TAHOE REGIONAL PLANNING AGENCY (TRPA) AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on Wednesday, February 24, 2010, commencing at 9:00 a.m. at the TRPA Offices, Stateline, NV, and Thursday, February 25, 2010 (if necessary) at 9:00 a.m. at the TRPA Offices, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on Wednesday, February 24, 2010, commencing at 8:00 a.m., at TRPA, the TRPA Legal Committee will meet. The agenda will be as follows: 1) Public Interest Comments; 2) Resolution of Enforcement Action, Stephen and Laura Clayton, Unauthorized Addition of Coverage and Direct Discharge to the Waters of Lake Tahoe, 60 Speedboat Avenue, Kings Beach, CA, Assessor’s Parcel Number 090-311-035.; 3) Closed Session with Counsel to Discuss Existing and Potential Litigation; 4) Potential Direction Regarding Agenda Item No. 3; 5) Member Comments; (Committee: Chair – Aldean, Vice Chair – Bresnick, Biaggi, Santiago, Miller, Sher)

NOTICE IS FURTHER GIVEN that on Wednesday, February 24, 2010, commencing at 8:00 a.m., at TRPA, the TRPA Operations Committee will meet. The agenda will be as follows: 1) Public Interest Comments; 2) June 2009 Financial Statement Close-out; 3) Agency FY09/10 Budget Augmentation; 4) Transfer of Previously Released Placer County Water Quality Mitigation Funds in the Amount of $14,209.07 to the Snow Creek SEZ Restoration Project (EIP #391), 5) Amendment to Code Chapter 33 Allocations to Allow Permit Reissuance of Certain Residential and Commercial Permits without Requiring New Allocations; 6) Filing Fee Report; 7) Mooring Fee Report; 8) Member Comments; (Committee: Chair – Ruthe, Vice Chair – Breternitz, Cashman, Merrill, McDermid)

February 17, 2010

Joanne S. Marchetta, Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Stateline, Nevada and Tahoe Valley, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village IVGID office and the North 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 and may, for good cause, be continued until a later date.

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. The Chair of the Board shall have the discretion to set appropriate time allotments (3 minutes for individuals and 5 minutes for group representatives). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting.

“Teleconference locations are open to the public ONLY IF SPECIFICALLY MADE OPERATIONAL BEFORE THE MEETING by agenda notice and/or phone message referenced below.”

In the event of hardship, TRPA Board members may participate in any meeting by teleconference. Teleconference means connected from a remote location by electronic means (audio or video). The public will be notified by telephone message at (775) 588-4547 no later than 6:30 a.m. PST on the day of the meeting if any member will be participating by teleconference and the location(s) of the member(s) participation. Unless otherwise noted, in California, the location is 175 Fulweiler Avenue, Conference Room A, Auburn, CA; and in Nevada the location is 901 South Stewart Street, Second Floor, Tahoe Hearing Room, Carson City, NV. If a location is made operational for a meeting, members of the public may attend and provide public comment at the remote location.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Judy Nikkel at (775) 589-5243 if you would like to attend the meeting and are in need of assistance.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. PLEDGE OF ALLEGIANCE

III. PUBLIC INTEREST COMMENTS – All comments may be limited by the Chair.

Any member of the public wishing to address the Governing Board on any item not
listed on the agenda may do so at this time. However, public comment on Project Review, Public Hearing, and Appeal 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

V. APPROVAL OF MINUTES

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

Adjourn as the TRPA and convene as the TMPO

VII. TAHOE METROPOLITAN PLANNING ORGANIZATION Page 81

A. TMPO Consent Calendar (see Consent Calendar agenda below for specific items)

Adjourn as the TMPO and reconvene as the TRPA

VIII. BEST IN BASIN AWARDS

IX. PLANNING MATTERS

A. Regional Plan Update Milestone Discussion and Direction to Staff

1) Public Lands, Resource Management, Recreation Page 83

2) FactSheet Follow Up for Regional Plan Update Milestone #1: WQ and SEZC Page 87

X. SETTLEMENT OF LITIGATION Page 95

A. League to Save Lake Tahoe, Friends of Tahoe Vista v. Tahoe Regional Planning Agency, Tahoe Vista Partners, LLP, Placer County, USDC E.D. Cal. Case No. 2:08-cv-2447 JAM-KJM

XI. PUBLIC HEARINGS/PROJECTS Page 125

A. Extension of the Time Limit for Allocation Reservations Relative to the Community Enhancement Program

B. Amendment to Code Chapter 33 Allocations to Allow Permit Reissuance of Certain Residential and Commercial Permits without Requiring New Allocations Page 151

C. Amendment of Map Showing Need for Water Quality Improvements Pursuant to Requirements of Chapter 37, Individual Parcel Evaluation System (IPES) Page 169

XII. REPORTS

A. Executive Director Status Report

1. Agency Work Program Priorities for February
   a. Regional Plan Update
   b. Forest Fuels Management Update
   c. Aquatic Invasive Species
   d. EIP Implementation
   e. Shorezone Implementation
   f. CEP Update

B. Agency Counsel Status Report

XIII. GOVERNING BOARD MEMBER REPORTS

XIV. COMMITTEE REPORTS

A. Legal Committee
B. Operations Committee
C. Public Outreach & Environmental Education Committee
D. Catastrophic Wildfire Committee
E. Local Government Committee

XV. ADJOURNMENT

CONSENT CALENDAR

<table>
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<tr>
<th>Item</th>
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<tr>
<td>1. June 2009 Financial Statement Close-out</td>
<td>Acceptance</td>
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<td>2. Agency FY09/10 Budget Augmentation</td>
<td>Acceptance</td>
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<td>3. Transfer of Previously Released Placer County Water Quality Mitigation Funds in the Amount of $14,209.07 to the Snow Creek SEZ Restoration Project (EIP #391)</td>
<td>Approval</td>
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<td>4. Resolution of Enforcement Action, Stephen and Laura Clayton, Unauthorized Addition of Coverage and Direct Discharge to the Waters of Lake Tahoe, 60 Speedboat Avenue, Kings Beach, CA, Assessor’s Parcel Number 090-311-035.</td>
<td>Approval</td>
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**2008 FTIP Formal Amendment #13**

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 required 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 Tahoe Regional Planning Agency Governing Board Members:**
- Chair, Allen Biaggi, Director of Nevada Dept. of Conservation & Natural Resources
- Vice-Chair, Norma Santiago, El Dorado County Supervisor
- Mara Bresnick, California Assembly Speaker's Appointee
- Shelly Aldean, Carson City Supervisor
- John Breternitz, Washoe County Commissioner
- Jennifer Montgomery, Placer County Supervisor
- Nancy McDermid, Douglas County Commissioner
- Steven Merrill, California Governor's Appointee
- Casey Beyer, California Governor’s Appointee
- Ross Miller, Nevada Secretary of State
- Donna Ruthe, Nevada Governor’s Appointee
- Timothy Cashman, Nevada At-Large Member
- Byron Sher, California Senate Rules Committee Appointee
- Hal Cole, City of South Lake Tahoe Council
- Josh Reid, Presidential Appointee
REGULAR MEETING MINUTES

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Governing Board Chair Mr. Biaggi called the meeting to order at 9:40 a.m.

Members Present:

Ms. Aldean, Mr. Biaggi, Mr. Breternitz, Mr. Beyer, Mr. Merrill, Mr. Miller, Ms. Montgomery, Ms. McDermid, Ms. Ruthe, Mr. Reid, Mr. Cashman, Mr. Cole, Ms. Santiago. Mr. Sher

Members Participating via Conference: Ms. Bresnick

II. PLEDGE OF ALLEGIANCE

III. PUBLIC INTEREST COMMENTS

No Public Comment

IV. APPROVAL OF AGENDA

Ms. Rinke stated agenda item X.B. would be split and heard prior to agenda item VII.A.

Ms. Marchetta stated the Tonozzi appeal has been continued at the request of the appellant.

Ms. Santiago moved approval
Motion carried unanimously.

V. APPROVAL OF MINUTES

Ms. Cole moved approval
Motion carried unanimously.

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

TRPA CONSENT CALENDAR
1. Acceptance of December 2009 Monthly Financial Statement
2. Acceptance of the Agency’s Audited Financial Statements
   And Independent Auditor’s Report for the year ended June 30, 2009
3. Amendment of the Resolution of Enforcement Action, East River
   Terrace Partners and Pacific Built Inc., Sediment Discharge to the Waters
   of Lake Tahoe, Unauthorized Grading, Unauthorized
   Staging of Equipment and Material, and Failure to Maintain Best
   Management Practices (BMPs), 900 Ski Run Boulevard, South
   Lake Tahoe, CA, Assessors Parcel Number (APN) 027-690-06
4. Resolution of Enforcement Action, Henry and Regina Bunsow and Alan
   and Joan Shattuck, Unauthorized Addition of Coverage in a Stream
   Environment Zone, 3970 Bellevue Avenue, Placer County, CA,
   Assessor’s Parcel Number 085-221-004

Ms. Ruthe reported items 1 and 2 were approved by the Operations Committee.

Ms. Aldean reported items 3 and 4 as recommended by staff were approved
unanimously by the Legal Committee.

Ms. Santiago moved approval.
Motion carried unanimously.

Ms. Aldean moved to go into closed session.
Mr. Biaggi moved to go into open session.

VII. PUBLIC HEARINGS/PROJECTS

A. Domus Affordable Housing Projects and Related Regional Plan
   Amendments

Ms. Marchetta gave an overview of the proposed project.

1. Amendments to the Kings Beach Community Plan to incorporate Parcel
   #090-126-026 into the Community Plan, create two special areas, and other
   related amendments and Amendment of TRPA Code of Ordinances Chapter
   21, Density, Chapter 22, Height, and other related amendments, TRPA File
   PLAN2008-0007, APN 090-064-012

   Staff member Brenda Hunt presented the proposed amendment to the Kings
   Beach Community Plan.

2. Kings Beach Housing Now, Affordable Housing Project #1, 200 Chipmunk
   Street, Placer County, California, Assessors Parcel Number (APN) 090-222-
   05, TRPA File Number CEPP2008-0161

3. Kings Beach Housing Now, Affordable Housing Project #2, 265 Fox Street,
   Placer County, California, Assessors Parcel Number (APN) 090-126 026,
   TRPA File Number CEPP2008-0163

   Staff member Wendy Jepson presented the proposed projects.
Jim LoBue, Deputy Director, Placer County Redevelopment Agency, presented the community benefits of the project.

Meea Kang, President, Domus Development, commented on the need for affordable housing development in the area. She encouraged the Board’s support of the project.

Board Comments & Questions:

Ms. Aldean asked if there was something in the Code that permits TRPA to unilaterally amend the Community Plan, which is a joint planning document.

Ms. Rinke replied this was not addressed in the Code one way or another. The plan was a joint document, but was independently adopted.

Ms. Montgomery stated proposals were presented to the Placer County Board of Supervisors and had been approved on a 5-0 vote.

Ms. Aldean asked if occupancy restrictions would be strictly enforced in the affordable housing units.

Ms. Kang replied yes. HUD and other federal requirements will be implemented. The statutory requirement is two plus \( \frac{1}{2} \) persons per bedroom. She noted resident density in each unit would be reduced compared to current occupancy in apartment dwellings.

Mr. Cashman asked if the Fox Street site requires a bonus density to 100%.

Ms. Hunt replied yes, but the project was only proposing twelve units an acre rather than the fourteen units allowed with the 100% bonus density.

Mr. Cashman asked about density in the current Kings Beach Community Plan.

Ms. Hunt stated there was no regulation with regards to density. The Plan suggests density is appropriate for the area.

Mr. Cashman asked if there was a Placer County bonus calculation for affordable housing in the Kings Beach area.

Ms. Hunt replied yes.

Mr. LoBue clarified that Placer County has adopted an ordinance which allows up to 100% density bonus throughout the redevelopment project area in Lake Tahoe for affordable housing, specifically.

Ms. Hunt clarified that the Community Plan suggests 15 units per acre for multi-family density, but a density bonus was allowed for up to 18 units per acre for affordable housing.
Mr. Cashman stated his concern was community support for density of this level. He asked about the environmental improvement portion of the Chipmunk project as it relates to the detention basin.

Ms. Jepson stated part of the project will be a storm water retention basin in front that will handle BMPs.

Mr. Cashman asked if the basin will coordinate with the overall Kings Beach Storm Water Treatment Plan currently in process.

Ms. Jepson replied it would.

Ms. Kang clarified the on-site BMPs will be dedicated to the area-wide storm water treatment.

Ms. Montgomery asked if the onsite manager will also be responsible for maintenance of the property.

Ms. Kang reported an onsite manager would be living on the site. They will also hire maintenance and landscape companies. State and federal rules will also be provided to residents about maintenance within the unit. She clarified balconies will only face parking lots and will not be visible to the general public.

Ms. Montgomery asked if fair labor standards would be upheld since state and federal monies were involved in the project.

Ms. Kang stated that was correct.

Ms. Marchetta clarified the deed restriction will be in perpetuity.

Mr. Beyer asked about the number of facilities in the Kings Beach Corridor that meet the 48-foot height restriction.

Ms. Hunt reported there were no facilities at this time that meet that height restriction, but buildings of that height could be built in the area.

Mr. Beyer asked about the financing that determined construction of a family-unit housing complex versus a commercial, mixed use facility.

Ms. Kang explained state funding for the project had been received in 2007 and had been bonded therefore the project had to move quickly through the process in order not to lose funding. So the commercial component was removed to reduce the height of the building in order for it to move through the entitlement process quicker and for funding to be used to finance the entire building.

Mr. Casey asked for a breakdown between federal, state, and private sector funding matches.
Ms. Kang reviewed funding matches and explained the process had to be completed by 2012 in order to receive the remaining financing.

Mr. Beyer asked if the building would be commissioned as a LEAD-certified building or would be applied as a LEAD-certified program.

Ms. Kang stated the building was being designed to LEED, but that the building cannot be certified until it is complete.

Mr. Beyer asked about ingress and egress of the Chipmunk project to State Route 28.

Ms. Kang stated the ingress and egress onto State Route 28 would be on the Chipmunk project and that the project will be designed to accommodate emergency vehicles.

Ms. Bresnick asked about the practical implication and differences in the Community Plan and Placer County.

Ms. Rinke stated Placer County has processed the density amendments and will comply with the amendment on the height. There is no practical implication to having two separate documents.

Ms. Bresnick requested clarification that the second paragraph from the bottom on page 52 relates to this project or future projects after this project is complete.

Ms. Rinke stated it refers to an excess mitigation fee that would apply to this project.

Ms. Bresnick asked if pedestrian/transit-oriented development design features were defined.

Ms. Marchetta stated the element being referenced was that transit stops would be designed by Placer County as landscape improvements were complete.

Ms. Bresnick stated she understood what the elements are, but questioned how they were defined.

Ms. Marchetta stated they would be defined definitively through the project.

Ms. Kang reviewed elements.

Ms. Bresnick reiterated she understood what the elements are, but questioned if there was a specific definition being referenced.

Ms. Rinke noted in Chapter 13 there were some guiding principles for transit-oriented development that will guide these requirements.
Ms. Bresnick asked if the last sentence in item three on page 73, regarding density refers to any non-conforming parcel in the Kings Beach area.

Ms. Hunt stated that was correct and is only for legal non-conforming uses throughout the Basin.

Ms. Bresnick noted there was information missing from page 76.

Ms. Marchetta stated they were checking that out.

Ms. Bresnick asked what happens to the transit passes if tenants move out.

Ms. Kang stated monthly passes were currently being issued and that a system was being developed to have tenants sign-up and pay a certain amount of impact fees if they want the pass.

Ms. Bresnick asked how it would be determined if there was an excess of funding that would go towards the mitigation fund for air quality fees.

Ms. Marchetta stated the developer has not developed plans to that level of detail, as yet.

Ms. Hunt clarified that a reduction in vehicle miles traveled should also be reflected on page 76.

Ms. Bresnick asked if this was an EIP with a number associated with it or a generic EIP Project.

Ms. Kang stated it was an EIP project that’s on the list as part of the Placer County area-wide storm water drainage project.

Ms. Bresnick asked if the same requirements or conditions apply to the bus passes as to the Fox Street Project.

Ms. Jepson replied that was correct.

Public Comment:

Brian Helm stated he was in support of the project because it would provide quality, affordable housing to local working families while being environmentally beneficial.

Ellie Waller stated she understood the need to pursue quickly, but financing issues should not preclude exemptions to Code. She questioned who would pay for the environmental improvement on the project.

Mike Berg, Carpenters Union, stated he was in support of the project because of the need for better development of the area. He was concerned that jobs would not go to local workers.
Alan Tolhurst, Chairman, Advisory Planning Commission, reported that the APC unanimously approved recommending support for the project. He commented that it was up to the local jurisdiction to handle the construction contract. The California Green Code has the same elements as LEAD certification, but only requires Code compliance.

Alison Schwedner, Director, Community Collaborative of Tahoe/Truckee, stated their organization addresses the fundamental needs of families in the Tahoe/Truckee area. She stated she was in attendance to endorse the project because of the affordable housing it would provide to the area.

Doris Kelly commented she was in support of the affordable housing plan because it is needed in the area. She also stated she was in support of the other plan for the Kings Beach area to be discussed later this afternoon.

Dave Ferrari expressed his support for the project.

John Foster encouraged the Board to support the project.

Carol Savary thanked the Board for participating in the tour last summer. She commented that population density already exists in the form of overcrowding and that it would be actively managed with the deed-restricted, affordable housing that was being configured for families with rent priced according to income. She urged the Board to support the project.

George Koster expressed his support for the project because of the community and economic benefits.

Theresa May Duggan stated she welcomed the project because of the revitalization to the area that it would provide. She stated that Code amendments were consistent with community goals and urged support of the amendments.

John Falk, Tahoe Sierra Board of Realtors, stated he was in support of affordable housing, in general, and for the Board to increase flexibility incentives in the Code.

Joe Lanza stated he was speaking in favor of the project because of the quality, affordable housing needed in the area.

Tom Watson stated he was in support of the project because it would show support to the workforce in North Lake Tahoe.

Ana Liz Servin, North Tahoe Family Resource Center, expressed the Center’s support for the project because of the quality, affordable housing it would provide. She submitted approximately 300 letters of support for the project from community members.

Chris Close stated she was in support of the project because of the affordable housing it would provide to local workers.
Alex Mourelatos expressed his support of the project because of the revitalization to the area. He commented that Community Plan amendments were needed in order to attract developers to the area.

Bill Johnson commented on the need for re-development of the area and stated he was in support of the project.

Sara Smith stated she was fully in support of the development project because of the need for affordable housing in the area, which would produce community and economic benefits.

Jerry Dinzes distributed information and stated he was in support of the project, but requested that the Board consider how the project would affect traffic impacts.

Steve Teshara, North Lake Tahoe Chamber of Commerce, stated documentation has been provided for the Board to approve findings and staff recommended actions. He encouraged the Board to support the project.

**Board Questions & Comments:**

Ms. Montgomery reiterated this would be the first affordable housing project in Placer County and would have positive implications for both states. She encouraged the Board to support the project.

Mr. Biaggi commented on the lack of dignity with current housing provided in the area and that he would fully support the project.

Mr. Cole noted that affordable housing developed in South Lake Tahoe were still well-maintained and was a great benefit to the area.

Ms. Aldean commended Domus Development for developing this affordable housing project.

Ms. McDermid commented that she would also like to commend Domus Development for the project and that, in her opinion, it was the Board’s responsibility to not only improve the environment, but the human condition.

**Amendments to the Kings Beach Community Plan**

Ms. Montgomery moved to approve the required findings of no significant effect.
Motion carried unanimously.

Mr. Biaggi read the ordinance.

Mr. Montgomery moved to adopt the proposed Ordinance and the associated Exhibits.
Motion carried unanimously.

Project #1 - Chipmunk
Ms. Montgomery moved to make the required findings, including a finding of no significant effect.
Motion carried

Ms. Montgomery moved to approve the proposed project subject to the conditions contained in the draft permit.
Motion carried unanimously.

Project # 2 – Fox

Ms. Montgomery moved to make the required findings, including a finding of no significant effect.
Motion carried unanimously.

Ms. Montgomery moved to approve the proposed project subject to the conditions contained in the draft permit.
Motion carried unanimously.

Lunch break from 12:00 – 12:30 p.m.

VII. B. Kings Beach Commercial Core Improvement Project and Related Regional Plan Amendments.

Ms. Marchetta gave an overview of the proposed project.

1. Certification of the Kings Beach Commercial Core Improvement Project Final Supplemental Environmental Impact Statement (SEIS) and other related amendments

2. Amendments to the Kings Beach Community Plan, and Other Matters Related Thereto

3. Kings Beach Commercial Core Improvement Project, Placer County, California, TRPA Project Number 530-105-03, TRPA File Number 20031259

Carl Hasty, District Manager, Tahoe Transportation District, spoke briefly about a public opinion survey that was conducted in Placer County and the Incline Village/Washoe County area. He reported the survey provided the following information: 1) that 53% of the population was aware of the project; 2) there was a split between choosing a 3- or 4-lane and approximately 15-35% of residents who did not have enough information to decide; and 3) there was overwhelming support for something to be done in the area.

Jon Paul Harries presented the certification of the Kings Beach Commercial Core Improvement Project, an amendment to the community plan and approval of the proposed project.

Ken Graham, Director, Placer County Public Works, presented the roundabout concept and how it pertains to traffic and pedestrian safety.
Kirk Uhler, Chairman, Placer County Board of Supervisors, commented on public comment obtained during development of the project.

Dwayne Whitelaw, Fire Chief, North Tahoe Fire District, commented on how emergency services would be better provided with the project.

Board Comments & Questions:

Ms. Montgomery asked what “build-up” means with regards to traffic.

Mr. Harries stated it means maximizing density for all areas.

Ms. Montgomery asked if that would include building larger structures.

Mr. Harries explained it would maximize the density of a lot.

Ms. Montgomery stated that it would not be what is still vacant.

Mr. Harries replied no.

Mr. Reid requested clarification of what was meant by Mr. Harries’ statement that “everything was not included in the EIS”.

Mr. Harries clarified the EIS was complete, but that only potential impacts were addressed.

Ms. Marchetta explained an EIS does not need to address environmental benefit impacts. Regarding “build-up”, she stated the EIS assumes the maximum amount of growth for a region.

Mr. Cashman asked how it was determined that a by-pass road was not feasible and not requested.

Mr. Harries stated a by-pass road would have to be a new road that would go around the Kings Beach area and therefore a new project would have to be developed with additional costs.

Ms. Marchetta added properties would have to be condemned in order to develop a new road.

Ms. Aldean noted TRPA legal counsel advised her that there would be no conflict of interest for her in participating in the discussion and vote on this project. Approval or denial of this project would have no effect on her development endeavors. She asked if Placer County would allow for parking in the future, if beneficial.

Mr. Graham stated absolutely.

Public Comment:
Dave McClure, Kings Beach Business and Citizens Alliance, stated Placer County provided insufficient information regarding traffic. He provided a roundabout analysis and expressed concern with the traffic impact study for the project.

Alex Mourelatos stated he personally supports the project due to community involvement in the project.

Brian Helm stated he was speaking on behalf of the Tahoe-Biltmore. He stated they were in strong support of the project because of the revitalization to the area. He stated that, in his opinion, questions that prevented TRPA from approving the project in 2008 have been answered thoroughly.

Rick Marshall stated that he purchased his home in 2001 because of the core improvement and that he was in support of what the 3-lane alternative proposes, which would help revitalize the area.

Gladys Marshall stated she was in support of the three-lane project.

Dan Daniels, via teleconference, expressed concern about traffic congestion on back streets.

