I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER AND DETERMINATION OF QUORUM

Governing Board Chair Ms. Motamedi called the meeting to order at 9:30 a.m.

Members Present:

Ms. Aldean, Mr. Biaggi, Mr. Kranz, Mr. Galloway, Ms. McDermid, Mr. Merrill, Ms. Thomas for Mr. Miller, Ms. Motamedi, Mr. Ruthe, Ms. Santiago, Mr. Swobe, Mr. Waldie, Mr. Weber, Mr. Yount

Absent: Ms. Bresnick

Mr. Biaggi left the meeting at 12:00 p.m.
Ms. Santiago left the meeting at 1:00 p.m.
Mr. Kranz left the meeting at 3:00 p.m.

III. PUBLIC INTEREST COMMENTS

Drew Briner, McKenny Bay Improvement Association, passed out a brochure of a house that is being proposed to be built in Tahoma. The issue is whether the bulk and mass of this property is appropriate for the site. This will be coming to the Board for review and approval.

Ralph Pier, President of the McKenny Bay Improvement Association, stated that they care about their neighborhood and the lake and see this proposed building in Tahoma as something that would be inappropriate for the neighborhood and its character.

Jerry Denzes, representing the King Beach Business and Citizens Alliance, stated that the Kings Beach Commercial Core Project is being supported by the alliance for the “four lane” option in Kings Beach.

Governing Board Member Kranz stated that currently there is no consensus of the community on which option the majority supports, and suggests that the community get together and come to a consensus on which option they prefer.
David McClure, Board Member of the North Tahoe Citizens Action Alliance and the current President of the Kings Beach Business and Citizens Alliance, stated that he mailed to each of the Board members their letter of response to the consensus meeting in May, 2007 that Placer County held, where there were serious conflicts of interest during the workshops. The traffic consultant that did the analysis for the EIR for this project recommended to North Tahoe Business Association (NTBA) that they choose the 4-lane alternative with all the enhancements. That is what the alliance wants to see as the chosen alternative.

John Bervid stated that his family has been in the Kings Beach area since the 1920s and is more concerned about the lack of safety of the public in the roundabouts.

Randy Williams, retired North Lake Tahoe Fire Fighter, stated that the data shows that fires are getting more prevalent in the Basin and his concern is that Highway 267 in Kings Beach is a major evacuation route for the north end of the lake. If Incline Village were to have a major fire, this would be the route that would be used to evacuate residents. He supports the four lane alternative because of this fire evacuation route concern.

Abel Villagomez stated that he supports the four lane alternative, as this will keep the main traffic off the back streets where children play.

Jeff Prichard, representing Jason’s Restaurant, stated that they support the four lane alternative, as they rely on street parking for their patrons.

Dick Leon stated that he supports the four lane alternative.

Sue Daniels, realtor, stated she represents a couple of buyers at the Sunset Pines development. The Board asked Mr. Bertagnoli who owns the property, to resolve issues with the neighbors and try to keep open space as much as possible that would meet fire safety standards. As of last week, there was a meeting with the neighbors, the fire district and the California Tahoe Conservancy who has agreed to buy the majority portion of the subdivision and retire this large area of land. The road will also be widened to accommodate safety vehicles. They are very excited with the progress of this project.

Dick Trosson, Chairman of the Fire Safe Council in Tyrolian Village, stated that the article that “TRPA Sets the Record Straight” regarding tree removal and forest reduction is all true. He has been involved in removing trees for many years. There is a need to keep this going from year to year and they have worked closely with TRPA to mark trees for removal in their area. He will be distributing this article at their Board meeting to keep people informed on this important subject.

IV. APPROVAL OF AGENDA

Executive Director Singlaub stated that there were no changes to the agenda.

Mr. Galloway moved approval.

Motion carried unanimously.
V. APPROVAL OF MINUTES

Ms. Aldean moved approval with amendments.

