 for a copy. If you have any questions or need additional information prior to the Board meeting, please feel free to contact Jim Allison or Richard Wiggins at the TRPA offices.
2000

FEDERAL

TRANSPORTATION IMPROVEMENT PROGRAM

FOR THE

LAKE TAHOE REGION

FEDERAL FISCAL YEARS

ADOPTION DATE
TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2000 - _____

A RESOLUTION ADOPTING THE 2000 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) FOR THE LAKE TAHOE REGION

WHEREAS, The Tahoe Metropolitan Planning Organization (TMPO) is the designated planning organization (MPO) for the Lake Tahoe Basin as defined by the Transportation Equity Act for the 21st Century; and

WHEREAS, the Federal Clean Air Act Amendments require that no department, agency, or instrumentality of the Federal Government shall engage in, support in any way or provide financial assistance for, license or permit, or approve an activity which does not conform to an implementation plan approved or promulgated under Section 110; and

WHEREAS, no metropolitan planning organization designated under Title 23 of the U.S. Code shall give its approval to any project, program or plan which does not conform to an implementation plan approved or promulgated under Section 110; and

WHEREAS, the assurance of conformity to an implementation plan is the affirmative responsibility of the Tahoe Metropolitan Planning Organization; and

WHEREAS, the 2000 Federal Transportation Plan (FTP) for the Lake Tahoe Basin describes a transportation system envisioned for the horizon years and was adopted as a financially constrained plan by the TMPO Board on July 26, 2000; and

WHEREAS, the 2000 FTIP is consistent with the transportation system and financial plan described in the 2000 FTP; and

WHEREAS, the 2000 FTIP is financially constrained by year and includes a financial plan the demonstrates which projects can be implemented using committed funds; and

WHEREAS, the 2000 FTIP includes all regionally significant transportation projects to be funded from local, state or federal resources; and

WHEREAS, the 2000 FTIP has been developed under TMPO policies for community input and interagency consultation procedures; and

NOW THEREFORE BE IT RESOLVED, that the Tahoe Metropolitan Planning Organization hereby adopts the 2000 Federal Transportation Improvement Program for the Lake Tahoe Region.

BE IT FURTHER RESOLVED, that TMPO staff is hereby directed and authorized to work with Caltrans, the Nevada Department of Transportation, the Federal Highway Administration, the Federal Transit Administration and the Environmental Protection Agency to make whatever technical changes or corrections are needed to the format and organization of the document to obtain its approval by these agencies.

BE IT FURTHER RESOLVED, that the TMPO Board authorizes its staff to administratively amend the 2000 FTIP as outlined in the Public Input and Project Selection Procedures outlined in the 2000 FTIP.
PASSED AND ADOPTED this 26th day of July 2000 by the Board of Directors of the Tahoe Metropolitan Planning Organization, by the following vote:

Ayes:

Nayes:

Abstain:

Absent:

____________________
Larry Sevison, Chairman
Tahoe Metropolitan Planning Organization
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<th>Table of Contents</th>
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<td>Public Input and Project Selection Procedures</td>
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<td>Opportunity for Public Comment</td>
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<td>Transportation Conformity</td>
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INTRODUCTION

The 2000 Federal Transportation Improvement Program for the Lake Tahoe Region (FTIP) is a three-year, Basin-wide intermodal program of transportation projects consistent with the Tahoe Federal Transportation Plan and related planning processes. The FTIP is prepared by the staff of the Tahoe Regional Planning Agency (TRPA) on behalf of the Tahoe Metropolitan Planning Organization (TMPO), in cooperation with Caltrans, the Nevada Department of Transportation (NDOT), the Federal Highway Administration (FHWA) and others. Input is sought and obtained at all levels. The TMPO is designated by the States of California and Nevada, with approval by the U.S. Department of Transportation, as the metropolitan planning organization for the Lake Tahoe Basin.

The recently enacted Transportation Equity Act for the 21st Century continues most of the provisions established by the Inter-modal Surface Transportation Efficiency Act (ISTEA) of 1991. The Act requires all capital and non-capital transportation projects (including transportation enhancements, Federal lands highways projects, trails projects, pedestrian walkways, and bicycle transportation facilities), or identified phases of transportation projects, proposed for funding under the Federal Transit Act and/or title 23, U.S.C. to be included in this FTIP. The FTIP must be updated at least every two years, cover a programming period of not less than three years and contain a priority list of projects grouped by year. The FTIP must be financially constrained by year and include sufficient financial information to demonstrate that programmed projects can be funded as programmed. Only those projects for which funds are reasonably expected to be available may be included.

In air quality non-attainment and maintenance areas, all projects must be in conformity with the California and Nevada State Implementation Plans (SIP) for air quality before they can be included in the FTIP. Projects programmed in the FTIP must be consistent with the Regional Transportation Plan. In developing the FTIP, reasonable opportunity must be provided for public involvement. The FTIP may be amended as necessary to reflect changes in priorities and revenues.

CONSISTENCY WITH PLANS AND POLICIES

The following are key planning documents that combine to create the context within which the 2000 FTIP was developed.

**Tahoe Regional Plan**
In 1986 the TRPA adopted the Regional Plan for the Lake Tahoe Basin. This document, required by the Tahoe Regional Planning Compact, is the overriding planning document in the Basin.

**2000 Federal Transportation Plan/Regional Transportation Plan (FTP/RTP)**
The FTP/RTP looks ahead to conditions twenty-five years from now, while focusing its implementation on the next five years. This document sets forth goals, policies and objectives to maintain the existing system and to guide future development of the transportation system. TRPA will be updating the Federal/Regional Plan over the next year to satisfy Compact planning requirements. The FTIP is consistent with the 2000 FTP/RTP.

**Lake Tahoe Environmental Improvement Program (EIP)**
The EIP is a planning and programming document adopted by the TRPA. The EIP is a $908 million tool to address critical projects related to the TRPA nine threshold categories, including water quality, air quality, scenic, vegetation, soils, wildlife, noise, fisheries and recreation. The FTIP supports this EIP effort by inclusion of numerous EIP projects.

**California Programming**
Under California law, most State transportation funds and most of the Federal transportation funds made available under Title 23 are programmed through the four-year biennial Statewide Transportation Improvement Program (STIP) and the four-year biennial State Highway Operations and Protection Program (SHOPP). Both documents are adopted by the California Transportation Commission (CTC), and then incorporated into the Federal Statewide Transportation Improvement Program (FSTIP).

Projects are included in the STIP by the CTC directly from the RTIP as adopted by the Regional Transportation Planning Agencies (RTPA) in California. Projects selected for the RTIP are selected based on a number of criteria including safety, water quality, congestion, pedestrian, bicycle use, etc. The RTIP includes projects to increase the capacity of transit systems, provide air quality improvements, and for collection and treatment of roadway runoff.

The SHOPP includes projects designed to maintain the safety and integrity of the State highway system. These include pavement and bridge rehabilitation projects, traffic operational improvements and seismic safety projects. The SHOPP is prepared by Caltrans in consultation with affected regional and local officials.

2.

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Nevada Programming
In Nevada, all state and federal funded projects are programmed through the Nevada STIP. The STIP includes one and three year elements as well as a long-range element. Projects selected for the Nevada STIP are included based on similar criteria as in California, including safety, transit, air and water quality improvements.

PUBLIC INPUT AND PROJECT SELECTION PROCEDURES

Public Participation
Section 135(f) of Title 23, as amended by ISTEA, requires opportunity for public comment on the proposed improvement program. The 2000 FTIP has been developed under TMPO policies for community input and interagency consultation procedures adopted in 1998. Projects included in this FTIP are projects proposed for funding under Title 23 (highway) or under Title 49 (transit), or projects for which approval by the FHWA or the FTA is required, or non-federally funded projects with regional transportation impacts. The TMPO, in coordination with local, regional, or federal agencies, selected all projects in this FTIP for funding with federal and/or other funds. The Tahoe Transportation District (TTD), the Tahoe Transportation Commission (TTC), the TRPA Advisory Planning Commission (APC) and the Transportation Technical Committee (TAC) are each required to review this document and provide input into its development, prior to submittal to the TMPO. Each of these entities will provide an opportunity for public comment on the FTIP.

The FTIP was presented to the TRPA Advisory Planning Commission on July 12, 2000 and an opportunity for public comment was provided. The FTIP was presented to the Tahoe Transportation District and Tahoe Transportation Commission on July 14, 2000 and an opportunity for public comment was provided. Both of these agendas were distributed according to TMPO procedures. The TAC provided input on July 16, 2000. A Public Hearing Notice was posted per TMPO requirements, and a Public Hearing was held at the July 26, 2000 TMPO Board meeting. Besides distribution to members of these Boards and Committee, copies were distributed to TMPO distribution list, including members of the social services advisory council.

Priorities
Project priorities in this TFTP are by fiscal year. All projects in the earliest fiscal year are priority one, projects in the second fiscal year are priority two, and projects in the third fiscal year are priority three. If a second or third year project is proposed earlier, federal regulations require that a project selection procedure be developed and used to advance projects that are ready to proceed earlier than anticipated. This section identifies the selection procedures used to administratively amend the FTIP.

Advancement
- Proponents will notify TMPO staff in writing of the need to advance a project identified in years two or three.
- TMPO staff shall determine if sufficient financial capacity exists in the FTIP to advance the project into an earlier fiscal year. If sufficient financial capacity does not exist, then staff shall give the proponent the opportunity to identify a project that can be delayed to allow the project to advance. If this is not possible, staff shall so advise the project proponent. Staff shall consider if the project would:

3.

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- Interferes with the timely implementation of transportation control measures in the State Implementation Plan for Air Quality. Projects in these circumstances would not be allowed.
- Require air quality analysis and a new finding of air quality conformity. If so, a formal FTIP amendment would be required. If the project is exempt, this does not apply.
- Staff shall administratively amend the FTIP to advance projects that meet financial constraint and air quality requirements.

**Addition**
- Proponents shall notify TMPO staff in writing of the need to include a new project in the FTIP. This notification shall include the project’s description, estimated cost, proposed funding sources and availability, anticipated date for construction bid advertisement, and estimated project completion.
- Staff shall determine whether the proposed additional project would:
  - Interferes with the timely implementation of transportation control measures in the State Implementation Plan for Air Quality. Projects in these circumstances would not be allowed.
  - Require air quality analysis and a new finding of air quality conformity. If so, a formal FTIP amendment would be required. If the project is exempt, this does not apply.
- Staff shall administratively amend the FTIP to add projects that meet financial constraint and air quality requirements for projects of $1 million or less. Projects over $1 million will require a formal FTIP amendment.

**Adjustment**
- Proponent shall notify TMPO staff in writing of the need to amend a project in the FTIP. This notification shall include the changes needed in the project’s description, estimated cost, proposed funding sources and availability, anticipated date for construction bid advertisement, and estimated project completion.
- Staff shall determine whether the proposed additional project would:
  - Interferes with the timely implementation of transportation control measures in the State Implementation Plan for Air Quality. Projects in these circumstances would not be allowed.
  - Require air quality analysis and a new finding of air quality conformity. If so, a formal FTIP amendment would be required. If the project is exempt, this does not apply.
- Staff shall administratively amend the FTIP to make project changes that meet financial and air quality conformity requirements to account for changes to capital and operating expenses of 20 percent or less, or to substitute one source of funding for another. Projects whose costs increase by more than 20 percent will require formal FTIP amendment.
## FINANCIAL ELEMENT

**Lake Tahoe Region – Project Funds**

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5.

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ACTION ELEMENT

California Subelement
POOR QUALITY ORIGINAL (S) TO FOLLOW

HIGH DESERT MICROIMAGING, INC.
1225 FINANCIAL BLVD
RENO, NV 89502
(775) 359-6980
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<th>Location</th>
<th>Project Description</th>
<th>Year</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>TMC07</td>
<td>ED</td>
<td></td>
<td>CSLT</td>
<td>Acquisition of 2 replacement 40' transit buses</td>
<td>2001</td>
<td>$</td>
</tr>
<tr>
<td>TMC08</td>
<td>PI</td>
<td></td>
<td>Placer County</td>
<td>Acquisition of 3 replacement 40' transit buses</td>
<td>2001</td>
<td>$</td>
</tr>
<tr>
<td>TMC09</td>
<td>PI</td>
<td>SR 89</td>
<td>Tahoe City</td>
<td>Construct intermodal transit center at USFS 64 acre site</td>
<td>2002</td>
<td>$1</td>
</tr>
<tr>
<td>TMC10</td>
<td>ED</td>
<td></td>
<td>CSLT</td>
<td>Install Changeable Message Signs</td>
<td>2002</td>
<td></td>
</tr>
<tr>
<td>TMC11</td>
<td>PI</td>
<td>SR 89</td>
<td>Tahoe City</td>
<td>Widenign Fanny Bridge to include Pedestrian Travel Lane</td>
<td>2003</td>
<td></td>
</tr>
<tr>
<td>TMC12</td>
<td>ED/PL</td>
<td></td>
<td>Various</td>
<td>Transit Operating Assistance</td>
<td>2001</td>
<td></td>
</tr>
</tbody>
</table>
ACTION ELEMENT

Nevada Subelement
<table>
<thead>
<tr>
<th>TMPO No.</th>
<th>County</th>
<th>Route</th>
<th>Location</th>
<th>Project Description</th>
<th>Total Cost</th>
<th>Lead Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>NV01</td>
<td>CC</td>
<td>Varicus</td>
<td>Install De-watering sites</td>
<td>$400,000</td>
<td>NDOT</td>
<td></td>
</tr>
<tr>
<td>NV02</td>
<td>DO</td>
<td>US50</td>
<td>MP 2.9 - 5.0</td>
<td>Binwalls, drainage, erosion control</td>
<td>$10,700,000</td>
<td>NDOT</td>
</tr>
<tr>
<td>NV03</td>
<td>DO</td>
<td>SR 760</td>
<td>MP 0.0 - 0.61</td>
<td>Plantmix surface, with sand seal</td>
<td>$132,000</td>
<td>NDOT</td>
</tr>
</tbody>
</table>
TRANSPORTATION CONFORMITY

Transportation Conformity is a process for ensuring that federal funds are not used on projects or programs that might exacerbate or contribute negatively toward attaining or maintaining federal air quality standards as set forth in the Federal Clean Air Act and its Amendments of 1990. The Transportation Conformity Rule appears in 40 CFR Parts 51 and 93 of the Environmental Protection Agency (EPA). Specifically the rule is applicable to transportation plans developed pursuant to 23 CFR part 450 or 49 CFR part 613 by an MPO. In addition there is geographic applicability in the rule that indicates the provisions of the rule apply in all non-attainment and maintenance areas where designated by the criteria pollutants.

Pollutants of Concern at Lake Tahoe
For the Tahoe basin, the pollutants of concern fall into two areas. The first pollutant affecting conformity for all of Lake Tahoe is carbon monoxide (CO). CO is an odorless gas that impairs the uptake of oxygen into the bloodstream by binding about 700 times stronger to respiratory tissues than oxygen. The effect on the human body is to cause chest pain in heart patients, headaches, and reduce mental awareness. The second pollutant of concern for only the Washoe County portion (the reasons why Washoe County alone is identified will be discussed below) of Lake Tahoe is ozone (O³). Ozone is formed when reactive organic gases and nitrogen oxides react in the presence of sunlight. Sources are devices that burn fuels (e.g., automobiles) or are involved in the processing of petroleum-based products. Ozone causes breathing difficulties, damages lung tissue and harms vegetation, rubber and some plastics.

In the 1980s monitoring for CO revealed concentrations exceeding the federal limit of 9.0 parts per million. El Dorado County was the only site within the Tahoe basin to contain sufficient data warranting a classification from EPA and a determination of non-attainment. All other locations in the Tahoe basin had insufficient data but were determined to also be in non-attainment for the CO standards. This action was taken November 6, 1991 by the EPA (Federal Register Vol. 56, No. 215, pp. 56723-56725).

Today monitoring data has indicates that CO no longer exceeds standards. The vehicle fleet is cleaner. Older polluting vehicles have been retired and advances in reformulation of gasoline have both played a role in reducing CO levels. Even though Tahoe meets all the federal (and more stringent California and TRPA CO standards), the EPA requires that clean data persist years into the future to ensure there is no relapse. This period is called the maintenance period and requires designation as a maintenance area. A maintenance area for all intents and purposes is subject to a conformity analysis just as if the area were still in non-attainment.
Violations of the federal ozone standards (0.12 ppm for 1 hour) have never been demonstrated at Lake Tahoe. However, violations of the standard did occur in Washoe County outside of the Lake Tahoe basin (i.e., Reno/Sparks). EPA adopted countywide ozone non-attainment boundaries for Washoe County thereby placing the Washoe County portion of Lake Tahoe basin in an ozone non-attainment area. Prior to TRPA becoming an MPO, the Washoe County District Health Department conducted the conformity determinations for the entire County. The Transportation Efficiency Act for the 21st Century designated the boundaries of the Tahoe MPO thereby assigning responsibility to the Tahoe MPO (TRPA) for the ozone conformity determination for the portion of Washoe County within the basin.

The nature of ozone formation requires sunlight. However, the higher readings taken at Lake Tahoe are in the late evening or early morning. This data as well as studies of ozone formation and persistence provide a strong indication that Tahoe is receiving ozone transported from upwind locations. From a technical standpoint an ozone conformity determination at Tahoe may have little logical nexus to the administrative requirements. The ozone precursors emitted at Tahoe would likely affect downwind ozone concentrations further east in Nevada. Regardless, the conformity requirements are not designed to be responsive to this situation and a conformity analysis for ozone will be required.

**Conformity: Sorting Out the Picture**

The administration of the Tahoe basin for conformity and air pollutant concerns is complicated at best. First, two-thirds of the Tahoe basin is in California and one-third in Nevada and both states administer the conformity process differently with EPA. Furthermore, the sub-jurisdictional areas within each state present different classifications. These differences are explained in Table 1. Although there are differences between the two states, the entire Lake Tahoe basin is subject to a transportation conformity analysis when certain types of projects are included within the planning and programming documents.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Pollutant</th>
<th>Classification</th>
<th>Attainment Status</th>
<th>Maintenance Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>El Dorado</td>
<td>CO</td>
<td>Classified</td>
<td>Attainment</td>
<td>Yes</td>
</tr>
<tr>
<td>Placer</td>
<td>CO</td>
<td>Non-classified</td>
<td>Attainment</td>
<td>Yes</td>
</tr>
<tr>
<td>Washoe</td>
<td>CO</td>
<td>Non-classified</td>
<td>Non-attainment</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>O³</td>
<td>Classified</td>
<td>Attainment</td>
<td>Yes</td>
</tr>
<tr>
<td>Douglas</td>
<td>CO</td>
<td>Non-classified</td>
<td>Non-attainment</td>
<td>No</td>
</tr>
<tr>
<td>Carson City</td>
<td>CO</td>
<td>Non-classified</td>
<td>Non-attainment</td>
<td>No</td>
</tr>
</tbody>
</table>

All jurisdictions in non-attainment or under a federally approved maintenance plan are subject to a conformity analysis if the planning or programming documents identify projects or programs that do not fall into the exempt project category. Exempt projects typically are known categories of projects that are either neutral or beneficial to air quality (see Table 3). Non-exempt projects may still be beneficial or neutral but require a conformity analysis to determine their effect on regional air quality.
Exempt and Non-Exempt Projects
No projects are planned that increase roadway capacity. Internal growth at Lake Tahoe does not necessitate roadway widening or any of the fixes typical in a more urban setting. In Table 2, however, are projects selected for the Tahoe Region in the next five years as well as the categories of projects that would not be considered exempt. Transit expansion and a transit center are the only types of projects envisioned within the Tahoe basin requiring a conformity analysis for this FTIP. There are three projects in Table 2 that are non-exempt projects requiring conformity determinations – 64 Intermodal Transit Center, CTS and the South Y intersection improvements. These projects are in California, and no projects are in Nevada requiring a conformity determination. The California conformity determination is found below.