Bernard Ash stated he was in support of the project because it would reduce traffic speed. He noted back street traffic is currently a problem and that mitigation being proposed may assist with this problem. He commented that some benefits from the project would include safety and a stronger sense of community.

Dana Ash stated she was strongly in favor of the three-lane project because of safety concerns.

Sara Smith expressed her support of the three-lane project because of safety and because revenue from the Highway Tax would revitalize the area.

Cruz Santo commented on the lack of safety for individuals in wheelchairs and stated he was for the project for safety reasons and to revitalize the area.

John Foster commented on the change in values. He urged the Board to endorse the project.

Carol Savory reported a task force will be developed that will serve to fund and maintain the streetscape, if the project is approved. She pointed out the project is in alignment with the TRPA’s 2030 Plan and CalTrans Complete Streets Policy. She stated it would also provide safety and economical revitalization to the community. She urged strong support for the project.

George Koster stated the North Tahoe Main Street Economic Restructuring Committee has been analyzing the project and urged support for the project because of the revitalization benefits.

Allison Schwedner, Director, Community Collaborative of Tahoe/Truckee, explained the organization would urge support of the project because it would enhance the walking experience.
Nicole Gergans, League to Save Lake Tahoe, stated they were in support of the preferred alternative because of the environmental benefits and traffic safety.

Regina Straver commented that the north shore was economically “dying”. She expressed support for the project because of the economic benefits it would provide.

Joe Lanza commented that he was in support of the 3-lane highway project for the economic, community, and environmental benefits that would “save” the Kings Beach area.

Tom Watson stated he was in support of the project because of the positive impact it would have on the area.

Alan Tolhurst, Chairman, Advisory Planning Commission, reported the APC recommended approval of the project.

Chris Close wrote a note in support of the 3-lane alternative.

Roger Kon stated he urged support for the 3-lane alternative for safety and “walkability” reasons.

Sherry Springer, Executive Director, North Tahoe Business Association, stated they were in favor of the project because of revitalization to the area.

Bob Ferrari commented that the Board should consider how the project will impact the area all-year round.

Mike Francois commented that he was in support of the 3-lane alternative and requested the Board consider the social and economic impacts that were not addressed in the EIS.

Able Villagomez expressed concern about back-door traffic. He submitted a petition in support of the 4-lane project with traffic signals.

Chris Hennessey commented on fatalities that may occur with the lack of pedestrian safety in the area and provided a personal example. She urged an increase in safety and an enhancement of aesthetics. She requested the Board vote “yes” on the hybrid option.

Diana Christolos expressed support for the 3-lane alternative for pedestrian safety.

Megan Choleeny stated she supports the 3-lane, hybrid alternative because the Kings Beach area is a high-density resort area.

Justin Broglio, Executive Director, Tahoe City Downtown Association, expressed support for the project because of the “walkability” benefits.

Sue Kyler stated she urged the Board to support the project for the safety and revitalization of the community.
Angel Luevano, National Vice President of the Far West, League of United Latin American Citizens (LULAC), stated the organization was asked to get involved by Latino residents in the area to prevent discrimination in the project.

Argentina Davila-Luevano, State Director, LULAC, stated the organization was in attendance to ask that this project not be approved until there was a thorough investigation and action into complaints from the Hispanic community about the negative impact the project will have on the Hispanic community in the area.

Jerry Denzes stated he was opposed to the project because of the negative impact it would have on traffic.

Tom Trimble asked Placer County about the time frame to complete the project given the fact that construction can only occur during the summer. He commented that four lanes would accommodate tourist traffic in the summer.

Caroline Murmmel commented that the four-lane alternative is not the same as the current four-lane road. She expressed support for the four-lane alternative because, in her opinion, traffic improvements and pedestrian safety were needed in the area.

Robert Murmmel stated he supported the four-lane alternative to improve the traffic gridlock. He expressed concern with the loss of on-street parking with the 3-lane alternative.

Mark Chamberlain commented that he was in opposition of the 3-lane alternative for pedestrian safety reasons. He stated he believed the four-lane option would provide progress, development, improvement, and expansion.

Joanne Payayello commented that she was in support of the hybrid alternative to slow down traffic.

Curt Wagner commented that it was time to make a decision regarding this issue. He stated he was in support of the 3-lane, hybrid alternative.

Mike Hays expressed his support for the project to revitalize the area.

Jim Galloway commented on the need for public safety. He expressed opposition to the 3-lane alternative. He suggested the Board consider the adverse effects this alternative would have on emergency services.

Pam Francois stated she was in support of the 3-lane, hybrid alternative because she did not believe the project would have an impact on traffic.

Meera Besser commented that the four-lane alternative is viable. She asked why Placer County has not considered the four-lane alternative.

Julie Wainscot stated she was opposed to the three-lane alternative with roundabouts because of parking concerns for businesses and an increase in traffic on back streets.
Mike Berg expressed his support of the three-lane, hybrid alternative.

Larry Dowdl expressed his support of the three-lane alternative.

Candy Dowdl stated she agreed with all comments made in support of the 3-lane, hybrid alternative.

Dave Ferrari mentioned there was off-street parking when Kings Beach had a two-lane road. He noted that traffic statistics show a pedestrian hit by a vehicle once every five years, approximately. He stated that if there was a traffic issue on back streets that the community would address the issue.

Rick Pappaleo noted that back streets would be used during emergency situations and that he was in support of the three-lane alternative.

Marilyn Schaff commented that she was in support of the project in order to revitalize the area.

Don Starbuck asked the Board to request more staff information regarding the lack of parking with the 3-lane, hybrid alternative. He stated that, in his opinion, staff information presented is inaccurate.

Kevin Austodio commented that he was opposed to the three-lane alternative because of traffic safety concerns and because of discrimination against the Latino community from Placer County with regards to the project.

Peter Morris expressed his support of the three-lane, hybrid alternative.

Michael Gonzalez commented that the development of roundabouts would reduce the “walkability” of the area.

Tony Pastori expressed his support for the three-lane, hybrid alternative. He noted Placer County’s attempts to involve the Hispanic Community in the development of the project.

Kevin Drake stated the traffic plan put in place will more than suffice to combat traffic issues and that he was in support of the project.

Sylvia Dourgan commented that she was in support of the two-lane plan to increase pedestrian safety and revitalization of the area.

Andrew Ryan voiced his support for the three-lane, hybrid alternative to enhance safety, access and aesthetics to the environment.

Jeff Gross commented on the inaccurate information in the recent transportation survey.

John Bergman commented that four lanes have not generated commercial investment in the area. He stated there would be positive benefit and revitalization of the area in the future with the three-lane alternative.
Bill Johnson expressed his support for the three-lane alternative to increase traffic safety and economic benefits to the community.

Patrick Wright, California Tahoe Conservancy, stated he urged expedite support of the project in order to gain benefit from investments that were made in the community.

Harold Singer, Executive Officer, Lahontan Water Board, stated the Water Board has not taken a position on this issue yet since it has not yet been presented to the Board. He commented that the project was important to meeting the goal of reducing pollutants to Lake Tahoe and that the amount of roadscape or hard surface should be considered because roads are one of the primary sources of pollutants in the area. He stated, from a water quality perspective, the three-lane alternative was superior to a five-lane alternative.

Jackie Chandler commented that the Kings Beach area has been suffering from an aborted roadway and requested the Board to accommodate and serve visitors.

Fred Hodgson stated he was in support of the three-lane alternative because it would bring a better community.

Octavio Deis stated he was in attendance to support the core improvement project.

Amilio Vacca, Executive Director, North Tahoe Family Resource Center, commented on the need for change. He stated he was in support of the project.

Theresa May Duggan commented that it was time for a safe and vital Kings Beach area and to support the three-lane alternative project for community, environmental and revitalization benefits.

Jesus Rodríguez stated he was in attendance to support the two-lane alternative.

Peter Van Cabo stated he was in support of the three-lane alternative. He offered suggestions to alleviate traffic congestion.

Jim Garnier thanked the Board for listening to public comment. He stated he was in support of the three-lane alternative for the community benefits.

Ana Liz Servin stated she was in attendance to represent the Latino community that was in favor of the three-lane alternative. She commented that only local residents know about and use the back streets. She urged support for the project to show community support.

Steve Teshara, North Lake Tahoe Resort Association, commented that the project was to reduce reliance on the automobile and that traffic concerns should be addressed to CalTrans and NDOT who control state highways.

**Board Comments & Questions:**
Ms. Santiago stated, for the record, she would like a response to the letter from the California Chapter of LULAC which states: “Please be advised that we have filed numerous administrative complaints with other local, state, and federal agencies alleging violations of civil rights, discrimination and retaliation of local residents and our members”.

Ms. Rinke clarified the statement relates to funding from CalTrans for the project and was not addressed to TRPA. She pointed out the issue was analyzed in the EIS. She added, for the record, there would be no additional impacts to the Latino community, which makes up 40% of the back street area. There was also enough evidence to conclude there would be an improvement in safety for residents of the back streets.

Ms. Marchetta clarified approval of the 3-lane alternative would provide more safety for the back streets.

Ms. McDermaid stated she wanted to clarify the Tahoe Transportation District does not have a position on the project. They conducted the survey because a communication and outreach process was being developed. She noted vehicles were the only thing measured in traffic studies. She commented on the importance of parking and also stated that Placer County will continue to monitor the project.

Mr. Breternitz asked about the Washoe County Sheriff’s Office position on this issue.

Wayne Yarborough, South District Patrol Captain, Washoe County Sheriff’s Office, stated the position of Washoe County is to remain neutral on this issue. Public safety concerns and having an evacuation plan in place in the event of an emergency were discussed with Placer County.

Mr. Sher asked if the Board would also be approving the traffic calming plan presented in the Supplemental EIS.

Ms. Marchetta replied yes and that it would be put into place, if approved.

Ms. Rinke added a schematic plan approved in a permit would then be subject to in the field refinement with minor changes and adjustments.

Mr. Sher asked why it was designated as “conceptual”.

Ms. Marchetta stated it is not yet at the 100% design stage.

Mr. Sher requested clarification that the location of traffic signs, sidewalks and stop signs were a part of Board action.

Ken Graham, Placer County Public Works, stated that was included because one of the concerns of the TRPA when the project was first presented a year and a half ago was not having enough detail.

Ms. Aldean requested clarification about the time frame for construction if the 3-
lane alternative is approved and more information about roundabout crosswalks.

Mr. Graham stated they would be working with the business community so that
construction would coincide with business activity. It would take approximately
three seasons for construction to be complete because construction would have to
be completed during the summer months. Crosswalks will be set back away from
vehicle traffic.

Ms. Montgomery moved to make the required findings including a finding of no
significant effect including all potential impacts, except certain traffic impacts.
Motion carried unanimously.

Ms. Montgomery moved to make a finding of overriding considerations.
Motion carried unanimously.

Ms. Montgomery moved to adopt the attached ordinance amending the Kings
Beach Community Plan.
Motion carried unanimously.

Kings Beach Commercial Improvement Project

Ms. Montgomery moved to make the required findings including a finding of no
significant effect.
Motion carried unanimously.

Ms. Montgomery moved to make a finding of overriding considerations.
Motion carried unanimously.

Ms. Montgomery moved to approve the project subject to the draft permit.
Motion carried unanimously.

Ms. Montgomery moved to recess.
Motion carried unanimously.

VIII. APPEALS

A. Angelo Tonozzi’s Appeal of Executive Director’s Decision to Deny
Verification of a Second Residential Unit of Use at 1904 B Street, South
Lake Tahoe, El Dorado County, California, APN: 032-242-28, TRPA File
No. ADMIN2008--0024

This item was continued at the request of the applicant.

IX. PLANNING MATTERS

A. Regional Plan Update Milestone Discussion and Direction to Staff

1) Water Quality and Stream Environment Zone (SEZ).

Ms. Marchetta introduced the Water Quality milestone approach.
Staff member Harmon Zuckerman presented the first milestone presentation on Water Quality and Stream Environment Zone (SEZ).

Mr. Zuckerman introduced staff member Paul Nielsen who is the lead for Water Quality & SEZ milestone.

The Advisory Planning Commission Members introduced themselves to the Board.

**APC Comments & Questions on Water Quality Issue #1:**

Ms. Kemper asked if the Lake Tahoe Basin Management Unit is updating their BMPs manual or is this coming from the Federal Forest Management System.

Staff member Tim Hagan stated they are working cooperatively with the U. S. Forest Service to update the BMP handbook.

Mr. Kuchnicki asked if the focus would be on the Basin.

Mr. Hagan stated yes.

Mr. Goldberg stated they should defer to the BMP handbook from the Forest Service.

Mr. Lefevre, U. S. Forest Service, presented the Water Quality handbook, which is a statewide program.

Mr. Upton stated he is okay with staff's recommendation.

Mr. Donohue, Nevada Division of State Lands, suggested separating the BMP from the 208 Water Plan as the handbook is updated.

Mr. Hagan reported that issue is being addressed.

Mr. Zuckerman stated that, at this point, the BMP handbook will be updated within the 208 Water Plan.

**Board Comments & Questions on Water Quality Issue #1:**

Ms. McDermid asked about the relationship between BMPs, Fuels Reduction and Defensible Space because they had been at odds in the past.

Staff member Paul Nielsen stated they were making sure fire safety and water quality were compatible.

Ms. McDermid commented on the importance of being consistent and clear.

Mr. Zuckerman stated the Project Descriptions document contain new policies that require BMPs be congruent with defensible space requirements.

Ms. Santiago requested clarification that the Board was to review the TRPA BMP Handbook to ensure that it was consistent with the Forest Service BMP Handbook.
Mr. Zuckerman stated that was correct.

Ms. Santiago asked if there would be a section in the Forest Service BMP Handbook that would relate only to Basin issues.

Mr. Zuckerman stated he was not sure if there could be a special section for the Tahoe area, but they were looking for general direction on how to work cooperatively.

Ms. Santiago stated there needs to be a discussion regarding how to resolve inconsistencies that might exist between the two separate handbooks.

Ms. Marchetta stated the goal was to avoid inconsistencies.

Ms. Aldean commented on the importance of consistency because any inconsistency from one side would have to be compensated by the other side.

APC Comments & Questions on Water Quality Issue #2:

Mr. Upton suggested clarifying language. He expressed concern regarding expense of the BMPs. He suggested informing the media regarding the process.

Board Comments & Questions on Water Quality Issue #2:

Mr. Sher asked people to keep in mind this would not be the final decision on this issue. He stated he agreed with stakeholder points.

Mr. Zuckerman reiterated this would be an additional policy to strengthen the way BMPs are enforced and implemented and that they were in attendance to hear comments on whether or not to pursue the course of action being proposed.

Ms. McDermid explained one of the goals was to have area-wide BMPs with monies going to individual property owners to upgrade their property. She asked about the measurement that would determine if proposed BMPs were successful.

Mr. Nielsen stated they had tools to evaluate if BMPs are successful over time.

Mr. Zuckerman stated it was easier to evaluate a neighborhood or area-wide solution than parcel by parcel.

Ms. McDermid stated an incentive should be made available to encourage neighborhoods or areas to implement BMPs.

Mr. Zuckerman commented that the fee system could be considered an incentive.

Ms. McDermid commented that one size does not fit all for properties around the Basin.

Mr. Nielsen reported there has been discussion about proposals to allow additional coverage and additional commercial flooring as incentives.

Ms. Aldean stated she was concerned about penalizing property owners who already implemented BMPs on their property to participate in the area-wide BMP program.
Mr. Nielsen stated they would address that issue during implementation.

Ms. Santiago asked for clarification that Mr. Upton was suggesting, including implementation after enforcement in the language on page 9.

Mr. Upton stated that was correct.

Ms. Santiago asked if the language should be more specific to state high-priority water shed areas.

Mr. Nielsen stated that was the idea.

Ms. Santiago stated there needs to be clarity as to what a high-priority area is.

Mr. Nielsen stated local storm water management plans would identify high-priority areas.

Ms. Santiago asked if no further language was needed to identify high-priority areas.

Mr. Zuckerman reported they had the mapping capability to identify high-priority areas and that this information could be given to local jurisdictions.

Mr. Biaggi noted this portion of the meeting was only for clarifying questions to staff and that discussion of this issue would be held later in the meeting.

Mr. Cashman asked if high-priority was defined in the TMDL.

Ms. Marchetta replied no. Local jurisdictions have the incentive to define high-priority areas with assistance from TRPA.

Ms. Montgomery asked what was meant by the following language: “The need for assurance that the existing BMP retrofit date will remain unchanged”. 

Mr. Nielsen stated it meant BMP retrofit dates would not be extended.

Ms. Montgomery asked if it would be an acknowledgement that the job has not been completed, essentially.

Mr. Nielsen stated that was correct and that the process needed to be stepped up.

**APC Comments & Questions on Water Quality Issue #3:**

No Questions.

**Board Comments & Questions on Water Quality Issue #3:**

Mr. Biaggi asked if the Forest Service BMP process was equal and consistent to the TRPA BMP process.

Mr. Nielsen stated the Forest Service evaluates BMPs yearly and TMDL tools would give the TRPA that ability, as well as other abilities.
Ms. McDermid asked if the Forest Service, based on what staff has acknowledged, has withdrawn that concern.

Mr. Zuckerman stated that was correct.

**APC Comments & Questions on Water Quality Issue #4:**

Mr. Upton asked where he could find the seven case studies for further evaluation.

Mr. Nielsen stated he would provide a copy of the appendix to the 2008 EIP Finance Plan.

**Board Comments & Questions on Water Quality Issue #4:**

Ms. Montgomery asked how $500 million was determined for the recommended strategy.

Mr. Zuckerman explained that number was to reflect the estimated cost requirement for installing all water quality projects required to meet the TMDL.

Ms. Marchetta clarified that was the total amount estimated for necessary water quality investment under the Environmental Improvement Program and that it was not the local share.

Ms. McDermid asked where the $500 million number came from.

Mr. Zuckerman explained the amounts listed were only estimated amounts to show local jurisdictions that they would bear the lion’s share of the required work that needs to be done and how important it is for their participation.

Ms. Aldean stated she agreed that all funding partners need to come to the table and provide cash infusion in order to accomplish objectives.

**APC Comments & Questions on Water Quality Issue #5:**

No Questions.

**Board Comments & Questions on Water Quality Issue #5:**

Mr. Sher stated he concurred with staff’s concern that there would be a lowering of the standard. He asked about the legal affect of changing the number, if any.

Ms. Marchetta stated the issue would not have been brought forth if legal findings could not be made. The legal affect would be that it would change a threshold standard to be more protective.

Ms. Rinke added they think they have the ability to change thresholds.

Mr. Sher clarified he wanted it to be known that it would make it harder to make the finding if the threshold is changed and yet based on a year-round average.

Mr. Zuckerman stated Mr. Sher asked a valid question, but the two numbers are being
tracked and seemed to be equivalent to each other.

Mr. Beyer commented that lowering a number would give the perception that the higher number cannot be achieved.

Ms. Montgomery commented that it’s her understanding that the clarity challenge number will not change, but that this would make it more difficult to achieve that number.

Mr. Zuckerman stated that would need to be reviewed.

Mr. Biaggi added it would ground the numbers better in science and would be more defensible in the long-term.

**APC Comments & Questions on Water Quality Issue #6:**

No Questions.

**Board Comments & Questions on Water Quality Issue #6:**

Mr. Sher stated he was worried about adopting a 20-year plan without having scientific information.

Ms. Santiago stated there needs to be something in the Regional Plan update regarding this issue.

Ms. Marchetta explained the plan has been and will continue to be updated as more accurate information is provided, but calling the plan a 20-year plan does not mean the plan is fixed for that specific amount of time.

**APC Comments & Questions on Water Quality Issue #7:**

No Questions.

**Board Comments & Questions on Water Quality Issue #7:**

Ms. Aldean asked why standards were not replaced if it would provide more scientific validity.

Mr. Zuckerman stated that is why standards were being replaced. It will also assist in assessing the condition of the near shore.

Ms. Aldean commented that a more objective view should be taken when comparing standards.

Ms. McDermid commented that there are other methods that should be considered and that methodology should be updated.

Ms. Thomas asked if there would be an actual transition in standards.

Mr. Zuckerman stated the idea was just to add the clarity measurement as an additional threshold.
APC Comments & Questions on Water Quality Issue #8:

No Questions.

Board Comments & Questions on Water Quality Issue #8:

Ms. Montgomery requested clarification of the private sector representatives.

Mr. Zuckerman stated the names were listed in the appendix.

Mr. Nielsen stated he would add John Falk to that list.

Ms. Marchetta clarified they have collaborated with a larger stakeholder group on a Regional Plan initiative that would measure environmental gain on a specific project as opposed to the TMDL; that information would be presented in March.

Ms. Montgomery asked if the economic feasibility of the project should be reviewed.

Ms. Marchetta stated that was the intent.

Mr. Sher asked why this would need to be put in the Regional Plan because it may be regarded as a standard.

Mr. Zuckerman clarified the goal was not to put the findings into the Regional Plan, but to figure out the feasibility of projects in relation to land use incentives.

Ms. McDermid asked for clarification that they were trying to identify what can be done to make the private sector put in additional capital for water quality improvements and provided an example of charging an additional $40 for environmental improvements.

Mr. Zuckerman stated that was an example that could be analyzed.

Ms. Marchetta added that the private sector portion of the estimated $1.5 billion is approximately $350 million, so this issue attempts to figure out how that portion could be obtained.

Ms. Aldean commented on the importance of offering incentives to the private sector, but it also would depend on the project, to some extent.

Mr. Beyer commented that he was encouraged that the private sector was being considered as a stakeholder and a partner, but analysis should have clear determinations that are feasible.

Mr. Cashman asked for clarification that the plan will state that the agency will be conducting economic analysis on the incentives being offered to the private sector to obtain water quality objectives.

Mr. Zuckerman clarified it would not be read in the plan, but could be seen in the process and provided an example.
Ms. Marchetta stated economic analysis information would be presented to assist with making decisions about what would be an incentive. They were attempting to create a system of regulations and incentives and other tools that will assist with achieving plan objectives.

Mr. Cashman stated his point was that incentives need to change and be adaptable.

APC Comments & Questions on Water Quality Issue #9:

Mr. Upton asked about the existing disclosure requirement.

Mr. Nielsen stated they are not provided that information because disclosures do not get forwarded to the agency.

Mr. Tolhurst commented that knowing how many individuals completed BMPs, but did not disclose it would be a better way to gauge how useful that tool has been.

Mr. Loftis asked how site constraint properties fit into the scenario.

Mr. Nielsen commented that the proposed policies intend to recognize and provide for options to those site constraint properties.

Board Comments & Questions on Water Quality Issue #9:

Ms. Aldean asked how the financial guarantee is established if a property has not been evaluated for BMPs.

Mr. Nielsen stated that information would be provided at a later date.

Ms. Ruthe commented that the point of sale was a concern to her because of the lack of disclosure information.

Mr. Sher stated he was unclear about disclosure requirements.

Mr. Nielsen stated the disclosure requires that the seller notify the buyer that BMPs are required. A certificate can also be produced to show compliance if BMPs were already put in. The alternatives would require BMPs be put in before the sale closes or that a financial guarantee be posted that BMPs will be put in.

Mr. Sher asked if it also has to be disclosed that BMPs are put in at time of sale.

Mr. Nielsen stated that issue was currently being addressed.

Mr. Sher asked if, under the current system, it was required to disclose if BMPs are needed and if they have been put in at the time of sale.

Mr. Nielsen stated the disclosure is that the ordinance exists.

Mr. Sher stated there should be discussion regarding the content of disclosure.

Ms. McDermid expressed concern that TRPA was getting in the middle of private
transactions. She asked if required BMPs are not known at the time of sale, what will be the implications of requiring BMPs in the middle of a transaction.