Motion carried unanimously.

VI. CONSENT CALENDAR (see Consent Calendar agenda below, for specific items)

Mr. Merrill moved to continue Item No. 1, acceptance of June & July 2007 Monthly Financial Statement until next month.

Motion carried unanimously.

VII. GOVERNING BOARD MEMBER REPORTS

Mr. Kranz passed out to the Executive Director and the Board members, a letter regarding the Angora Fire and North Tahoe Washoe Fire and believes that we need to act now to avoid any more catastrophic wildfires. His recommendations are: 1) allow the use of environmentally sensitive equipment to clean out the thick growth on the ground, 2) enforcement of the California Public Resource Code Section 4291, as we cannot allow flammable materials close to homes, and 3) allow homeowners to remove with a permit dead trees and small trees greater than the current permit rule of six inches. Public safety needs to come first.

Ms. McDermid stated in Douglas County, they have had three fires since the last Governing Board meeting. Because the homeowners had done defensible space, their structures did not burn. They are also looking at an ordinance where property owners interface with public lands, initiating an ordinance where property owner’s must maintain defensible space. Also a concern is two fires happening here in the Basin at the same time. How do you quickly put out both of these fires? We have to assess how defensible space is required and how we can, in areas where we need to do fuel reductions, begin.

Mr. Swobe stated that he has been to nine of the ten Tahoe Forums, and this one was the very best that he has ever attended. The fact that the Senators were so well informed and actually toured some of the areas really impressed him.

Ms. Santiago stated with regards to the debris removal program at the site of the Angora fire, as of yesterday, they have 100% participation in the program. One week earlier than planned, all the debris will be removed from the entire site. Seven sites are currently ready for construction. Established as a model, the collaboration with participating agencies can be used to resolve all kinds of issues that we are facing in the Basin.

Mr. Merrill stated that he is concerned about another catastrophic threat that we have in the Basin, which involves invasive species. The ones that haven’t invaded Lake Tahoe are the ones that are the most immediate threat, in particular, the Quagga and Zebra Mussels. We need to look at what we can do to prevent this kind of threat, which could have as potentially environmentally damaging affect on Lake Tahoe, and
is irreversible. When these mussels get into Lake Tahoe, they are in the entire lake and at that point there is nothing we can do to remove them. He would like to encourage the Board to ask the question now, what more could we have done to protect against this threat? He would like a report as soon as possible on any TRPA regulations that may be standing in the way of programs to deal with this kind of threat.

Mr. Galloway stated that he supports Mr. Kranz and wants to request an agenda item by October that amends our Code to make it clear that in no way does the TRPA Code prohibit actions required by California Public Resource Code 4291 or any equivalent regulations in Nevada existing or future. He also requests an agenda item by October for direction on a future ordinance change to allow a greater flexibility of properties in the urban areas to remove, without a permit, dead trees and small trees greater than the current permit rule, with options brought forth by Staff.

Ms. Motamedi stated that she appreciates Mr. Kranz’s letter, as she had been meeting with fire districts before the Washoe Fire occurred. She thinks that the partnerships are great and we also need to do the same thing with TRPA waiving fees and working as closely as we can to get the properties fast tracked for rebuilding. An issue that came up during these discussions was with small local water purveyors. Her fear is that if there was a fire, the small purveyors would not be able to provide ample water. Our Code and the State regulations should be made consistent. One item that should also be looked at is giving the stronger MOUs back to the local fire districts, as well as exempt coverage for emergency turnouts that may be required. She is also concerned about the Zebra Mussel and the Milfoil issues. She has concerns about the Truckee River and river rafting from Tahoe City to River Ranch, which is in our jurisdiction. People are bringing their private rafts from the Lake to the River and she wonders if that is bringing things from the rafts to the lake that we should be concerned about. People are also dragging their rafts through restoration areas up to the highway, which could also be damaging the restoration area.