<table>
<thead>
<tr>
<th>Specific Projects</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coordinated Transit System</td>
<td>This will coordinate all existing South Shore transit services by a computer-aided dispatch system, vehicle location technology, and public kiosks located throughout the service area.</td>
</tr>
<tr>
<td>64 Acre Transit Center</td>
<td>A bus, bike and pedestrian facility will be constructed in Tahoe City, with parking.</td>
</tr>
<tr>
<td>South Y Intersection Improvements</td>
<td>Signals will be re-phased to provide for dual left turns, and the northwest curb will be widened to align through traffic.</td>
</tr>
</tbody>
</table>
### Table 3 - Exempt Projects

**SAFETY**
- Railroad/highway crossing.
- Hazard elimination program.
- Other non-roadway aid system roads.
- Shoulder improvement.
- Traffic signals.
- Guarding with distance.
- Safety improvement program.
- Upsizing of existing guardrails.
- Installing guardrail.
- Widening downcrossing warning devices.

**MASS TRANSIT**
- Operating/repairing transit vessels, trains, cars.
- Repainting and/or rehabilitation.
- Building or reconstructing of transit buildings, structures, terminals, stations, maintenance facilities, substations, terminals, and structures.
- Purchase of new buses.
- Conservation of existing facilities.
- Restoration of transit facilities.
- Construction of new bus or rail facilities.

**OTHER**
- Specific activities which do not involve or lead directly to construction, such as:
  - Planning and technical studies.
  - Grants for training and research programs.
  - Planning activities conducted pursuant to titles 23 and 49 U.S.C.
  - Federal-aid systems revisions.
  - Engineering to assess social, economic, and environmental effects of the proposed action or alternatives to that action.
  - Noise attenuation.
  - Emergency or hardship advance land acquisitions (23 CFR 712.204(d)).
  - Acquisition of scenic easements.
  - Plantings, landscaping, etc.
  - Sign removal.
  - Directional and informational signs.
  - Transportation enhancement activities (except rehabilitation and operation of historic transportation buildings, structures, or facilities).
  - Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational or capacity changes.

**AIR QUALITY**
- Continuation of ride-sharing and van-pooling promotion activities at current levels.
- Bicycle and pedestrian facilities.

**PROJECTS EXEMPT FROM REGIONAL EMISSIONS ANALYSIS**
- Intersection channelization projects.
- Intersection signalization projects at individual intersections.
- Interchange reconfiguration projects.
- Changes in vertical and horizontal alignment.
- Truck size and weight inspection stations.
- Bus terminals and transfer points.
Population and Vehicle Activity Trends
In general, the Tahoe basin will not experience extensive increases in local population or in traffic volumes. The Tahoe basin, being under the strict land use control of TRPA, will run out of available vacant residential lots around the entire basin by 2015 based on TRPA projections. In addition, bedroom capacity is capped for tourist accommodations. The population growth curve is expected to be nearly flat over the 2000-2025 horizon.

Vehicle activity is similarly limited. The capacity of the highway and roadway system in the Tahoe basin will not be expanding, again due to land use constraints maintained by TRPA. Peak roadway volumes have stayed nearly the same since the mid 1980s. Summer time volumes, being the most crowded, approach or even exceed the theoretical highway capacity as outlined in the Highway Capacity Manual thus indicating that there is very limited ability to add more vehicles. In summary, population and vehicle activity are not expected to be factors influencing the conformity analyses presented.

California Conformity Analysis
The California Air Resources Board (CARB) designated the Tahoe Air Basin as geographically and meteorologically similar. It is under the administrative control of the El Dorado and Placer County Air Pollution Control Districts respectively. TRPA, being the MPO, however, now performs the conformity analysis for these areas. For the California portion of the basin, the Tahoe Air Basin has an adopted CO budget used as the basis for conformity determination.

On April 26, 1996, CARB approved the "Carbon Monoxide Re-designation Request and Maintenance Plan for Ten Federal Planning Areas" as part of the State Implementation Plan (SIP) for Carbon Monoxide (Lake Tahoe was included in those ten areas). U.S. EPA approved this revision on June 1, 1998 and re-designated the ten areas to attainment. On October 22, 1998, CARB revised the SIP to incorporate the effects of the recent CARB action to remove the wintertime oxygen requirement for gasoline (wintertime oxygenates would reduce the CO emissions further, but at the expense of using chemicals that affect drinking water supplies).

These actions were approved within the tons per day CO budget for the 1995 attainment year. In that report, projections of CO levels are dropping well below that budget. Indeed, the most recent data from measured concentrations indicated that trends would continue to be well below the federal 8-hour CO level of 9.0 ppm (see Table 4)

| Table 4. Highest 4 Daily Maximum 8-Hour Carbon Monoxide Averages and Number of Days Above the 8-Hour Standards in the Lake Tahoe Air Basin (parts per million) |
|----------------------------------|-----|-----|-----|-----|
| High                            | Dec 30 | 3.79 | Sep 14 | 4.27 | Jan 6 | 2.44 |
| 2nd High                        | Dec 26 | 3.59 | Feb 2 | 4.15 | Jan 4 | 1.85 |
| 3rd High                        | Dec 6 | 3.50 | Feb 15 | 4.10 | Jan 5 | 1.80 |
| 4th High                        | Feb 15 | 3.41 | Jan 17 | 4.06 | Feb 11 | 1.78 |
| Days > State Standard           | 0 | 0 | 0 |
| Days > Nat'l Standard           | 0 | 0 | 0 |
| Year Coverage                   | 94 | 97 | 94 |

Note: The dates associated with the 8-hour averages shown are based on the state method (averages are associated with the fourth hour of the average), rather than the national method (averages are associated with the eighth hour of the average).
* The number of days at least one overlapping 8-hour average was greater than the level of the state 8-hour standard (9.0 parts per million) or the national 8-hour standard (8 parts per million). The number of days above the standard is not the number of violations of the standard for the year.
** Year Coverage is an indicator of how extensive monitoring was during the time of year when high pollutant concentrations are expected. Year coverage ranges from 0 to 100. For example, a Year Coverage of 75 indicates that monitoring occurred 75% of the time when high pollutant concentrations are expected. For the current year, Year Coverage will be 0 at the beginning of the year and will increase as the data for the year become available.
The tons per day emission levels for CO are broken into Lake Tahoe's North Shore and South Shore. The trends shown are without the use of oxygenates in the fuel that is about a nine percent increase over the 1996 projected budgets but still well below the 1995 attainment year.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lake Tahoe North Shore (winter seasonal tons/day)</td>
<td>26</td>
<td>23</td>
<td>20</td>
<td>19</td>
</tr>
<tr>
<td>Lake Tahoe South Shore (winter seasonal tons/day)</td>
<td>86</td>
<td>80</td>
<td>69</td>
<td>67</td>
</tr>
</tbody>
</table>

The inclusion of transit vehicle expansion with CTS in the FTIP will not affect maintaining the attainment of the 1995 CO budget. Monitoring data tracks with the trends in the reduction of the overall CO budget. The 2010 budget is presumed to be maintained for the 2015, 2020, and 2025 years in the FTP. This FTIP is consistent with the FTP.

**Nevada Conformity Analysis**
There are no Nevada projects in the FTIP requiring conformity determination.

**Washoe County Ozone Analysis**
There are no projects in Washoe County requiring an ozone conformity determination.
MEMORANDUM

July 12, 2000

To: TRPA Governing Board
From: TRPA Staff
Subject: Resolution in Support of Measure E, a Proposed Half-Cent Sales Tax Increase to Fund Expansion of Transit Services at North Lake Tahoe

Proposed Action: The TRPA Governing Board has been asked by the group, Citizens for Traffic Relief, to adopt the attached resolution expressing the Board’s support for passage of Measure E in September and encouraging the voters within the North Lake Tahoe Transportation District to inform themselves fully before casting their ballot. Staff recommends that the Board approve the resolution.

Background: Concerned citizens of the North Lake Tahoe area created the North Lake Tahoe Transportation Authority through special legislation for purposes of sponsoring a half-cent sales tax election and administering a plan to expand transit/transportation services throughout the Lake Tahoe portion of Placer County and adjacent resort areas. If approved by voters in a special September election, Measure E would raise approximately $1,100,000 annually and would sunset in 10 years unless the voters decide to maintain the tax.

Many of the projects identified in the attached Operating, Capital, and Administrative Plan are consistent with the Environmental Improvement Program, including addition of alternative fuel vehicles, North Shore trolley service expansion, airport and skier shuttles, and other Placer County Transit improvements including new half-hourly and evening transit services, and expanded North Shore-to-Truckee service.

Attached, please find the approved Measure E ballot language, the Operating, Capital, and Administrative Plan, and the Argument in Favor of Measure E.

Jennifer Merchant, Executive Director of the Truckee/North Tahoe Transportation Management Association will be available at the Governing Board meeting to answer questions and record comments.

For more information, contact Pam Drum at (775) 588-4547, extension 237.
TAHOE REGIONAL PLANNING AGENCY
RESOLUTION NO. 2000-_______ IN SUPPORT OF MEASURE E

WHEREAS, the voters of North Lake Tahoe Transportation District will vote on Measure E at the September 19, 2000, election; and

WHEREAS, Measure E is of great significance to the future of the area and its citizens; and

WHEREAS, in the course of fully informing themselves concerning Measure E, the voters should be aware of the position(s) of their locally elected officials; and

WHEREAS, on July 26, 2000, the Tahoe Regional Planning Agency conducted a public forum on Measure E and heard the views of citizens both in favor and opposed to Measure E; and

WHEREAS, after deliberation and discussion the Tahoe Regional Planning Agency decided to take a position with regard to Measure E.

NOW, THEREFORE, BE IT RESOLVED THAT the Governing Board of the Tahoe Regional Planning Agency finds that:

1. The North Lake Tahoe Resort Association has recommended passage of this ½ cent Sales Tax measure, the funds from which shall be used to meet critical transportation need.

2. An important component of the community support is utilizing a funding mechanism that also allows visitors to also help pay for the transportation impact they create. The proposed measure accomplishes that goal.

3. The ballot measure includes a ten-year sunset clause to insure that the voters will have the opportunity to decide if this Sales Tax should be continued in future years.

4. If approved, the funding provided will be administered by locally elected officials with oversight responsibility for proper expenditures.

In recognition of the foregoing findings, the Tahoe Regional Planning Agency hereby expresses its support for the passage of Measure E and encourages the voters within the North Lake Tahoe Transportation District to inform themselves fully before casting their ballot.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on July 26, 2000, by the following vote:

Ayes:
Nays:
Abstain:
Absent:

__________________________
Larry Sevison, Chairman
Tahoe Regional Planning Agency

97
TRPA  
Attn.: Pam Drum  
P.O. Box 1038  
Zephyr Cove, Nv. 89448  

July 7, 2000  

Dear Pam,  

Thanks for the opportunity to provide the TRPA/TMPO with information about the Sept. 19, 2000 special election for Measure E.  

Measure E is a proposed one-half of one percent sales tax increase to fund vitally needed transportation improvements in North Lake Tahoe and surrounding communities in eastern Placer County.  

It provides for a variety of new programs and services that decrease dependency on the private automobile, helping to meet air quality threshold and Compact goals.  

Additionally, projects called for in the Measure E Expenditure Plan are projects listed in the EIP. Specifically, those are Placer County Transit Improvements (half-hourly and evening transit service, airport shuttles, skier shuttles and dial-a-ride service), new and expanded transit service between Tahoe City and Truckee on the Highway 89 and Highway 267 corridors, funding for Tahoe Trolley service, and CNG-fueled transit replacement vehicles.  

Enclosed for your review are the following: Capital & Expenditure Plan, Ballot Language, Argument in Favor of Measure E. Let me know if I can provide additional information. I look forward to speaking with the TRPA/TMPO boards on July 26.  

Thanks for your interest; your support means a lot to us!  

Sincerely,  

Jennifer Merchant
Ballot Language/Question
Measure E

To reduce traffic congestion and improve transportation throughout Alpine Meadows, Carnelian Bay, Donner Summit, Homewood, Kings Beach, Martis Valley, Northstar, Squaw Valley, Tahoe Vista and Tahoe City by funding new and expanded transportation services for students, senior citizens, residents, employees and visitors, shall the North Lake Tahoe Transportation Authority authorize a sales tax of one-half of one percent to end after 10 years, all expenditures approved by a locally-elected board, reviewed by an annual independent audit and monitored by a local citizens’ oversight committee.
The North Lake Tahoe Transportation Authority is intended to generate necessary local funding for transit, pedestrian/bicycle and traffic control programs in the portion of Placer County to the east of the Sierra Crest, through a half-cent sales tax referendum to be held in September 2000. This funding source is forecast to generate a minimum of $1,100,000 annually.

The following plan details the proposed expenditure program for these funds. This plan has been developed based upon the following input:

- Extensive study conducted over recent years of transportation programs in the region, as documented in the Tahoe Basin Short Range Transit Program (Leigh, Scott & Cleary, Inc., 1994), the North Lake Tahoe Tourism Development Master Plan (Design Workshop, Inc., 1995), the North Tahoe Long Range Transit Implementation Plan (Leigh, Scott & Cleary, Inc., 1997), the North Tahoe – Reno Intercity Transit Study (TRPA, 1997), the TRPA Environmental Improvement Program (TRPA, 1998), and the Squaw Valley Tourism Plan (ERA Consultants, Inc., 1999).

- A poll of 102 community members conducted as part of six public input meetings, in which each participant was provided with the opportunity to "vote" for four desired potential service plan elements. The results of this poll are presented in Figure A.

- An analysis of the cost-effectiveness of various potential new services

Based upon this information and public input, the following expenditure plan elements have been identified. It is expected that none of the transit services will be directly operated by NLT TA staff; rather services will be contracted to existing public and private service providers.

**Service Plan**

*Half-Hourly TART Service Between 6:00 A.M. and 6:30 P.M.: Year-Round on the North Shore and In Peak Summer and Winter Seasons on the West Shore*

**Description:** The NLT TA will provide funding to TART to operate two additional buses between 6:30 A.M. and 6:30 P.M. between North Stateline and Tahoma, seven days per week during the peak summer and winter seasons. Reflecting the lower ridership demand along the West Shore in the off-seasons, during the Spring and Fall half-hourly service will be provided between Tahoe City and North Stateline. In concert with
existing buses, this improvement will provide service every half-hour along this route. Buses will serve Tahoma (in peak seasons) and North Stateline (year-round) at 30 minutes past the hour, and serve Tahoe City at the top of the hour. The new service to North Stateline will provide through service into Washoe County, resulting in half-hourly service between Tahoe City and the Hyatt Resort in Incline Village throughout the year.

**Cost:** This service will incur an operating cost of approximately $266,000 per year (in Year 2000 dollars), and will require the acquisition of two additional buses. An increase in passenger revenues of $58,000 per year will leave an operating subsidy requirement of $208,000 per year.

**Benefits:** The substantial improvement in the convenience of transit service will allow TART to attract approximately 53,000 additional passengers per year. This service improvement is an important step in expanding TART's ridership market. In addition, this service was the most popular option in the informal polling of 102 community members, receiving a majority of the first-place votes.

*Evening Transit Service*

**Description:** During the summer and winter, transit service will be provided every 30 minutes between Squaw Valley and North Stateline, and every hour between Tahoma and Tahoe City, between 6:30 P.M. and 11:30 P.M.. Three buses will operate between Squaw Valley and North Stateline, and one will operate between Tahoe City and Tahoma, making direct transfer connections in Tahoe City. During the off-seasons, evening service will be limited to hourly service along the North and West Shores.

**Cost:** This service will incur approximately $260,000 in operating costs (including $5,700 in additional ADA cab service and $32,800 in additional dispatch staff), and will generate $71,000 per year in passenger revenues (at existing TART bus fare of $1.25 per trip), yielding a subsidy requirement of $189,000 per year.

**Benefits:** This service will encourage increased visitation to evening activities. It will make transit services available to the substantial number of North Tahoe residents that work evening shifts. Evening service is an essential element in providing a comprehensive public transportation service, avoiding the need for destination visitors to rent a car. Finally, evening transit service provides an important social benefit by reducing driving under the influence of alcohol. A total ridership of 65,300 passenger-trips per year will be carried.

*North Tahoe – Reno Scheduled Airport Shuttle Service*

**Description:** The NLTTA will contract for private transit providers to operate one route connecting the Reno/Tahoe International Airport to Truckee, Squaw Valley, Tahoe City and the West Shore as well as a second route connecting the airport to Incline Village, Kings Beach/Tahoe Vista, and Northstar. Both routes will be operated eight times a day during the summer and winter, and four times a day during off-seasons. Fares will be approximately $25. The NLTTA will market the service, monitor the quality of
service, and provide operating subsidy funding in the start-up period. Optimally, passenger waiting space at the Reno – Tahoe International Airport will be shared with the Tahoe Casino Express program.

**Cost:** In the first full year of operation, this service will incur a cost of $827,000 (including an assumed $100,000 per year to share the existing Tahoe Casino Express airport passenger lounge), but will generate passenger fares of $464,000. Funding could include Transient Occupancy Tax funds for a portion of the Welcome Center (assumed to equal $50,000), federal grants (assumed to equal half of the operating subsidy requirements for the first three years of operation), and 20 percent funding of the remaining subsidy requirement by the Incline Village/Crystal Bay Visitor Convention Bureau. Remaining funding required of the NLTTA for the first year of operation will be $165,610. As ridership increases, these subsidy levels are expected to drop.

**Benefits:** This service is an important element of providing a comprehensive auto-free vacation trip for destination visitors. It will increase the number of destination visitors arriving in the North Tahoe region, thereby encouraging increased use of local transit services. It will also provide an amenity to area residents who do not desire to leave their car at the airport.