Mr. Zuckerman stated that could be a policy direction established by the Board.

Ms. McDermid asked how defensible space requirements fit into this issue.

Ms. Marchetta stated they have not contemplated proposing this type of disclosure for defensible space. She clarified this policy is being presented not only because of opposition to the policy, but from pressure from the California Attorney General’s Office.

Mr. Biaggi asked if there was a similar policy with wood stoves in the Basin.

Ms. Marchetta replied yes and is as equally ineffective.

APC Comments & Questions on SEZ Issue #1:
No Questions.

Board Comments & Questions on SEZ Issue #1:
No Questions.

APC Comments & Questions on SEZ Issue #2:
No Questions.

Board Comments & Questions on SEZ Issue #2:
No Questions.

APC Comments & Questions on SEZ Issue #3:
Mr. Upton asked if the language on page 8: “Before the pros of TRPA, staff position…” is a staff recommendation.

Mr. Zuckerman clarified that was a staff recommendation.

Mr. Upton asked if definitions would be used in concert with disturbance definitions and if the feasibility of private lands being the land bank source has been considered.

Staff member Scott Frazier replied yes, definitions would be used with the definitions of permanent disturbance and that current SEZ restoration credits are being generated from private lands purchased and restored for that purpose.

Board Comments & Questions on SEZ Issue #3:
Mr. Cole asked if the flood zone would be considered with the SEZ issue.

Mr. Nielsen stated it would be a part of the natural hazards milestone discussion.
Mr. Cole commented that he was disturbed to have to deny a project that would reduce a footprint and bring it to higher ground due to restrictive coding.

Ms. Santiago asked if staff recommendation was to clarify definitions and that later discussion would be the Board’s response.
Mr. Zuckerman replied that was correct.

Ms. McDermaid asked if there were other projects that would necessarily be increased in cost.

Mr. Zuckerman explained there were a group of projects that could be affected by an additional cost.

Ms. Montgomery asked if the Board should submit their position in writing.

Mr. Zuckerman reported a record of Board decisions would be established.

Ms. Rinke stated there would be no legal implication for the Board to submit their positions in writing.

Mr. Biaggi stated the Board should be transparent and open and not skirt around individual comments.

Mr. Montgomery stated her intent was for written decisions from the Board to be part of the public record, which may make it more transparent.

Mr. Zuckerman commented that written comments from the Board would become part of the public record, but policy direction from the Board was needed at the end of this meeting.

Public Comment:

John Falk, North Tahoe Sierra Board of Realtors, commented that the Board should see past failures as failures in selling the product and not the principle.

Pat Davidson, Executive Director, Truckee/Tahoe Contractors Association, thanked staff for holding stakeholder meetings. She stated she was in support of the two-tracked approach. She provided suggestions for the BMP package. She stated they were strongly opposed to any activity that would hold allocations “hostage”.

Theresa Sours, President, South Tahoe Association of Realtors, explained fall-out from the point of sale language currently being considered.

Bob Coulter, Sierra Nevada Board of Realtors, commented that it would be difficult to get a performance bond if requirements are not known.

Karen Marsa, CEO, Incline Village Board of Realtors, commented that one major problem would be not getting enough from the point of sale. She requested that references to a point of sale as a regulatory tool be removed.

Bruce Eisner, California Tahoe Conservancy, commented that individuals deserve
streamlining, predictability, and accountability.

Rochelle Nason & Carl Young, League to Save Lake Tahoe, complimented staff on their efforts with this issue and consulting the public. Ms. Nason stated the first step should be examining thresholds individually and as a package. Mr. Young reviewed thresholds that should be examined. Ms. Nason provided an example of how a threshold can help.

Ms. Santiago asked if two new thresholds were being proposed.

Ms. Nason replied three: a near shore; SEZ functionality; and AIS.

Harold Singer, Executive Officer, Lahontan Water Board, stated the Board supports staff recommendations and the concept of developing BMPs for the non-urban upland. He reviewed the Water Board’s concerns with water quality issues.

Jennifer Quashnick, Sierra Club, thanked staff for their efforts regarding this issue. She stated she was unclear why a 4-4 vote is required because policies not voted on will not be analyzed in the EIS. There was also concern about the APC voting on issues that they were only presented with today and with water quality issue #1. They agree a timeline was needed for the development of the near shore standard and that adoption of the Regional Plan would be a good timeline. The EIS should analyze vehicle miles traveled before proposing densities for urban areas. They will continue to address the difference in definitions of EPA wetlands and SEZs to the APC.

Ms. Marchetta explained there was a 4-4 voting requirement at today’s meeting to determine the position of the Board.

Mr. Sher stated staff would get the indication of the Board’s position from any vote. He expressed concern that requesting a 4-4 vote is a legal requirement.

Ms. Marchetta stated it was not a requirement. It is a tool for staff to gauge the Board’s position.

Mr. Biaggi noted there was nothing on the agenda that requires a vote.

Mr. Sher noted the introductory memo states a 4-4 vote is required for the motion to pass.

Ms. Marchetta stated this could be a straw vote.

Ms. Santiago clarified a 4-4 vote requirement is listed on the agenda therefore the language should be changed to indicate a straw vote.

Ms. Rinke stated direction to staff is what is listed on the agenda. Today’s vote would not bind the Board to the future vote on the EIS or the Regional Plan update.

Mr. Sher commented that staff’s intention may be different, but the language presented states a 4-4 vote is required in order for the motion to pass.

Ms. Rinke stated the language should be corrected.

Doug Smith, TMDL Unit Chief, Lahontan Water Board, added more information to the
Sara Ellis, Nevada Realtors, provided history regarding residential disclosure on the BMPs. She commented on the importance of disclosure.

APC Technical Recommendation:

Alan Tolhurst, Chairman, Advisory Planning Commission, presented their technical recommendations:

1) WQ #1 – accept staff recommendation all TRPA upland forest – use the FS as a foundation to build on but with Adaptive Management and develop our own for program for TRPA upland.
2) WQ#3 – accept staff recommendation.
3) WQ#4 – accept staff recommendation.
4) WQ#5 - accept staff recommendation.
5) WQ#6 – accept staff recommendation and make a firm commitment to provide a plan before the next Threshold Evaluation.
6) WQ#7 - accept staff recommendation.
7) WQ#8 – accept staff recommendation with local governments to participate in the evaluation.
8) Point of Sale – analyze all four options and tracking of disclosures and whether they have been completed.
9) SEZ#1 – build on the existing definitions and regulations.
10) SEZ#2 – mitigation ratio for SEZ and strong feeling that the most impacted areas to the 4-1 ratio – this would be upfront and defined for all applicants.
11) SEZ#3 - accept staff recommendation.
12) WQ#2 – local jurisdictions should not be required to fulfill TRPA’s enforcement duties; there should be development of an implementation and maintenance strategy.

Clarifying Questions for APC by the Board:

Ms. Aldean asked if there was discussion for individual parcels to install BMPs even though they may be rendered ineffective by a more regional approach.

Mr. Tolhurst stated that was not discussed.

Ms. Kemper stated the APC did believe that was sensible.

Ms. Aldean asked if they do not envision individual parcel implementation of BMPs going away even if a more regional approach was taken to deal with run-off.

Ms. Kemper replied exactly and that assisting local jurisdictions include prioritization of areas.

Ms. Aldean asked if the list of BMPs for individual parcels should be refined to determine improvements to parcels that would have immediate benefits to infiltration trenches.

Ms. Kemper commented that there has to be a partnership with local jurisdictions and individual property owners on this issue.
Ms. Aldean asked if it was being required to address run-off from an individual parcel now rather than as a community drainage plan.

Mr. Tolhurst stated it was not a current requirement, but it would be noted.
Mr. Zuckerman added management of on-site storm water was not unique to the Lake Tahoe Basin.

Ms. Aldean asked if that was being conducted in Carson Valley as part of a retrofitting program or based on construction.

Mr. Zuckerman replied it was based on construction.

Ms. Aldean stated that would be a significant difference because it would be mandatory for all existing parcels.

Ms. Santiago asked about the addition to water quality issue #2.

Mr. Upton stated the addition regarded mechanisms that could be developed by the TRPA that would efficiently inspect at the neighborhood level and implement neighborhood-level projects.

Mr. Zuckerman noted the APC was attempting to formulate implementation measures that would be driven by the policy in water quality issue #2.

Ms. Santiago requested clarification of the APC recommendation for water quality issue #6.

Mr. Tolhurst clarified the suggestion was for it not to be included in the Regional Plan as a threshold item, but to be presented at the next threshold analysis in five years with the complete package to implement in the Regional Plan.

Ms. Santiago suggested deleting the word “threshold” out of “threshold standard” to avoid confusion. She asked if there was language that could set a commitment to a threshold standard.

Mr. Biaggi commented that this issue should be addressed during the deliberation process.

Ms. Santiago commented that, during public comment, there was a discussion about threshold standards, but threshold standards are different than thresholds.

Ms. Marchetta clarified thresholds are threshold standards, but there were other measures to take against that standard.

Ms. McDermid commented on the confusion of the use of “threshold standard”.

Ms. Marchetta commented that the word “threshold” has been used to mean a measuring system, but that when staff uses the word “threshold” it means standards that are established.

Mr. Tolhurst added there were already twenty-two standards and this issue was proposing to add another.
Ms. Montgomery suggested allowing APC more time to address issues the first day of a two-day meeting and for the TRPA to deliberate the issue the second day.

Ms. Rinke commented that there would be a problem with having an APC meeting held at the same time as the TRPA meeting.

Ms. Montgomery commented that she did not hear APC recommendations, but a re-cap of APC discussion.

Mr. Zuckerman stated the APC did provide solid recommendation in changing the language in the proposed policy for maintenance and inspection.

Ms. Montgomery stated she was unsure of what the recommendation was for water quality issue #1.

Mr. Upton commented that the APC recommendation was to use the Forest Service BMP handbook as a basis for the TRPA, but not to defer to it.

Ms. Montgomery asked if there were legal concerns about making a decision regarding this issue given the fact that Lahontan was going through litigation on this issue.

Ms. Rinke stated she did not believe there was a contradiction as this issue refers to the Regional Plan update.

Mr. Beyer asked for clarification regarding how local government could participate in the evaluation.

Ms. Merchant stated they wanted local government to participate to determine what incentives do and do not work.

Mr. Beyer asked if local governments would participate for their particular region or area-wide.

Ms. Merchant stated recommendations should be made as they would affect the entire plan or process for incentives.

Mr. Zuckerman added economic feasibility overall would be reviewed for the sake of the Regional Plan update.

Mr. Tolhurst noted staff recommendation includes participation by local jurisdictions.

Ms. Merchant commented that, for water quality issue #2, Placer County recommends TRPA and the environmental document consider delegating authority on TMDL to Lahontan.

Mr. Upton commented that the APC needed more discussion on these issues.

Ms. Marchetta noted a private meeting for the APC to further discuss the issue would be a violation of the Open Meeting Law.
Public Comment:

Rochelle Nason, League to Save Lake Tahoe, commented that the majority of APC discussion was on developing a relationship between the TRPA and local governments. She commented on the importance of that relationship.

Board Recommendation:

WQ#1

Ms. Santiago stated she had no problem with the APC recommendation because the goal is consistency with the Forest Service BMP handbook.

Ms. Aldean suggested deleting the word “deferred” and use “amended to use” the USFS BMP handbook as the guiding document.

Mr. Sher stated it was his understanding that the APC recommendation was to use the Forest Service BMP handbook until the TRPA BMP handbook could be developed.

Ms. McDermid commented that she heard the APC say to use the Forest Service handbook as a foundation on which to build and utilize adaptive management of the upland areas.

Ms. Montgomery clarified the word “use” would be substituted for the word “defer” and to add specific wording about referring to the Tahoe Basin in the US Forest Service BMP handbook.

Ms. Aldean moved to approve staff recommendation.
Motion carried.

WQ# 2

Mr. Cole asked how flexible the BMP program is to allow innovation and to include language to allow innovation and alternatives.

Mr. Nielsen stated the BMP handbook was currently being updated and new innovative approaches were being reviewed.

Mr. Cole stated he wanted the handbook to include language for innovation and alternatives.

Mr. Nielsen stated that would be reflected in the handbook.

Mr. Cole stated he wanted that to be addressed in both the US Forest Service BMP handbook and the TRPA BMP handbook.

Ms. Montgomery moved to approve the APC recommendation and to include development implementation.
Motion carried.

WQ# 3
Ms. Santiago moved to approve staff recommendation. Motion carried.

WQ# 4

Mr. Biaggi moved to approve staff recommendation.

Mr. Cole asked for an explanation of the implications.

Mr. Biaggi stated compliance with the TMDL is the responsibility of the local entity regardless of whether the TRPA is in existence.

Mr. Cole stated he would vote no on the issue because, in his opinion, it was an unfunded mandate.

Ms. Marchetta clarified the vote was not regarding whether there was an unfunded mandate, but to retain the implementation strategies currently proposed in the alternatives for the goal of the TMDL.

Mr. Zuckerman added all three of the action alternatives require participation in the TMDL program.

Mr. Sher commented that voting no on the issue would not change the general plan.

Mr. Biaggi added demands would also be made to state jurisdictions and private entities, as well as local jurisdictions.

Mr. Sher stated this is an issue that will have to be dealt with as projects come up from these jurisdictions that do have these requirements, but are not meeting them.

Mr. Beyer asked for clarification that by doing nothing on this issue is a violation of the Clean Water Act.

Mr. Zuckerman stated that was correct. He added local jurisdictions would still be required to be in compliance with the Clean Water Act even if policies and regulations were not in place. The plan was to recognize federal regulations which will assist TRPA in obtaining federal funding to assist local jurisdictions with compliance.

Mr. Cole asked if that language could be included.

Ms. Marchetta stated the EIP program approved last year included financial targets from the private sector toward the program. The EIP update will become a part of the Regional Plan.

Mr. Cole asked if the EIS has language that the TRPA acknowledges there is no current funding, but that the TRPA would still continue to provide assistance.

Ms. Marchetta stated funding was not available from any sector at the moment therefore
the plan would identify funding targets and acknowledge that the TRPA will provide assistance in finding funding.

Mr. Cole asked that language be included that the TRPA will help incentivize funding.

Mr. Harris requested TRPA staff consider the impact federal TMDL requirements on water quality management and that staff advise and assist local jurisdictions in meeting their federal obligations.

Mr. Sher suggested that language be included in the EIP program.

Mr. Cole stated that language should be included in both the EIP program and the Regional Plan.

Motion carried.

Mr. Sher voted no.

WQ# 5

Ms. Santiago moved to approve staff recommendation. Motion carried.

WQ# 6

Mr. Cole asked for clarification that there is already existing near shore.

Mr. Zuckerman commented that thresholds needed to be in place before action can be taken.

Mr. Cole stated he was not advocating a new threshold, but to re-emphasize the importance of the littoral zone.

Mr. Zuckerman stated they wanted to re-assure that the littoral zone was important, but they did not want to create thresholds until more data was collected.

Ms. Santiago commented that a footnote was needed that would provide a timeline of when the TRPA will create a suite of littoral standards.

Mr. Biaggi stated that could be policy direction.

Ms. McDermid stated the APC’s recommendation was to have a firm commitment before the next threshold evaluation and that she concurred with their recommendation.

Ms. Marchetta stated a timeline could be developed between staff recommendation and the APC recommendation.

Ms. Thomas asked if staff will propose a time frame as to when a suite of littoral standards will be created.

Mr. Zuckerman noted it may be completed in a few years, but they did not want to propose a specific time frame.
Mr. Sher stated there should be a date certain when staff will present littoral standards to the TRPA for approval and to have consequences imposed if not adopted at that time.

Ms. Marchetta stated the adequacy of science that backs up a threshold standard is not within TRPA's complete control. It's another area of partnership that lays the basis for the threshold standard.

Mr. Sher asked if it could be included in policy not to approve projects until those threshold standards are met.

Mr. Biaggi clarified this discussion was for policy direction and not imposing moratoriums.

Mr. Beyer suggested staff continue to work with the science community to find effective means and to implement them as the plan is developed.

Ms. Aldean stated her motion would be consistent with the recommendation from the APC.

Ms. Aldean moved to approve staff recommendation and to direct TRPA staff to create a suite of littoral standards before the five-year threshold review.
Motion carried.
Mr. Sher abstained.

**WQ# 7**

Ms. Santiago moved to approve staff recommendation.
Motion carried.

**WQ# 8**

Ms. Aldean recommended the land use program conduct an analysis to better inform the transfer ratio and incentive packages in cooperation with local government and the private sector representatives.

Mr. Sher asked for clarification as to where the incentives are to be developed.

Mr. Zuckerman stated this would reiterate the land use program should conduct analysis based on hypothetical situations to determine how to properly influence incentives that are going to be offered when the land use milestone is to be presented.

Mr. Sher asked for clarification that it relates to language to go into the Regional Plan.

Mr. Zuckerman commented that there would be no language in the Regional Plan about how staff is responsible to conduct analysis. Staff direction would be to do more work on this issue to ensure that land use incentives proposed in April are accurate.

Ms. Aldean moved to approve staff recommendation and that the land use program within TRPA conduct the analysis to better inform its transfer ratios and land use incentive packages in cooperation with local government and private sector representatives.

Mr. Cole stated his concern was to still have an incentive-based system.
Ms. Aldean stated it was consistent with staff recommendation to better refine the incentive package.

Ms. Cole stated he liked the phrase: “incentive-based system for land use regulation”.

Mr. Zuckerman pointed out alternative two is an incentive-based, collaboration-based alternative and that this language was throughout the entire document.

Motion carried.

WQ#9

Mr. Harris moved that the TRPA staff consider its BMP implementation with further enhanced disclosure requirements.

Ms. Aldean suggested removing language from Alternative 2 to Alternative 4 and, in Alternative 2, enhance disclosure requirements including amending the seller’s real property disclosure form.

Mr. Harris commented that the language should remain in Alternative 2.

Mr. Biaggi stated he liked Mr. Harris’ language because it provides guidance without restriction to staff.

Ms. Aldean stated she was suggesting language that could make enforcement of the seller’s real property disclosure settlement easier.

Mr. Harris stated he would accept that amendment to his motion because it was more specific.

Mr. Cole commented that disclosure of BMP compliance was disclosed in California and south shore.

Mr. Zuckerman provided previous discussion with stakeholders regarding this issue and that point of sale options should be left open in Alternatives 3 and 4.

Ms. Aldean suggested not including the language in Alternative 4 because only a disclosure requirement is included in Alternative 3.

Mr. Zuckerman added disclosure requirements could be included in Alternative 2.

Mr. Harris withdrew his motion.

Ms. Aldean moved to direct staff to revise A2 to increase disclosure statement to be required to A3.

Mr. Beyer stated language should not create indifference with one of the stakeholder communities the TRPA was looking to partner with.

Ms. Marchetta stated they were proposing to keep all options open to best achieve goals.
Mr. Beyer stated he wanted to go on record that he did not want previous comments to be overlooked.

Ms. Aldean noted Ms. Ruthe had requested the use of the seller’s real property disclosure statement.
Motion carried.

**SEZ#1**

Ms. Santiago moved to approve staff recommendation.

Ms. McDermid stated APC recommended a review of the adequacy of the definition of stream environment zone.

Mr. Loftis clarified APC made the recommendation because the current definition seemed outdated.

Ms. Aldean commented that someone from Lahontan was questioning the need for a more rigorous definition of “permanent”.

Mr. Zuckerman stated there was a recommendation to develop a “permanent” definition and suggested the following language: “TRPA staff proposed to coordinate with partner agencies during development of the regulatory definitions for SEZ and permanent disturbance.”

Motion carried.

**SEZ#2**

Mr. Cole commented that he wanted the definition of “new” and provided an example.

Mr. Zuckerman stated that would be a great discussion during implementation and provided an example.

Mr. Cole asked for the definition of “new” disturbance.

Mr. Zuckerman stated the definition of “new disturbance” is disturbing an SEZ that has never been disturbed before.

Mr. Cole requested language be included regarding less evasive or impacted disturbance.

Mr. Biaggi moved to approve staff recommendation and evaluation of new and relocated disturbances.

Ms. McDermid commented that the APC stated the criteria needs to be objective and predictable.

Mr. Zuckerman stated that was discussed and was kind of the matrix.
Motion carried.

**SEZ#3**

Ms. Santiago moved to approve staff recommendation as related to enhancement restoration and creation.

Mr. Cole asked if there could be a definition for SEZ relocation.

Mr. Frazier stated they were trying to recognize that there are similar differences in types of mitigation to compensate for impacts.

Mr. Cole commented that having that language would have one type of SEZ activity to be reviewed.

Mr. Frazier stated relocation would fall under restoration or creation.

Mr. Biaggi stated he did not see a downside to including the language.

Mr. Nielsen emphasized these are types of compensatory mitigation and that SEZ relocation is a different issue and that findings to allow for relocation are in the implementation measures.

Mr. Zuckerman clarified creation, restoration, and enhancement are all actions, but relocation is a transaction.

Motion carried.

**X. ADMINISTRATIVE MATTERS**

A. Appointment of a Governing Board Member Delegate and Alternate to the California Council of Governments (CALCOG) for 2010.

Ms. McDermid moved to nominate Governing Board member Norma Santiago as the Delegate to the California Council of Governments and Casey Beyer as the Alternate to the California Council of Governments.

Motion carried unanimously.

B. Potential Closed Session to Discuss Pending or Potential Litigation

**XI. REPORTS**

A. Executive Director Status Report

1. Agency Work Program Priorities for January
   
   a. Regional Plan Update
   b. Forest Fuels Management Update
   c. Aquatic Invasive Species
   d. EIP Implementation
   e. Shorezone Implementation
   f. CEP Update
B. Agency Counsel Status Report

Ms. Rinke gave the agency counsel status report and stated that TLOA has dismissed their lawsuit against TRPA on Shorezone.

XII. GOVERNING BOARD MEMBER REPORTS

XII. COMMITTEE REPORTS

A. Legal Committee - none
B. Operations Committee - none
C. Public Outreach & Environmental Education Committee - none
D. Catastrophic Wildfire Committee - none
E. Local Government Committee - none

XIV. ADJOURNMENT

Governing Board Chair Mr. Biaggi adjourned the meeting on Thursday at 4:15 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.
MEMORANDUM

Date: February 17, 2010
To: TRPA Governing Board
From: TRPA Staff
Subject: Acceptance of Fiscal Year 2009 June Financial Statements


Staff Recommendation: Staff recommends Governing Board acceptance of the Attached June Financial Statements for Fiscal Year 2009.

Required Motion: In order to accept the June 2009 Financial Statements, the Governing Board must make the following motion:

1) A motion to accept the June 2009 Financial Statement.

In order for the motion to pass, an affirmative vote of any 8 Board members is required.

Description/Background: Last month the Governing Board accepted the Agency June 30, 2009, audited financial statements. This month the Governing Board is being asked to accept corresponding June 30, 2009, financial statements in the normal monthly format. This is being done to provide the Governing Board the fiscal year-end numbers in the same format that was used throughout the year.

Despite adjustments made in the Augmented Budget for filing fees and investment revenue, revenue fell short of budget by $219 thousand and $53 thousand, respectively. State Revenue nearly made up the shortfall by exceeding budget by $233 thousand due to a one time retroactive 4% cost of living adjustment funded by both California and Nevada.

Special Revenue Funds showed a $261 thousand loss. Included in the Special Revenue Funds is the activity in the two Local Transportation Funds and the State Transit Assistance Fund. Together these three funds had a $414 thousand loss. These transportation funds come from California and are disbursed to El Dorado and Placer Counties, as well as the City of South Lake Tahoe. Together these three Funds had a net loss primarily due to California revenue being received and recorded as revenue in FY 2008, and then disbursed and recorded as expenditure in FY 2009. The only other Special Revenue Fund showing a loss is the Watercraft Fund. The Watercraft Fund incurred costs with the associated revenue being recorded in the subsequent fiscal year.