Ms. Aldean stated that the Board should be cautious about implementing new restrictions until we have an understanding of the behavioral patterns of these invasive species. She is concerned that we may be giving TRPA new direction and new tasks to complete and we have enough on our plate. She wants to caution everyone on extending these boundaries even further. In respect to the California Public Resource Code, she would like to see a copy as she is not familiar with it. If this Code has merit, then we should implement it Basin-wide by amending TRPA’s Code rather than making it not apply in Nevada. Otherwise, the public will be confused.

Mr. Weber stated he thought the goal for the Agency was to not stand in the way regarding forest fuels reduction based on our regulations. He will be supporting Mr. Swobe’s Resolution.

VIII. REPORTS

A. Executive Director Status Report
Executive Director Singlaub gave the Executive Directors’ report. Under the Regional Plan Update, the Community Enhancement Program is out on the streets and getting a lot of interest. Placer County has stepped forward and the other jurisdictions are moving toward supporting this as well. We will be agendizing the Thresholds as a starting point for the Regional Plan update in September. We have been working with the conservation community on some of their concerns related to these Thresholds.

In terms of Forest Fuels Management, a copy of a memo has been handed out to the Board approving the formation of the TRPA Fire and Fuels Planning Team. There is a list of issues that will be addressed, including some of the issues that have been raised today, including SEZs, 6” diameter limit, Chapter 71 and so on. Those are issues we are working on currently and will not be waiting for the Blue Ribbon Commission’s recommendation.

Yesterday, we signed a Memorandum of Understanding with the City of South Lake Tahoe. They are the last fire district in the Basin to implement an MOU with TRPA. The Blue Ribbon Commission will meet on September 10, 2007. This meeting will include setting the agenda for future meetings, how they will meet their deadline of next March and what topics will be addressed. An additional $10M has been allocated in Round 8 of the Southern Nevada Public Land Management Act for forest fuels, which is very positive.

The Operations Committee has recommended that there is a standing agenda item that identifies what the Agency Work Program priorities are for the coming month. The number one priority is the Forest Fuels Reduction Program and working with the Blue Ribbon Fire Commission. We are trying to keep the Regional Plan Update on course which is our number two priority. Number three is the Invasive Aquatic Species Eradication Program where an additional item approved in Round 8 was $400,000 in funding for the Corp of Engineers, the Forest Service and the Fish & Wildlife Service to assist with the Aquatic Invasive Species Management Program. The emergency declaration that the Board made facilitated our ability to access up to a million dollars of Corp of Engineers matching money for this program. This will be agendized for further discussion at next month’s meeting. Number four is Updating the Environmental Improvement Program, which will be part of our Regional Plan Update. Number five is Shorezone, which includes meeting with the Nevada Legislators. We are preparing a revised Chapter 2 to reflect their discussions and to continue further review. Number six is Project Review, where we have made the same offer to the Washoe Fire victims as we did for the Angora Fire victims. We are working with Placer
B. Legal Division Status Report

Assistant Legal Counsel, Nicole Rinke gave an update of pending litigation regarding McNeil vs. TRPA, which is a suit over the Cal Neva renovations that were approved by the Board. Oral argument is scheduled for October 4th in Reno, Nevada.

IX. RESOLUTIONS

A. Resolution for the Creation of a Committee of the TRPA Governing Board to Avoid Catastrophic Wildfires in the Lake Tahoe Basin

Mr. Swobe presented the resolution to form a Catastrophic Wildfire Committee of Governing Board members.

Mr. Swobe moved approval of the resolution.

Motion carried unanimously.

The Board voted on the membership of the Committee and was unanimously approved.

The Committee members are as follows: Mr. Swobe, Mr. Galloway, Mr. Kranz, Ms. McDermid, Ms. Santiago, Mr. Weber and Mr. Merrill.