**Neighborhood Demand-Response Van Service**

**Description:** Transit services will also be expanded to areas infeasible to serve using fixe-route bus service:

- Service to key activity centers located off of the state highways, such as the North Tahoe High School and the North Tahoe Regional Park.

- Service to residential areas located further than a convenient walking distance from bus stops on the state highways, such as portions of Kings Beach, Agate Bay, Dollar Hill, Squaw Valley and Homewood/Tahoe.

- Expansion of service for persons with disabilities, beyond the capacity of the existing cab program.

A flexible form of van service will be developed that meets all of these needs. Using two vans (one serving Tahoe City/West Shore and a second serving Kings Beach/Tahoe Vista/Carnelian Bay) as well as existing vehicles in Squaw Valley, this service would be designed to provide direct scheduled service from activities to established bus stops on the state highways (such as at SR 28/Dollar Hill to serve the High School and SR 28/National Avenue to serve the Regional Park) and in Squaw Valley, and would also have time available to provide door-to-door service to residences off of the existing bus routes, for both general public passengers (at a premium fare) and for passengers with disabilities. This service will particularly benefit the region’s youth, by providing a flexible service to schools, recreational amenities (many of which are not on the fixed routes), and cultural activities.
Cost: With year-round service 11 hours per day, this service is estimated to cost $274,000 in annual operating costs. Fares are conservatively estimated to generate $30,000 per year, yielding a subsidy level of $224,000 per year.

Benefits: This element would provide transit services to areas that cannot feasibly be served with larger transit buses. It would be particularly useful in accessing activity centers not located along the state highways, and would also expand the ability to serve persons who otherwise have difficulty in accessing existing bus stops.

Ski Area Shuttle Service

Description: Free shuttle services will be operated for ski area employees and visitors throughout the “Resort Triangle” formed by Highways 89, 28 and 267, as well as along 89 between Tahoe City and Tahoma, and to the Hyatt in Incline Village. In addition, the NLTTA will provide partial funding for service connecting Donner Summit to Truckee, replacing the existing Resort Association commitment. This service will be provided throughout the ski season, though service will be limited to weekends only during the first and last few weeks of the season. Service will be operated from approximately 6:00 A.M. to 11:00 A.M., and from 2:00 P.M. to 7:00 P.M.. Midday service will be provided by the expanded regular schedule of public transit service.

Initially, four routes will be operated: Hyatt – Squaw Valley, Hyatt – Alpine Meadows, Hyatt – Northstar, and Homewood – Tahoe City. The Homewood – Tahoe City and some of the Hyatt – Squaw Valley service could be operated as part of half-hourly peak-season TART service. Hourly service can be provided with one additional vehicle on the Hyatt – Squaw Valley service, two vehicles on the Hyatt – Alpine service, and two vehicles on the Hyatt – Northstar service. Buses would be scheduled to provide direct transfers at Tahoe City and at Kings Beach. As ridership grows, a fifth route will be operated directly between Tahoe City and Northstar.

Cost: A total of five additional buses will be required. It is assumed that the incremental cost incurred in the operation of this service (above the expansion of public services) can be completely funded through the ski areas. Local match funds for capital grants required to purchase buses will be provided through the NLTTA.

Benefits: Based upon ridership for existing private shuttles and for comprehensive services in other winter resort areas, ridership for this service is estimated to be 65,000 trips per year. This service will directly address the region’s key wintertime traffic problems, and is an important element in increasing the attractiveness of the region as a destination winter resort area. It will directly capitalize on the fact that North Tahoe provides the largest concentration of ski areas in the country.

Improved Marketing of Transit Services

Description: Increased awareness of expanded transportation options could be generated through the following marketing efforts:
Brochures
- Lodging room materials
- Print advertising
- Development of consistent image for all services
- Radio advertising
- Employee training
- Web site development
- Public relations
- Lodging confirmation package materials

Cost: While costs will vary (with relatively high costs when new marketing efforts are launched), annual costs should average on the order of $60,000. As $20,000 in funding could come from local business sponsorships and in-vehicle advertising, revenues required of the NLTTA will equal roughly $40,000. An additional $20,000 is allocated in the first year of the program to fund the development of new marketing materials.

Benefits: A study conducted for small transit services in Idaho identified an 11 percent increase in ridership that could be directly attributed to expanded marketing programs. A similar study, conducted in a rural area of England indicated a 13 percent increase in ridership. Taking the average of these two results, a increase in ridership of 12 percent generated by increased marketing can be expected. Marketing is particularly important at the start-up of new transit services.

State Route 267 Hourly Transit Service

Description: Year-round service will be provided on the SR 267 corridor between North Stateline and Truckee, with stops in Kings Beach, Northstar, and at the Truckee/Tahoe Airport. Hourly service will be provided in each direction, from approximately 6:00 A.M. to 6:00 P.M.

Cost: This service will cost approximately $166,000 per year, and will require the acquisition of one additional bus. Subtracting $34,000 in passenger fares, subsidy funding will equal approximately $132,000. Some funding could be expected to be provided by the Town of Truckee and/or Northstar-at-Tahoe (reflecting funding currently provided for service between Truckee and Northstar).

Benefits: The service will carry approximately 31,300 passenger-trips per year. It will be particularly beneficial in serving commuters to employment centers in Northstar and North Stateline. This service will also provide better access for North Shore residents to shopping and social services in Truckee.

Hourly Peak Season SR 89 Transit Service

Description: At present, seven transit trips are operated each day along SR 89 between Tahoe City and Truckee between roughly 7:30 A.M. and 5:30 P.M.. This service will be expanded to one run per hour (twelve runs per day) in each direction year-round, between approximately 6:30 A.M. and 6:30 P.M.. This route would serve Squaw Valley, the entrance to Alpine Meadows, the Gateway Center, as well as downtown Truckee and Tahoe City.
Cost: This service would incur an annual operating cost of approximately $94,000 over the current costs (including the costs associated with the recent expansion of winter service). Subtracting roughly $19,000 in passenger fares, the increase subsidy requirements would equal approximately $75,000 per year. Funding this subsidy is the responsibility of the Resort at Squaw Creek, once the final phase of development is reached.

Benefits: This service would increase ridership by approximately 13,500 passenger-trips per year. It will allow Squaw Valley and Alpine Meadows employees to commute from both Tahoe City and Truckee by transit, and will also be substantially more attractive to skiers and other visitors than the current limited service. This service will also reduce costs associated with the skier shuttle program, by providing the midday hourly service to Squaw Valley and Alpine Meadows.

Water Taxi Service

Description: Summer waterborne public transportation service could be provided linking existing public and commercial piers along the North and West Shores, such as Homewood, Sunnyside, Tahoe City, Camelion Bay, Tahoe Vista, and Kings Beach. A small (20- to 25-passenger) boat or boats could be scheduled to provide hourly service during the peak summer season. In addition to providing an attractive alternative to driving, this service would be particularly attractive to passengers who would otherwise have to face stop-and-go traffic (such as northbound along the West Shore in the midday period) or would have to search for parking in congested commercial districts.

Cost: Properly designed, it is envisioned that a substantial portion of the costs associated with a water taxi service could be recovered through passenger fares. Up to $30,000 in annual subsidy funding would be provided through the NLTAA to fund operations or capital requirements of this service.

Benefits: An initial service is estimated to generate approximately 15,000 one-way passenger-trips over the course of the summer season. This shift from auto use would yield reductions in traffic congestion and parking shortages in commercial core areas.

Summer Trolley Service

Description: With provision of half-hourly public transit service along the North and West Shores, and with provision of evening transit service, a comprehensive trolley program can be provided by operating portions of these other alternatives with rubber-tired trolleys, augmented by trolley service between Tahoe City and Squaw Valley, and between Tahoma and Emerald Bay. These trolleys will operate as a portion of the larger public transit service, with consistent fares and schedules. One schedule will be published, with runs operated using trolley vehicles identified in the schedule.

Cost: The incremental cost of the full trolley program will equal $57,000 per year, with a subsidy requirement of approximately $47,000. The NLTAA is assumed to underwrite
half of the operating subsidy requirements, with the remaining half covered by other sources.

**Benefits:** Trolley replica vehicles have consistently proven to attract a greater potential market than do traditional buses, at no increase in cost. As a result, they are most effective in attracting visitors, and providing corresponding reductions in visitor traffic. This service is forecast to generate 8,900 additional passenger-trips per year, over the increase associated with half-hourly and evening service.

This option will also provide the opportunity for service to the region’s premier summer natural attraction (Emerald Bay), helping to solve parking and congestion problems in this sensitive area. It will also provide the opportunity for connections to the South Lake Tahoe transit network.

**Traffic Control Program Funding**

**Description:** The traffic control program (including the summer program at Fanny Bridge as well as winter programs in Tahoe City, Squaw Valley, and Northstar) has proven very effective in reducing traffic congestion. This program, however, has been limited by the lack of ongoing dedicated funding.

**Cost:** The NLTTA will designate a portion of sales tax revenues to this program. A reasonable maximum amount for this program, in light of potential sales tax revenues and other funding needs, is $40,000 per year.

**Benefits:** This funding will make permanent the year-by-year traffic control program. It will allow the Placer County Sheriff’s Department to improve signage (including changeable message signs) and to pursue improved traveler information systems through the media and over the internet.

**Expanded Maintenance of Multipurpose Trails**

**Description:** The region’s multipurpose non-motorized trails are key elements in the transportation system. The NLTTA will allocate a portion of funding to be used by other organizations (such as the local utility districts) for expansion of trail maintenance. In particular, removing snow from trails paralleling the state highways connecting lodging and residential areas with commercial centers, recreational amenities, and bus stops could eliminate a current impediment to use of alternative forms of transportation.

**Cost:** $100,000 in annual funding will be provided to local utility districts for maintenance, sweeping and snow removal on multipurpose trails.

**Benefits:** Providing safe and attractive trail facilities can encourage increased walking and bicycle access to commercial centers, thereby reducing congestion and (in particular) parking problems in North Tahoe’s busy commercial districts. Improving the condition of the trails can also encourage increased transit usage, as the inconvenience
and safety issues associated with accessing transit stops can easily discourage travelers from using transit service, particularly in the winter.

Capital Plan

To effect the expansion of transportation services, a series of capital improvements will be funded through the NLTTA:

- Purchase of four additional buses powered by compressed natural gas, with leasing of buses in the first year of the program while the permanent buses are on order.
- Development of improved passenger waiting areas and bus bays in Squaw Valley and at North Stateline.
- Construction of eight additional transit shelters.
- Provision of public park-and-ride lots.
- Provision of coordinated skier shuttle signage.
- Improved maintenance of all bus stops.

Much of the funding required for these capital items can be generated through the Federal Transit Administration "Section 5309" Program. NLTTA funds will be required for the necessary 20 percent local funding share.

Management Plan

For the first few years of implementation, it is expected that a full-time Director position will be required. This position will be responsible for the following major tasks:

- Negotiation of agreements for provision of services.
- All accounting functions.
- Negotiation of funding agreements with other participating jurisdictions.
- Federal grant programs.
- Monitoring of services, and preparation of reports to the NLTTA Board of Directors
- Implementation of North Tahoe – Reno services.
- Working with other agencies (such as Placer County) in developing capital improvements.

In addition to this initial full-time position, management of the Authority will require part-time clerical help, as well as office space and equipment. Once the plan elements are established, experience in other transportation agencies of similar budget size indicates that the NLTTA will not require a full-time position. The NLTTA position could be combined with other existing positions in the transportation field.
Financial Plan

A year-by-year financial plan has been developed to fund the operating, management, and capital elements of the NLT TA plan. This plan assumes the following implementation schedule:

**Fiscal Year 2001-02**
- Evening transit service
- Half-hourly transit service
- Summer trolley service
- Expanded transit marketing
- Traffic control program funding

**Fiscal Year 2002-03**
- SR 267 service
- Reno – North Tahoe airport service
- Water taxi service
- Initiation of bike trail maintenance

**Fiscal Year 2003-04**
- SR 89 hourly service

**Fiscal Year 2004-05**
- Neighborhood Demand-Response Van Service

Based upon this implementation schedule and the existing cost estimates for each element, and assuming a 3 percent average annual rate of inflation, Table A presents year-by-year estimates of operational and management costs.

Ridership and associated farebox revenue estimates for each year are presented in Table B. These figures reflect the fact that new or expanded transit services can require up to three years to reach their full ridership potential. These figures also assume that the base demand for services will grow at 2 percent annually.

Combining the operating costs, farebox revenues, and including capital costs, Table C presents the financial plan for the NLT TA. This plan assumes a conservative estimate of sales tax revenues of $1,100,000 (in FY 2000-01 dollars), rising 3 percent annually to reflect inflation. Operating subsidy requirements for SR 267 service is assumed to be partially met using Town of Truckee and Northstar-At-Tahoe funds currently used along this corridor. In addition, a three-year Federal Transit Administration Section 5311 grant is assumed to offset a portion of Reno – North Tahoe subsidy requirements, and the Incline Village/Crystal Bay Visitor Convention Bureau is assumed to offset that portion of the local subsidy requirement proportionate with ridership generated in the Incline Village area.
As shown in Table C, a positive cash balance is forecast through the first ten years of NLTTA services. Balances are relatively small in the first few years, as revenues are required for initial capital investments. In the "out" years, annual net funding is forecast to build a fund balance of approximately $54,000. These represent funds that can be used as a contingency against unforeseen funding requirements, can fund capital requirements beyond the ten-year forecast period, or can fund additional expansion of transportation improvements.
Figure A

Votes Cast for Potential NLTTA Options
By Participants of Six Public Meetings

- Half-Hourly Transit Service: 83 votes
- Evening Transit Service: 76 votes
- Airport Shuttle Service: 58 votes
- Skier Shuttle Service: 39 votes
- Traffic Control Program: 36 votes
- SR 267 Service: 26 votes
- Marketing: 24 votes
- Hourly SR 89 Service: 18 votes
- Sidewalk/Trail Maintenance: 13 votes
- Summer Trolley: 12 votes
- Reduce TART Fares: 9 votes
- Water Taxi: 5 votes
- Tahoe City Shuttle: 5 votes
- Transit Center Staffing: 3 votes
- Squaw Valley Checkpoint Svc: 0 votes

Number of Votes
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### Table C: NITTA Financial Plan

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<td>Evening Transit Service</td>
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<td>$67,320</td>
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<td>$76,400</td>
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<td>Skier Shuttle Program (2)</td>
<td>$200,000</td>
<td>$206,900</td>
<td>$215,100</td>
<td>$221,600</td>
<td>$228,110</td>
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<td>Neighborhood Demand-Response Van Service</td>
<td>$0</td>
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<td>Water Taxi Program</td>
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<td>Reno - North Tahoe Airport Shuttle System</td>
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<td>$76,400</td>
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<td>Traffic Control Program</td>
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**Other Operating Fundings**

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<tr>
<td>Town of Truckee/Northstar at Tahoe (13% of SR 267 Subsidy)</td>
<td>$0</td>
<td>$76,375</td>
<td>$74,460</td>
<td>$74,950</td>
<td>$77,410</td>
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<td>TOT ($50,000 for Reno-Tahoe Airport Welcome Center)</td>
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<td>Village at Squaw Valley (SR 89 Hourly Service Subsidy at Project Buildout)</td>
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<td>PTA Section 5311 (20% of Airport Shuttle Subsidy)</td>
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<td>NICB-CGB (20% of Reno - North Tahoe Local Subsidy)</td>
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<td><strong>Total Net NITTA Operating Subsidy Required</strong></td>
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**Capital Requirements**

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<th>Total Cost</th>
<th>FTA Funding</th>
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<td>Bus Fleet Expansion (4 Vehicles)</td>
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<td>Bus Lease (3 Vehicles)</td>
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<td>Neighborhood Demand-Response Van Service (2)</td>
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<td>Squaw Valley Transit Center</td>
<td>$150,000</td>
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<td>Additional Bus Shelters (8)</td>
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<td>Park-and-Ride Facilities</td>
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<td>Coordinated Skier Shuttle Program</td>
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<td>Improved Maintenance of Bus Stops</td>
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<td><strong>Total NITTA Capital Funding Required</strong></td>
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<td>$1,012,997</td>
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<thead>
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<th>Description</th>
<th>Total Cost</th>
<th>NITTA Funding Requirements</th>
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<tbody>
<tr>
<td>Total NITTA Funding Required</td>
<td>$1,058,350</td>
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<tr>
<td>Total Sales Tax Revenues</td>
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<td>Net Annual Funding Balance</td>
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<td>Year-End Fund Balance (Available for Additional Programs)</td>
<td>$74,640</td>
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Argument in Favor of Measure E

Visitors to the Lake Tahoe area bring millions of dollars to support our local economy - but they also bring the growing problem of traffic congestion. Measure E will make the tourists who create the problem pay to solve it. Under Measure E, visitors will pay more than 80% of the cost to reduce local traffic congestion. A locally-elected board, citizens watchdog committee and expenditure audits will ensure that the money raised is spent efficiently on local transportation projects.

Population growth and projected increases in visitor traffic will make our local roads even more congested unless we act now by passing Measure E. Measure E will reduce traffic congestion by funding coordinated shuttle services and other transportation improvements, including:

- Safe new transportation programs for children participating in after school programs;
- A dial-a-ride shuttle service for seniors, the disabled and other residents;
- Free winter shuttle services connecting local communities to ski areas;
- New evening bus service for the North Shore, Squaw Valley and the West Shore;
- Hourly year-round shuttle service for employees and other residents along the Highway 89 and 267 corridors;
- Expanded bus service every 30 minutes year-round on the North Shore and during peak seasons on the West Shore; and
- A new shuttle between local communities and the Reno Airport.

Compared to other resort communities, our area has one of the least-developed public transit systems in the nation. By reducing traffic, Measure E will help reduce automobile pollution and make our air and water cleaner. Every dollar from Measure E will stay right here in our local communities to reduce local traffic.

Please join local residents and businesspeople in supporting Measure E. Together, we can protect our quality of life by making Tahoe's visitors pay to reduce the traffic congestion they create.

Karen Van Epps
Karen Van Epps, Board Member
Tahoe Truckee Unified School District

Dave Wilderotter, Owner,
Dave's Ski Shops

Dwight Steele
Dwight Steele, Board Member
League to Save Lake Tahoe

Larry Lindsey
Larry Lindsey
40 Year North Lake Tahoe Resident

Captain Kent Hawthorne
Placer County Sheriff's Dept.
MEMORANDUM

July 18, 2000

To: TRPA Governing Board

From: TRPA Staff

Subject: Notice of Opportunity to Comment on Federal Transit Administration (FTA) 5311 Grant Application to Purchase Four 15-passenger Vans for the South Tahoe Area Ground Express (STAGE) using $132,000 in Federal Funds; Adoption of Supporting Resolution

Proposed Action: To provide an opportunity to receive public comment on an application prepared by the Tahoe Transportation District (TTD) for Federal Transit Administration (FTA) Section 5311 funds to purchase four 15-passenger Vans for the South Tahoe Area Ground Express (STAGE) transit system, and to adopt a resolution supporting the programming of the funds for the proposed use.