The Capital Outlay Fund had expenditures of $132 thousand for software that was paid with grant funds received in the previous year.

Consent Calendar Item No. 1
The Agency Building at 128 Market Street had an accounting loss of $604 thousand. The loss is composed of revenue and expenses in the following areas:

Building Revenues:
- $802 thousand in rental income
- $322 thousand reimbursed by a new tenant that moved into the building in June 2009.
- $150 thousand rebate received from NV Energy for the solar system

Building Expenses:
- $810 thousand was spent on the building including the solar Energy System and the office expansion for TTD, STATA & TRPA’s transportation staff and tenant improvements
- $847 thousand in operating expenses and bond interest expense
- $221 thousand in bond principal payments

Subsequent to fiscal year-end the Agency was reimbursed for $464 thousand of these costs from the unspent building debt proceeds. The $464 thousand is a source of funds recorded in fiscal year 2009/10.

Contact Information: If you have any questions, please contact Rhonda McFarlane, Finance Director at (775) 589 5233 or at rmcfarlane@trpa.org.

Attachments:
- Enclosure I Agency Revenue and Expenditure Comparison
- Enclosure II Statement of Revenues, Expenditures, and Changes in Fund Balance
## Enclosure I

### Agency Revenue and Expenditure Comparison

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<td><strong>Revenue</strong></td>
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<td>$8,669,508</td>
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<td>116.4%</td>
<td></td>
<td>$1,094,660</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>1,054,494</td>
<td>1,054,494</td>
<td>1,878,262</td>
<td>178.1%</td>
<td></td>
<td>1,054,494</td>
</tr>
<tr>
<td><strong>gain (loss)</strong></td>
<td>$40,166</td>
<td>$40,166</td>
<td>$(603,680)</td>
<td></td>
<td></td>
<td>$40,166</td>
</tr>
<tr>
<td><strong>Total Agency Building Fund Status</strong></td>
<td>$1,094,660</td>
<td>$1,094,660</td>
<td>$1,274,582</td>
<td>116.4%</td>
<td></td>
<td>$1,094,660</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td>1,054,494</td>
<td>1,054,494</td>
<td>1,878,262</td>
<td>178.1%</td>
<td></td>
<td>1,054,494</td>
</tr>
<tr>
<td><strong>gain (loss)</strong></td>
<td>$40,166</td>
<td>$40,166</td>
<td>$(603,680)</td>
<td></td>
<td></td>
<td>$40,166</td>
</tr>
</tbody>
</table>
### Tahoe Regional Planning Agency
General Fund

#### Statement of Revenues, Expenditures, and Changes in Fund Balance

**Year to Date As of June 30, 2009**

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>State Revenue</td>
<td>4,927,199</td>
<td>5,160,909</td>
<td>233,710</td>
<td>104.74%</td>
</tr>
<tr>
<td>Local revenue</td>
<td>149,998</td>
<td>149,998</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
<td>1,461,445</td>
<td>1,242,901</td>
<td>(218,544)</td>
<td>70.31%</td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>176,939</td>
<td>124,410</td>
<td>(52,529)</td>
<td>70.31%</td>
</tr>
<tr>
<td>Passthrough Revenue</td>
<td>-</td>
<td>1,139,180</td>
<td>1,139,180</td>
<td>100.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>795,475</td>
<td>804,061</td>
<td>8,586</td>
<td>101.08%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>31,715</td>
<td>48,049</td>
<td>16,334</td>
<td>151.50%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>7,542,771</td>
<td>8,669,508</td>
<td>1,126,737</td>
<td>114.94%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GOVERNING BOARD</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>10,360</td>
<td>467</td>
<td>9,893</td>
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</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>186</td>
<td>(196)</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>3,025</td>
<td>(3,025)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>17,132</td>
<td>17,100</td>
<td>32</td>
<td>99.82%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>27,492</td>
<td>20,778</td>
<td>6,714</td>
<td>75.58%</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>EXECUTIVE</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>414,915</td>
<td>432,103</td>
<td>(17,188)</td>
<td>104.14%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>2,159</td>
<td>2,229</td>
<td>(64)</td>
<td>103.24%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>1,341</td>
<td>1,974</td>
<td>(633)</td>
<td>147.32%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>3,012</td>
<td>5,409</td>
<td>(2,397)</td>
<td>179.57%</td>
</tr>
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<td>Information Services</td>
<td>-</td>
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<tr>
<td>Training</td>
<td>1,180</td>
<td>1,180</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>422,607</td>
<td>442,895</td>
<td>(20,288)</td>
<td>104.80%</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>COMMUNICATIONS</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>168,672</td>
<td>177,564</td>
<td>(8,892)</td>
<td>105.27%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>23</td>
<td>(23)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>14,051</td>
<td>18,027</td>
<td>(3,976)</td>
<td>128.30%</td>
</tr>
<tr>
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<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>182,723</td>
<td>195,615</td>
<td>(12,892)</td>
<td>107.06%</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>INFORMATION TECHNOLOGY</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>330,617</td>
<td>341,351</td>
<td>(10,734)</td>
<td>103.25%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>30,000</td>
<td>15,799</td>
<td>14,201</td>
<td>52.66%</td>
</tr>
<tr>
<td>Information Services</td>
<td>180,000</td>
<td>143,894</td>
<td>36,106</td>
<td>79.94%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td></td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>35,000</td>
<td>16,146</td>
<td>18,854</td>
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</tr>
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<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td></td>
<td>(47,786)</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>575,617</td>
<td>564,976</td>
<td>10,641</td>
<td>98.15%</td>
</tr>
</tbody>
</table>
## TAHOE REGIONAL PLANNING AGENCY
### GENERAL FUND
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
##### YEAR TO DATE AS OF June 30, 2009

### BUDGET vs YEAR-TO-DATE

<table>
<thead>
<tr>
<th>Category</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>VARIANCE %</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Admin Support Team</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
<td>201,865</td>
<td>216,753</td>
<td>(14,888)</td>
<td>107.38%</td>
<td></td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>201,865</td>
<td>216,753</td>
<td>(14,888)</td>
<td>107.38%</td>
<td></td>
</tr>
<tr>
<td><strong>Operations Support</strong></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
<td>210,184</td>
<td>228,908</td>
<td>(18,724)</td>
<td>108.91%</td>
<td></td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>210,184</td>
<td>228,908</td>
<td>(18,724)</td>
<td>108.91%</td>
<td></td>
</tr>
<tr>
<td><strong>General Services</strong></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
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<tr>
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<td>37</td>
<td>0</td>
<td>99.32%</td>
<td></td>
</tr>
<tr>
<td>In-State Travel</td>
<td>4,211</td>
<td>1,429</td>
<td>2,782</td>
<td>33.93%</td>
<td></td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>977,877</td>
<td>952,563</td>
<td>25,314</td>
<td>97.41%</td>
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</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>(692)</td>
<td>(692)</td>
<td>(0)</td>
<td>99.99%</td>
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</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>1,066,433</td>
<td>1,046,720</td>
<td>19,713</td>
<td>98.15%</td>
<td></td>
</tr>
<tr>
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<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
<td>317,948</td>
<td>349,792</td>
<td>(31,844)</td>
<td>110.02%</td>
<td></td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>77,576</td>
<td>86,009</td>
<td>(8,433)</td>
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<td>(371)</td>
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<tr>
<td>Utility Expenses</td>
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<tr>
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</tr>
<tr>
<td>Passthrough Expenditure</td>
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<tr>
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<td>2,228</td>
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<tr>
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</tr>
<tr>
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<tr>
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<td>0.00%</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td>269,719</td>
<td>197,292</td>
<td>72,427</td>
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**Note:** Variance calculations are based on differences between budgeted and actual amounts.
## TAHOE REGIONAL PLANNING AGENCY
### GENERAL FUND
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
##### YEAR TO DATE AS OF June 30, 2009

<table>
<thead>
<tr>
<th>Environmental Improvement Team</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
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<tbody>
<tr>
<td>Personnel</td>
<td>490,021</td>
<td>509,412</td>
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<tr>
<td>Out-of-State Travel</td>
<td>-</td>
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<tr>
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<td>-</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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</tr>
<tr>
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<td>40</td>
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</tr>
<tr>
<td>Training</td>
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</tr>
<tr>
<td>Utility Expenses</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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</tr>
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<td>Passthrough Expenditure</td>
<td>-</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td>490,021</td>
<td>509,452</td>
<td>(19,431)</td>
<td>103.97%</td>
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<thead>
<tr>
<th>Environmental Review Services</th>
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<tr>
<td>Personnel</td>
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<td>1,442,026</td>
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<tr>
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</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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</tr>
<tr>
<td>Operating Expenses</td>
<td>2,269</td>
<td>463</td>
<td>1,806</td>
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<tr>
<td>Training</td>
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<tr>
<td>Utility Expenses</td>
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<tr>
<td>Contract Services</td>
<td>4,849</td>
<td>8,812</td>
<td>(3,963)</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
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<td>1,451,302</td>
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<tbody>
<tr>
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<tr>
<td>In-State Travel</td>
<td>-</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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</tr>
<tr>
<td>Operating Expenses</td>
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<td>39,800</td>
<td>(17,213)</td>
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<tr>
<td>Training</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
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</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
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<tr>
<td>In-State Travel</td>
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<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Operating Expenses</td>
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<td>975</td>
<td>(975)</td>
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</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
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<tr>
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<td>Other Financing Sources (Uses)</td>
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<tr>
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<tr>
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<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>-</td>
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<td>0.00%</td>
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<tr>
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<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
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<tr>
<td>Utility Expenses</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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<tr>
<td>Passthrough Expenditure</td>
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<tr>
<td>Capital Outlay</td>
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<td>Other Financing Sources (Uses)</td>
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<tbody>
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<td>440</td>
<td>89,152</td>
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</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
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*Note: All figures are in dollars.*
<table>
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<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
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<td>In-State Travel</td>
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</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Operating Expenses</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Training</td>
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<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
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<tr>
<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources</td>
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<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>89,592</td>
<td>440</td>
<td>89,152</td>
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</table>

**Shorezone EIS**

<table>
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<th>Variance</th>
<th>% to Date</th>
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</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Operating Expenses</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
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<td>-</td>
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</tr>
<tr>
<td>Training</td>
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<td>Utility Expenses</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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<td>0.00%</td>
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<td>Capital Outlay</td>
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<tr>
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**Finance**

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<th>Variance</th>
<th>% to Date</th>
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<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>0.00%</td>
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<tr>
<td>Operating Expenses</td>
<td>-</td>
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**Legal**

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<tr>
<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Operating Expenses</td>
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<td>0.00%</td>
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<td>Contract Services</td>
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<tr>
<td>Capital Outlay</td>
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**Miscellaneous**

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**General Fund Total**

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<th>% to Date</th>
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<tbody>
<tr>
<td>Personnel</td>
<td>5,043,987</td>
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<td>2,196</td>
<td>2,452</td>
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<td>In-State Travel</td>
<td>6,552</td>
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<tr>
<td>Operating Expenses</td>
<td>1,197,584</td>
<td>1,174,766</td>
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<tr>
<td>Information Services</td>
<td>180,000</td>
<td>144,266</td>
<td>35,734</td>
<td>80.15%</td>
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## Enclosure II

### TAHOE REGIONAL PLANNING AGENCY
### GENERAL FUND

#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

**YEAR TO DATE AS OF June 30, 2009**

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
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<tbody>
<tr>
<td>Training</td>
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<td>(192)</td>
<td>(181)</td>
<td>11</td>
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<td>16,147</td>
<td>18,853</td>
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<td>509,974</td>
<td>163,543</td>
<td>346,431</td>
<td>32.07%</td>
</tr>
</tbody>
</table>

**Total Expenditures**

|                  | 7,542,775 | 8,373,765 | (830,991) | 111.02% |

**Total Revenue**

|                  | 7,542,771 | 8,669,508 | 1,126,737 | 114.94% |

**Total Expenditures**

|                  | 7,542,775 | 8,373,765 | (830,991) | 111.02% |

**Contingency**

|                  | -         | -         | -         | 0.00%    |

**Excess (Deficiency) of Revenues Over Expenditures**

|                  | (4)       | 295,743   | 295,747   | -8449605.43% |


<table>
<thead>
<tr>
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<th>Variance</th>
<th>% To Date</th>
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<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Federal Grant Revenue</td>
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<td>564,919</td>
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<td>Local revenue</td>
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<tr>
<td>Admin and Overhead Revenue</td>
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<tr>
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<td>613,491</td>
<td>406,923</td>
<td>296.99%</td>
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<td>In-State Travel</td>
<td>-</td>
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<tr>
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<td>0.00%</td>
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<td>Training</td>
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<td>Utility Expenses</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
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<td>0.00%</td>
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<td>Other Financing Sources (Uses)</td>
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<td>Training</td>
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<tr>
<td>Contract Services</td>
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<td>0.00%</td>
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<td>In-State Travel</td>
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<td>Information Services</td>
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<tr>
<td>Training</td>
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<td>Utility Expenses</td>
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<tr>
<td>Contract Services</td>
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<td>Capital Outlay</td>
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<th>Variance</th>
<th>% To Date</th>
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<tbody>
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<td><strong>SNPLMA NV USFWS AIS</strong></td>
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</tr>
<tr>
<td>Personnel</td>
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<td>50,150</td>
<td>(50,150)</td>
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<tr>
<td>Out-of-State Travel</td>
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<td>-</td>
<td>0.00%</td>
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<tr>
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**Army Corp AIS**

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**California Tahoe Conservancy AIS**

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<td>Admin &amp; Overhead Expense</td>
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<td>Training</td>
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<td>Passthrough Expenditure</td>
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<td>Capital Outlay</td>
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**Truckee River Fund AIS**

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<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Operating Expenses</td>
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<tr>
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<tr>
<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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**BOR Burke Creek Restoration**

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<tr>
<td>In-State Travel</td>
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<td></td>
<td></td>
<td>0.00%</td>
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<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td></td>
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<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
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<tr>
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<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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**BOR Millfoil**

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</tr>
<tr>
<td>Training</td>
<td></td>
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<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td></td>
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<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
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<tr>
<td>Capital Outlay</td>
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10

TAHOE REGIONAL PLANNING AGENCY
ENVIRONMENTAL IMPROVEMENT FUND
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
YEAR TO DATE AS OF June 30, 2009
## TAHOE REGIONAL PLANNING AGENCY
### ENVIRONMENTAL IMPROVEMENT FUND
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
##### YEAR TO DATE AS OF June 30, 2009

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
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<tr>
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### BOR III

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<td>-</td>
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<td>-</td>
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<td>Training</td>
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### Shorezone EIS

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<td>Out-of-State Travel</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Operating Expenses</td>
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<td>-</td>
<td>0.00%</td>
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<tr>
<td>Information Services</td>
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<tr>
<td>Contract Services</td>
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### EPA EIP

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### Forest Fuels

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</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Pass-through Expenditure</td>
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<tr>
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</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<tr>
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### Snapshot Day

<table>
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<tr>
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<th>VARIANCE</th>
<th>% TO DATE</th>
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<td>Information Services</td>
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<td>Training</td>
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<td>-</td>
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<td>0.00%</td>
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<tr>
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<tr>
<td>Other Financing Sources (Uses)</td>
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### Operating Transfers

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<td>Personnel</td>
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## TAHOE REGIONAL PLANNING AGENCY
### ENVIRONMENTAL IMPROVEMENT FUND
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
### YEAR TO DATE AS OF June 30, 2009

<table>
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<tr>
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<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Out-of-State Travel</td>
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<tr>
<td>In-State Travel</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>(42,285)</td>
<td>(42,945)</td>
<td>660</td>
<td>101.56%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>(42,285)</td>
<td>(42,945)</td>
<td>660</td>
<td>101.56%</td>
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</table>

### EIP Grant Fund Total

<table>
<thead>
<tr>
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<th>VARIANCE</th>
<th>% TO DATE</th>
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<tbody>
<tr>
<td>Personnel</td>
<td>146,380</td>
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<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>102,469</td>
<td>114,739</td>
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<td>(46,758)</td>
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<td>Information Services</td>
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<tr>
<td>Training</td>
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<td>-</td>
<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>260,280</td>
<td>(260,280)</td>
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<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
<td>(42,285)</td>
<td>(42,945)</td>
<td>660</td>
<td>101.56%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>(42,285)</td>
<td>(42,945)</td>
<td>660</td>
<td>101.56%</td>
</tr>
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</table>

### Total Revenue

<table>
<thead>
<tr>
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<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Revenues</td>
<td>206,568</td>
<td>613,491</td>
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</table>

### Contingency

<table>
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<tr>
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<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Expenditures</td>
<td>206,564</td>
<td>596,770</td>
<td>(390,206)</td>
<td>288.90%</td>
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</table>

### Excess (Deficiency) of Revenues Over Expenditures

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<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
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</thead>
<tbody>
<tr>
<td>Excess (Deficiency)</td>
<td>4</td>
<td>16,721</td>
<td>16,717</td>
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</table>
## STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

**YEAR TO DATE AS OF June 30, 2009**

### REVENUES

<table>
<thead>
<tr>
<th>Source</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>State Revenue</td>
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<td>Fees For Service Revenue</td>
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</tr>
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<td>Investment Revenue</td>
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<td>0.00%</td>
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<tr>
<td>Passthrough Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
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<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Revenue</td>
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<td>1,861</td>
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<td><strong>Total Revenues</strong></td>
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<td>676,861</td>
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### Expended Costs

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<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
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<td>61</td>
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<tr>
<td>Information Services</td>
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<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
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<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
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<td>128</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
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<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<td>-</td>
<td>0.00%</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<td>0.00%</td>
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<tr>
<td><strong>Total Expenses</strong></td>
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<td>189</td>
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### Threshold Studies - General

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<th>% To Date</th>
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<tbody>
<tr>
<td>Personnel</td>
<td>59,957</td>
<td>53,095</td>
<td>6,862</td>
<td>88.56%</td>
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<tr>
<td>Out-of-State Travel</td>
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<td>0.00%</td>
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<tr>
<td>In-State Travel</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>Information Services</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
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<td>0.00%</td>
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<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
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<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
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<td>Other Financing Sources (Uses)</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td><strong>Total Expenses</strong></td>
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<td>53,095</td>
<td>6,862</td>
<td>88.56%</td>
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### Adaptive Management

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</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
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<td>38,520</td>
<td>22,986</td>
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<tr>
<td>In-State Travel</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
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<td>400</td>
<td>0.00%</td>
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<tr>
<td>Information Services</td>
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<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
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<td>-</td>
<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
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<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>61,506</td>
<td>38,520</td>
<td>22,986</td>
<td>62.63%</td>
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### Regional Plan Update

<table>
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<th>% To Date</th>
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<td>19,544</td>
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<tr>
<td>In-State Travel</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
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<tr>
<td>--------------------------------</td>
<td>--------</td>
<td>--------------</td>
<td>----------</td>
<td>-----------</td>
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<tr>
<td>Contract Services</td>
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</tr>
<tr>
<td>Passthrough Expenditure</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td></td>
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</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>324,955</td>
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<td>55.41%</td>
</tr>
</tbody>
</table>

**Miscellaneous**

<p>| | | | | |</p>
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<tr>
<th></th>
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<tbody>
<tr>
<td>Personnel</td>
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<tr>
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<tr>
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</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Operating Expenses</td>
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<td></td>
<td></td>
<td>0.00%</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Utility Expenses</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
<td></td>
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</tr>
<tr>
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<td>(8,000)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td></td>
<td>(75,000)</td>
<td>378,692</td>
<td>(453,692)</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>(75,000)</td>
<td>386,692</td>
<td>(461,692)</td>
<td>-515.59%</td>
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</table>

**Threshold Studies Fund Total**

<p>| | | | | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>Personnel</td>
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<td>In-State Travel</td>
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<td>(524)</td>
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<td>Training</td>
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<td>128</td>
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<td>Contract Services</td>
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<td>254,340</td>
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<tr>
<td>Capital Outlay</td>
<td></td>
<td></td>
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<td>0.00%</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
<td></td>
<td>(75,000)</td>
<td>378,692</td>
<td>(453,692)</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>(75,000)</td>
<td>386,692</td>
<td>(461,692)</td>
<td>-515.59%</td>
</tr>
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</table>

**Total Revenue**

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Total Revenue</td>
<td>600,000</td>
<td>676,861</td>
<td>76,861</td>
<td>112.81%</td>
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<tr>
<td><strong>Total Expenditure</strong></td>
<td>509,418</td>
<td>676,861</td>
<td>(167,443)</td>
<td>132.87%</td>
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</table>

**Excess (Deficiency) of Revenues Over Expenses**

<p>| | | | | |</p>
<table>
<thead>
<tr>
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<td>Contingency</td>
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<tr>
<td><strong>Excess (Deficiency)</strong></td>
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<td>(90,582)</td>
<td>0.00%</td>
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<td>BUDGET</td>
<td>YEAR-TO-DATE</td>
<td>VARIANCE</td>
<td>% TO DATE</td>
<td></td>
</tr>
<tr>
<td>---------</td>
<td>---------------</td>
<td>-----------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>State Revenue</td>
<td>124,000</td>
<td>124,000</td>
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<td>0.00%</td>
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<tr>
<td>Local revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
<td>37,500</td>
<td>19,975</td>
<td>(17,525)</td>
<td>53.27%</td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
| Other Revenue | 77,308 | 77,308 | 0.00% |}

| Total Revenues | 161,500 | 221,283 | 59,783 | 137.02% |

| **Watercraft Monitoring** |               |           |           |
| Personnel | 123,283 | 130,162 | (6,879) | 105.58% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | 16 | (16) | 0.00% |
| Admin & Overhead Expense | - | 642 | (642) | 0.00% |
| Operating Expenses | 38,217 | 37,010 | 1,207 | 96.84% |
| Information Services | - | - | - | 0.00% |
| Training | - | 40 | (40) | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | 74,903 | (74,903) | 0.00% |
| Other Financing Sources (Uses) | - | 10,277 | (10,277) | 0.00% |

| Total Expenses | 161,500 | 253,051 | (91,551) | 156.69% |

| **Miscellaneous** |               |           |           |
| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | 16 | (16) | 0.00% |
| Admin & Overhead Expense | - | 642 | (642) | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | 40 | (40) | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | 74,903 | (74,903) | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |

| Total Expenses | - | - | - | 0.00% |

| **Watercraft Fund Total** |               |           |           |
| Personnel | 123,283 | 130,162 | (6,879) | 105.58% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | 16 | (16) | 0.00% |
| Admin & Overhead Expense | - | 642 | (642) | 0.00% |
| Operating Expenses | 38,217 | 37,010 | 1,207 | 96.84% |
| Information Services | - | - | - | 0.00% |
| Training | - | 40 | (40) | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | 74,903 | (74,903) | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |

| Total Expenditure | 161,500 | 253,051 | (91,551) | 156.69% |

| Total Revenue | 161,500 | 221,283 | 59,783 | 137.02% |
| Total Expenditure | 161,500 | 253,051 | (91,551) | 156.69% |

| Excess (Deficiency) of Revenues Over Expenses | - | (31,767) | (31,767) | 0.00% |
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