X. PROJECT REVIEW

A. Linda Haldan Pascotto, Pier Rebuild/Expansion, 1186 Highway 50, Douglas County, Nevada, Assessor’s Parcel Number, 1418-34-301-003, TRPA File No. 20070099

Staff member Gretchen Gibson stated that there are four pieces of correspondence from the public that have been handed out. The correspondence has to do with a legal matter related to the delineation of property lines. Staff does not feel that this matter is relevant to the pier project.

Executive Singlaub stated that a request has been made that this item not be considered at this time, pending a resolution of this litigation. Staff’s recommendation is that we go forward today with the project.

Kirk Ledbetter stated that he filed a letter regarding this unresolved boundary issue. He feels that this could impact this pier project as it references access to the shorezone area.

Ron Alling, representing the applicant, stated that this discussion is about the applicant’s breakwater and pier which are located on the South side of her property. Mr. Ledbetter is talking about the Gross/Ledbetter breakwater which is on the North side of the property, which encroaches onto the Pascotto property.
This is not tied to or connected with in any way to the project that is before the Board.

Earl Hagadorn, civil engineer, stated that he prepared the pier plan and clarified that this proposed pier is over 125 feet from the breakwater that Mr. Ledbetter is referring to.

Mr. Galloway moved to deny the request for a continuance and proceed with the project.

Motion carried unanimously.

Staff member Gretchen Gibson presented the pier rebuild/expansion project.

Ms. McDermid moved to make the findings of no significant effect.

Motion carried.

Yes votes: Ms. Aldean, Mr. Galloway, Mr. Kranz, Ms. Thomas, Mr. Ruthe, Mr. Merrill, Ms. Motamedi, Mr. Weber, Ms. McDermid, Mr. Swobe

No Votes: Mr. Waldie

Absent: Mr. Biaggi, Ms. Santiago

Ms. McDermid moved approval of the project with amendment to paragraph 3J regarding monitoring, the revision that included the 12,000 pound boat lift and adding a permit condition that any existing unauthorized buoys not permitted by any agency shall be removed.

Motion carried.

Yes votes: Ms. Aldean, Mr. Galloway, Mr. Kranz, Ms. Thomas, Mr. Ruthe, Mr. Merrill, Ms. Motamedi, Mr. Weber, Ms. McDermid, Mr. Swobe

No Votes: Mr. Waldie

Absent: Mr. Biaggi, Ms. Santiago

XI. APPEAL

A. Appeal of Executive Director Administrative Determination, Kevin Lane, Inspiration Drive, Zephyr Heights, Douglas County, Nevada, APN 1318-10-413-010, TRPA File No. 20062004

Assistant Legal Counsel, Nicole Rinke, presented the appeal.

Kara Thiel, representing the applicant, presented additional pictures and information on the appeal.

Kevin Lane, applicant, presented additional information and addressed
questions from the Board on the appeal.

Mr. Waldie moved to approve the appeal.

Motion failed.

Yes Votes: Ms. McDermid, Mr. Swobe, Mr. Waldie, Mr. Weber

No Votes: Ms. Aldean, Mr. Galloway, Ms. Thomas, Mr. Ruthe, Mr. Merrill, Ms. Motamedi

Absent: Mr. Biaggi, Ms. Santiago, Mr. Kranz

XII. ADMINISTRATIVE MATTERS

A. Governing Board Meeting Broadcast Options

Staff members Julie Regan, Jim Brockett and Kevin Etter presented options for broadcasting future Governing Board meetings.

The Board directed Staff to further investigate the cost to do the audio portion initially and phase in the video portion of the process in the future when funding is available.

XIII. COMMITTEE REPORTS

A. Public Outreach Committee – no additional report

XV. ADJOURNMENT

Governing Board Chair Ms. Motamedi adjourned the meeting at 4:00 p.m.

Respectfully submitted,

Judy Nikkel
Clerk to the Board

The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review at the TRPA Office, 128 Market Street, Stateline, Nevada.