Staff Recommendation: Staff recommends the Governing Board hold a public hearing to receive public comment on an application prepared by the Tahoe Transportation District for Federal Transit Administration (FTA) Section 5311 funds to purchase four 15-passenger Vans for the STAGE transit system. Staff further recommends that the Governing Board approve the attached resolution approving the programming of FTA funds for the proposed use.

Discussion: The State of California has FTA Section 5311 funds available for transit assistance in non-urbanized areas. These funds are made available statewide for applicants seeking to fund eligible projects. As the Regional Transportation Planning Agency (RTPA) for the Tahoe Region, TRPA authorizes the Tahoe Transportation District (TTD) to apply for FTA funds that will be programmed for use within the Tahoe Region.

The TTD has prepared an application for FTA Section 5311 funds. In order to complete the application, the designated Regional Transportation Planning Agency with jurisdiction in the area where the funds are to be used must approve by resolution or minute order the programming of Section 5311 funding. In addition, because the proposed use of the funds is for capital acquisition, the RTPA must also provide an opportunity for public comment.

The application prepared by the Tahoe Transportation District is to purchase four 15-passenger vans for the STAGE transit system that operates in the South Shore area. The total project cost is $165,000, and the application is for $132,000 in federal funds. If approved, the Section 5311 funding will be forwarded on to the City of South Lake Tahoe to pay for the costs of the vans.

Staff is requesting that the Governing board hold a public hearing to gather input on the proposed use of the funds. Provided there is no major opposition, it is then requested that the Governing Board approve the attached resolution approving the programming of the funds.

If you have any questions or comments regarding this agenda item, please feel free to contact Richard Wiggins at #(775) 588-4547. Thank you.

RW/bkc

AGENDA ITEM IX.A.
TAHOE REGIONAL PLANNING AGENCY
RESOLUTION NO. 2000-____.

A RESOLUTION APPROVING THE PROGRAMMING OF
FEDERAL TRANSIT ADMINISTRATION SECTION 5311 FUNDS ($132,000)
TO PURCHASE FOUR 15-PASSENGER VANS FOR THE SOUTH TAHOE AREA
GROUND EXPRESS (STAGE) TRANSIT SYSTEM

WHEREAS, the Tahoe Regional Planning Agency is designated by the State of
California as the Regional Transportation Planning Agency for the Tahoe Region; and

WHEREAS, there are Federal Transit Administration (FTA) Section 5311 grant funds
available for transit assistance for non-urbanized areas for use to support public transit services; and

WHEREAS, TRPA, as the RTPA, authorizes the Tahoe Transportation District (TTD) to
apply for FTA funds that will be programmed in the Tahoe Region; and

WHEREAS, the Tahoe Transportation District (TTD) has submitted an application for
FTA Section 5311 grant funds to purchase four 15-passenger vans to be used as part of the
South Tahoe Area Ground Express (STAGE) transit system; and

WHEREAS, the proposed use of these funds is consistent with the TRPA Regional
Transportation Plan - Air Quality Plan for the Lake Tahoe Region.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Tahoe
Regional Planning Agency that FTA Section 5311 Grant Funds ($132,000), available to non-
urbanized areas for use to support transit services, be programmed for use by the Tahoe
Transportation District, and passed on to the City of South Lake Tahoe, to purchase four 15-
passenger vans to be used as part of the South Tahoe Area Ground Express (STAGE) transit
system.

PASSED AND ADOPTED this __________ day of July 2000, by the Governing Board of
the Tahoe Regional Planning Agency, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

______________________________
Larry Sevison, Chairman
Tahoe Regional Planning Agency

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MEMORANDUM

July 17, 2000

To: TRPA Governing Board

From: Paul Nielsen, Senior Planner, Project Review Division

Subject: Notice of Preparation (NOP) and Determination of Scope, Stonewood Condominiums Environmental Impact Statement (EIS), Douglas County APN 07-050-05 / TRPA File Nos. 200366 & 200377

Proposed Action: No formal action is proposed for this item at this time. Staff is requesting comments on the scope and content of an EIS for a proposed 26-unit multi-family and subdivision project in Douglas County (See Exhibit "A" for proposed EIS outline).

APC Comments: The TRPA Advisory Planning Commission discussed the scope of the proposed EIS at their July 12, 2000 meeting. The APC suggested that the proposed outline be amended to include a land use and scenic quality analysis in the Affected Environment Section of the EIS. The draft EIS outline has been amended accordingly. There was also discussion regarding public access through the property, forest health considerations, consultant qualifications and the development of the proposed alternatives. No changes to the document were made regarding these issues since they were already addressed in the proposed EIS outline.

The APC also asked staff what affect the discussions of the Design Development Working Group may have on this project. The Design Development Working Group has been discussing the two-step subdivision process and potential code changes, which may be needed to address issues pertaining to two-step subdivisions. It is the position of staff that this project, as with any project, would need to meet the required standards and findings in effect at the time the project is considered.

Public comment was also received at the APC meeting and considered in regard to revising the proposed EIS outline. Concern was expressed about the effectiveness of mitigations, such as Best Management Practice (BMP) technology, to mitigate impacts that may be identified. Concern was also expressed about the need to monitor the effectiveness of BMP's, should the project be constructed. Mitigation monitoring is an important component to ensuring impacts are reduced to less than significant levels. Staff has revised the proposed EIS outline to include both of these issues. Additional public comment was received but no changes to the proposed EIS outline were made since these comments did not specifically concern the draft outline. It
was suggested by members of the public that the APC hold another public hearing on the item at their August meeting. The APC agreed, and therefore staff will update the APC on the EIS scoping process in August. Please note that staff has attached to this report correspondence that has been received during the comment period to date.

**Background:** The applicant’s proposal represents a redesign of a previously proposed project on the same parcel. The previous project involved two separate components. The first component involved the construction of 26 detached residential units. The second component involved the subdivision and conversion of those units into 26 single-family dwellings with common area. The applicant also proposed a stream environment zone (SEZ) restoration project and the conveyance of five acres to the Washoe Tribe of Nevada and California.

The original project was discussed before the TRPA Governing Board at several public hearings in 1999. At these hearings, testimony was heard from members of the public, environmental experts, attorneys and TRPA staff regarding the potential environmental effects of the project on traffic, wildlife, water quality and cultural and archaeological resources, air quality, indirect and cumulative effects. The projects’ consistency with The Lake Tahoe Water Quality Management Plan (208 Plan) was also discussed. Staff had recommended approval of the findings for the project based on an Initial Environmental Checklist (IEC). At the September 1999 meeting the Governing Board voted not to make the findings. At the same meeting, a separate motion to require an EIS for the project also failed. In January 2000, the applicant requested that the Governing Board accept an Environmental Assessment (EA) for the project but the motion failed. A subsequent motion to require an EIS was made but that motion also failed.

**Project Description:** The proposed project consists of two separate components. The first component involves the construction of 26 residential units, which will be contained in five detached buildings (see attached site plan). Each building will have two floors of living area and an underground parking garage on the first level. On-site common area facilities will include a tennis court; pool/spa and children’s play area. The second project component involves the subdivision and conversion of those units into 26-condominium style single-family dwellings with common area.

Access to the units will be from a twenty foot-wide common drive that will meander through the site. Grading will involve excavations ranging from two to twelve feet in depth and areas of recontouring to achieve desired finished grades around the building footprint. To analyze the potential environmental effects of the proposed project, the applicant is proposing that an Environmental Impact Statement (EIS) be prepared.

**Site Description:** Highway 50 is adjacent to the project area to the west, Lake Village Drive to the north and east, and Kahle Park and commercial uses to the south. The project area is substantially vacant except for a dirt road, a large, potentially historic ditch, fences and a few foot-trails. The topography varies, but primarily consists of moderate to steep south and west facing slopes. There are two large and several smaller, rock outcrops. In the area of the proposed development the vegetation is composed of large stands of fir and pine trees. Burke Creek enters the property from the east, continues to the southwest, and runs along the southern property line where it enters a culvert to continue under Highway 50. The vegetation along the creek and its associated Stream Environment Zone is primarily riparian.

**Scope of Environmental Document and Notice of Preparation:** Section 5.8 of the TRPA Code (attached as Exhibit "B") requires that TRPA "utilize a systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's

/\PN
07/17/00
environment." A three-party contract between TRPA, the applicant and the environmental consultant selected by TRPA to prepare the EIS will be signed once TRPA has solicited proposals from at least two consultants as required by Article VI (6) of the TRPA Rules of Procedure. TRPA will select a well-qualified interdisciplinary team with experience evaluating potential adverse effects to the affected environment from proposed development.

Section 5.8 also states in part that TRPA shall "study, develop and describe appropriate alternatives to recommended courses of actions for any project which involves unresolved conflict concerning alternative uses of available resources." Throughout the public scoping process TRPA intends to identify alternatives, which will address the previously identified unresolved conflicts.

The TRPA Code also requires that the Agency consult with federal, state and local agencies with expertise with respect to any environmental impact involved and consult the public during the preparation of the EIS. Staff will be working with the State Clearinghouse of Nevada and California to ensure appropriate Agency involvement. A 60 days public comment period will begin once the Draft EIS has been released. In addition, TRPA will hold at least six public hearings during the preparation of the EIS.

TRPA will be the lead agency for the EIS. Comments from the Advisory Planning Commission and Governing Board will be incorporated into the scope of the document. As part of the environmental document process this NOP will begin on July 12, 2000 and close on August 23, 2000 at 5:00 p.m. The purpose of the NOP is to gather input from both public and private entities regarding issues and concerns that should be address in the environmental document.

If you have any questions or comments regarding this agenda item please call Paul Nielsen at (775) 588-4547. If you wish to comment in writing, please send all comments to:

Paul Nielsen, Senior Planner  
Project Review Division  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, NV 89448
Draft Outline for Stonewood Condominiums
Environmental Impact Statement

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5.5.B Significant Effect: The above categorical exemptions shall not be used for a project where there is a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.

5.6 Finding Of No Significant Effect: If TRPA finds that a project or matter will not have a significant effect, no further environmental documentation shall be required.

5.7 Mitigated Finding Of No Significant Effect: If TRPA finds a project or matter will not have a significant effect if certain mitigation measures are incorporated into and made a part of the project, the project description shall be correspondingly modified and no further environmental documentation shall be required.

5.8 Environmental Impact Statement: If TRPA finds a project or matter may have a significant effect on the environment, TRPA shall cause to be prepared an EIS in accordance with its Rules of Procedure, this Chapter and the Compact.

5.8.A Preparation Of EIS: When preparing an EIS, TRPA shall:

(1) Utilize a systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment.

(2) Study, develop and describe appropriate alternatives to recommended courses of action for any project which involves unresolved conflicts concerning alternative uses of available resources.

(3) Consult with and obtain the comments of any federal, state or local agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate federal, state and local agencies which are authorized to develop and enforce environmental standards shall be made available to the public and shall accompany the project through the review processes.

(4) Consult the public during the environmental impact statement process and solicit views during a public comment period not be less than 60 days.

5.8.B Contents Of EIS: An EIS shall include, at a minimum, the following:

(1) Description of project.

(2) The significant environmental impacts of the proposed project.

(3) Any significant adverse environmental effects which cannot be avoided should the project be implemented.
(4) Alternatives to the proposed project.

(5) Mitigation measures which must be implemented to assure meeting standards of the region.

(6) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

(7) Any significant irreversible and irretrievable commitments of resources which would be involved in the proposed project should it be implemented.

(8) The growth-inducing impact of the proposed project.

5.8.C Inclusion Of Other Data And Information: An environmental impact statement need not repeat in its entirety any information or data which is relevant to such a statement and is a matter of public record or is generally available to the public, such as information contained in an environmental impact report prepared pursuant to the California Environmental Quality Act or a federal environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969. However, such information or data shall be briefly described in the environmental impact statement and its relationship to the environmental impact statement shall be indicated.

5.8.D Required Findings: Prior to approving a project for which an EIS was prepared, TRPA shall make either of the following findings for each significant adverse effect identified in the EIS:

1) Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level; or

2) Specific considerations such as economic, social or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.
7-12-00

TRPA Staff, Governing Board and APC
P.O. Box 1038
Zephyr Cove, NV 89448

Dear TRPA Staff, Governing Board and APC:

We understand that a new project (Stonewood Condominiums) is being proposed for the 18 acres on Burke Creek in Douglas County - taking the place of the previous project, South Shore Estates.

First of all, thank you for your rejection of the previous proposal. The negative environmental impacts of that project were a major concern of ours - which we relayed to you when we requested that a comprehensive EIS be done before proceeding.

We understand that the developer has agreed to do an EIS for the new project. That is indeed good news. BUT ONLY IF HE PLANS TO DO A FULL EIS. Given his attorney's comments and those of Don Miner in the 7-10-00 Reno Gazette (attached), we're very concerned that the developer is trying to skirt the code and do much less than is required here.

Our other concern at this point deals with the opportunity to be involved in the oral scoping phase of the EIS for Stonewood Condos. There has been insufficient time (the TRPA proposal for the scoping of the EIS was mailed only a few days ago - 7-5-00) to alert our 650 Lake Tahoe Sierra Club members of the July 12 APC meeting in South Shore, let alone give them time to review what's involved with this new proposal - which, as we understand it from Dick Bush, was still not available for review yesterday afternoon around 3:00 p.m. Dr. Ellen Pillion, the Chair of the 4100 member of the Tahoe Chapter of the Sierra Club also asks that you provide more time for scoping.

We request therefore that the oral scoping be continued to the Aug 9 APC meeting. And if that meeting is on the North Shore and not on the South Shore, to continue the oral scoping for the Governing Board until the Aug 23rd meeting - which will be on the South Shore. That will allow our members at both ends of the lake to participate.

In addition, we ask that you delay identifying the consulting firms you will ask to bid on the EIS until after the close of the comment period - Aug 23, so that you can utilize those public comments in assessing what kinds of consulting skills and experience will be required for this particular project. Otherwise this scoping is a waste of the public's time and a mockery of the whole EIS process.

Our reading of the letter from the developer's consultant Gary Midoiff (attached) is that TRPA is under considerable pressure to rush this EIS to meet the developer's timetable. We ask you to resist that pressure. We think it is false economy in the long run to hurry through an EIS and end up with a product that the courts determine has to be re-done.

Sincerely,

Anne Williams, Tahoe Area Sierra Club Leadership Group
Developers hope Tahoe condo project finally flies

By Jeff DeLong
RENO GAZETTE JOURNAL

For the third time in two years, developers are proposing to build a condominium complex on forested land near Lake Tahoe's Stateline casino strip.

Like before, controversy is likely.

Jim Borelli plans a 26-unit complex off U.S. 50 near Lake Village. On Wednesday, an advisory panel for the Tahoe Regional Planning Agency will discuss details of a study examining the project's environmental effects.

Stonewood Condominiums differs from a previous project, South Shore Estates. The 26 units are not detached and are instead clustered in five buildings.

The change is designed to address concerns from the California Attorney General's office and other critics that the complex as previously designed constituted a subdivision considered damaging to Lake Tahoe's water quality. South Shore Estates was pared down from a previous plan to build 46 units.

"This is a mid-course correction," Larry Hoffman, Borelli's lawyer, said of the latest design. "The format is more of a traditional condominium."

See TAHOE on 3C

Tahoe condo project has sparked debate

TRPA's governing board rejected South Shore Estates in September and again in January. Board members were unable to agree on whether a full-blown environmental impact statement should be required at a cost of roughly $100,000 or whether a less-extensive analysis would suffice.

Failure to reach agreement on that question sent a "ridiculous message" to the public and developers that the board couldn't agree how to conduct its business, chairman Larry Sevison said in January. His client has accepted the fact an environmental impact statement will be necessary, Hoffman said. The question is how extensive.

Critics of the previous project included neighbors who insisted the land should be left alone, environmentalists who claimed the complex threatened water quality and the Washoe Tribe, which described the area as culturally significant. After developers promised to convey five acres of the site to the tribe, that objection was withdrawn.

Neighbors are expected to continue their opposition to the project, and the environmental group the League to Save Lake Tahoe still has concerns. The league's executive director, Rochelle Nason, plans to ask that the environmental analysis include a thorough examination of water quality. She also wants the document to study the cumulative effects of building such projects on the fringe of urban areas around the lake.

"The danger here is that we will see more condominium projects built out into the woods that should be protected for conservation purposes," Nason said.

Dan Siegel, a deputy attorney general for California, said design changes often partially address his concerns about a project he thinks could set a dangerous precedent for future subdivisions of sensitive land in the Tahoe Basin. Others insist the debate has continued long enough and the project should be allowed.

"I think the project has gone through a significant number of hoops, and it's cost the developer a significant amount of money. And the special interests have had their say," said Don Miner, a Douglas County commissioner and the county's appointee to TRPA. "After two years it's probably time for the project to get under way."

Miner said continued delays for the project have blocked important environmental improvements to nearby Burke Creek that would be a condition for construction.
June 3, 2000

Mr. Paul Nielsen
Project Review Div.
TRPA
P.O. Box 1038
Zephyr Cove, NV 89448

RE: Stonewood Estates Condominiums, Multi-Family Residential Project/Subdivision; Douglas Co.
APN# 07-050-05

Dear Paul:

Please find attached an application and environmental checklist for the above described project. As you will recall, the application is for a multiple family, clustered condominium project, with a proposed density of 25 units on the 18 acre site. We are of the opinion that the revised project is fully in compliance with the TRPA Regional Plan, Code of Ordinances, 208 Plan, and Plan Area Statement. It is our understanding that the project is not in an affordable housing priority area, and is therefore not affected by the moratorium on subdivisions.

Per our discussions, for political reasons the applicant has agreed to preparation of an EIS on the project. The scope of the EIS is already fairly well laid out in the staff report which was prepared for consideration by the Governing Board on the earlier project. We will address those issues in an attached scope summary. The document, as previously discussed, will focus on the primary issues identified during the various hearings on the previous project including:

- Water Quality - the project formerly included extensive restoration of the portions of Burke Creek which transit the site. This element may be eliminated if there is any indication that there would be negative environmental impacts from such efforts.

- Traffic and LOS - recent discussions regarding Level of Service at unsignalized intersections indicates that TRPA has no adopted standard in this regard. Traffic counts conducted during 1999 peak summer periods indicated acceptable levels of service. However, due to concerns of neighbors, this issue will be further evaluated.