**YEAR TO DATE AS OF June 30, 2009**

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Grant Revenue</td>
<td>685,331</td>
<td>547,410</td>
<td>(137,921)</td>
<td>26.80%</td>
</tr>
<tr>
<td>State Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Local revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Passthrough Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>685,331</td>
<td>547,410</td>
<td>(137,921)</td>
<td>79.88%</td>
</tr>
</tbody>
</table>

| **SNPLMA TIIMS**     |            |              |          |           |
| Personnel            | 124,702    | 103,150      | 21,552   | 82.72%    |
| Out-of-State Travel  | -          | -            | 0.00%    |           |
| In-State Travel      | -          | -            | 0.00%    |           |
| Admin & Overhead Expense | 87,291 | 59,249      | 28,042   | 67.88%    |
| Operating Expenses   | -          | -            | 0.00%    |           |
| Information Services | -          | -            | 0.00%    |           |
| Training             | -          | -            | 0.00%    |           |
| Utility Expenses     | -          | -            | 0.00%    |           |
| Contract Services    | -          | 23,586       | (23,586) | 0.00%     |
| Passthrough Expenditure | -     | -          | 0.00%    |           |
| Capital Outlay       | -          | 3,000        | (3,000)  | 0.00%     |
| Other Financing Sources (Uses) | - | -         | 0.00%    |           |
| **Total Expenses**   | 211,993    | 188,985      | 23,008   | 89.15%    |

| **SNPLMA Thresholds**|            |              |          |           |
| Personnel            | -          | -            | 0.00%    |           |
| Out-of-State Travel  | -          | 796          | (796)    | 0.00%     |
| In-State Travel      | -          | 20           | (20)     | 0.00%     |
| Admin & Overhead Expense | -      | -            | 0.00%    |           |
| Operating Expenses   | -          | 4,657        | (4,657)  | 0.00%     |
| Information Services | -          | -            | 0.00%    |           |
| Training             | -          | -            | 0.00%    |           |
| Utility Expenses     | -          | -            | 0.00%    |           |
| Contract Services    | -          | -            | 0.00%    |           |
| Passthrough Expenditure | -     | -          | 0.00%    |           |
| Capital Outlay       | -          | -            | 0.00%    |           |
| Other Financing Sources (Uses) | - | -         | 0.00%    |           |
| **Total Expenses**   | 500,000    | 365,570      | 134,430  | 73.11%    |

| **Miscellaneous**    |            |              |          |           |
| Personnel            | -          | -            | 0.00%    |           |
| Out-of-State Travel  | -          | -            | 0.00%    |           |
| In-State Travel      | -          | -            | 0.00%    |           |
| Admin & Overhead Expense | -      | -            | 0.00%    |           |
| Operating Expenses   | -          | -            | 0.00%    |           |
| Information Services | -          | -            | 0.00%    |           |
| Training             | -          | -            | 0.00%    |           |
| Utility Expenses     | -          | -            | 0.00%    |           |
| Contract Services    | -          | -            | 0.00%    |           |
| Passthrough Expenditure | -     | -          | 0.00%    |           |
| Capital Outlay       | -          | -            | 0.00%    |           |
| Other Financing Sources (Uses) | - | -         | 0.00%    |           |
| **Total Expenditure**| (26,661)   | (7,145)      | (19,516) | 26.80%    |

| **SNPLMA Fund Total**|            |              |          |           |
| Personnel            | 124,702    | 103,150      | 21,552   | 82.72%    |
| Out-of-State Travel  | -          | 796          | (796)    | 0.00%     |
| In-State Travel      | -          | 20           | (20)     | 0.00%     |
| Admin & Overhead Expense | 87,291 | 59,249      | 28,042   | 67.88%    |
| Operating Expenses   | -          | 4,657        | (4,657)  | 0.00%     |
| Information Services | -          | -            | 0.00%    |           |
| Training             | -          | -            | 0.00%    |           |
| Utility Expenses     | -          | -            | 0.00%    |           |
| Contract Services    | -          | -            | 0.00%    |           |
| Passthrough Expenditure | -     | -          | 0.00%    |           |
| Capital Outlay       | -          | 3,000        | (3,000)  | 0.00%     |
| Other Financing Sources (Uses) | - | -         | 0.00%    |           |
| **Total Expenditure**| (26,661)   | (7,145)      | (19,516) | 26.80%    |

| **Excess (Deficiency) of Revenues Over Expenditures** | - | - | 1 | 0.00% |
## TAHOE REGIONAL PLANNING AGENCY
### SPECIAL STUDIES FUND
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
##### YEAR TO DATE AS OF June 30, 2009

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
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</tr>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
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</tr>
<tr>
<td>State Revenue</td>
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<td>Local revenue</td>
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<tr>
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<td>158,495</td>
<td>58,495</td>
<td>158.50%</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>100,000</td>
<td>158,495</td>
<td>58,495</td>
<td>158.50%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
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<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
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<tr>
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<tr>
<td>Out-of-State Travel</td>
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<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>-</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>100,000</td>
<td>132,848</td>
<td>(32,848)</td>
<td>132.85%</td>
</tr>
<tr>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>100,000</td>
<td>158,495</td>
<td>(58,495)</td>
<td>158.49%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Miscellaneous</strong></td>
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<td></td>
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</tr>
<tr>
<td>Personnel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>25,646</td>
<td>(25,646)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>100,000</td>
<td>132,848</td>
<td>(32,848)</td>
<td>132.85%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>100,000</td>
<td>158,495</td>
<td>(58,495)</td>
<td>158.49%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Special Studies Fund Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>25,646</td>
<td>(25,646)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>100,000</td>
<td>132,848</td>
<td>(32,848)</td>
<td>132.85%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>100,000</td>
<td>158,495</td>
<td>(58,495)</td>
<td>158.49%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total Revenue</strong></td>
<td>100,000</td>
<td>158,495</td>
<td>58,495</td>
<td>158.50%</td>
</tr>
<tr>
<td><strong>Total Expense</strong></td>
<td>100,000</td>
<td>158,495</td>
<td>(58,495)</td>
<td>158.49%</td>
</tr>
</tbody>
</table>

Excess (Deficiency) of Revenues Over Expenses:

- 0
- 0
- 0

0.00%
### TAHOE REGIONAL PLANNING AGENCY

#### EROSION CONTROL FUND

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE**

**YEAR TO DATE AS OF June 30, 2009**

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Grant Revenue</td>
<td>308,231</td>
<td>414,371</td>
<td>106,140</td>
</tr>
<tr>
<td>State Revenue</td>
<td>290,679</td>
<td>169,305</td>
<td>(121,374)</td>
</tr>
<tr>
<td>Local revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Passsthrough Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>598,910</td>
<td>583,676</td>
<td>(15,234)</td>
</tr>
</tbody>
</table>

**General Erosion Control**

| Personnel | 73,721 | 63,869 | 9,852 | 86.64% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | 51,605 | 33,619 | 17,986 | 65.15% |
| Operating Expenses | - | (5,340) | 5,340 | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | 125,326 | 92,148 | 33,178 | 73.53% |

**Consolidated Grants**

| Personnel | 113,817 | 57,844 | 55,973 | 50.82% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | 768 | (768) | 0.00% |
| Admin & Overhead Expense | 79,672 | 33,226 | 46,446 | 41.70% |
| Operating Expenses | 3,982 | 1,986 | 1,996 | 49.86% |
| Information Services | - | - | - | 0.00% |
| Training | 300 | 790 | (490) | 263.33% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | 197,771 | 94,614 | 103,157 | 47.84% |

**BMP Army Corps**

| Personnel | - | 6,199 | (6,199) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | 3,560 | (3,560) | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | 4,944 | (4,944) | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | - | 14,703 | (14,703) | 0.00% |

**BMP Federal 319 (CA) Grant**

| Personnel | 30,187 | 202,711 | (172,524) | 27.67% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | 21,131 | 116,437 | (95,306) | 22.71% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | 51,318 | 33,152 | 18,166 | 25.63% |

**BMP Federal 319 (NV) Grant**

| Personnel | 126,583 | 202,711 | (76,128) | 160.14% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | 88,608 | 116,437 | (27,829) | 131.41% |
| Operating Expenses | 836 | 17 | 819 | 2.08% |
| **Total Expenses** | 51,318 | 33,152 | 18,166 | 25.63% |
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

**TAHOE REGIONAL PLANNING AGENCY**

**EROSION CONTROL FUND**

**YEAR TO DATE AS OF June 30, 2009**

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Contract Services</td>
<td>31,500</td>
<td>-</td>
<td>31,500</td>
</tr>
<tr>
<td>Passsthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>247,527</td>
<td>319,166</td>
<td>(71,639)</td>
</tr>
</tbody>
</table>

#### LTLP Grant

| Personnel | 125,724 | 48,548 | 77,176 | 38.61% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | 88,007 | 27,886 | 60,121 | 31.69% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | 6,167 | (6,167) | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | 213,731 | 82,601 | 131,130 | 38.83% |

#### Curtem

| Personnel | 26,943 | 24,638 | 2,305 | 91.44% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | 18,861 | 14,152 | 4,709 | 75.03% |
| Operating Expenses | - | 2,200 | (2,200) | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | 23,559 | (23,559) | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | 45,804 | 64,549 | (18,745) | 140.92% |

#### BOR

| Personnel | 17,546 | 50,247 | (32,701) | 286.37% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | 12,282 | 28,862 | (16,580) | 234.99% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | 29,828 | 79,108 | (49,280) | 265.21% |

#### LTLP ECAM

<p>| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin &amp; Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| <strong>Total Expenses</strong> | - | - | - | 0.00% |</p>
<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>(312,394)</td>
<td>0</td>
<td>0.00%</td>
</tr>
<tr>
<td>Op Trans In/Out</td>
<td>(312,394)</td>
<td>(176,365)</td>
<td>(136,029)</td>
<td>56.46%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>(312,394)</td>
<td>(176,365)</td>
<td>(136,029)</td>
<td>56.46%</td>
</tr>
<tr>
<td>Erosion Control Fund Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel</td>
<td>514,521</td>
<td>462,409</td>
<td>52,112</td>
<td>89.87%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>768</td>
<td>(768)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>360,166</td>
<td>262,540</td>
<td>97,626</td>
<td>72.89%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>4,818</td>
<td>(1,137)</td>
<td>5,955</td>
<td>-23.60%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>300</td>
<td>790</td>
<td>263.33%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>31,500</td>
<td>34,671</td>
<td>(3,171)</td>
<td>110.07%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>(312,394)</td>
<td>(176,365)</td>
<td>(136,029)</td>
<td>56.46%</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>598,910</td>
<td>583,676</td>
<td>(15,234)</td>
<td>97.46%</td>
</tr>
<tr>
<td><strong>Total Expense</strong></td>
<td>598,911</td>
<td>583,676</td>
<td>15,235</td>
<td>97.46%</td>
</tr>
<tr>
<td>Contingency</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Excess (Deficiency) of Revenues Over Expenses</strong></td>
<td>(1)</td>
<td>-</td>
<td>1</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

TAHOE REGIONAL PLANNING AGENCY
EROSION CONTROL FUND
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
YEAR TO DATE AS OF June 30, 2009
<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
<td>12,521</td>
<td>12,521</td>
</tr>
<tr>
<td>State Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Local revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Pass-through Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>4,978</td>
<td>4,978</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>$0</td>
<td>$17,499</td>
<td>$17,499</td>
</tr>
</tbody>
</table>

| **Bureau of Reclamation TRCD AIS** | | | |
| Governing Board | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Admin & Overhead Expenses | - | - | - | 0.00% |
| Operating Expenses | - | 559 | (559) | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Pass-through Expenditure | - | - | - | 0.00% |
| Pass-through Expenses | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenditures** | $- | $559 | $559 | 0.00% |

| **SNPLMA US Fish & Wildlife Services AIS** | | | |
| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Admin & Overhead Expenses | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Pass-through Expenditure | - | - | - | 0.00% |
| Pass-through Expenses | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenditures** | $0 | $0 | $0 | 0.00% |

| **Army Corps of Engineers AIS** | | | |
| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Admin & Overhead Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Pass-through Expenditure | - | - | - | 0.00% |
| Pass-through Expenses | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenditures** | $0 | | | 0.00% |
## Statement of Revenues, Expenditures, and Changes in Fund Balance

**Year to Date as of June 30, 2009**

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EPA Real Time Grant</strong></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Personnel</td>
<td>-</td>
<td>199</td>
<td>(199)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
<td>5,148</td>
<td>(5,148)</td>
<td>0.00%</td>
</tr>
<tr>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Pass-through Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Pass-through Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
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<td>5,347</td>
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</table>

**Total Expenses**

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Miscellaneous</strong></td>
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<tr>
<td>Personnel</td>
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<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td></td>
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</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
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</table>

**AIS Fund Totals**

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<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>-</td>
<td>199</td>
<td>(199)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expenditures</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>-</td>
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<tr>
<td>Training</td>
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<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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<tr>
<td>Pass-through Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Op Trans In/Out</td>
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</table>

<table>
<thead>
<tr>
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<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
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<td>$11,592</td>
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## TAHOE REGIONAL PLANNING AGENCY
**TRANSPORTATION FUND**

**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE**

**YEAR TO DATE AS OF June 30, 2009**

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
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<td>Local revenue</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>-</td>
<td>223</td>
<td>223</td>
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<tr>
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<td>13,126</td>
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<tr>
<td>Admin and Overhead Revenue</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<td>100,000</td>
<td>0.00%</td>
</tr>
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</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>-</td>
<td>1,821,714</td>
<td>1,821,714</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

|                         |        |              |          |           |
| **SNPLMA (Round 5)**    |        |              |          |           |
| Personnel               | -      | -            | -        | 0.00%     |
| Out-of-State Travel     | -      | -            | -        | 0.00%     |
| In-State Travel         | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense| -      | -            | -        | 0.00%     |
| Operating Expenses      | -      | -            | -        | 0.00%     |
| Information Services    | -      | -            | -        | 0.00%     |
| Training                | -      | -            | -        | 0.00%     |
| Utility Expenses        | -      | -            | -        | 0.00%     |
| Contract Services       | -      | 80,665       | (80,665) | 0.00%     |
| Passsthrough Expenditure| -      | -            | -        | 0.00%     |
| Capital Outlay          | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses) | - | -            | -        | 0.00%     |
| **Total Expenses**      | -      | 80,665       | (80,665) | 0.00%     |

|                         |        |              |          |           |
| **SNPLMA (Round 5)**    |        |              |          |           |
| Personnel               | -      | 4,845        | (4,845)  | 0.00%     |
| Out-of-State Travel     | -      | -            | -        | 0.00%     |
| In-State Travel         | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense| -      | 21,982       | (21,982) | 0.00%     |
| Operating Expenses      | -      | -            | -        | 0.00%     |
| Information Services    | -      | -            | -        | 0.00%     |
| Training                | -      | -            | -        | 0.00%     |
| Utility Expenses        | -      | -            | -        | 0.00%     |
| Contract Services       | -      | -            | -        | 0.00%     |
| Passsthrough Expenditure| -      | -            | -        | 0.00%     |
| Capital Outlay          | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses) | - | -            | -        | 0.00%     |
| **Total Expenses**      | -      | 26,827       | (26,827) | 0.00%     |

|                         |        |              |          |           |
| **SNPLMA (Round 5)**    |        |              |          |           |
| Personnel               | -      | -            | -        | 0.00%     |
| Out-of-State Travel     | -      | -            | -        | 0.00%     |
| In-State Travel         | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense| -      | 2,911        | (2,911)  | 0.00%     |
| Operating Expenses      | -      | -            | -        | 0.00%     |
| Information Services    | -      | -            | -        | 0.00%     |
| Training                | -      | -            | -        | 0.00%     |
| Utility Expenses        | -      | -            | -        | 0.00%     |
| Contract Services       | -      | -            | -        | 0.00%     |
| Passsthrough Expenditure| -      | -            | -        | 0.00%     |
| Capital Outlay          | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses) | - | -            | -        | 0.00%     |
| **Total Expenses**      | -      | 2,911        | (2,911)  | 0.00%     |

<p>| | | | | |
|                         |        |              |          |           |
| <strong>SNPLMA (Round 5)</strong>    |        |              |          |           |
| Personnel               | -      | -            | -        | 0.00%     |
| Out-of-State Travel     | -      | -            | -        | 0.00%     |
| In-State Travel         | -      | -            | -        | 0.00%     |
| Admin &amp; Overhead Expense| -      | 4,406        | (4,406)  | 0.00%     |
| Operating Expenses      | -      | -            | -        | 0.00%     |
| Information Services    | -      | -            | -        | 0.00%     |
| Training                | -      | -            | -        | 0.00%     |
| Utility Expenses        | -      | -            | -        | 0.00%     |
| Contract Services       | -      | -            | -        | 0.00%     |
| Passsthrough Expenditure| -      | -            | -        | 0.00%     |
| Capital Outlay          | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses) | - | -            | -        | 0.00%     |
| <strong>Total Expenses</strong>      | -      | 2,911        | (2,911)  | 0.00%     |</p>
<table>
<thead>
<tr>
<th>Other Financing Sources (Uses)</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Expenses</td>
<td>$ -</td>
<td>$ 4,406</td>
<td>($4,406)</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

| Personnel                     | -      | -            | -        | 0.00%     |
| Out-of-State Travel           | -      | -            | -        | 0.00%     |
| In-State Travel               | -      | 51           | (51)     | 0.00%     |
| Admin & Overhead Expense      | -      | 149,406      | (149,406)| 0.00%     |
| Operating Expenses            | -      | -            | -        | 0.00%     |
| Information Services          | -      | -            | -        | 0.00%     |
| Training                      | -      | -            | -        | 0.00%     |
| Utility Expenses              | -      | -            | -        | 0.00%     |
| Contract Services             | -      | -            | -        | 0.00%     |
| Passthrough Expenditure       | -      | -            | -        | 0.00%     |
| Capital Outlay                | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses)| -      | -            | -        | 0.00%     |

| Total Expenses                | $ -    | $ 149,457    | ($149,457)| 0.00%     |

| PLH                           | -      | -            | -        | 0.00%     |
| Out-of-State Travel           | -      | -            | -        | 0.00%     |
| In-State Travel               | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense      | -      | 37,970       | (37,970) | 0.00%     |
| Operating Expenses            | -      | -            | -        | 0.00%     |
| Information Services          | -      | -            | -        | 0.00%     |
| Training                      | -      | -            | -        | 0.00%     |
| Utility Expenses              | -      | -            | -        | 0.00%     |
| Contract Services             | -      | -            | -        | 0.00%     |
| Passthrough Expenditure       | -      | -            | -        | 0.00%     |
| Capital Outlay                | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses)| -      | -            | -        | 0.00%     |

| Total Expenses                | $ -    | $ 37,970     | ($37,970)| 0.00%     |

| EPA/ICTS                      | -      | -            | -        | 0.00%     |
| Out-of-State Travel           | -      | -            | -        | 0.00%     |
| In-State Travel               | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense      | -      | 8,052        | (8,052)  | 0.00%     |
| Operating Expenses            | -      | -            | -        | 0.00%     |
| Information Services          | -      | -            | -        | 0.00%     |
| Training                      | -      | -            | -        | 0.00%     |
| Utility Expenses              | -      | -            | -        | 0.00%     |
| Contract Services             | -      | -            | -        | 0.00%     |
| Passthrough Expenditure       | -      | -            | -        | 0.00%     |
| Capital Outlay                | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses)| -      | -            | -        | 0.00%     |

| Total Expenses                | $ -    | $ 8,052      | ($8,052) | 0.00%     |

| SNPLMA USFS Stateline         | -      | -            | -        | 0.00%     |
| Out-of-State Travel           | -      | -            | -        | 0.00%     |
| In-State Travel               | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense      | -      | -            | -        | 0.00%     |
| Operating Expenses            | -      | -            | -        | 0.00%     |

| Total Expenses                | $ -    | -            | -        | 0.00%     |
## Statement of Revenues, Expenditures, and Changes in Fund Balance

**Year To Date As Of June 30, 2009**

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information Services</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
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</tr>
<tr>
<td>Utility Expenses</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>154,603</td>
<td>(154,603)</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Passsthrough Expenditure</td>
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<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td></td>
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<td>(154,603)</td>
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### Washoe County Question 1

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<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Out-of-State Travel</td>
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<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Utility Expenses</td>
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<tr>
<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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### SNPLMA

<table>
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<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
</tr>
</thead>
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<td>Personnel</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
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<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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<td>0.00%</td>
</tr>
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### SNPLMA Additional

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**General Transportation**

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</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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**Personnel**

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<td>Information Services</td>
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<tr>
<td>Contract Services</td>
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**Personnel**

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**Personnel**

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## TAHOE REGIONAL PLANNING AGENCY

### TRANSPORTATION FUND

#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

**YEAR TO DATE AS OF June 30, 2009**

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</tr>
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# TAHOE REGIONAL PLANNING AGENCY
## TRANSPORTATION FUND
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
#### YEAR TO DATE AS OF June 30, 2009

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| Personnel                   | -      | 5,983        | (5,983)  | 0.00%     |
| Out-of-State Travel         | -      | -            | -        | 0.00%     |
| In-State Travel             | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense    | -      | -            | -        | 0.00%     |
| Operating Expenses          | -      | -            | -        | 0.00%     |
| Information Services        | -      | -            | -        | 0.00%     |
| Training                    | -      | -            | -        | 0.00%     |
| Utility Expenses            | -      | -            | -        | 0.00%     |
| Contract Services           | -      | -            | -        | 0.00%     |
| Passthrough Expenditure      | -      | -            | -        | 0.00%     |
| Capital Outlay              | -      | -            | -        | 0.00%     |
| Other Financing Sources     | -      | -            | -        | 0.00%     |
| **Total Expenses**          | $      | $5,983       | ($5,983) | 0.00%     |

| Personnel                   | -      | 21,264       | (21,264) | 0.00%     |
| Out-of-State Travel         | -      | -            | -        | 0.00%     |
| In-State Travel             | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense    | -      | -            | -        | 0.00%     |
| Operating Expenses          | -      | -            | -        | 0.00%     |
| Information Services        | -      | -            | -        | 0.00%     |
| Training                    | -      | -            | -        | 0.00%     |
| Utility Expenses            | -      | -            | -        | 0.00%     |
| Contract Services           | -      | -            | -        | 0.00%     |
| Passthrough Expenditure      | -      | -            | -        | 0.00%     |
| Capital Outlay              | -      | -            | -        | 0.00%     |
| Other Financing Sources     | -      | -            | -        | 0.00%     |
| **Total Expenses**          | $      | $21,264      | ($21,264)| 0.00%     |

| Personnel                   | -      | 7,543        | (7,543)  | 0.00%     |
| Out-of-State Travel         | -      | -            | -        | 0.00%     |
| In-State Travel             | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense    | -      | -            | -        | 0.00%     |
| Operating Expenses          | -      | 16,920       | (16,920) | 0.00%     |
| Information Services        | -      | -            | -        | 0.00%     |
| Training                    | -      | -            | -        | 0.00%     |
| Utility Expenses            | -      | -            | -        | 0.00%     |
| Contract Services           | -      | -            | -        | 0.00%     |
| Passthrough Expenditure      | -      | -            | -        | 0.00%     |
| Capital Outlay              | -      | -            | -        | 0.00%     |
| Other Financing Sources     | -      | -            | -        | 0.00%     |
| **Total Expenses**          | $      | $7,543       | ($7,543) | 0.00%     |

28
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<td>Utility Expenses</td>
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<td>Contract Services</td>
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<td>Passthrough Expenditure</td>
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<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
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<tr>
<td><strong>Total Expenses</strong></td>
<td>$728</td>
<td>($728)</td>
<td>0.00%</td>
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<td>BUDGET</td>
<td>YEAR-TO-DATE</td>
<td>VARIANCE</td>
<td>% TO DATE</td>
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<tr>
<td>Personnel</td>
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<td>1,388</td>
<td>(1,388)</td>
<td>0.00%</td>
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<tr>
<td>Out-of-State Travel</td>
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<td>In-State Travel</td>
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<td>0.00%</td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>Operating Expenses</td>
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<td>Utility Expenses</td>
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<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>$ -</td>
<td>$ 1,388</td>
<td>($1,388)</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

| Personnel | - | 8,062 | (8,062) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | 4,845 | (4,845) | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $ - | $ 12,907 | ($12,907) | 0.00% |

| Personnel | - | 2,098 | (2,098) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | 4,220 | (4,220) | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passsthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $ - | $ 2,098 | ($2,098) | 0.00% |

| Personnel | - | 36,361 | (36,361) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | 849 | (849) | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
### TAHOE REGIONAL PLANNING AGENCY
### TRANSPORTATION FUND
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
### YEAR TO DATE AS OF June 30, 2009

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Services</td>
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</tr>
<tr>
<td>Passthrough Expenditure</td>
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<tr>
<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>$ -</td>
<td>$37,210</td>
<td>$(37,210)</td>
</tr>
</tbody>
</table>

| Personnel | - | 9,680 | (9,680) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $ - | $9,680 | $(9,680) | 0.00% |

| PLH | - | 11,687 | (11,687) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | 17,949 | (17,949) | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | 22,711 | (22,711) | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $ - | $52,347 | $(52,347) | 0.00% |

| Personnel | - | 8,346 | (8,346) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | 7,516 | (7,516) | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $ - | $8,346 | $(8,346) | 0.00% |

<p>| CA Blueprint | - | 108 | (108) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |</p>
<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
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<tr>
<td>In-State Travel</td>
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<td>Other Financing Sources (Uses)</td>
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</table>

**Total Expenses** $ - $ 108 $ (108) 0.00%

<table>
<thead>
<tr>
<th></th>
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<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
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<tbody>
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<td>Admin &amp; Overhead Expense</td>
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<td>Utility Expenses</td>
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<td>Other Financing Sources (Uses)</td>
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</tbody>
</table>

**Total Expenses** $ - $ 2,389 $ (2,389) 0.00%

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<thead>
<tr>
<th></th>
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<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
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<td>In-State Travel</td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
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</tr>
<tr>
<td>Operating Expenses</td>
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<td>4,568</td>
<td>(4,568)</td>
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<tr>
<td>Information Services</td>
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<td>Training</td>
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<td>Utility Expenses</td>
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<td>Contract Services</td>
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<tr>
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<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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</table>

**Total Expenses** $ - $ 27,695 $ (27,695) 0.00%

<table>
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<tr>
<th></th>
<th>BUDGET</th>
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<tbody>
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<td>(8,005)</td>
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<td>Out-of-State Travel</td>
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<td>In-State Travel</td>
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<td>Admin &amp; Overhead Expense</td>
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<td>Utility Expenses</td>
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<td>Contract Services</td>
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<td>Passsthrough Expenditure</td>
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<tr>
<td>Capital Outlay</td>
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</tr>
</tbody>
</table>

**Total Expenses** $ - $ 8,005 $ (8,005) 0.00%
## TAHOE REGIONAL PLANNING AGENCY
### TRANSPORTATION FUND
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
##### YEAR TO DATE AS OF June 30, 2009

<table>
<thead>
<tr>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>$8,005</td>
<td>$(8,005)</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

| Personnel | - | 3,116 | (3,116) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $3,116 | $(3,116) | 0.00% |

| Personnel | - | 81 | (81) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $81 | $(81) | 0.00% |

| Personnel | - | 12,069 | (12,069) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $12,079 | $(12,079) | 0.00% |

| Personnel | - | 50 | (50) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing Sources (Uses) | - | - | - | 0.00% |
| **Total Expenses** | $50 | $(50) | 0.00% |

| Personnel | - | 67,946 | (67,946) | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
## TAHOE REGIONAL PLANNING AGENCY

### TRANSPORTATION FUND

#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

**YEAR TO DATE AS OF June 30, 2009**

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Training</td>
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<tr>
<td>Contract Services</td>
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**Total Expenses** $343, $9,514, $57, $1,046
## TAHOE REGIONAL PLANNING AGENCY
### TRANSPORTATION FUND
#### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE
##### YEAR TO DATE AS OF June 30, 2009

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<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>$20,619</td>
<td>$20,619</td>
<td>(20,619)</td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation Fund Totals</td>
<td></td>
<td>1,665,955</td>
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<td>456,673</td>
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<tr>
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<td>(51)</td>
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<tr>
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<td>-</td>
<td>262,272</td>
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<tr>
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<td>-</td>
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<td>Training</td>
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<td>Utility Expenses</td>
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<td>-</td>
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</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>793,549</td>
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<tr>
<td>Passsthrough Expenditure</td>
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</tr>
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<td>Other Financing Sources (Uses)</td>
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<tr>
<td><strong>Total Expenses</strong></td>
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<tr>
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<tr>
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<tr>
<td><strong>Total</strong></td>
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</tr>
<tr>
<td>BUDGET</td>
<td>YEAR-TO-DATE</td>
<td>VARIANCE</td>
<td>% TO DATE</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>--------------</td>
<td>----------</td>
<td>-----------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>155,759</td>
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<tr>
<td>Excess (Deficiency) of Revenues Over Expenses</td>
<td>-</td>
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</tr>
</tbody>
</table>
### STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE

#### YEAR TO DATE AS OF June 30, 2009

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>Budget</th>
<th>Year-To-Date</th>
<th>Variance</th>
<th>% To Date</th>
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<tbody>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>State Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Local revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Use of Property</td>
<td>836,515</td>
<td>1,124,687</td>
<td>288,172</td>
<td>134.45%</td>
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<tr>
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<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>149,695</td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td>836,515</td>
<td>1,274,582</td>
<td>438,067</td>
<td>152.37%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>128 Market Street Expenses</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>67,718</td>
<td>61,029</td>
<td>6,689</td>
<td>90.12%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>21,136</td>
<td>(21,136)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>423,235</td>
<td>810,199</td>
<td>(386,964)</td>
<td>191.43%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>490,953</td>
<td>892,364</td>
<td>(401,411)</td>
<td>181.76%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>128 Market Street - CAM</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Operating Expenses</td>
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<td>72,740</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passsthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>423,235</td>
<td>810,199</td>
<td>(386,964)</td>
<td>191.43%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>490,953</td>
<td>892,364</td>
<td>(401,411)</td>
<td>181.76%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Miscellaneous</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Operating Expenses</td>
<td>67,718</td>
<td>61,029</td>
<td>6,689</td>
<td>90.12%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>21,136</td>
<td>(21,136)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passsthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>423,235</td>
<td>810,199</td>
<td>(386,964)</td>
<td>191.43%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>490,953</td>
<td>892,364</td>
<td>(401,411)</td>
<td>181.76%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>128 Market Street Fund Total</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>21,136</td>
<td>(21,136)</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passsthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>423,235</td>
<td>810,199</td>
<td>(386,964)</td>
<td>191.43%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>906,438</td>
<td>913,158</td>
<td>(4,720)</td>
<td>100.52%</td>
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<table>
<thead>
<tr>
<th>Excess (Deficiency) of Revenues Over Expenses</th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(651,669)</td>
<td>(603,680)</td>
<td>47,989</td>
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</table>

**STATEMENT OF OPERATIONS**

- 128 Market Street Fund Total
  - Total Revenue: 836,515
  - Total Expense: 1,488,184
  - Excess (Deficiency): 1,274,582

- 128 Market Street - CAM
  - Total Revenue: 836,515
  - Total Expense: 892,364
  - Excess (Deficiency): 438,067

- Miscellaneous
  - Total Revenue: 836,515
  - Total Expense: 913,158
  - Excess (Deficiency): 47,989

**STATEMENT OF FUND BALANCE**

- Excess (Deficiency): 47,989
## Statement of Revenues, Expenditures, and Changes in Fund Balance

**Year to Date as of June 30, 2009**

<table>
<thead>
<tr>
<th></th>
<th>Budget</th>
<th>Year-to-Date</th>
<th>Variance</th>
<th>% to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Grant Revenue</td>
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<td>0.00%</td>
</tr>
<tr>
<td>State Revenue</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Local revenue</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Fees For Service Revenue</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Investment Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

| **Land Records Management System** |        |              |          |           |
| Personnel                | -      | -            | -        | 0.00%     |
| Out-of-State Travel      | -      | -            | -        | 0.00%     |
| In-State Travel          | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense | -      | -            | -        | 0.00%     |
| Computer Supplies        | -      | -            | -        | 0.00%     |
| Computer Software        | -      | 7,707        | (7,707)  | 0.00%     |
| Training                 | -      | -            | -        | 0.00%     |
| Utility Expenses         | -      | -            | -        | 0.00%     |
| Contract Services        | -      | -            | -        | 0.00%     |
| Passthrough Expenditure  | -      | -            | -        | 0.00%     |
| Computer Hardware        | -      | 124,564      | (124,564)| 0.00%     |
| Other Financing Sources (Uses) | - | -              | -        | 0.00% |
| **Total Expenses**       | -      | 132,270      | (132,270)| 0.00%     |

| **Miscellaneous**        |        |              |          |           |
| Personnel                | -      | -            | -        | 0.00%     |
| Out-of-State Travel      | -      | -            | -        | 0.00%     |
| In-State Travel          | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense | -      | -            | -        | 0.00%     |
| Computer Supplies        | -      | -            | -        | 0.00%     |
| Computer Software        | -      | -            | -        | 0.00%     |
| Training                 | -      | -            | -        | 0.00%     |
| Utility Expenses         | -      | -            | -        | 0.00%     |
| Contract Services        | -      | -            | -        | 0.00%     |
| Passthrough Expenditure  | -      | -            | -        | 0.00%     |
| Computer Hardware        | -      | -            | -        | 0.00%     |
| Other Financing Sources (Uses) | - | -              | -        | 0.00% |
| **Total Expenses**       | -      | -            | -        | 0.00%     |

| **Capital Improvement Fund Total** |        |              |          |           |
| Personnel                | -      | -            | -        | 0.00%     |
| Out-of-State Travel      | -      | -            | -        | 0.00%     |
| In-State Travel          | -      | -            | -        | 0.00%     |
| Admin & Overhead Expense | -      | -            | -        | 0.00%     |
| Computer Supplies        | -      | 7,707        | (7,707)  | 0.00%     |
| Computer Software        | -      | (0)          | 7,707    | 0.00%     |
| Training                 | -      | -            | -        | 0.00%     |
| Utility Expenses         | -      | -            | -        | 0.00%     |
| Contract Services        | -      | -            | -        | 0.00%     |
| Passthrough Expenditure  | -      | -            | -        | 0.00%     |
| Computer Hardware        | -      | 124,564      | (124,564)| 0.00%     |
| Other Financing Sources (Uses) | - | -              | -        | 0.00% |
| **Total Expenses**       | -      | 132,270      | (132,270)| 0.00%     |

| **Contingency**          |        |              |          |           |
| **Total Revenue**        | -      | -            | -        | 0.00%     |
| **Total Expense**        | -      | -            | -        | 0.00%     |

**Excess (Deficiency) of Revenues Over Expenses**

|                         | 40     | 132,270      | (132,270)| 0.00%     |

40
## Preliminary Statement of Revenues, Expenditures, and Changes in Fund Balance

**Year To Date As of June 30, 2009**

<table>
<thead>
<tr>
<th>REVENUES</th>
<th>BUDGET</th>
<th>YEAR-TO-DATE</th>
<th>VARIANCE</th>
<th>% TO DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>State Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Local revenue</td>
<td>-</td>
<td>-</td>
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<td>Other Financing Sources (Uses)</td>
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<th>% TO DATE</th>
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<table>
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<th>Excess (Deficiency) of Revenues Over Expenses</th>
<th>BUDGET</th>
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<th>VARIANCE</th>
<th>% TO DATE</th>
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MEMORANDUM

Date: February 17, 2010
To: TRPA Governing Board (GB)
From: TRPA Staff
Subject: Fiscal Year 2010 Budget Augmentation

Requested Action: Governing Board approval of the Agency’s Fiscal Year 2010, Budget Augmentation.

Staff Recommendation: Staff recommends that the Governing Board approve the Agency’s Fiscal Year 2010, budget augmentation, as presented.

Required Motion: In order to approve the Fiscal Year 2010 Budget Augmentation, the Governing Board must make the following motion:

1) A motion to approve the Fiscal Year 2010 Budget Augmentation.

In order for the motion to pass, an affirmative vote of any 8 Governing Board members is required.

Project Description/Background: Through the first 6 months of fiscal year 2010 the Agency has realized revenue shortfalls from the adopted budget. Additionally, the Agency anticipates that revenue receipts for the remainder of the fiscal year will continue below initially budgeted levels. Furthermore, the State of Nevada is reducing their Agency Revenue by $42,000. Beginning in January, the Agency began cost reductions and will continue them through the end of the fiscal year.

The Augmentation also reflects updated Shorezone Program revenue and expenditure based on the year-to-date activity. A significant portion of the revenue is one-time revenue that will be reserved for future monitoring and enforcement (i.e. removal of illegal buoys) and the remainder is multi-year revenue. As such, the Budget Augmentation reserve amounts will be set aside for future years. The Agency is carefully tracking the expenses of this program and limiting the use of related revenue to only those costs with nexus to the program.

Lastly, the Special Fund Grant Revenues have been updated to show new and changed grant funding and the related expenses. A trend the Agency is seeing is limitations on the reimbursement amount for grant “Administrative and Operating Expenses” (A&O). This is causing the grant funds to not fully fund the grant expenses. The revised numbers show a shortfall in the Erosion Control Fund (approximately $56 thousand) and the Aquatic Invasive Species (AIS) Fund (approximately $24 thousand). Additional analysis will be done in the next month to close the identified funding gap in the Erosion Control Fund. Staff anticipates additional grant or Federal appropriations will become available for the small AIS shortfall.
The proposed budget augmentation reflects the anticipated changes in revenue and expenditures and forecasts a balanced budget for the fiscal year other than the two funds noted earlier.

The revenue changes and expense reductions consist of the following items:

Revenues:
- General Fund net revenue increase of $246 thousand, including
  - Reduction in State Revenue of $42 thousand, reflecting decreased funding levels from the State of Nevada.
  - Increase in Fee for Service Revenue of $167 thousand. This amount includes reduction in filing fee revenue of $233 thousand offset with an increase in revenue of $400 thousand for shorezone permit and registration fee revenue.
  - Reduction in investment revenue of $80 thousand.
  - Increase in Litigation Fee Reimbursements of $200 thousand.

Expenses:
- General Fund reduction in operating expenses of $82 thousand, including:
  - Reductions in training and travel expenses.
  - Reductions in contract services.
- General Fund personnel expenses:
  - Adjustment to the Legal Staff in lieu of additional contractual services for $149 thousand (transfer from contract services to personnel expenses).
  - A one day per month staff furlough and office closure saving about $100 thousand.
  - Continuing salary freezes.
  - One Principal Planner position unfilled for about six months saving about $35 thousand.

Reserves:
- General Fund reserves of $890 thousand include:
  - Shorezone filing fee reserve set aside for future years.
  - Litigation Defense Fund being funded by the fines and forfeitures and litigation reimbursements obligated by certain indemnification agreements.

Special Revenue Funds:
- Adjustments to the Special Revenue Funds reflect new or changed grant funding/expenditures, and overhead receipts.

Issues/Concerns: This budget augmentation relies on estimates. In the current economic climate, revenue estimates and forecasts are volatile. Given current information, staff believes that the budgeted revenues in the budget augmentation are reasonable. However, there is risk that forecasts used for the augmented budget may not be realized during the remainder of the fiscal year. Staff will be monitoring the budget situation through the remainder of the fiscal year and will recommend further budget augmentations as needed.

Contact Information: If you have any questions, please contact Rhonda McFarlane, Finance Director at (775) 589 5233 or at rmcfarlane@trpa.org.

Attachments:
- Enclosure I Agency Budget Comparison
- Enclosure II Department Level Budget Comparison
<table>
<thead>
<tr>
<th>Fund</th>
<th>Original Budget</th>
<th>Revised Budget</th>
<th>Difference</th>
<th>% of Original Budget</th>
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<td>Revenue</td>
<td>$8,691,384</td>
<td>$8,937,049</td>
<td>$245,665</td>
<td>102.8%</td>
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<tr>
<td>Expenditures/Reserves</td>
<td>8,691,384</td>
<td>8,937,049</td>
<td>245,665</td>
<td>102.8%</td>
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<tr>
<td>gain (loss)</td>
<td>$0</td>
<td>($0)</td>
<td>(0)</td>
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<td>$400,801</td>
<td>($145,957)</td>
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<tr>
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<td>$0</td>
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<td>$508,845</td>
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<td>144,775</td>
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<td>($24,354)</td>
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<tr>
<td>Revenue</td>
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<td>99.1%</td>
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<tr>
<td>Expenditures</td>
<td>1,822,989</td>
<td>1,805,980</td>
<td>(17,009)</td>
<td>99.1%</td>
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<tr>
<td>gain (loss)</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td><strong>Total Special Revenue</strong></td>
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<tr>
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<td>$4,501,426</td>
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<td>5,059,381</td>
<td>(861,862)</td>
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<tr>
<td>gain (loss)</td>
<td>$303,907</td>
<td>($82,593)</td>
<td>$1,337,225</td>
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</table>

**Total Agency Operating Budget Status**

| Revenue                      | $13,192,810     | $13,913,838   | $721,028   | 105.5%               |
| Expenditures                 | $12,888,903     | 13,996,430    | 1,107,527  | 108.6%               |
| gain (loss)                  | $303,907        | ($82,593)     | ($386,500) |                      |

**Total Agency Capital Outlay Fund Status**

| Revenue                      | 0              | 0             | 0          | na                   |
| Expenditures                 | 32,363         | 32,363        | na         |                      |
| gain (loss)                  | 0              | ($32,363)     | ($32,363)  |                      |

**Total Agency Building Fund Status**

| Revenue                      | $1,037,859      | $1,037,859    | 0          | 100.0%               |
| Expenditures                 | 1,038,475       | 1,038,475     | 0          | 100.0%               |
| gain (loss)                  | ($616)          | ($616)        | $0         |                      |
## REVENUES

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<tr>
<th>ADOPTED BUDGET</th>
<th>REVISED BUDGET</th>
<th>CHANGE</th>
<th>% OF ORIGINAL BUDGET</th>
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<tr>
<td>Federal Grant Revenue</td>
<td>-</td>
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<tr>
<td>State Revenue</td>
<td>5,435,571</td>
<td>5,393,402</td>
<td>(42,169)</td>
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<tr>
<td>Local revenue</td>
<td>149,998</td>
<td>150,832</td>
<td>834</td>
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<td>Fees For Service Revenue</td>
<td>2,179,500</td>
<td>2,346,500</td>
<td>167,000</td>
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<td>Investment Revenue</td>
<td>125,327</td>
<td>45,327</td>
<td>(80,000)</td>
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<td>Admin and Overhead Revenue</td>
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<td>795,988</td>
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</tr>
<tr>
<td>Litigation Reimbursements</td>
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<td>200,000</td>
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<tr>
<td>Other Revenue</td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td>8,691,384</td>
<td>8,937,049</td>
<td>245,665</td>
</tr>
</tbody>
</table>

## Governing Board

| Personnel | 44,938 | 44,062 | (876) | 98.05% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | 18,000 | 18,000 | - | 100.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing (Sources) Uses | - | - | - | 0.00% |
| **Total Expenditures** | 62,938 | 62,062 | (876) | 98.61% |

## Executive

| Personnel | 324,326 | 318,002 | (6,324) | 98.05% |
| Out-of-State Travel | 6,000 | 6,000 | - | 100.00% |
| In-State Travel | 2,000 | 2,000 | - | 100.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | 3,000 | 3,000 | - | 100.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing (Sources) Uses | - | - | - | 0.00% |
| **Total Expenditures** | 335,326 | 329,002 | (6,324) | 98.11% |

## Communications

| Personnel | 185,111 | 181,501 | (3,610) | 98.05% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | 17,550 | 17,550 | - | 100.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | - | - | - | 0.00% |
| Other Financing (Sources) Uses | - | - | - | 0.00% |
| **Total Expenditures** | 202,661 | 199,051 | (3,610) | 98.22% |

## Information Technology

| Personnel | 406,042 | 398,124 | (7,918) | 98.05% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | 32,000 | 32,000 | - | 100.00% |
| Information Services | 177,500 | 177,500 | - | 100.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Passthrough Expenditure | - | - | - | 0.00% |
| Capital Outlay | 35,000 | 35,000 | - | 100.00% |
| Other Financing (Sources) Uses | - | - | - | 0.00% |
| **Total Expenditures** | 650,542 | 642,624 | (7,918) | 98.78% |
## TAHOE REGIONAL PLANNING AGENCY
### GENERAL FUND
#### DEPARTMENT LEVEL BUDGET ADJUSTMENTS
##### FEBRUARY 2020

<table>
<thead>
<tr>
<th>Department</th>
<th>ADOPTED BUDGET</th>
<th>REVISED BUDGET</th>
<th>CHANGE</th>
<th>% OF ORIGINAL BUDGET</th>
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<tr>
<td>Personnel</td>
<td>183,873</td>
<td>180,287</td>
<td>(3,586)</td>
<td>98.05%</td>
</tr>
<tr>
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<tr>
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<td>0.00%</td>
</tr>
<tr>
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<td>Training</td>
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<tr>
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<tr>
<td>Other Financing (Sources) Uses</td>
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<tr>
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<td>98.05%</td>
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<td>Contract Services</td>
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<td>Capital Outlay</td>
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<tr>
<td>Other Financing (Sources) Uses</td>
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<td>Admin &amp; Overhead Expense</td>
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<td>Contract Services</td>
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<td>Passthrough Expenditure</td>
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<td>Other Financing (Sources) Uses</td>
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<td>Contract Services</td>
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<td>Capital Outlay</td>
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<td>Other Financing (Sources) Uses</td>
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<td>262,410</td>
<td>243,473</td>
<td>(18,937)</td>
<td>92.78%</td>
</tr>
</tbody>
</table>
## Enclosure II