- Cultural/archaeological - the project previously incorporated elements to provide for long term protection of Washoe Indian cultural resources. A final determination as to the appropriate mitigation for possible impacts will be made in the course of the EIS preparation.

- Wildlife - while there are no indications of wildlife impacts from the project, the Goshawks have not been seen in the area since construction of the bike trail in the early ‘90s, the EIS will further evaluate possible impacts on wildlife from the project.

Our willingness to commit to the preparation of an EIS is based on a firm understanding that the attached schedule can be agreed upon and met. This schedule relies upon completion of scoping for the
environmental document at the APC and Governing Board in July, and completion of the environmental review and permitting by the end of April of 2001.

Based on the attached proposed scope of work for the EIS, we are proposing immediate circulation of a Request for Proposals to a short list of consultants including:

- Harding - Lawson & Associates
- EDAU
- HBA (Harland Bartholomew and Associates)

Our preference is to identify the consultant so that they can be present for the scoping hearings at the APC and Governing Board in July. We are hopeful that you can agree with us on this process and move the application forward in a timely fashion which will permit completion of permitting and allow for commencement of construction by early spring of 2001.

As shown in the plans, the project includes 3 buildings of 4 units each, 1 with 8 units, and 1 with 6 units, all with resident parking beneath the structures. There are 7 guest parking surface spaces, along with a tennis court, swimming pool, children’s play area and clubhouse. The project is designed to ensure that concerns regarding previous projects are avoided to the maximum extent possible. Land coverage associated with circulation and parking are substantially reduced with this proposal. As a result of the clustering and underground parking, the project clearly is akin to the “typical” multiple family condominium project. The subdivision map application is also a part of the project submittal and should be processed concurrently with the housing project application.

We have begun discussions with representatives of the League to Save Lake Tahoe and the California Attorney General’s office and are confident, based on their earlier comments, that they will be supportive of the project, and the proposed process for environmental review.

We look forward to any comments you may have, and to proceeding immediately with the selection of an EIS consultant, EIS Scoping, and full project review.

Sincerely,

Gary D. Midkiff

cc: Larry Hoffman, Esq.
    Jim Borelli, AIA
    John Paul Harries
    John Marshall
June 28, 2000

Paul Nielson  
Senior Planner  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, Nevada 89448-1038

RE: Scope of Environmental Impact Statement for Stonewood Estates (APN #007-050-05)

Dear Mr. Nielson:

We understand that staff is considering the appropriate scope of an environmental impact statement (EIS) for the above project. This letter is to reaffirm the need, previously outlined in our September 7, 1999, letter to Jon-Paul Harries, to include an analysis of the environmental impact of future "two-step" subdivision projects in the EIS for this project.

Under federal law, which provides guidance for TRPA’s EIS requirements, an EIS needs to discuss a project’s indirect effects and their significance. (40 C.F.R. § 1502.16.) These include "[i]ndirect effects, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable." (§ 1508.8.) EISs are similarly required to describe "any cumulative impacts of agency action." (§ 1508.25(c).) "Cumulative impact" is "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions...." (§ 1508.7.)

The future impacts of approving this project are particularly important, given the high probability that future developers will point to this subdivision, and past subdivision approvals, in support of their future subdivision proposals. We saw that very same citation of Governing Board "precedents" (along with a display of aerial photographs of approved subdivisions) when an earlier version of the above project was presented to the Board. As will be seen, the future impacts of these subdivisions have never been analyzed, and the impacts may be very substantial.

The Lake Tahoe Water Quality Management Plan (208 Plan) never analyzed the cumulative impacts of this type of development because it generally prohibits subdivisions.

Probably the most comprehensive analysis of the water quality impacts of development permitted by TRPA’s regulations is contained in the 208 Plan. That plan, however, never
evaluated the cumulative impacts of allowing a significant number of new subdivisions. This is because the 208 Plan assumed that, absent overriding water quality benefits, new subdivisions would not be built.

The 208 Plan found that subdivisions of raw land with road networks would have a major negative impact on Lake Tahoe’s water quality. "[W]hen large areas are subdivided, and roads are constructed to serve those subdivisions, sediment loads may increase tenfold or more (citation) and nutrient loads also increase (citation)." (208 Plan, Vol. 1, Sec. 1, p. 88.) The plan concludes that:

1. "Creation of new subdivisions on raw land should be avoided,...” (208 Plan, Vol. 1, Sec. 1, p. 93.)

2. "Construction of new road networks should ... be avoided, such as would be necessary to serve new subdivisions." (208, Vol. 1, Sec. 1, p. 90.)

3. "Only very limited subdivisions will be allowed under the 208 plan. TRPA’s intent is to avoid the impacts of new lot and block subdivisions while using mechanisms such as resubdivision to lessen the potential impacts of existing approved but unbuilt subdivisions." (208 Plan, Vol. 1, Sec. 1, p. 114; emphasis added.)

Given the above, the cumulative impacts of allowing subdivisions of raw land which create new road networks was, therefore, never analyzed.

The indirect effects and cumulative impacts of this development may be very substantial.

The critical need to study the indirect and cumulative impacts of this project was underscored by the testimony of Dr. Robert Twiss at the September 22, 1999, Governing Board meeting regarding an earlier version of this project. Dr. Twiss explained that he found at least 45 subregions (Plan Area Statements, Community Plan Areas and Special Areas) which permitted both multi-family and residential uses, i.e., areas in which subdivisions could be proposed. An unknown number of parcels are within each of these subregions. On top of that, through rezoning, as in the instant case, parcels that are not in a multi-family subregion have been and could be rezoned to place them in such an area.

Approval of this project can, therefore, lead to the approval of an untold number of additional subdivisions. I should note that, as part of an effort spearheaded by Governing Board member Kay Bennett, TRPA staff has been developing a long-term policy regarding these subdivisions. Our office has been very supportive of this effort. Such a policy, if well crafted,
could substantially narrow the scope of any cumulative impacts. But any project approved now would need to be analyzed under the existing rules.

CONCLUSION

Subdivision projects have already been identified by the 208 Plan as likely threats to Lake Tahoe's waters. An Environmental Impact Statement which carefully includes an analysis of the future indirect and cumulative impacts of approving this subdivision should be prepared and considered by the Governing Board before approving this project and before the Lake has reached an ecological point of no return.

Sincerely,

[Signature]

DANIEL L. SIEGEL
Supervising Deputy Attorney General

For BILL LOCKYER
Attorney General

cc: Kay Bennett
Lawrence Hoffman
Dr. Robert Twiss
Rochelle Nason/Dave Roberts
Michael Donahoe
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Lowe New Single-Use Pier

Application Type: Shorezone/Conversion of an Existing Accessory Shorezone Structure (Demolition of an Existing Boat Ramp and Replacement with Single-Use Pier)

Applicant: Todd A. and Janet H. Lowe

Agency Planner: Jon-Paul Harries, Associate Planner

Location: 77 Shoreline Circle, Incline Village, Washoe County

Assessor's Parcel Number (APN)/TRPA File Number: 122-162-09/990882

Staff Recommendation: Staff recommends denial of the subject project. The required actions are outlined in Section F of this staff summary.

Project Description: The applicants are proposing to remove an existing concrete boat ramp and replace it with a single-use pier. The existing boat ramp extends from a boathouse (attached to the residence) to a distance approximately eight feet lakeward of the high-water line. The existing boat ramp is approximately 44 feet long and tapers from a maximum width of 13 feet at the residence to 9 feet at the lakeward terminus. The proposed pier will be an open piling design and located in the same area of the existing boat ramp. The pier is proposed to be 150 feet in length and six feet wide to the pierhead which will be ten feet wide. The pierhead is proposed to be 30 feet in length and contain a single three foot wide catwalk (total pier width equals 13 feet) and a single low-level boatlift.

Site Description: The subject parcel is located in the residential area of Lakeshore Drive in Incline Village, Nevada. The surrounding land uses consist of single family residences and accessory shorezone structures (primarily piers and buoys). The property is developed with a single residence and the applicants have recently received a TRPA permit for demolition and rebuild of the residence. The project area is located in an area mapped and verified as Prime Fish Habitat (Feed and Escape/Cover), and is also an area targeted for fish habitat restoration.

Issues: This project involves the proposed conversion of an existing shorezone structure which, because of unusual circumstances, requires Governing Board review in accordance with Subsection 4.7.C of the TRPA Code of Ordinances. The primary issue associated with this project is:

1. Prohibition of New Structures in Prime Fish Habitat: This project involves the demolition of one shorezone structure (a boat ramp) and the construction of another (a pier). Both structures are allowed according to the Plan Area Statements. However, piers and boat ramps are viewed as separate and distinct structures in the TRPA Code of Ordinances, and are listed separately as allowed or special use structures in the Plan Area Statements and Code of Ordinances. It is the staffs' determination that since no pier exists on the property today, any proposed pier would have to be considered as a new pier. Pursuant to Subsection 54.4-A(3) of the TRPA Code of Ordinances, a new pier
would be prohibited on this property because of its location in prime fish habitat (feed and escape/cover), and also because the area has been targeted for habitat restoration.

2. **Conversion of Exiting Shorezone Structures:** The applicants are proposing to remove an existing concrete boat ramp and replace it with an open piling pier. TRPA has permitted demolition, relocation, and rebuild of structures in areas identified as prime fish habitat, however, nearly all of these projects (with the exception of one discussed below) involved "in-kind" replacement. For example, piers were replaced with piers, and buoys were replaced with buoys. This proposed action would result in a change or conversion of an accessory shorezone structure. As stated above, piers and boat ramps are viewed as separate and distinct structures in the TRPA Code of Ordinances, and are listed separately as allowed or special use structures in the Plan Area Statements and Code of Ordinances. There does not appear to be any mechanism in the Code of Ordinances to convert one shorezone structure to another.

Approval of this project would be a precedent setting action that could lead to more applications for conversions of shorezone structures. For instance, it would not be unlikely for an applicant to propose converting a buoy or a fence that extends below the high water line to a pier. TRPA staff have discussed this issue at length with the applicants’ representative and believe there may be some merit to a Code amendment that would allow the conversion of certain shorezone structures located in prime fish habitat. For example, in the proposed new shorezone ordinances, boat ramps are discouraged on private property, but piers are not. However, staff feels strongly that the issue of converting structures be analyzed through a Code amendment process prior to approval of any such project. Such an amendment could analyze what types of conversions are appropriate under varying situations, and also what findings may be required to be made prior to approval. Also, it should be noted that during the recent litigation (Leonardini vs. TRPA) over denial of a multiple-use pier, the Governing Board made clear its objection to setting policy through review and approval of projects.

3. **Past TRPA actions and Decisions:** TRPA staff are aware of two similar past applications which involved the proposed conversion of an accessory shorezone structure in areas identified as prime fish habitat.

1999, Chase, APN 03-080-27, TRPA File No. 980597
This application involved the removal of an existing marine railway (defined as a boat ramp in the TRPA Code of Ordinances) and replacement with a pier. The applicants argued that a portion of the railway actually was a pier and thus an expansion should be permissible. TRPA staff rejected the applicants argument and denied the application because it was clear that the claimed pier was actually a boat ramp and could not be expanded or converted into a pier because of the prohibition of new structures in prime fish habitat. It was also denied by staff because the structure had been unserviceable for more than five years.

The applicants appealed the staff action to the Governing Board. The Board discussed several aspects of the project including the structure's configuration, Code definitions, how the structure had been used, affidavits that had been submitted, and the need for clarification in the upcoming shorezone ordinance amendments. The discussion focused on whether or not the structure could be determined to be a pier. It seemed
clear in the discussions that if the Board determined the structure to be a boat ramp, then it could not be expanded or converted into a pier. Ultimately, the Board determined that the structure was, indeed, a boat ramp and denied the appeal.

1988, Cutler, APN 122-181-59
This project involved the conversion of a permitted marine railway (defined as a boat ramp in the TRPA Code of Ordinances) to a pier. In July, 1982, TRPA did not have the same prohibition on new structures in fish habitat as today, and a three year approval was granted to the property owner (Ron Smith) to construct a double piling, dual track marine railway. The applicant failed to meet all the special conditions of his approval by 1984 when TRPA was enjoined from approving projects during the TSPC litigation, and thus the three year approval period was tolled. According to TRPA files, in 1986 the owners of the subject parcel (appears to be Don and Diane Cutler) obtained an exemption for the issuance of the permit, and a new approval expiration date was set for March 19, 1987. Also, in 1986, the Cutlers began discussions with TRPA to determine if the boat ramp approval could be converted to a pier approval. At the time, TRPA legal counsel rejected the idea. The Cutlers then proposed to remove a pier on a separate parcel and deed restrict the parcel against future piers as well as rescind the marine railway approval. A letter from TRPA legal counsel indicates that this mitigation proposal was viewed as favorable by TRPA, but no action was taken in this direction.

Prior to being issued the permit for the dual piling marine railway, the Cutlers revised the plans and proposed a monorail boat ramp that used single pilings. On March 6, 1987, the applicants finally met the conditions of their modified 1982 approval and received a permit for the revised marine monorail. Eleven pilings were driven for the railway, but the project was not completed. In 1988, the Cutlers applied to TRPA for conversion of their permitted railway into a pier. The same pilings that were driven for the marine railway could be used as the pier pilings or cut down to complete the marine railway construction. Finishing the project as a pier received support from a fisheries biologist and other reviewing agencies because it was viewed as less environmentally damaging than the boat ramp. TRPA approved the conversion in September 1988 to allow completion of the project as pier provided the proposed pier would utilize the existing pilings (with 4 additional pilings to be installed). No demolition or removal of an existing structure was proposed or completed as part of this application.

Staff Analysis:
A. Environmental Documentation: The applicants have completed an Initial Environmental Checklist (IEC) and visual simulation in order to assess the potential environmental impacts of the project. Potential significant unmitigated impacts were identified, but staff have determined that if a mechanism existed within the Code of Ordinances to allow conversions of existing shorezone structures, then the project would not have a significant effect on the environment if conditioned appropriately. However, staff feels the TRPA Code of Ordinances does not currently provide a mechanism to allow or control the conversion of one shorezone structure to another. A copy of the completed IEC and visual simulation will be made available at the Governing Board hearing and at TRPA.

7/18/00
/JPH

AGENDA ITEM X.A

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B. **Plan Area Statement:** The project is located within Plan Area Statement Number 037 (Lakeview). The Land Use Classification is Residential, and the Management Strategy is Mitigation. The proposed pier and existing boat ramp are allowed accessory structures in the plan area, and single family dwellings are an allowed use. TRPA staff have reviewed the plan area statement and have determined that the project, if conditioned appropriately, would be consistent with the applicable planning statement, planning considerations and special policies.

C. **Land Coverage:**

1. **Land Capability District:** The parcel is comprised of land capability classes 4, 1b Backshore, and 1b Stream Environment Zone (SEZ). The total project area is 13,002 square feet in size.

2. **Total Allowable Land Coverage:** 2,093 square feet

3. **Total Existing Land Coverage:** 5,436 square feet

4. **Proposed Land Coverage:** 5,436 square feet

5. **Proposed Permitted (TRPA File #990792) Land Coverage after residence rebuild:** 5,420 square feet

6. **Excess Land Coverage:** 3,343 square feet

7. **Excess Land Coverage Mitigation:** The applicant will be required to mitigate the excess land coverage within the project area in accordance with Chapter 20 of the TRPA Code of Ordinances.

D. **Shorezone Tolerance District:** The subject parcels are located within Shorezone Tolerance District 7. Projects within Shorezone Tolerance District 7 must ensure stabilization and the least environmental impact to the backshore. Vehicle access to the shoreline is not permitted and pedestrian access to the shoreline is limited to stabilized access ways. The project, if conditioned appropriately, would comply with the shorezone tolerance district standards.

E. **Required Findings:** The following is a list of the required findings as set forth in Chapters 6, 50, and 52 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

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

   This finding cannot be made. Any proposed pier (or other shorezone structure other than a boat ramp) at this parcel would have to be viewed as a new structure as defined by the TRPA Code of Ordinances. The TRPA Code of Ordinances prohibits the placement of new structures in areas identified as prime fish habitat.
(a) **Land Use:** The single family dwelling on the subject parcel is an allowed use within the applicable plan area statement. The proposed project involves a new structure which is listed as allowed accessory structure (pier). Surrounding land uses are residential with accessory shorezone structures (primarily piers and buoys).

(b) **Transportation:** The existing pier serves the homeowners of the affected parcel and, as such, will not result in an increase of daily vehicle trip ends (dve) to the subject parcel.

(c) **Conservation:** The project is not consistent with the fisheries and shorezone subelements of the Conservation Element of the Regional Plan Regional Plan. Both subelements refer to the preservation and enhancement of the fish habitats in Lake Tahoe. The project area has been identified as Prime Fish Habitat and new structures are prohibited in these areas by the TRPA Code of Ordinances. The project, if conditioned appropriately, would be consistent with the scenic subelements of the Conservation Element of the Regional Plan. Approval of the pier would depend on approval and implementation of the final scenic mitigation package set forth in the permit to reconstruct the residence. Depending on the final approved landscape plan for the residence, some additional landscaping may be required. The proposed colors and design are consistent with the TRPA Design Review Guidelines. This project will not result in the obstruction or degradation of any scenic vista or view open to the public provided certain mitigation measures are implemented. The applicants will install the required Best Management Practices (BMPs) on the parcel, in accordance with Chapter 25 of the TRPA Code. There are no known special interest animal species or cultural resources within the project area. No Tahoe Yellow Cress has been recorded on the site.

(d) **Recreation:** This project does not involve any public recreation facilities or uses. The proposed pier is proposed to be similar in length to adjacent existing piers and will not extend beyond the TRPA pierhead line. By remaining consistent with existing surrounding development the proposed pier would not adversely affect recreational boating or top-line angling.

(e) **Public Service Facilities:** This project does not require any additions to public services or facilities.

(f) **Implementation:** The proposed project does not require any allocations of development.

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

This finding cannot be made. The project proposes to place a new structure in an area identified as prime fish habitat and targeted for restoration. Currently, the Code of Ordinances prohibits the placement of piers in such areas and,
therefore, the project is not consistent with Chapter 54 of the TRPA Code of Ordinances. Also, an approved demolition plan, shoreline restoration plan, and fish habitat restoration plan would be required to conform to the subject Plan Area Statement and ensure there are no adverse impacts to the fisheries and water quality environmental threshold carrying capacities. As proposed, the project does not include a restoration plan except for the comment, "If approved, the boat ramp will be removed and the area between the boat garage and lakeward end of the ramp will be restored to its natural condition, in coordination with the Nevada Division of Fish & Wildlife." The basis for this determination is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. A copy of the completed checklist will be made available at the Governing Board hearing and at the TRPA.

3. Wherever federal, state or local air and water quality standards applicable for the region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards. (Refer to paragraph 2, above.)