### TAHOE REGIONAL PLANNING AGENCY
### GENERAL FUND
### DEPARTMENT LEVEL BUDGET ADJUSTMENTS
### FEBRUARY 2010

<table>
<thead>
<tr>
<th></th>
<th>ADOPTED BUDGET</th>
<th>REVISED BUDGET</th>
<th>CHANGE</th>
<th>% OF ORIGINAL BUDGET</th>
</tr>
</thead>
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<td><strong>Environmental Improvement Team</strong></td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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<td>Training</td>
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<td>Capital Outlay</td>
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<td>Other Financing (Sources) Uses</td>
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<td>Training</td>
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<tr>
<td>Contract Services</td>
<td>522,832</td>
<td>512,832</td>
<td>(10,000)</td>
<td>98.09%</td>
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<td>Capital Outlay</td>
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<td>0.00%</td>
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<td>Other Financing (Sources) Uses</td>
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<td>Admin &amp; Overhead Expense</td>
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<tr>
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<td>56,039</td>
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<tr>
<td>Training</td>
<td>-</td>
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</tr>
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<td>135,484</td>
<td>(2,694)</td>
<td>98.05%</td>
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<tr>
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</tr>
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</tr>
<tr>
<td>Training</td>
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<td>Utility Expenses</td>
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<tr>
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<tr>
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<td>Training</td>
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<tr>
<td>Out-of-State Travel</td>
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<tr>
<td>Information Services</td>
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<tr>
<td>Training</td>
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<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
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<td>0.00%</td>
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<tr>
<td>Passthrough Expenditure</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Other Financing (Sources) Uses</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
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<td>5,019,288</td>
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<td>In-State Travel</td>
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<td>100.00%</td>
</tr>
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<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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</tr>
<tr>
<td>Operating Expenses</td>
<td>1,365,723</td>
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<td>1,221,832</td>
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<tr>
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<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td>Other Financing (Sources) Uses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>8,691,384</td>
<td>8,047,526</td>
<td>(643,858)</td>
<td>92.59%</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>8,691,384</td>
<td>8,937,049</td>
<td>245,665</td>
<td>102.83%</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td>8,691,384</td>
<td>8,047,526</td>
<td>(643,858)</td>
<td>92.59%</td>
</tr>
<tr>
<td>Shorezone Filing Fee Reserves</td>
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<td>738,950</td>
<td>738,950</td>
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<tr>
<td><strong>Excess (Deficiency) of Revenues Over Expenditures</strong></td>
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<td>(0)</td>
<td>(0)</td>
<td>0.00%</td>
</tr>
<tr>
<td></td>
<td>ADOPTED BUDGET</td>
<td>REVISED BUDGET</td>
<td>CHANGE</td>
<td>% OF ORIGINAL BUDGET</td>
</tr>
<tr>
<td>--------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>----------------------</td>
</tr>
<tr>
<td><strong>REVENUES</strong></td>
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<td></td>
</tr>
<tr>
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<td>207,962</td>
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</tr>
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</tr>
<tr>
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<td>-</td>
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</tr>
<tr>
<td>Admin and Overhead Revenue</td>
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<tr>
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<td>0.00%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>In-State Travel</td>
<td>-</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Operating Expenses</td>
<td>-</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
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<td>15,000</td>
<td>(135,000)</td>
<td>10.00%</td>
</tr>
<tr>
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<td>-</td>
<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
<td>0.00%</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
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<td>15,000</td>
<td>(135,000)</td>
<td>10.00%</td>
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<td>47,151</td>
<td>46,231</td>
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<td>98.05%</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
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</tr>
<tr>
<td>Training</td>
<td>-</td>
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<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>15,000</td>
<td>15,000</td>
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<td>100.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<td>0.00%</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
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<td>88,579</td>
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<tr>
<td>In-State Travel</td>
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<tr>
<td>Information Services</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
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<td>Capital Outlay</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
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<td>-</td>
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<td>9,598</td>
<td>203.65%</td>
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**Truckee River Fund AIS**

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**Snapshot Day**

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<tr>
<td>Training</td>
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</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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**EIP Grant Fund Total**

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<tr>
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<td>Training</td>
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<td>Other Financing Sources (Uses)</td>
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**Total Expenditures**

<table>
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<tr>
<th>Total Expenditures</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Change</th>
<th>% of Original Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Expenditures</td>
<td>546,758</td>
<td>402,856</td>
<td>(143,903)</td>
<td>73.68%</td>
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</table>

**Total Revenue**

<table>
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<tr>
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<th>Change</th>
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<tr>
<td>Total Revenue</td>
<td>546,758</td>
<td>400,801</td>
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**Total Expenditures**

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<tr>
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<th>Change</th>
<th>% of Original Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Expenditures</td>
<td>546,758</td>
<td>402,856</td>
<td>(143,903)</td>
<td>73.68%</td>
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**Contingency**

<table>
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<th>% of Original Budget</th>
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**Excess (Deficiency) of Revenues Over Expenditures**

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<th>Revised Budget</th>
<th>Change</th>
<th>% of Original Budget</th>
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<td>% OF ORIGINAL BUDGET</td>
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<tr>
<td>------------------------------------------------------</td>
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<td>Federal Grant Revenue</td>
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<tr>
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<tr>
<td>Local revenue</td>
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</tr>
<tr>
<td>Fees For Service Revenue</td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td>Investment Revenue</td>
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<tr>
<td>Passthrough Revenue</td>
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<tr>
<td>Admin and Overhead Revenue</td>
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<tr>
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<td>256,640</td>
<td>-</td>
<td>100.00%</td>
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</table>

| Threshold Studies - General                          |                |                |        | 0.00%                |
| Personnel                                           |                |                |        | 0.00%                |
| Out-of-State Travel                                  |                |                |        | 0.00%                |
| In-State Travel                                     |                |                |        | 0.00%                |
| Admin & Overhead Expense                            |                |                |        | 0.00%                |
| Operating Expenses                                  |                |                |        | 0.00%                |
| Information Services                                |                |                |        | 0.00%                |
| Training                                            |                |                |        | 0.00%                |
| Utility Expenses                                    |                |                |        | 0.00%                |
| Contract Services                                   |                |                |        | 0.00%                |
| Passthrough Expenditure                             |                |                |        | 0.00%                |
| Capital Outlay                                      |                |                |        | 0.00%                |
| Other Financing Sources (Uses)                      |                |                |        | 0.00%                |
| Total Expenses                                      | 256,640        | 256,640        | -      | 100.00%              |

| Adaptive Management                                  |                |                |        | 0.00%                |
| Personnel                                           |                |                |        | 0.00%                |
| Out-of-State Travel                                  |                |                |        | 0.00%                |
| In-State Travel                                     |                |                |        | 0.00%                |
| Admin & Overhead Expense                            |                |                |        | 0.00%                |
| Operating Expenses                                  |                |                |        | 0.00%                |
| Information Services                                |                |                |        | 0.00%                |
| Training                                            |                |                |        | 0.00%                |
| Utility Expenses                                    |                |                |        | 0.00%                |
| Contract Services                                   |                |                |        | 0.00%                |
| Passthrough Expenditure                             |                |                |        | 0.00%                |
| Capital Outlay                                      |                |                |        | 0.00%                |
| Other Financing Sources (Uses)                      |                |                |        | 0.00%                |
| Total Expenses                                      |                |                |        | 0.00%                |

| Regional Plan Update                                 |                |                |        | 0.00%                |
| Personnel                                           |                |                |        | 0.00%                |
| Out-of-State Travel                                  |                |                |        | 0.00%                |
| In-State Travel                                     |                |                |        | 0.00%                |
| Admin & Overhead Expense                            |                |                |        | 0.00%                |
| Operating Expenses                                  |                |                |        | 0.00%                |
| Information Services                                |                |                |        | 0.00%                |
| Training                                            |                |                |        | 0.00%                |
| Utility Expenses                                    |                |                |        | 0.00%                |
| Contract Services                                   |                |                |        | 0.00%                |
| Passthrough Expenditure                             |                |                |        | 0.00%                |
| Capital Outlay                                      |                |                |        | 0.00%                |
| Other Financing Sources (Uses)                      |                |                |        | 0.00%                |
| Total Expenses                                      |                |                |        | 0.00%                |

| Miscellaneous                                        |                |                |        | 0.00%                |
| Personnel                                           |                |                |        | 0.00%                |
| Out-of-State Travel                                  |                |                |        | 0.00%                |
| In-State Travel                                     |                |                |        | 0.00%                |
| Admin & Overhead Expense                            |                |                |        | 0.00%                |
| Operating Expenses                                  |                |                |        | 0.00%                |
| Information Services                                |                |                |        | 0.00%                |
| Training                                            |                |                |        | 0.00%                |
| Utility Expenses                                    |                |                |        | 0.00%                |
| Contract Services                                   |                |                |        | 0.00%                |
| Passthrough Expenditure                             |                |                |        | 0.00%                |
| Capital Outlay                                      |                |                |        | 0.00%                |
| Other Financing Sources (Uses)                      |                |                |        | 0.00%                |
| Total Expenses                                      |                |                |        | 0.00%                |

| Threshold Studies Fund Total                         |                |                |        | 0.00%                |
| Personnel                                           |                |                |        | 0.00%                |
| Out-of-State Travel                                  |                |                |        | 0.00%                |
| In-State Travel                                     |                |                |        | 0.00%                |
| Admin & Overhead Expense                            |                |                |        | 0.00%                |
| Operating Expenses                                  |                |                |        | 0.00%                |
| Information Services                                |                |                |        | 0.00%                |
| Training                                            |                |                |        | 0.00%                |
| Total Expenses                                      |                |                |        | 0.00%                |

TAHOE REGIONAL PLANNING AGENCY
THRESHOLD FUND
DEPARTMENT LEVEL BUDGET ADJUSTMENTS
FEBRUARY 2010

REVENUES

Total Revenues
256,640
256,640
-    100.00%

Threshold Studies - General
Total Expenses
256,640
256,640
-    100.00%

Adaptive Management
Total Expenses
-    -    -  0.00%

Regional Plan Update
Total Expenses
-    -    -  0.00%

Miscellaneous
Total Expenses
-    -    -  0.00%

Threshold Studies Fund Total
Personnel
Out-of-State Travel
In-State Travel
Admin & Overhead Expense
Operating Expenses
Information Services
Training

Total Expenses
-    -    -  0.00%
<table>
<thead>
<tr>
<th></th>
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<th>REVISED BUDGET</th>
<th>CHANGE % OF ORIGINAL BUDGET</th>
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<tbody>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Contract Services</td>
<td>256,640</td>
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<td>100.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
<td>256,640</td>
<td>256,640</td>
<td>100.00%</td>
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<tr>
<td><strong>Total Revenue</strong></td>
<td>256,640</td>
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<td>100.00%</td>
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<tr>
<td><strong>Total Expenditure</strong></td>
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<td>256,640</td>
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<tr>
<td><strong>Excess (Deficiency) of Revenues Over Expenses</strong></td>
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## REVENUES

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<tr>
<td>Federal Grant Revenue</td>
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<td>Passsthrough Revenue</td>
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<td>Admin and Overhead Revenue</td>
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<tr>
<td>Other Revenue</td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td>596,500</td>
<td>1,034,000</td>
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## Watercraft Monitoring

<table>
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<th>Change</th>
<th>% of Original Budget</th>
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</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>246,078</td>
<td>241,279</td>
<td>(4,799)</td>
<td>98.05%</td>
</tr>
<tr>
<td>Out-of-State Travel</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Operating Expenses</td>
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<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
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<td>Capital Outlay</td>
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<td>0.00%</td>
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## Miscellaneous

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<tr>
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<tr>
<td>Out-of-State Travel</td>
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<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Operating Expenses</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
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<tr>
<td>Utility Expenses</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Passthrough Expenditure</td>
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<td>Capital Outlay</td>
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<td>Other Financing Sources (Uses)</td>
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<tr>
<td><strong>Total Expenses</strong></td>
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## Watercraft Fund Total

<table>
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<th>Change</th>
<th>% of Original Budget</th>
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</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>246,078</td>
<td>241,279</td>
<td>(4,799)</td>
<td>98.05%</td>
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<td>Out-of-State Travel</td>
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<td>In-State Travel</td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
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<tr>
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## Enforcement Reserves

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## Excess (Deficiency) of Revenues Over Expenses

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<th>Change</th>
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### SNPLMA Fund Total

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<td>0.00%</td>
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<tr>
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<td><strong>Fees For Service Revenue</strong></td>
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<tr>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td><strong>Admin and Overhead Revenue</strong></td>
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<tr>
<td><strong>Other Revenue</strong></td>
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<tr>
<td><strong>Total Revenues</strong></td>
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<td>(8,000)</td>
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<td>(8,000)</td>
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<td>REVISED BUDGET</td>
<td>CHANGE</td>
<td>% OF ORIGINAL BUDGET</td>
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<td>----------------</td>
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</tr>
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<td>Federal Grant Revenue</td>
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<tr>
<td>State Revenue</td>
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<tr>
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<td>0.00%</td>
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<td>Passthrough Revenue</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
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<td>0.00%</td>
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<td>Other Revenue</td>
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<td>70,000</td>
<td>170.00%</td>
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</table>

| Special Studies | | | | |
| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | 100,000 | 70,000 | 30,000 | 70.00% |
| Total Expenses (Special Studies) | 100,000 | 70,000 | 30,000 | 70.00% |

| Miscellaneous | | | | |
| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | - | - | - | 0.00% |
| Total Expenses (Miscellaneous) | - | 100,000 | (100,000) | 0.00% |

| **Total Expenses** | - | 100,000 | (100,000) | 0.00% |

| Special Studies Fund Total | | | | |
| Personnel | - | - | - | 0.00% |
| Out-of-State Travel | - | - | - | 0.00% |
| In-State Travel | - | - | - | 0.00% |
| Admin & Overhead Expense | - | - | - | 0.00% |
| Operating Expenses | - | - | - | 0.00% |
| Information Services | - | - | - | 0.00% |
| Training | - | - | - | 0.00% |
| Utility Expenses | - | - | - | 0.00% |
| Contract Services | 100,000 | 70,000 | 30,000 | 70.00% |
| Total Expenses (Special Studies Fund) | 100,000 | 170,000 | (70,000) | 170.00% |

| Total Revenue | 100,000 | 170,000 | 70,000 | 170.00% |

| Total Expense | 100,000 | 170,000 | (70,000) | 170.00% |

| Contingency | - | - | - | 0.00% |

| Excess (Deficiency) of Revenues Over Expenses | - | - | - | 0.00% |
## Environmental Education Fund Total

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<tr>
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<tr>
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</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
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<tr>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
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<td>0.00%</td>
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<td>Utility Expenses</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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<tr>
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<td>REVISED BUDGET</td>
<td>CHANGE</td>
<td>% OF ORIGINAL BUDGET</td>
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<tr>
<td>Fees For Service Revenue</td>
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<td>0.00%</td>
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<tr>
<td>Admin and Overhead Revenue</td>
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<td>0.00%</td>
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<td>Training</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
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<tr>
<td>Utility Expenses</td>
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<tr>
<td>Information Services</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
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<td>0.00%</td>
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<tr>
<td>Utility Expenses</td>
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<tr>
<td>Contract Services</td>
<td>100,000</td>
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<td>100.00%</td>
</tr>
<tr>
<td>Passsthrough Expenditure</td>
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<tr>
<td>Capital Outlay</td>
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</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
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</tr>
<tr>
<td><strong>Total Expenses</strong></td>
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<tr>
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<td>------------------------</td>
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<td>Capital Outlay</td>
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</tr>
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<td>Other Financing Sources (Uses)</td>
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<td><strong>Total Expenses</strong></td>
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**LTLP Grant**

<table>
<thead>
<tr>
<th></th>
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<td>In-State Travel</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
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<td>0.00%</td>
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<tr>
<td>Training</td>
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<td>-</td>
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<tr>
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<tr>
<td>Capital Outlay</td>
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<td><strong>Total Expenses</strong></td>
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**Curtem**

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<td>In-State Travel</td>
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<td>Admin &amp; Overhead Expense</td>
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<tr>
<td>Information Services</td>
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<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>Total Expenses</strong></td>
<td>-</td>
<td>55,352</td>
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**BOR**

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<tr>
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<th>CHANGE</th>
<th>% OF ORIGINAL BUDGET</th>
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<tbody>
<tr>
<td>Personnel</td>
<td>169,533</td>
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<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin &amp; Overhead Expense</td>
<td>98,329</td>
<td>65,672</td>
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<td>66.79%</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>20,000</td>
<td>-</td>
<td>(20,000)</td>
<td>0.00%</td>
</tr>
<tr>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
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<tr>
<td><strong>Total Expenses</strong></td>
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<td>179,972</td>
<td>(107,890)</td>
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**LTLP ECAM**

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<tr>
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<th>CHANGE</th>
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<td>0.00%</td>
</tr>
<tr>
<td>In-State Travel</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
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<td>Operating Expenses</td>
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<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Information Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Training</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Passthrough Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
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</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>-</td>
<td>3,617</td>
<td>3,617</td>
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</table>
# EROSION CONTROL FUND

## DEPARTMENT LEVEL BUDGET ADJUSTMENTS

**February 2010**

<table>
<thead>
<tr>
<th></th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Change</th>
<th>% of Original Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Contract Services</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>PassThrough Expenditure</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Capital Outlay</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Op Trans In(Out)</strong></td>
<td></td>
<td></td>
<td></td>
<td>100.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>(136,202)</td>
<td>(136,202)</td>
<td>-</td>
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<tr>
<td><strong>Erosion Control Fund Total</strong></td>
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<tr>
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<td>0.00%</td>
</tr>
<tr>
<td><strong>In-State Travel</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
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<tr>
<td><strong>Admin &amp; Overhead Expense</strong></td>
<td>257,738</td>
<td>270,216</td>
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</tr>
<tr>
<td><strong>Information Services</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Training</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Utility Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Contract Services</strong></td>
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<td>(30,000)</td>
<td>125.00%</td>
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<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Capital Outlay</strong></td>
<td></td>
<td></td>
<td></td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Other Financing Sources (Uses)</strong></td>
<td>(136,202)</td>
<td>(136,202)</td>
<td>-</td>
<td>100.00%</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>685,913</td>
<td>759,707</td>
<td>(73,794)</td>
<td>110.76%</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>685,913</td>
<td>703,523</td>
<td>17,609</td>
<td>102.57%</td>
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<tr>
<td><strong>Total Expense</strong></td>
<td>685,913</td>
<td>759,707</td>
<td>73,794</td>
<td>110.76%</td>
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<tr>
<td><strong>Contingency</strong></td>
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<td><strong>Excess (Deficiency) of Revenues Over Expenses</strong></td>
<td>0</td>
<td>(56,184)</td>
<td>(56,184)</td>
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</tbody>
</table>
## AQUATIC INVASIVE SPECIES FUND

### DEPARTMENT LEVEL BUDGET ADJUSTMENTS

**FEBRUARY 2010**

**ADOPTED BUDGET** | **REVISED BUDGET** | **CHANGE** | **% OF ORIGINAL BUDGET**
--- | --- | --- | ---

### REVENUES

<table>
<thead>
<tr>
<th>Description</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Change</th>
<th>% of Original Budget</th>
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<tbody>
<tr>
<td>Federal Grant Revenue</td>
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<td>118,561</td>
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<td>State Revenue</td>
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<td>Local revenue</td>
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<td>Fees For Service Revenue</td>
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<tr>
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<td>-</td>
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<tr>
<td>Pass-through Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Admin and Overhead Revenue</td>
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<td>-</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>-</td>
<td>102,000</td>
<td>102,000</td>
<td>0.00%</td>
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</table>

**Total Revenues** | **$387,626** | **$508,845** | **$121,219** | **131.27%**

### Bureau of Reclamation TRCD AIS

<table>
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<th>Change</th>
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<td>18,977</td>
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<tr>
<td>Admin &amp; Overhead Expense</td>
<td>7,178</td>
<td>10,900</td>
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<td>Utility Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Contract Services</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Pass-through Expenditure</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Pass-through Expenses</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Other Financing Sources (Uses)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
</tbody>
</table>

**Total Expenditures** | **$19,555** | **$46,957** | **$27,402** | **240.13%**

### SNPLMA US Fish & Wildlife Services AIS

<table>
<thead>
<tr>
<th>Description</th>
<th>Adopted Budget</th>
<th>Revised Budget</th>
<th>Change</th>
<th>% of Original Budget</th>
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<tbody>
<tr>
<td>Personnel</td>
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**Total Expenditures** | **$23,364** | **$27,732** | **$4,368** | **118.69%**

### Army Corps of Engineers AIS

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**Total Expenditures** | **$5,188** | **33,964** | **28,776** | **654.63%**

### Total Expenses

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**Total Expenditures** | **$85,000** | **85,000** | **0.00%** |
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<tr>
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<td>Capital Outlay</td>
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<td>Op Trans In(Out)</td>
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<td>144,775</td>
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<td>($796)</td>
<td>($24,354)</td>
<td>($23,556)</td>
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## Department Level Budget Adjustments

**February 2010**

### Adopted Budget vs. Revised Budget

#### Revenues

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#### SNPLMA (Round 5)

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#### General Transportation

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<td>Admin &amp; Overhead Expense</td>
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<td>Contract Services</td>
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<td>Capital Outlay</td>
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#### RSTP

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<td>In-State Travel</td>
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<td>Admin &amp; Overhead Expense</td>
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<td>Training</td>
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<td>Utility Expenses</td>
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<td>0.00%</td>
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<tr>
<td>Contract Services</td>
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<td>0.00%</td>
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<tr>
<td>Capital Outlay</td>
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<td>Other Financing Sources (Uses)</td>
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<tr>
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<td>14,198</td>
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#### Other Sources

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## DEPARTMENT LEVEL BUDGET ADJUSTMENTS

### FEBRUARY 2010

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**Total Expenses** $392,000

**EPA/CTS**

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**Total Expenses** $18,864

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**CA Blueprint**
Personnel -                  - 0.00%
Out-of-State Travel -         - 0.00%
In-State Travel -             - 0.00%
Admin & Overhead Expense -   - 0.00%
Operating Expenses -          - 0.00%
Information Services -        - 0.00%
Training -                   - 0.00%
Utility Expenses -            - 0.00%
Contract Services -           - 0.00%
Passsthrough Expenditure -   - 0.00%
Capital Outlay -              - 0.00%
Other Financing Sources (Uses)- - 0.00%
**Total Expenses** $- $- $- 0.00%

**SNPLMA USFS Stateline**
Personnel -                  - 0.00%
Out-of-State Travel -         - 0.00%
In-State Travel -             - 0.00%
Admin & Overhead Expense -   - 0.00%
Operating Expenses -          - 0.00%
Information Services -        - 0.00%
Training -                   - 0.00%
Utility Expenses -            - 0.00%
Contract Services -           - 0.00%
Passsthrough Expenditure -   - 0.00%
Capital Outlay -              - 0.00%
Other Financing Sources (Uses)- - 0.00%
**Total Expenses** $- $- $- 0.00%

**Washoe County Question 1**
Personnel -                  - 0.00%
Out-of-State Travel -         - 0.00%
In-State Travel -             - 0.00%
Admin & Overhead Expense -   - 0.00%
Operating Expenses -          - 0.00%
Information Services -        - 0.00%
Training -                   - 0.00%
Utility Expenses -            - 0.00%
Contract Services -           - 0.00%
Passsthrough Expenditure -   - 0.00%
Capital Outlay -              - 0.00%
Other Financing Sources (Uses)- - 0.00%
**Total Expenses** $- $- $- 0.00%

**SNPLMA**
Personnel -                  - 0.00%
Out-of-State Travel -         - 0.00%
In-State Travel -             - 0.00%
Admin & Overhead Expense -   - 0.00%
Operating Expenses -          - 0.00%
Information Services -        - 0.00%
Training -                   - 0.00%
Utility Expenses -            - 0.00%
Contract Services -           - 0.00%
Passsthrough Expenditure -   - 0.00%
Capital Outlay -              - 0.00%
Other Financing Sources (Uses)- - 0.00%
## TAHOE REGIONAL PLANNING AGENCY
### TRANSPORTATION FUND
#### DEPARTMENT LEVEL BUDGET ADJUSTMENTS
##### FEBRUARY 2010

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<tr>
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### Transportation Fund Totals

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<td><strong>Total Expenses</strong></td>
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### Total Revenue

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<tr>
<td><strong>Total Revenue</strong></td>
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<td>1,805,980</td>
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### Total Expense

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<td><strong>Total Expense</strong></td>
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### Contingency

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### Excess (Deficiency) of Revenues Over Expenses

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TAHOE REGIONAL PLANNING AGENCY
CAPITAL OUTLAY FUND
DEPARTMENT LEVEL BUDGET ADJUSTMENTS
FEBRUARY 2010

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<tr>
<td>Other Financing Sources (Uses)</td>
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<td><strong>128 Market Street Fund Total</strong></td>
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<td>Personnel</td>
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<td>Out-of-State Travel</td>
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<td>Other Financing Sources (Uses)</td>
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<td>100.00%</td>
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<tr>
<td><strong>Total Expenses</strong></td>
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<tr>
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<td>(616)</td>
<td>(616)</td>
<td>-</td>
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</table>
Date: February 17, 2010
To: TRPA Governing Board
From: TRPA Staff
Subject: Transfer of Previously Released Placer County Water Quality Mitigation Funds in the Amount of $14,209.07 to the Snow Creek SEZ Restoration Project (EIP #391), Letter Reference No. EIP 2010-004

Requested Action: Governing Board action to transfer $14,209.07 in previously released unused Placer County Water Quality Mitigation Funds to the project listed in Table 1, subject to the conditions cited below.