4. The proposed project will not adversely impact: (1) littoral processes; (2) fish spawning; (3) backshore stability; and (4) on-shore wildlife habitat, including waterfowl nesting areas.

This finding cannot be made. The proposed project will not have an impact on littoral processes because the project does not involve a proposed structure that is less than 90 percent open. The site has not been identified as spawning habitat, but a Fish Habitat Impact Determination (TRPA File #980516) identified the area as feed and escape/cover with spawning gravels present. The proposed project is inconsistent with the prohibition of new structures in prime fish habitat, and it has not been shown that this project would not negatively impact fish spawning. Any project approved in the shorezone of this parcel will require the restoration of the backshore to a near natural condition. The proposed project is not located within an area that is mapped as on-shore wildlife habitat nor has the site been shown to be a waterfowl nesting area.

5. There are sufficient accessory facilities to accommodate the project.

The project is located offshore of properties occupied by single family residences. The proposed pier will only be used by the owners of the properties and their guests. There is sufficient parking and shorezone access to accommodate the project.

6. The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modification of such existing uses or structures will be undertaken to assure compatibility.
The project, as proposed, is compatible with existing lake and shorezone uses and structures in the vicinity. The surrounding uses consist of piers, buoys, and other recreational facilities that will not be adversely affected by this pier.

7. **The use proposed in the foreshore or nearshore is water-dependent.**

The pier is proposed to be located in the foreshore and nearshore of Lake Tahoe and is water-dependent.

8. **Measures will be taken to prevent spills or discharges of hazardous materials.**

The project, as proposed, includes elements to prevent spills and discharges of hazardous materials. Permit conditions typically require these measures be employed.

9. **Construction and access techniques will be used to minimize disturbance to ground and vegetation.**

The applicant shall not be permitted to store construction materials on the beach. Permanent disturbance to ground and vegetation is prohibited.

10. **The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.**

The proposed pier will not extend beyond the TRPA pierhead line. The U.S. Army Corps of Engineers must also review this project for navigational safety. The U.S. Army Corps of Engineers have completed a preliminary review of the project and have not identified any safety or navigation impacts.

F. **Required Actions:** Agency staff recommends that the Governing Board deny the project by making the following motion based on this staff summary and evidence contained in the project record.

1. A motion to approve the project, which motion should fail. **(To approve the project, a 5/9 vote is required – five in the affirmative from Nevada.)**
TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: Mehrtens and Douglas County Commercial Development

Application Type: Commercial/Public Service

Applicant: Carol Mehrtens, Douglas County

Applicant's Representative: Paul Kaleta, Basin Strategies

Agency Planner: Kathy Canfield, Project Review Division

Location: 155 U.S. Highway 50, northeast corner of U.S. Highway 50 and Kingsbury Grade

Assessor's Parcel Numbers/Project Number: APN 07-120-08 and 09, 07-130-03, 04, 05 & 06 / 990431

Staff Recommendation: Staff recommends approval of the subject project. The required findings and the recommended conditions of approval are outlined in Section F of this staff summary.

Project Description: The proposed project includes the construction of four commercial buildings; a three-level parking garage and a public transit facility; and associated driveways and parking. The project includes the demolition of an existing wedding chapel and involves the creation of public access easements.

Site Description: The project area includes Kahle Park, the Douglas County Administrative Center, an existing office building, an existing wedding chapel, and an existing disturbed area that has been used as a construction staging area for several past highway construction projects. The site is bordered by U.S. Highway 50 and Kingsbury Grade. An existing roadway (an extension of Kahle Drive) extends into the project area from both U.S. Highway 50 and Kingsbury Grade. The site has two elevation levels, with the Kahle Park amenities and the office building being located on the upper portion of the site and the Douglas County Administrative Center, wedding chapel and construction staging area being on the lower level adjacent to U.S. Highway 50.

Background: This project was awarded 32,700 square feet of commercial floor area from the TRPA Special Projects Commercial Floor Area Pool by the Governing Board. For this project to receive this commercial floor area, the applicant proposed Environmental Improvement Program (EIP) improvements over and above what would normally be required for a project. As part of this project, the applicant has proposed to construct a transit facility outlined in the Kingsbury Community Plan and the EIP list, remove the existing "Love's Chapel" and provide a natural park setting at the corner of U.S. Highway 50 and Kingsbury Grade, and provide storm water treatment to a portion of the roadway runoff generated by Kingsbury Grade. The applicant also contributed to the Nevada Department of Transportation (NDOT) U.S. Highway 50 street frontage improvements by providing monies to construct a deceleration lane/bus turnout on the east side of the roadway adjacent to the project area.

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The commercial project will join the Kahle Park and Lakeside Profession Office Building project area. Several projects within the Kahle Park project area are currently under construction including a gymnasium addition to the park and the reconstruction of a office building. This project will add new area to the project area, including a small land locked parcel previously owned by the U.S. Forest Service, a the “Love’s Wedding Chapel” parcel. The site has been subject to several Land Capability Challenges and Man-Modified Determinations regarding land capability district determinations. As a result, the majority of the area to be developed has been determined to be high capability land.

Issues: The proposed project involves an allocation of commercial floor area and is a project for which a traffic analysis was prepared and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Traffic: The applicant has submitted a traffic analysis for the proposed project. The traffic analysis reaches the following conclusions:
   a. Trip Generation: The project is estimated to generate 1,940 additional daily vehicle trip ends (dvte) which is defined as a significant increase by the TRPA Code of Ordinances. This total includes an estimated 378 additional dvte associated with the Park and Ride and 260 additional dvte associated with the transit and visitor center.
   b. Ingress/Egress: The number of existing access points will not increase as a result of this project. An existing driveway from U.S. Highway 50 to the new commercial building location will be utilized as an entrance and right-turn only exit. A new “enter-only” driveway from Kingsbury Grade will be added while an existing driveway to the "Love’s Chapel" will be removed. The project has been designed to accommodate transit vehicles and to utilize the existing traffic signal at the intersection of U.S. Highway 50 and Kahle Drive.
   c. Parking: The estimated parking requirements for the project, including the Douglas County Administrative Center and the Park and Ride is 361 spaces. The existing parking for the Administrative Center will be removed and relocated to the parking garage.

2. Topography: The portion of the project area where the commercial buildings will be located has been extensively altered over the years by past construction activities including a casino which was removed prior to 1965. This area has been excavated and has been used for a construction staging area. In order for staff to determine allowable and proposed height for structures, natural grade needs to be determined. Natural grade on this site no longer exists for staff to visually confirm. The applicant has submitted topographic information documenting their interpretation as to what natural grade was before the site was disturbed. This was done by confirming grades of surrounding features and estimating slopes consistent with the surroundings. This type of interpretation is consistent with past TRPA actions on other projects such as Round Hill Square and the Kahle Park gymnasium addition. As a condition of project approval,
the applicant will be required to submit a written methodology regarding the conclusions they reached for their determination of natural grade for TRPA review and approval. Any modifications requested by staff shall be incorporated and the submitted plans may be required to be revised to demonstrate conformance to TRPA rules and regulations.

3. **Scenic Quality:** The proposed project is visible from U.S. Highway 50 (Unit 32) and Kingsbury Grade (Unit 44), both of which are designated as scenic roadways by TRPA. The applicant has submitted scenic simulations prepared from viewpoints selected by TRPA from points along the roadways, depicting the proposed project. Staff has reviewed the proposed project and evaluated the project against the goals of the Scenic Quality Improvement Program (SQIP) and the Kingsbury Community Plan. The existing site conditions include a large barren area that has been used as a construction staging area. An eroding bank exists along the southern and eastern perimeter of the new development. The project will provide a coordinated commercial and public service development, new utilities will be placed underground while existing overhead utilities along Kingsbury Grade have been placed underground, extensive landscaping and parking lot screening will be provided and a sign plan for the entire project area will be prepared. The existing "Love's Chapel", located at the corner of Kingsbury Grade and U.S. Highway 50, will be removed and the area made into a park setting. Staff has conducted site visits to confirm that the proposed buildings will not block existing views of Lake Tahoe, distant ridgelines and Round Hill when viewed from Kingsbury Grade. Based on the above information, staff has concluded that the proposed project is estimated to provide an improvement to the scenic quality of both Roadway Unit 32 and 44. The project is also visible from a distance from Lake Tahoe. Due to the distance and project design, staff has determined that there will be no impacts to scenic quality when viewed from Lake Tahoe.

4. **Project Area:** The project area, as defined in Chapter 20 of the TRPA Code of Ordinances, allows for public roadways to be excluded from a project area, and for the area of the roadway to be its own project area. In this case, the applicant has proposed to create a public roadway between the Kahle Drive extension and the proposed commercial buildings. This roadway, although used for access for both the commercial and public service uses, will also accommodate the transit vehicles associated with the transit facilities. As a public roadway, access can not be prohibited to the public. In addition to the public roadway, the proposed development will join the project area previously defined for Kahle Park. A lot line adjustment application and a project area deed restriction will be required to be recorded as a condition of project approval.

**Staff Analysis:**

A. **Environmental Documentation:** The applicant has completed an Initial Environmental Checklist (IEC), scenic simulations, a traffic analysis, Soils/Hydrologic Report and a drainage report in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC and supplemental reports will be made available at the Governing Board hearing and at TRPA.

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B. Community Plan: The project is located within the Kingsbury Community Plan. The Land Use Classification is Commercial/Public Service and the Management Strategy is Mitigation. Agency Staff has reviewed the subject community plan and has determined that project is consistent with the applicable planning statement, planning considerations and special policies. The proposed activities (eating and drinking places, professional offices, transit stations and terminals and visitor information center) are allowed uses and general merchandise stores is listed as a special use.

C. Land Coverage: At the time this staff report was written, the land coverage was not entirely consistent with the requirements of the TRPA Code of Ordinances. Staff has met with the applicant to discuss different options and alternatives. However, the final proposal was not available in time to include with this staff summary. The final land coverage calculations and the required land coverage findings will be presented at the Governing Board hearing.

D. Building Height:

Building A: Roof Pitch: 6:12
Cross Slope: 8%
Allowable Height: 33 feet, 2 inches
Proposed Height: 31 feet, 3 inches

Building B: Roof Pitch: 10:12
Cross Slope: 8%
Allowable Height: 38 feet, 0 inches
Proposed Height: 37 feet, 6 inches

Building C: Roof Pitch: 12:12
Cross Slope: 8%
Allowable Height: 38 feet, 0 inches
Proposed Height: 33 feet, 6 inches

Building D: Roof Pitch: 6:12
Cross Slope: 4%
Allowable Height: 32 feet, 2 inches
Proposed Height: to be determined*

*As a condition of project approval, the applicant will be required to revise the proposed height to demonstrate conformance with the TRPA height requirements.

Parking Garage: Roof Pitch: 0:12
Cross Slope: 12%
Allowable Height: 27 feet, 0 inches
Proposed Height: 26 feet, 0 inches
E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, 22, 33 and 64 of the TRPA Code of Ordinances. Following each finding, Agency staff has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 – Environmental Findings:

   a. 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.

      (1) **Land Use:** The proposed uses are permissible uses for the Kingsbury Community Plan. The retail – general merchandise component of the project is identified as a special use.

      (2) **Transportation:** The proposed project is expected to generate 1,940 additional daily vehicle trip ends (dvte) which is defined by the TRPA Code of Ordinances as a significant increase. As a condition of project approval, the applicant will be required to mitigate all additional dvte generated as a result of the project consistent with the mitigation contained in the traffic analysis and the TRPA Code of Ordinances.

      (3) **Conservation:** This project is visible from TRPA designated Scenic Roadway Units 32 and 44 which are not in scenic attainment. The project is also distantly visible from Lake Tahoe. The applicant has submitted project simulations and has proposed scenic quality improvements to the site which are consistent with the Kingsbury Community Plan and the TRPA Scenic Quality Improvement Program (SQIP). It is expected that the proposed project will demonstrate an improvement to the roadway unit scenic quality ratings and because of the distance from Lake Tahoe, is not expected to impact scenic quality from Lake Tahoe. There are no known special interest species, sensitive or uncommon plants or historical or cultural resources within the construction area.

      (4) **Recreation:** This project is part of the Kahle Park project area. The project consists of constructing a parking garage with a connection to the Kahle Park recreation improvements. The project includes construction of a visitor center adjacent to the proposed transit facility.

      (5) **Public Service and Facilities:** The project proposes the construction of a transit facility with a "park and ride" component which is identified in the Environmental Improvement Program
(EIP) and the Kingsbury Community Plan. No other additions to public services or facilities are required as a result of the project.

(6) Implementation: This project has been identified to receive 32,700 square feet of commercial floor area from the TRPA Special Projects Commercial Allocation Pool and 9,846 square feet of commercial floor area from the Kingsbury Community Plan and is limited to that amount. Any excess commercial floor area not needed for the project shall be returned to the TRPA Special Projects Commercial Floor Area Allocation pool.

b. The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Governing Board hearing and at TRPA.

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

(Refer to paragraph 2, above.)

2. Chapter 18 – Special Use Findings:

a. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed retail – general merchandise use will be located adjacent to other commercial and public service uses, within a commercial/public service community plan area. Surrounding land uses include the Douglas County Administrative Center and a commercial restaurant and offices to the north, Kahle Park and an office building to the east, the intersection of U.S. Highway 50 and Kingsbury Grade to the south and a casino and liquor store to the west.

b. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury.
and to protect the land, water and air resources of both the applicant’s property and that of surrounding property owners.

The proposed retail – general merchandise use is consistent with the permissible restaurant and office use within the community plan area. The applicant will be installing Best Management Practices and will be required to mitigate the identified environmental impacts of the project.

c. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed commercial use will not change the identified commercial/public service use of the project area and the community plan. The surrounding neighborhood consists of a variety of commercial uses, a casino and offices and park.

3. Chapter 20 – Land Coverage Findings:

At the time this report was written, TRPA staff and the applicant were exploring different options in regards to proposed land coverage and compliance with the required findings. The required land coverage findings will be presented at the Governing Board hearing.

4. Chapter 22 – Height Findings:

a. When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline.

The applicant erected “story poles” depicting the proposed heights of the buildings to demonstrate that the buildings, when viewed from a distance of 300 feet, would not extend above a ridgeline. Agency staff walked the perimeter of the site, and calculated the 300 foot distance, and determined that the proposed buildings would not block ridgelines. Photographs taken of the “story poles” are located in the project files.

b. When outside a community plan, the additional height is consistent with the surrounding uses.

This project area is location in the Kingsbury Community Plan, therefore, this finding is not applicable.
c. With respect to that portion of the building which is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

In addition to the rationale provided in Finding 4.a, above, staff also determined that the proposed buildings would not block existing views of Lake Tahoe and Round Hill from vehicles traveling on Kingsbury Grade. Photographs documenting the proposed height and the existing view are included in the project file.

d. The maximum height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height. The maximum height at the corner of two exterior walls is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and point at which the corner of the same exterior wall meets the roof. This standard shall not apply to an architectural feature described as a prow.

The applicant has proposed a roof pitches of 6:12, 10:12, 12:12 and a building heights 33 feet, 2 inches, 38 feet, 0 inches and 32 feet, 2 inches meets this requirement. This finding is not applicable to the proposed parking garage.

5. Chapter 33 – Public Service Findings:

a. There is a need for the project.

The transit facility and associated park and ride are identified as needed improvements in the Kingsbury Community Plan and the Environmental Improvement Program.

b. The project complies with the Goals and Policies, applicable plan area statements and Code.

The transit facility will provide alternative transportation methods to the automobile which is consistent with the TRPA Goals and Policies. The plan area (Kingsbury Community Plan) identify the transit facility as needed. The project, as conditioned, will be consistent with the TRPA Code of Ordinances.

c. The project is consistent with the TRPA Environmental Improvement Program.

The transit facility and associated park and ride are included in the TRPA Environmental Improvement Program.
d. The project meets the findings adopted pursuant to Article V(g) of the Compact as set forth in Chapter 6 as they are applicable to the project's service capacity.

See Findings 1a, 1b and 1c, above.

e. If the proposed project is to be located within the boundaries of the community plan area, then, to the extent possible consistent with public health and safety, the project is compatible with the applicable community plan.

The transit facility project is identified as needed in the Kingsbury Community Plan. The project, as conditioned, will be consistent with the requirements of the community plan.

6. Chapter 64 – Grading Findings:

a. A soils/hydrologic report prepared by a qualified professional, whose proposed content and methodology has been reviewed and approved in advance by TRPA, demonstrates that no interference or interception of groundwater will occur as a result of the excavation.

TRPA has approved a Soils/Hydrologic report for this project area. The report allows the applicant to excavate to elevation 6,303.

b. The excavation is designed such that no damage occurs to mature trees, except where tree removal is allowed pursuant to Subsection 65.2.E, including root systems, and hydrologic conditions of the soil. To ensure the protection of vegetation necessary for screening, a special vegetation protection report shall be prepared by a qualified professional identifying measures necessary to ensure damage will not occur as a result of the excavation.

The excavation has been designed to minimize impacts to surrounding vegetation. The majority of the area to be excavated does not contain mature landscaping.

c. Excavated material is disposed of pursuant to Section 64.5 and the project area's natural topography is maintained pursuant to Subparagraph 30.5.A(1).

Any material not utilized within the building footprints, or as approved on the site plan, shall be removed from the project area to a site acceptable to TRPA.
Required Actions: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. A motion based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect.

II. A motion to approve the project, based on the staff summary, subject to the following conditions included in the draft permit.
DRAFT PERMIT

PROJECT DESCRIPTION: Four Commercial Buildings, Transit Facility & Parking Garage

PERMITTEE(S): Carol Nan Mehrtens and Douglas County            FILE # 990431

APN 07-130-03, 05, 20 & 21 (formerly 04 & 06), 07-120-08 & 09

COUNTY/LOCATION: Douglas/Northeast corner of Kingsbury Grade & U.S. Hwy 50

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board
approved the project on July 26, 2000, subject to the standard conditions of approval attached hereto
(Attachment Q) and the special conditions found in this permit.

This permit shall expire on July 26, 2003 without further notice unless the construction has commenced
prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring
concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent
pursuit is defined as completion of the project within the approved construction schedule. The expiration
date shall not be extended unless the project is determined by TRPA to be the subject of legal action
which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY
BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER
AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO
CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF
APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT. IN
ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS
PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND
ACCEPTANCE OF THE CONTENTS OF THE PERMIT AND A TRPA PREGRADING INSPECTION HAS BEEN
CONDUCTED. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

TRPA Executive Director/Designee          Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand
and accept them. I also understand that I am responsible for compliance with all the conditions of the
permit and am responsible for my agents' and employees' compliance with the permit conditions. I also
understand that if the property is sold, I remain liable for the permit conditions until or unless the new
owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also
understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA.
I understand that it is my sole responsibility to obtain any and all required approvals from any other state,
local or federal agencies that may have jurisdiction over this project whether or not they are listed in this
permit.

Signature of Permittee(s) _______________________________    Date ______________
Carol Nan Mehrtens

Signature of Permittee(s) _______________________________    Date ______________
Douglas County

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Air Quality Mitigation Fee: Amount $48,500  Paid __________  Receipt No. __________
Excess Coverage Mitigation Fee: Amount $*  Paid __________  Receipt No. __________
Security Posted: Amount $*  Posted __________  Receipt No. _________  Type __________
Security Administrative Fee: Amount $**  Paid __________  Receipt No. __________

* To be determined.
** $130 if cash security posted, $65 if non-cash security posted, please see Attachment J.

Required plans determined to be in conformance with approval: Date: __________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

_________________________  _________________________
TRPA Executive Director/Designee  Date

SPECIAL CONDITIONS

1. This permit is for the construction of four commercial buildings and a parking garage at the northeast corner of Kingsbury Grade and U.S. Highway 50. This project includes the installation of a transit and park and ride facility and the removal of an existing wedding chapel. The project includes the extension of an existing linear public service access easement.

2. Prior to TRPA final acknowledgement of the permit, the following special conditions of approval must be satisfied:

A. The site plan shall be revised to include the following:

(1) Demonstration that the proposed land coverage calculations are consistent with the TRPA Code of Ordinances, Chapter 20.

(2) Removal of the proposed deck on the Lakeside Professional office building. This shall require separate TRPA review and approval. The land coverage calculations shall be revised accordingly.

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(3) Identification of the sidewalk modification located on the west side of the existing Administrative Building.

(4) Location and details of snow storage areas and appropriate Best Management Practices (BMPs). All snow storage shall demonstrate consistency with the requirements of the Kingsbury Community Plan.

(5) Location and details of all exterior building, parking lot and parking garage lighting. All lighting shall be consistent with the requirements of the Kingsbury Community Plan and shall be the minimum necessary to serve the project. Parking garage lighting shall be recessed so as the light source shall not be visible from either Kingsbury Grade or U.S. Highway 50.

(6) Details of proposed parking barriers located along the perimeters of all landscaped areas adjacent to vehicle parking or circulation shall be provided.

(7) Location and details of all external mechanical equipment and trash facilities. This permit does not authorize the placement of any mechanical equipment on the roof of the buildings. All equipment shall be screened from public view with screening that is effective year-round.

B. The permittee shall submit a $48,500 air quality mitigation fee. This fee is based on the creation of 1,940 additional daily vehicle trip ends (dvte) assessed at $25 per dvte.

C. The permittee shall mitigate the existing excess land coverage within the project area consistent with the requirements of Subsection 20.5.A(3).

D. The security required under Standard Condition 1.2 of Attachment Q shall be determined upon the permittee’s submittal of required Best Management Practices (BMP) plan and related cost estimate. Please see Attachment J, Security Procedures, for appropriate ways to post a security and for calculation of the required Security Administrative Fee.

E. The permittee shall transfer land coverage to the linear public service facility. All transfers shall be in conformance with the TRPA Code of Ordinances. TRPA approval of the amount of land coverage needed for transfer shall be determined prior to any transfers being processed for the site.

F. The permittee shall record a project area deed restriction, documenting the new project area which includes APN 07-130-03, 05, 20 & 21, APN 07-120-08 & 09, and excludes the linear public service easements. TRPA “approval as to form” must be included on the document. Evidence of document recording is required prior to final acknowledgement of the permit.

/kc
7/17/00

AGENDA ITEM NO. X.B

161
G. The permittee shall submit an existing versus natural grade topography for TRPA review and approval. This topography shall include a written methodology of the determined natural grade and shall be prepared by a qualified professional. Any modifications to the methodology may require the proposed project to be revised to be consistent with the TRPA Code of Ordinances. The cross slope across each building site shall also be identified.

H. Details of the proposed retaining walls shall be provided for TRPA review and approval.

I. The permittee shall submit a detailed demolition/grading/revegetation plan for the wedding chapel parcel (APN 07-120-09) for TRPA review and approval.

J. A detailed landscape plan shall be submitted for the entire project area for TRPA review and approval. The landscape plan shall include plant species, sizes and locations and shall include irrigation as necessary. Identification of trees to be relocated from onsite shall be identified. All planting shall be consistent with the requirements of the Kingsbury Community Plan and Chapter 30 of the TRPA Code of Ordinances. Additional “vertical” landscaping shall be added along the west side of Building B to break up the large rock base of the building. A fertilizer management plan in accordance with Subsection 81.7 of the TRPA Code of Ordinances shall also be submitted.

K. The drainage report shall be revised to include the following:

1. Identification of infiltration (versus retention) and treatment of all runoff generated by both parking, driveway and roof runoff for the project area and the linear public easement. Sand/grease/oil pre-treatment shall be included. Soil percolation rates shall be included in the revised calculations. All treatment and infiltration systems shall demonstrate consistency with Chapters 25 and 81 of the TRPA Code of Ordinances.

2. The indicated retention (required to be infiltration) chamber located to the west of the Administrative Center shall be relocated so as to not remove any existing vegetation. Removal of mature vegetation to install a subsurface chamber is not acceptable. Alternatively, the proposed device may be located under the proposed roadway surface.

3. The proposed conveyance facilities shall be identified.

4. The treatment and discharge of some of the Kingsbury Grade runoff as indicated in the Special Projects Commercial Floor Area Allocation recommendation shall be indicated on the submitted plans and shall be included in the treatment calculations. The proposed conveyance system shall be identified.

/kc
7/17/00

AGENDA ITEM NO. X.B

162
(5) A site plan documenting the location of all treatment and infiltration systems, including conveyance details, shall be submitted for TRPA review and approval.

L. The permittee shall submit an Employer-Based Trip Reduction Program consistent with Chapter 97 of the TRPA Code of Ordinances for the entire project area for TRPA review and approval.

M. The permittee shall submit a revised color and material samples for the proposed parking garage. The parking garage shall be darker in color and shall blend, rather than contrast, with the natural surroundings.

N. The floor plan for Building C, which will house the transit facility, shall be revised to allow for access and viewing of transit vehicles from inside the building, facing both U.S. Highway 50 and the internal roadway. Details documenting the inside facilities, such as ticketing, scheduling, seating, lockers, etc., shall be identified.

O. The permittee shall record a deed restriction against the project area documenting the transit facility (public service) floor area of Building C.

P. The permittee shall submit for TRPA review and approval a detailed monitoring plan documenting the availability and utilization of the proposed park and ride spaces. The permittee shall also submit a schedule to TRPA documenting future monitoring of the park and ride use. This schedule shall include reporting dates, parking survey methods and dates of data collection and any other pertinent information as determined by the permittee and identified by the TRPA Transportation Planning staff. This permit acknowledges that 84 spaces within the parking garage shall be reserved for the park and ride component of the project.

Q. The permittee shall demonstrate that the total proposed commercial floor area for the new buildings shall not exceed 42,546 square feet. Calculation of commercial floor area shall be consistent with the requirements outlined in Chapter 33 of the TRPA Code of Ordinances. At this time, the parking garage and the area of the transit facility are the only new structures proposed that do not require commercial floor area. Any proposed public service uses must meet the requirements of Subsection 33.5.C of the TRPA Code of Ordinances.

R. The permittee shall demonstrate that any conditions of land capability man-modified determinations have been completed.

S. The permittee shall demonstrate that the height of Building D is consistent with the requirements of Chapter 22 of the TRPA Code of Ordinances.

T. The permittee shall demonstrate that the proposed parking is consistent with the requirements of the Kingsbury Community Plan.
U. The permittee shall submit a Lot Line Adjustment application for the creation of the new roadways within the project area.

V. The permittee shall submit a Kingsbury Community Plan compliance report demonstrating that all applicable design standards and guidelines are satisfied in the final project design. Design guidelines may be waived for good reason if reviewed and approved by staff, and if requested in writing by the permittee with the report submittal.

W. The permittee shall submit a long-term maintenance and monitoring plan (minimum period of 10 years) to TRPA for review and approval. The monitoring portion of this plan shall include bi-annual sampling of storm water runoff and shall compare the sampling results to the following adopted TRPA surface runoff discharge standards (pursuant to Subsection 81.2.A, TRPA Code).

<table>
<thead>
<tr>
<th>Threshold</th>
<th>Description</th>
<th>Parameter</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>WQ-5</td>
<td>Storm Water</td>
<td>Surface Discharge to water surface</td>
<td>TRPA thresholds:</td>
</tr>
<tr>
<td></td>
<td>Quality</td>
<td></td>
<td>• Dissolved inorganic nitrogen as N: 0.5mg/l</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Dissolved phosphorus as P: 0.1mg/l</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Dissolved iron as Fe: 0.5mg/l</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Grease and oil: 2.0 mg/l</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Suspended sediment: 250 mg/l</td>
</tr>
</tbody>
</table>

Sampling shall occur during the peak spring runoff period and during a summer thunderstorm event (if any). Sampling locations shall be established for the project area and approved by TRPA. Base line data shall be collected during the first year after construction. Pollution concentrations shall meet the above discharge standards, if possible. In no case shall discharge waters be allowed to leave the project area in a worse condition than at the primary discharge point. Reasonable corrective measures based on Best Available Technology (BAT) may be required to improve water quality discharges if the system fails meet any TRPA discharge standard. The long-term maintenance and monitoring plan shall also report on the general effectiveness of approved vegetation used to stabilize on-site soils and improve water quality. By accepting this condition, the permittee agrees to implement any identified correction measures in a timeframe acceptable to TRPA.

X. The permittee shall submit five final sets of plans to TRPA.

3. All utilities within the project area shall be placed underground.
4. This permit does not address signs within the project area. Separate TRPA review and approval of any proposed or relocated signs shall be required.

5. By acceptance of this permit, the permittee agrees to actively participate in the Coordinated Transit System (CTS), which includes providing and operating a CTS kiosk in the identified transit facility. The permittee agrees to maintain the ongoing funding commitment of transit service to the project area pursuant to the provisions of the CTS Participation Agreement executed in Douglas County. Continuation of transit service is essential to the success of transit and park and ride facilities. The transit and park and ride facilities were key elements of staff recommending that this project receive the 32,700 square feet of commercial floor area from the Special Projects Commercial Floor Area Allocation pool. Without the transit and park and ride components, this project would not have received a staff recommendation for the commercial floor area.

6. This permit allocates 32,700 square feet of commercial floor area from the TRPA Special Projects Allocation Pool and 9,846 square feet of commercial floor area from the Kingsbury Community Plan and is limited to that amount. Any excess commercial floor area not needed for the project shall be returned to the TRPA Special Projects Commercial Floor Area Allocation pool.

7. By acceptance of this permit, the permittee agrees to have the permittee's Qualified Profession submit a signed statement to the TRPA Groundwater Technical Advisory Committee (GWTAC) about the subsurface conditions of the completed excavation prior to the foundation installation. Although not expected, if groundwater is intercepted, the permittee shall immediately notify the TRPA GWTAC and the excavation and foundation design shall be immediately revised to not intercept groundwater. The revised depth shall be subject to approval by the GWTAC.

8. Blasting of rocks shall be kept to the absolute minimum to avoid damage to surrounding rocks and vegetation.

9. All excavated materials shall be hauled away from the site to a legally acceptable location. No fills, or recontouring other than that identified on the approved plans, shall be permitted.

10. By acceptance of this permit, the permittee agrees that all mitigation measures outlined in the supplemental reports submitted with the project application, are included as conditions of approval for this permit.
MEMORANDUM

July 14, 2000

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of Water Quality Mitigation Funds in the amount of $148,000 for the Burton Creek Government Center to Placer County.

Proposed Action: Denial of the release of $148,000 in water quality mitigation funds to Placer County for the above mentioned project, since the project constitutes onsite BMP retrofit and is not eligible for the use of water quality mitigation funds (Eligibility memo attached).

Staff Recommendation: Staff recommends denial of the release of the requested funds.

Summary: Placer County requested $148,000 in water quality mitigation funds for the Burton Creek Government Center BMP project as part of a multi-project request in September of 1999. At that time TRPA staff informed Placer County Department of Public Works staff (Ed McCarthy) that approval could not be recommended due to the eligibility basis cited in the proposed action (above), and would have to be handled as a separate item if Placer County wanted to pursue the request. The county agreed to pull the Burton Creek request from the list of projects which was subsequently approved for release of mitigation funds at the October 27, 1999 Governing Board meeting. While the Burton Creek project was on the Placer County five year list of CIP Projects (fall 1998 version), there was no indication that the County was pursuing water quality mitigation funding of the project until fall 1999. On October 22, 1999, another letter was sent by Placer County requesting reconsideration of the denial of this funding request, but County staff informed TRPA staff to withhold the item before the November Governing Board agenda. The County sent another letter on April 14, 2000 requesting an appeal of the staff decision, and consideration by the Governing Board. The eligibility issue was discussed at the May Finance Committee, but the Burton Creek request was not put on the agenda for action. The elements in the attached memo have been the basis of project eligibility determinations for use of mitigation funds, since the adoption of the Regional Plan for the Lake Tahoe Basin. The Burton Creek Government Center BMP Project is not eligible for use of water quality mitigation funds on the basis of being onsite mitigation.

If you have any questions regarding this item please contact Larry Benoit, Associate Planner, at (775) 588-4547.
May 12, 2000

From: Larry F. Benoit, Environmental Improvement Planner

To: TRPA Governing Board; John Marshall; Carl Hasty

C: Jon Paul Kiel; Jerry Wells

Subject: Eligibility for Use of Water Quality Mitigation Funds

Water Quality mitigation fees are collected, or approved mitigation projects are implemented, on new project disturbance or impervious coverage to mitigate “offsite” water quality impacts of that development, therefore these fees are not eligible for use in BMP retrofit (onsite) for previously developed parcels. The TRPA Goals and Policies, Implementation element, Development and Implementation Priorities Subelement; Goal 4, Policy 1.A and 1.B make clear that mitigation projects and dollars need to be spent offsite. Section B states that projects can be offset by “CONTRIBUTING TO A FUND ESTABLISHED BY THE AGENCY FOR IMPLEMENTING OFFSITE EROSION AND RUNOFF CONTROL PROJECTS.” The Water Quality Management Plan for the Lake Tahoe Region, Vol. IV, Capital Improvements Program for Erosion and Runoff Control (page 1), recognizes the special significance of previously developed public rights-of-way. These right-of-way projects and “offsite” SEZ restoration projects are the main types of projects eligible for the use of TRPA Water Quality and SEZ mitigation funds (Chapter 82, Code of Ordinances).

Code Section 82.7 Water Quality Revolving Fund: ...for the purpose of depositing funds received through grants, fines, and voluntary contributions. ...Refers back to section 82.5 for Use and Distribution of Mitigation Funds: Which implies that such funds can only be used for projects to mitigate “offsite” impacts, and not BMP Retrofit on parcels. Such funds must also be used “for expenditure within the jurisdiction of origin”. These expenditures must be consistent with TRPA’s Water Quality Management Plan (i.e. for CIP Projects in the public rights-of-way). The interest amendment added in November 1994 states that “Accrued interest may be used for water quality planning in the Region.” The target of such planning is CIP (now EIP) projects in the public rights-of-way.

Therefore, my evaluation is that: 1) The Placer County Burton Creek BMP is not eligible for Water Quality Mitigation Funds, since it is a BMP Retrofit on a parcel and not a CIP in the public rights-of-way. 2) BMP Retrofit on parcels is not eligible for the use of interest from the Water Quality Mitigation Funds, or other funds covered in TRPA code section 82.7 since BMP retrofit on parcels does not meet the Use and Distribution Requirements of code section 82.5.

The “Proposed Water and Air Quality Mitigation Funds Policy Regarding Priority Project Lists”, I believe from the September 1994 Capital Finance Committee, reiterates these use and distribution requirements (see Item XII. A. 2).
June 30, 2000

Gordon Barret
Tahoe Regional Planning Agency
P. O. Box 1038
Zephyr Cove, NV 89448

Re: Use of Mitigation Fees for Burton Creek Government Center

Dear Gabby:

I need your help with an issue that has been unresolved for many months. In September 1999 we sent a request to TRPA for use of mitigation funds on five County projects. One of those projects was for the installation of BMP's at our Burton Creek Government Center near Lake Forest. For that project we requested $148,000 from our Water Quality Mitigation Fund account.

In October, we were asked by your staff to remove Burton Creek from our request, as staff did not support the use of mitigation funds, and our failure to remove it would jeopardize the remaining project funding requests. We submitted a revised request on October 14, 1999, indicating our desire to appeal staff's decision on the Burton Creek Project. On October 22, we sent another letter (Attachment 1), requesting reconsideration of the denial of these funds.

No written response to our letter was ever received, and on April 14, 2000 we sent another letter (Attachment 2) appealing staff's denial of our request. To date, we still have no written response, and thus, do not know where we stand with respect to access to these funds, or the appeal process.

The construction contract for the Burton Creek project was awarded shortly after our original funding request in September. Based upon discussions with TRPA staff we were confident that the mitigation funds could be used; this funding covers nearly half of the construction cost. We now find ourselves in a bind with regard to completing the project construction with a funding deficiency of $148,000.

Please help us resolve this matter quickly. If we cannot get staff support for use of these mitigation funds, then we would like this matter scheduled on a TRPA Board agenda for resolution. We appreciate your support and assistance.

Should you have any questions, please call me at (530) 889-7524.

Sincerely,

County of Placer
Department of Public Works
T. D. Hackworth, Acting Director

[Signature]
Robert Costa
Engineering Manager

Attachments

cc: Grayson Marshall
Larry Seivison

Auburn: 11444 B Avenue / DeWitt Center / Auburn, California 95603-2603 / (530) 889-7500 / Fax (530) 889-7544
Tahoe: 565 West Lake Blvd. / P.O. Box 1909 / Tahoe City, California 96145-1909 / (530) 581-6227 / Fax (530) 581-6228
Internet Address: http://www.placer.ca.gov
April 14, 2000

Larry Benoit
Tahoe Regional Planning Agency
P. O. Box 1038
Zephyr Cove, NV 89448-1038

Re: Use of Mitigation fees for Burton Creek Government Center

On August 12, 1999 we sent a written request to your agency for $148,000 from the Water Quality Mitigation Fee account for our BMP installation project at the Burton Creek Government Center. I am not aware of any written response to that request, but have been informed that the request was denied. This was confirmed in our recent discussions at the CTC offices, wherein you indicated that BMP installation is a property owner responsibility and is not eligible for mitigation funds.

We wish to appeal the decision to deny use of these funds for the Burton Creek project. The basis for this appeal is our interpretation of Chapter 82 of the TRPA Code of Ordinances. Section 82.5 provides that "TRPA shall...disburse funds to the local jurisdictions, upon their request...provided TRPA finds that the expenditure is consistent with TRPA’s Water Quality Management Plan." The Water Quality Management Plan, Section IV A.2, describes the need for installation of BMP’s "...to control runoff from...existing urban uses...[including] public service." In this respect, we feel that our request complies with these requirements.

Since you also mentioned the BMP retrofit requirements affecting property owners, we looked at the "TRPA Goals and Policies" document for anything that indicates ineligibility for mitigation funds. Goal #1, Policy 2 clearly includes reference to BMP requirements for Public Service facilities, but we could not locate any reference to mitigation fees. Unless we have missed something in our reading of this document, we fail to see any applicable prohibitions or exclusions that prevent use of mitigation funds.

If your decision is to continue denial of our request, we ask that you do so in writing explaining the specific reasons for that action. In that instance, we also request that you identify for our benefit all applicable codes, regulations, laws, policies, etc. that support your position.

Should you have any questions or need additional information, please call me at (530) 889-7524.

Sincerely,

County of Placer
Department of Public Works
T. D. Hackworth, Acting Director

Robert Costa
Engineering Manager

d:\data\burton creek\mitigation fees trpa.doc
October 22, 1999

Mr. Larry Benoit
TAHOE REGIONAL PLANNING AGENCY
P. O. Box 1038
Zephyr Cove, NV 89448

Re: BURTON CREEK BMP RETROFIT PROJECT

Dear Larry:

On September 1, 1999, this office submitted a request for disbursement of Water Quality Mitigation Funds for a number of ongoing erosion control projects. One of the projects included on this list is the Burton Creek BMP Retrofit Project. Per our conversation on October 8th, you indicated that your office does not believe this project is eligible for Water Quality Mitigation Funds. We would like to request TRPA reconsider our request for this important project.

This particular project is to retrofit the existing stormwater collection system at Burton Creek Government Center to bring surface water discharge into compliance with current stormwater discharge standards. The Burton Creek Site is currently under a Board Order 6-95-17 (WDID 6A318801007) by the CA Regional Water Quality Control Board to upgrade the surface stormwater runoff collection and treatment facilities to bring the facility into compliance. This project is a direct result of the RWQCB action. There are no improvements related to the government center incorporated in this project other than the surface water runoff retrofit work. Stormwater runoff from this site directly discharges into the Burton Creek SEZ Meadow, thence to Lake Tahoe. The improvements being constructed will trap sediment and reduce nutrient levels in the stormwater runoff leaving the site.

Based on our understanding of the current mitigation fund use policy, we believe the project meets the requirements. The project meets the criteria of paragraphs 1, 2, 6 & 7 of the policy. (See enclosed sheet). Although the project is not a linear facility, it is a public facility which serves the population base in the Placer County portion of the Lake Tahoe Basin. The stormwater BMP improvements proposed on this project are those normally considered eligible for funding in other projects previously funded. This project’s purpose is to retrofit the facility to bring the drainage facilities up to current standards.
In addition to the discussion on the previous page, we believe the project should be considered eligible for Water Quality Mitigation Funds for the following specific reasons:

1. The purpose of the project is to install stormwater BMP improvements and bring this public facility into compliance with current stormwater discharge requirements. (1,2)

2. Not constructing these improvements could have a significant negative effect on the County's use of the site, particularly if the County is precluded from using the site as a maintenance facility or if maintenance operations are restricted due to an outdated stormwater collection and discharges system. (Impact on Item 4 / Higher M&O Cost)

3. The funding requested is approximately 50% of the construction of Phase II improvements, which will be matched with local funds. Funding for Phases I & III are to be funded by local or other sources. No funding is to be used on design or administration activities. Total cost of the entire project is estimated to be $600,000. There is a very sizable local commitment to complete this project. Water Quality Mitigation Funds are a very important part of the financing of this work. (6,7)

4. Improvements include upgrading of drainage along Burton Creek Drive, which is a County Maintained Road (W6058). (2)

5. The project is listed in the Placer County Five (5) Year Plan. In addition, the Placer County Board of Supervisors approved the proposed use of these funds for this project on March 24, 1998. Both documents have been previously submitted to your office.

6. The project is included in the Lake Forest Area identified in the CA Tahoe Conservancy 1987 Report titled “A Report on Soil Erosion Control Needs And Projects in the Tahoe Basin.” In addition, the proposed improvements appear to be consistent with PA 006 “Fish Hatchery as described in your agency’s 1998 Water Quality Management Plan and Plan Area Statements. (1,2)
Based on the above information, we believe this project should be considered eligible for Water Quality Mitigation Funds. We respectively request reconsideration of our request to obtain $148,000 in Water Quality Mitigation Funds for this important project.

In the event that this request for reconsideration is unsuccessful, it would be appreciated if you could outline the appeal procedure for this matter. This project has been bid and is currently under construction based on a financing program that included the TRPA WQ Mitigation Funds. We need to resolve this issue at the earliest possible date. If there are questions regarding this matter, please call me at (530) 889-7586.

Sincerely,

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
JAN WITTER, DIRECTOR

Edward G. McCarthy
Sr. Civil Engineer

cc: Bob Costa, DPW
Grayson Marshall, CEO
Carl Hasty, TRPA
MEMORANDUM

July 14, 2000

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of Water Quality Mitigation Funds in the amount of $138,000 for water quality maintenance to Placer County.

Proposed Action: Denial of the release of $138,000 in water quality mitigation funds to Placer County for the above request, until such time as the conditions outlined below are met.

Staff Recommendation: Staff recommends denial of the release of the requested funds, and encourages Placer County to meet the conditions outlined below to allow approval of future requests for water quality maintenance funds from the water quality mitigation account.

Summary: In December 1999 Placer County requested the use of 10% of their balance of water quality mitigation funds for maintenance of past erosion control projects. In my January 19, 2000 letter to Placer County (attached), I pointed out that the County’s request exceeded or otherwise did not meet the established criteria for such allocations. The criteria (included in the "Proposed Water and Air Quality Mitigation Funds Policy Regarding Priority Project List") were developed based on local jurisdictions signing a Memorandum of Understanding with TRPA for Mitigation Fund Administration (MOU), which Placer County has not signed. The County has indicated a willingness to consider the MOU, with updates such as reference to the Environmental Improvement Program where the earlier draft references only the 208 Plan.

The basic conditions the County would need to meet other than signing the MOU would be:

1) To update the five year project list on an annual basis, including anticipated project funding sources such as water quality mitigation funds.

2) Make the 10% maintenance request as part of an annual project request for water quality and SEZ mitigation funds.

At this time Placer County’s request for maintenance funds (attached) includes multiple years of water quality fund releases, and does not accurately reflect the releases for those years. The amount listed for 1998 was actually released in 1997, and the remainder of the amounts were released in 1999. It is recommended that all jurisdictions use the June Mitigation Fund balance (usually available at the July Governing Board meeting) for annual updates of project funding and projections, and as the basis of annual mitigation fund requests.

Staff recommends denial of the Placer County maintenance request for water quality mitigation funds until the above conditions are met.

If you have any questions regarding this item please contact Larry Benoit, Associate Planner, at (775) 588-4547.
January 19, 2000

Placer County Department of Public Works  
Attn: John P. Weber  
11444 B Avenue, DeWitt Center  
Auburn, CA 95603

Dear Mr. Weber:

WQ MITIGATION Maintenance Funds: Reference your letter of December 2, 1999

I have given a copy of your letter to Jim Allison for response on Air Quality issues. As stated in item 4, of the Proposed Water and Air Quality Mitigation Funds Policy..., the use of water quality mitigation funds for maintenance has been limited to 10% of the annual sum of water quality funds transferred to the jurisdiction.

In the case of El Dorado County, an annual water quality mitigation fund request is made including the 10% water quality maintenance request. Thus that 10% maintenance request is approved by the TRPA Governing Board as part of the annual request, and dispersed to the county. El Dorado County signed a memorandum of Understanding (MOU) with TRPA for Mitigation Fund Administration, which includes the annual request for mitigation funding, maintenance funding, and five year project list with mitigation allocation to projects. A very similar draft MOU (copy enclosed) was provided to Placer County in 1994, but was never signed off. If Placer County were willing to sign such an MOU at this time, it would need to be updated relative to the Environmental Improvement Program (at least in reference). Although Placer County has been providing five year project list for a few years now, project funding has not been itemized for proposed mitigation request by project, or requested as an annual water quality fund release.

There is no precedent for use of SEZ mitigation funds for maintenance, and by the nature of these projects there should be little requirement for annual maintenance as in the case of water quality facilities. There is no precedent for water quality maintenance funding other than as 10% of an annual water quality allocation request in the context of a signed MOU with TRPA (not including prior years, separate maintenance accounts). The intent of the 10% maintenance funding was to enhance annual water quality maintenance, not to reimburse for prior years maintenance activities. I think our best approach would be through the MOU process with mutually agreed conditions.

Sincerely,

Larry F. Benoit  
Environmental Improvement Planner

Cc: Bob Costa  
Carl Hasty
June 30, 2000

Larry Benoit  
Tahoe Regional Planning Agency  
P. O. Box 1038  
Zephyr Cove, NV 89448

Re: Request for Mitigation Funds for Project maintenance

On December 2, 1999 we sent you a letter requesting approval for the use of mitigation funds collected on our behalf by TRPA for maintenance of previously constructed erosion control projects. Based upon your reply of January 19, 2000, we revised our request to more closely conform to your agency’s “guidelines”. A copy of our revised request, dated April 12, 2000, is attached for your reference.

To date, we have not received a response to this request. From our recent discussions, it appears that the issue holding up a response or further action on our request is the lack of an executed MOU between Placer County and TRPA. Please note that our letter indicates our willingness to consider the MOU, updated to reflect your current desires, but that can’t be accomplished until you provide us with that updated document.

We previously requested that the issue of mitigation funds for maintenance be presented to your Board as quickly as possible, independent of the MOU. It is this time of the year that the maintenance activities must be performed, thus the funding is critical. Does TRPA staff intend to agendize this matter for Board consideration, or will we be required to adopt an MOU before we can access these funds? If the latter, when can we expect an updated draft MOU for consideration?

Please advise us as to the status of our request for funds. Should you have any questions, please call me at (530) 889-7524.

Sincerely,

County of Placer  
Department of Public Works  
T. D. Hackworth, Acting Director

Robert Costa  
Engineering Manager

cc: Tim Hackworth  
    Carl Hasty  
    Larry Sevison  
    Gordon Barret  
    Grayson Marshall
April 12, 2000

Larry Benoit
TRPA
P.O. Box 1038
Zephyr Cove, NV 89448

SUBJECT: UTILIZATION OF MAINTENANCE MONIES FROM TRPA MITIGATION FUNDS

Dear Larry,

In your letter of January 19, 2000, you rejected our prior request for maintenance funds on the basis that the request was for more than 10% of the annual sum of water quality funds transferred to the jurisdiction (Placer County). As a result of recent discussions between you, Bob Costa and Tim Hackworth of our department, we have reviewed our files and find TRPA approval for Placer County's use of Water Quality Mitigation funds to total $1,380,000. This total derives from the following projects:

1998: Tahoe City UIP $500,000
1999: Snow Creek $100,000
             Kings Beach $185,000
             Lake Tahoe Park $175,000
             McKinney Rubicon $ 20,000
2000: Tahoe City UIP $400,000

We are interested in establishing a maintenance account, beginning with 10% of the amount approved by TRPA for the projects listed above. We request these monies be forwarded to Placer County DPW for that purpose, as soon as you can obtain approval from your Governing Board.

Your letter also discusses the MOU signed by other jurisdictions as a preferred mechanism for administration of future capital and maintenance funding requests. We are certainly willing to reconsider an updated MOU, but feel this request should be processed separately because of the additional time required to get that document in place. We wish to have access to maintenance funds as soon as possible, since we must begin these maintenance efforts in the very near future.
Larry Benoit
April 12, 2000

Page 2

If you have any questions, please don’t hesitate to call me at (530) 889-7564.

Sincerely,

COUNTY OF PLACER
DEPARTMENT OF PUBLIC WORKS
TIM HACKWORTH, ACTING DIRECTOR

[Signature]

JOHN P. WEBER
RIGHT-OF-WAY AGENT

cc  Bob Costa
MEMORANDUM

July 18, 2000

To: TRPA Governing Board

From: TRPA Staff

Subject: Status Report on Project Applications

**Project Review Applications:** The following applications are currently under review by the Project Review Division and have been complete for more than 120 days:

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<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date</th>
<th>Complete</th>
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</thead>
<tbody>
<tr>
<td>122-162-09/WA</td>
<td>Lowe</td>
<td>Boat ramp/pier conversion</td>
<td>12-30-99</td>
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This project involves the conversion of a boat ramp to a pier, which is not addressed clearly by the TRPA Code. Staff scheduled this project to be reviewed by the Governing Board in June. The project was continued to the July Governing Board meeting.

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<th>APN/County</th>
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</thead>
<tbody>
<tr>
<td>85-180-09/PL</td>
<td>Shea</td>
<td>Secondary residence</td>
<td>01-10-00</td>
<td></td>
</tr>
</tbody>
</table>

This project required notice to surrounding property owners. During the notice period, staff received comments from an adjacent property owner expressing concern about the project. Staff has recently been informed that the owners are working on redesigning the project to address the neighbor’s concerns.

<table>
<thead>
<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>05-090-28/PL</td>
<td>Peak Trust</td>
<td>Lot Line Adjustment</td>
<td>1-19-00</td>
<td></td>
</tr>
</tbody>
</table>

The applicant has requested that the application be put on hold until issues associated with a related project are resolved.

<table>
<thead>
<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>92-142-02/PL</td>
<td>Lombardi</td>
<td>Pier expansion</td>
<td>1-21-00</td>
<td></td>
</tr>
</tbody>
</table>

This project is scheduled for consideration at the July Governing Board.

<table>
<thead>
<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date</th>
<th>Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-130-03/DG</td>
<td>Martin</td>
<td>SFD Addition</td>
<td>3-3-00</td>
<td></td>
</tr>
</tbody>
</table>

This project proposed land coverage in excess of the allowable land coverage for the property. The project plans were recently revised to be in conformance with the land coverage allowance and staff anticipates taking action on this project within the next three to four weeks.
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July 18, 2000
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05-051-17/DG  Parker/Sprock Pier Expansion  3-20-00
This project has unresolved issues related to navigation. Staff is working with the
Nevada Division of State Lands to resolve the issue and anticipates scheduling this item
for the August Governing Board meeting.

117-100-01  North Tahoe Hebrew New Church Congregation
This project is scheduled for the July Governing Board meeting.

Because of staffing issues and high seasonal workload, the following projects will
exceed beyond 120 days. Staff anticipates taking action on a majority of these
projects in the next 30 days and will continue to make the remaining projects a
priority.

<table>
<thead>
<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date Complete</th>
</tr>
</thead>
<tbody>
<tr>
<td>123-055-01/WA</td>
<td>Crystal Bay</td>
<td>Land Cov. Transfer</td>
<td>1-18-00</td>
</tr>
<tr>
<td>98-170-03/PL</td>
<td>Banatao</td>
<td>SFD Addition</td>
<td>1-31-00</td>
</tr>
<tr>
<td>07-256-05/DG</td>
<td>Devito</td>
<td>SFD Addition</td>
<td>2-15-00</td>
</tr>
<tr>
<td>32-211-14/EL</td>
<td>Upton</td>
<td>Multi-Family Rebuild</td>
<td>2-17-00</td>
</tr>
<tr>
<td>03-060-01/DG</td>
<td>Witzel</td>
<td>New Single Family</td>
<td>3-13-00</td>
</tr>
<tr>
<td>01-080-03/DG</td>
<td>Shoen</td>
<td>SFD Addition</td>
<td>3-15-00</td>
</tr>
<tr>
<td>122-2521-05/WA</td>
<td>Walcheck</td>
<td>New Pier</td>
<td>3-16-00</td>
</tr>
<tr>
<td>90-121-26/PL</td>
<td>Stoker</td>
<td>Unit of Use Verification</td>
<td>3-16-00</td>
</tr>
<tr>
<td>117-100-01/PL</td>
<td>Grossman</td>
<td>Boundary Line Adjust.</td>
<td>3-16-00</td>
</tr>
<tr>
<td>90-420-08/PL</td>
<td>Brockway</td>
<td>New SFD</td>
<td>3-03-00</td>
</tr>
<tr>
<td>33-050-20/CSLT</td>
<td>City of SLT</td>
<td>Modification at Airport</td>
<td>3-20-00</td>
</tr>
<tr>
<td>33-223-04/EL</td>
<td>McCarthy</td>
<td>Coverage Verification</td>
<td>4-20-00</td>
</tr>
<tr>
<td>117-072-14/PL</td>
<td>CA Tahoe</td>
<td>TAU Transfer</td>
<td>3-06-00</td>
</tr>
<tr>
<td>03-242-04/DG</td>
<td>Callahan</td>
<td>SFDA</td>
<td>3-13-00</td>
</tr>
<tr>
<td>11-222-05/DG</td>
<td>Marlow</td>
<td>SFDA</td>
<td>3-13-00</td>
</tr>
<tr>
<td>27-010-12/DG</td>
<td>Villa Del Mar</td>
<td>CFA Banking</td>
<td>3-16-00</td>
</tr>
<tr>
<td>94-090-08/PL</td>
<td>Tahoe Yacht</td>
<td>Commercial Mod.</td>
<td>3-16-00</td>
</tr>
</tbody>
</table>

**Land Capability and IPES Applications:** The following applications are currently
under review by the Long Range Planning Division and have been complete for more
than 120 days:

<table>
<thead>
<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date Site Visited</th>
</tr>
</thead>
<tbody>
<tr>
<td>028-082-01</td>
<td>David Gardner</td>
<td>New IPES</td>
<td>06/30/2000</td>
</tr>
<tr>
<td>028-082-02</td>
<td>David Gardner</td>
<td>New IPES</td>
<td>06/30/2000</td>
</tr>
<tr>
<td>028-082-03</td>
<td>David Gardner</td>
<td>New IPES</td>
<td>06/30/2000</td>
</tr>
</tbody>
</table>

The field work on these applications has been completed, but the score cannot be
generated due to the Database Conversion currently taking place which is expected to
be completed within 30 days.

/np
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<table>
<thead>
<tr>
<th>APN/County</th>
<th>Applicant</th>
<th>Application Type</th>
<th>Date Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>117-110-57</td>
<td>Kaufman Planning</td>
<td>LCV/Backshore</td>
<td>03/16/2000</td>
</tr>
</tbody>
</table>

A contract for the necessary fieldwork has recently been executed and staff work is expected to be completed by 08/01/2000.

**Compliance Division:** There are no applications that will exceed a review time of 120 days.