Staff Recommendation: Staff recommends that the Governing Board approve Placer County’s request, subject to the conditions cited below. The project is consistent with the Environmental Improvement Program objectives, Chapter 82 of the TRPA Code of Ordinances and the Governing Board’s policy on the use of mitigation funds. TRPA reserves the right to withhold funds to ensure project priorities, goals and specifications are consistent with those of the Environmental Improvement Program and the TRPA Regional Plan.

Required Motion: To approve the requested transfer, the Governing Board must make the following motion:

1) A motion to approve the transfer subject to the conditions contained in this memorandum.

In order for the motion to pass, an affirmative vote of any eight Board members is required.

<table>
<thead>
<tr>
<th>EIP#</th>
<th>Project</th>
<th>Fund</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>391</td>
<td>Snow Creek SEZ Restoration Project</td>
<td>WQ</td>
<td>$14,209.07</td>
</tr>
<tr>
<td></td>
<td>Total Transfer Requested</td>
<td></td>
<td>$14,209.07</td>
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</table>
Project Description/Background: At the February 22, 2006 meeting, the Governing Board approved a request from Placer County to release $260,000 in water quality mitigation funds for the Sunnyside/Skyland Erosion Control Project (EIP #220.1). The final costs for completion of this project were less than anticipated and as a result $14,209.07 in water quality mitigation funds remain from the February 2006 release.

The County is now requesting that these unused, previously released water quality mitigation funds totaling $14,209.07 be transferred to the Snow Creek SEZ restoration project (EIP #391). The Snow Creek SEZ restoration project is located in Tahoe Vista and will remove fill material from the Snow Creek wetlands on the property which was previously the site of the TNT Materials cement plant. Placer County Department of Public Works has purchased the property through a grant from the Sierra Nevada Conservancy.

Issues/Concerns:

- These funds have previously been issued to the County.

- Staff recommends approving the transfer of these funds subject to the following conditions of approval:

  1. The recipient shall only use the funds for the project cited above and as approved by TRPA.

  2. All references/correspondence pertaining to this project shall include the proper EIP name and number as stated in TRPA’s EIP document.

  3. The TRPA reserves the right to withhold funds to ensure project priorities, goals and objectives are consistent with those of the Environmental Improvement Program and TRPA’s Regional Plan.

  4. The County agrees to follow all laws, codes and regulations adopted by the federal, state and local authorities/agencies.

  5. The County agrees to maintain a report detailing the use and expenditures of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.

  6. The County agrees to request from TRPA a final inspection no later than 30 days after completion of the project and again approximately one year later in the month of August for projects with revegetation components.

  7. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.

  8. TRPA approved signage shall be used on all projects during construction to identify TRPA as a funding source and shall include the EIP logo.

/JMC

CONSENT CALENDAR ITEM NO.3
9. These funds may not be used for design studies, environmental documents, application costs, or other pre-design tasks.

Regional Plan Compliance: The proposed transfer complies with the TRPA Regional Plan and Code of Ordinances.

Contact Information: If you have any questions regarding this item please contact Jeanne McNamara, Acting Branch Chief, Environmental Improvement Branch at jmcnamara@trpa.org or by phone at (775)589-5252.
MEMORANDUM

To: TRPA Governing Board
From: TRPA Staff
Date: February 17, 2010
Subject: Resolution of Enforcement Action, Stephen and Laura Clayton, Unauthorized Addition of Coverage and Direct Discharge to the Waters of Lake Tahoe, 60 Speedboat Avenue, Kings Beach, CA, Assessor’s Parcel Number 090-311-035.

Requested Action: Governing Board action on the proposed Settlement Agreement.

Staff Recommendation: Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which Stephen and Laura Clayton (“Claytons”) agree to pay $4,500 to TRPA.

Required Motion: In order to approve the proposed violation resolution, the Board must make the following motion, based on this staff summary and the evidence in the record:

A motion to approve the Settlement Agreement as set forth in Attachment A.

In order for the motion to pass, an affirmative vote of any 8 members of the Board is required.

Violation Description/Background: On December 4, 2009, The Tahoe Regional Planning Agency (TRPA) inspected a complaint at 60 Speedboat Avenue, Kings Beach, CA, Assessor’s Parcel Number 090-311-035 (“Clayton Property”). TRPA staff observed workers in the backyard repairing a stone wall and constructing a small patio. Staff also noticed that the laborers had dumped the saw cutting waste from this project into a stream channel directly across the street from the Clayton Property.

Mrs. Clayton has explained that she hired an unlicensed contractor to repair the wall on the side of her residence. She alleges that she neither directed the workers to construct the patio, nor to discharge the waste into the nearby stream. Mrs. Clayton was apparently not home supervising the workers at the time of these violations. Nevertheless, as the property owners, the Claytons are responsible for the violations that occurred on their property.

TRPA’s Code prohibits the creation of coverage without a TRPA permit. See Code Section 4.2 (activities are only exempt from TRPA review if they do not create or relocate coverage) and Code Section 20.3 (the creation of coverage in excess of
established limitations is prohibited). TRPA’s Code also prohibits direct discharges to the waters of Lake Tahoe. See Code Section 64.3 (direct discharges to the waters of the Region of solid or liquid waste materials, including soil, silt, clay, sand or other organic or earthen materials are prohibited). The Claytons neither obtained a permit for the coverage created from construction of the patio, nor received authorization to discharge saw cutting waste into the stream channel.

The construction of the patio without a TRPA permit and discharge of saw cutting waste into a stream channel violated TRPA’s Code. The Claytons have taken full responsibility for the unauthorized activities and have removed the additional coverage. Staff recommends that the Claytons make a settlement payment of $4,500.

Regional Plan Compliance: The Tahoe Regional Planning Compact Article VI (k), Compliance, provides for enforcement and substantial penalties for violations of TRPA ordinances or regulations. The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Supporting evidence for making the determination of a violation includes the violation file and photographs of the site. These documents are in TRPA’s possession and may be reviewed at the TRPA Offices.

If you have any questions, please contact Steve Sweet, Senior Environmental Specialist at ssweet@trpa.org or 775-589-5250.

Attachments:
  Settlement Agreement (Attachment A)
ATTACHMENT A
PROPOSED SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Stephen and Laura Clayton ("Clayton") and the Tahoe Regional Planning Agency ("TRPA").

This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

On December 4, 2009, The Tahoe Regional Planning Agency (TRPA) inspected a complaint at 60 Speedboat Avenue, Kings Beach, CA, Assessor's Parcel Number 090-311-035 ("Clayton Property"). TRPA staff observed workers in the backyard repairing a stone wall and constructing a small patio. Staff also noticed that the laborers had dumped the saw cutting waste from this project into a stream channel directly across the street from the Clayton Property. While repairing the existing wall does not require a TRPA Permit, the construction of a patio without a permit is a violation of Code Sections 4.2 and 20.3, and the discharge of waste into a stream channel is a violation of TRPA Code Section 64.3.

Mrs. Clayton has explained that she hired an unlicensed contractor to repair the wall on the side of her residence. She alleges that she neither directed the workers to construct the patio, nor to discharge the waste into the nearby stream. Mrs. Clayton was apparently not home supervising the workers at the time of these violations. Nevertheless, as the property owner, she is responsible for the violations that occurred on the Clayton Property. After discussing this matter with TRPA Staff, Mrs. Clayton took full responsibility for the unauthorized activities.

This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below:

In order to fully resolve the matter, the parties hereby agree as follows:

1. Clayton shall pay TRPA $4,500 within 30 days of Governing Board approval of the Settlement Agreement.

2. If Clayton fails to comply with all actions required by this Settlement Agreement, Clayton confesses to judgment against them and in favor of TRPA in the amount of $9,000 (payable immediately) and an injunction to enforce the terms of this Settlement Agreement. Clayton also agrees to pay all reasonable attorneys fees and costs associated with collecting the increased settlement of $9,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA has provided Clayton with written notice of default and notice to

SDS CONSENT CALENDAR ITEM NO. 4
cure such default within ten days of the date of written notice. If the default has not been cured by that time, TRPA may file the confession of judgment.

3. Once Clayton has fully complied with all of the terms herein, TRPA shall release Clayton of all claims arising out of their failure to follow TRPA procedures prior to commencement of the project described in this Settlement Agreement.

Clayton has read this Settlement Agreement and understands all of its terms. Clayton has executed this Settlement Agreement after opportunity to review the terms with an attorney and acknowledge that the above-described activities constitute a violation of TRPA regulations. Clayton agrees to comply with all applicable TRPA requirements in the future.

Signed:

_____________________________              __________________________
Laura Clayton      Date

______________________________  __________________________
Joanne S Marchetta, Executive Director                   Date
Tahoe Regional Planning Agency
MEMORANDUM

Date: February 17, 2010
To: Tahoe Metropolitan Planning Organization (TMPO) Governing Board
From: TMPO Staff
Subject: 2008 Federal Transportation Improvement Program Formal Amendment #13

Requested Action: Governing Board adoption of the attached resolution (Attachment A) approving the 2008 Federal Transportation Improvement Program (FTIP) Formal Amendment #13.

Staff Recommendation: Staff recommends the Governing Board adopt the attached resolution (Attachment A).

TTC Recommendation: At the February 12, 2010 Tahoe Transportation Commission (TTC) meeting, the Commission endorsed the 2008 FTIP Formal Amendment #13 and recommended TMPO Governing Board adoption.

Required Motion: In order to adopt the proposed resolution, the Board must make the following motion, based on this staff summary and the evidence in the record:

1) A motion to approve the attached Resolution (Attachment A)

In order for the motion to pass, an affirmative vote of any eight Board members is required.

Background: The TMPO FTIP is a financially constrained list of surface transportation projects that are reasonably expected to be funded between 2008 and 2012. Any transportation project funded with federal monies, or is considered regionally significant, must be included in the FTIP as required by the federal transportation bill referred to as the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Discussion: A 30-day public comment period was publicly released on January 8, 2010 for Formal Amendment #13 as required in the TMPO Public Participation Plan (Attachment B). No comments were received.

The Tahoe Transportation District is providing financial assistance to the California Tahoe Conservancy (CTC) for the El Dorado Beach East to Ski Run Bike Trail Project. Seventy

JAW/jdw

TMPO CONSENT CALENDAR ITEM NO. 1

81
thousand dollars ($70,000) of the Federal Lands Highway (FLH) funds will be provided to develop design concepts for the project.

El Dorado Beach East to Ski Run Bike Trail Project (New Project)
1. Add FLH funds of $70,000 to PE to FY2009/10
2. Add CTC funds of $750,000 to PE to FY2011/12

Issues/Concerns: There are no known issues or concerns with the amendment.

Regional Plan Compliance: The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Contact Information: If you have any questions or comments regarding this item, please contact Judy Weber at (775) 589-5203 or jweber@trpa.org.

Attachments:
A. Resolution
B. Notice of 30-Day Public Comment Period
MEMORANDUM

Date: February 17, 2010
To: TRPA Governing Board
From: TRPA Staff
Subject: Regional Plan Update Milestone Discussion and Direction to Staff on Public Lands, Resource Management, and Recreation Issues

Requested Action: Governing Board direction to staff on the attached Milestone issues related to Public Lands, Resource Management, and Recreation (see Attachment A).

Staff Recommendation: Staff recommends that the Board review the attached FactSheet, hold a public hearing on the Milestone issues summarized and identified in Attachment A, and provide direction to staff on how to proceed with each issue.

Requested Motion: In order to provide direction to staff, the Board is requested to make a motion directing staff on how to proceed with resolving each of the Public Lands, Resource Management, and Recreation Milestone issues. There is one issue in Natural Hazards, one in Open Space, and seven in Recreation. The nine issues are summarized and identified in Attachment A.

A majority straw vote of the Board is requested in order to provide staff with direction.

Background: There is a document called a “FactSheet” that is has been provided to the Board as an attachment to this memo. It is the second in the series of FactSheets that will constitute the FactBook. The FactBook will contain the background material that will define the policy direction of the Regional Plan Update.

The attached FactSheet focuses on the policy issues surrounding Public Lands, Resource Management, and Recreation. The Subelements of the Plan Update that it deals with are, namely, Natural Hazards, Open Space, Cultural Resources, Dispersed Recreation, Developed Recreation, Urban Recreation, General Recreation, Recreation Education, and Environmental Improvement.

The FactSheet summarizes the Stakeholder Process that has been conducted thus far for the Public Lands, Resource Management, and Recreation Milestone. It outlines the major issues identified by staff and stakeholders and provides a framework for the Board in making decisions and providing policy direction to staff.

The stakeholder process for this particular Milestone raised nine (9) major issues that resulted in staff requiring Board direction. Staff has provided a recommended course of
action for the resolution of each issue. In some cases, the recommendation involves changes to the Plan alternatives. In other cases, no changes are proposed.

In all cases, the recommended course of action is prefaced by a statement such as “Staff proposes to…,” which is shown in italics. In order to make staff’s proposals stand out, there is no other italicized language in the body of the text.

In addition to the major issues, the Stakeholder Process helped identify a number of minor changes to the Project Description and implementation Matrix that staff would like to make based on the comments received and a desire for accuracy and consistency. Stakeholder Comments and TRPA Responses are in attached FactSheet (see Appendices A through E).

Where staff is proposing these minor changes, the proposed change is also shown in italics and prefaced by a statement such as “Staff proposes to…” The comments that elicited a proposed change are lumped at the top of each stakeholder meeting’s comments to simplify the Board’s review.

The Board should peruse the proposed minor changes in the Appendices and advise staff if there are any desired changes in direction.

Contact Information: If you have any questions, please contact Harmon Zuckerman, Director, Regional Plan Update, at hzuckerman@trpa.org or (775) 589-5236.
Summary of Major Issues for Board Direction:
Public Lands, Resource Management, and Recreation

**NH Issue #1: Why should TRPA propose to update the natural hazard maps in all action alternatives?**

To reflect the nature of the different EIS alternatives and provide different approaches to achieving the policy purpose, TRPA is proposing to revise its plan alternatives as follows:

<table>
<thead>
<tr>
<th>Alternative 1</th>
<th>Alt. 2</th>
<th>Alt. 3</th>
<th>Alt. 4</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy #1 from the 1987 Plan's Goals and Policies:</strong> DEVELOPMENT SHALL BE REGULATED IN IDENTIFIED AVALANCHE OR MASS INSTABILITY HAZARD AREAS.</td>
<td><strong>NH-1.1 NATURAL HAZARD MAPPING:</strong> JOINTLY PREPARE, BASED ON AVAILABLE FUNDING AND IN COORDINATION &amp; WITH UNIVERSITIES AND LOCAL, STATE, AND FEDERAL AGENCIES, MAPS TO IDENTIFY NATURAL HAZARDS AND PREPARE NATURAL HAZARD MAPS FOR USE DURING PROJECT PLANNING AND REVIEW.</td>
<td>Same as Alt. 2</td>
<td><strong>NEW POLICY:</strong> TRPA SHALL PERFORM ALL THE NECESSARY ANALYSIS AND UPDATE ITS NATURAL HAZARD MAPS.</td>
</tr>
</tbody>
</table>

**OS Issue #1:**

**What is the definition of “open space?”**

To alleviate the confusion, staff proposes that the land use definitions in Code Chapter 18 be revised so that “Open Space” appears as “Open Space – Dedicated.”

**REC Issue #1:** Is TRPA’s current Master Plan requirement too narrowly drawn to protect the environment of Lake Tahoe?

TRPA is proposing to retain Policy 5.6 but make a change to the first Implementation Measure. Rec.Dev.Imp-4 is proposed to be changed to read: “Amend Chapter 18 to add a new definition for a new category of recreation facility called ‘multi-season resort’. This definition would include ski areas, marinas, developed day use areas, etc.”

**REC Issue #2, Part 1:** Why is TRPA proposing to designate permissible uses for public lands (the snowmobiling issue)?

Staff proposes to amend the existing Implementation Measure to read “Establish appropriate use areas for snowmobiling within the transect districts and match use areas established by the, using U. S. Forest Service and State Parks’ maps to inform the development of TRPA use maps” and add an additional measure that states “Amend the definition of Dispersed Outdoor Recreation in Code Chapter 18 to allow snowmobile use in designated dispersed recreation areas.”
REC Issue #2, Part 2: Why is TRPA proposing to designate permissible uses for public lands (the mapping issue)?
TRPA staff is not proposing to make any changes to the Implementation Measures in the Dispersed Recreation Subelement as a result of these stakeholder concerns.

REC Issue #3: Is TRPA proposing additional measures to protect public access to recreation areas and Lake Tahoe?
Public access is a Recreation Threshold standard. Therefore, TRPA must protect public access as a mandate of the Compact. Staff is proposing no changes to Implementation Measure Rec.Gen.Imp-3, based on the fact that this measure would ensure that the public interest is preserved whenever ROW abandonments are considered.

REC Issue #4: Should TRPA require mitigation for loss of private and public recreation facilities?
TRPA staff is not proposing to make any changes to Policy 4.4 in the Developed Recreation Subelement or its associated Implementation Measure as a result of these stakeholder concerns.

REC Issue #5: Why is TRPA proposing to continue to use PAOTs?
TRPA staff is not proposing to make any changes to the PAOT policies in the Developed Recreation Subelement or its associated Implementation Measures as a result of these stakeholder concerns.

REC Issue #6: Should TRPA consider reinventing the Recreation Element and Program?
If the Governing Board believes that the proposals in Alternative 2 fail to address the major considerations mandated by the Compact, the Recreation Threshold, and the comments of stakeholders, Staff would propose to reconsider the overall structure and content of the Recreation Element and Program.
Date: February 17, 2010

To: TRPA Governing Board

From: TRPA Staff

Subject: “FactSheet FollowUp” for Regional Plan Update Milestone #1: WQ and SEZ

Requested Action: Governing Board direction that the attached FactSheet FollowUp #1 (Attachment A) has accurately portrayed the results of the first Milestone in the Regional Plan Update process and should be inserted into the FactBook behind FactSheet #1.

Staff Recommendation: Governing Board members review the attached FactSheet FollowUp #1 to ensure that it has accurately portrayed the results of the first Milestone in the Regional Plan Update process. Staff recommends that if the Board can confirm that there are no discrepancies in FactSheet FollowUp #1 and the document has accurately portrayed the results of the first Milestone in the Regional Plan Update process, it should direct staff that the document should be inserted into the FactBook behind FactSheet #1.

Requested Motion: The Board is requested to make a motion directing staff on how to proceed with FactSheet FollowUp #1. A majority straw vote of the Board is requested in order to provide staff with direction.

Background: This Water Quality and Stream Environment Zones Milestone was the first in a series of Milestone discussions to be conducted as part of the Regional Plan Update process. It took place at the January 28, 2010 Governing Board meeting. Each of the Milestones deals with a part of the Plan, and each is preceded by a Stakeholder Process to vet the proposed policy alternatives with Agency partners and constituents.

To support the discussion at the Board meeting, staff presented the Governing Board with FactSheet #1, which served as a summary of the stakeholder process for WQ and SEZs. It outlined the major issues identified by staff and stakeholders and provided a framework for the Board in making decisions and providing policy direction to staff. There were eleven (11) major issues called out in FactSheet #1. A twelfth major issue was raised and resolved at the Milestone meeting.

Staff prepared a FactSheet FollowUp for WQ and SEZ milestone #1 to recap the direction that the Governing Board gave to staff for each of the twelve (12) issues raised and voted (straw vote) on at the January 28, 2010 meeting. Staff is proposing to produce a FollowUp for every FactSheet and after every Milestone. The nature of the FollowUp documents is to be brief – essentially it is to memorialize the direction that was
given. In preparing FollowUp #1, staff listened to the actual audio from the meeting and has accurately transcribed the exact motion made in support of the direction given on each issue.

Contact Information: If you have any questions, please contact Harmon Zuckerman, Director, Regional Plan Update, at hzuckerman@trpa.org or (775) 589-5236 or Paul Nielsen, Water Quality/SEZ Milestone Team Lead, Regional Plan Update, at pnielsen@trpa.org or (775) 589-5249.
FactSheet FollowUp
Water Quality and SEZ Milestone #1*

What is a FactSheet FollowUp?
A FactSheet FollowUp is a set of Milestone meeting summary notes that serve as a companion to the FactSheet prepared for each Milestone. It documents each policy issue discussed in the FactSheet, the staff proposal, and direction given by the Governing Board. The FollowUp is not intended to serve as regular minutes of the meetings. These will be prepared for the Board and made available in the usual way.

What was the direction given by the Governing Board concerning Water Quality policy issues?

WQ Issue #1: Should the TRPA defer to the Forest Service’s BMP Guidelines?

**Staff Proposal:** TRPA staff proposed that the alternatives for the updated Regional Plan be amended to defer to the USFS BMP Handbook as the guiding document for applying BMPs on U.S. Forest Service lands.

**Governing Board Direction:** The Governing Board directed staff to amend its proposal to read as follows: “The alternatives for the updated Regional Plan will be amended to use the USFS BMP Handbook as the guiding document for applying BMPs on U.S. Forest Service lands within the Tahoe Basin.”

The Governing Board also stated that TRPA should not purely defer to the USFS BMP Handbook in developing the TRPA BMP Manual. Rather, the USFS BMP Handbook should serve as the foundation for developing the forested uplands portion of the TRPA BMP Manual.

WQ Issue #2: How will the updated Regional Plan improve BMP compliance in the Basin?

**Staff Proposal:** Staff proposed to add a policy to all three action alternatives in the Water Quality Subelement that states: “TRPA will develop and implement a focused enforcement strategy to accelerate BMP compliance in high-priority areas as informed by the TMDL and assist local jurisdiction implementation of stormwater management plans.”

**Governing Board Direction:** A policy will be added to all three action alternatives in the Water Quality Subelement that states: “TRPA will develop and implement a focused enforcement, implementation, maintenance, and inspection strategy to

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* Milestone Meeting #1 was held on January 28, 2010 at the TRPA Offices, Stateline, NV.
accelerate BMP compliance in high-priority areas as informed by the TMDL and assist local jurisdiction implementation of stormwater management plans using state-of-the-art technology and allowing for new technologies."

The Governing Board also directed staff to include in the updated BMP Manual the flexibility for property owners to install “equal or superior” BMPs which may not specifically be identified in the Manual.

WQ Issue #3: The Forest Service BMPs should not be evaluated by a separate entity, as they already have their own annual BMP evaluation process.

Staff Proposal: TRPA staff supports the rigorous technical evaluation of BMP effectiveness because the assumptions associated with the TMDL are only as good as the technology that will be relied on to reduce identified pollutants of concern. TRPA staff did not propose any changes to the Regional Plan alternatives regarding evaluation of the BMPs on USFS lands.

Governing Board Direction: The Board concurred with the staff proposal.

WQ Issue #4: The TMDL has resulted in an unfunded regulatory mandate for the jurisdictions.

Staff Proposal: Based on the level of TMDL load reduction expected from the local jurisdictions, the state and federal programs in place to help fund achievement of TMDL requirements, and TRPA’s proposed land use incentives, staff did not propose to change the Regional Plan alternatives in response to this concern.

Governing Board Direction: The Board directed staff to consider the impacts of federal TMDL requirements on water quality management and to advise and assist local jurisdictions in meeting their federal obligations.

WQ Issue #5: General agreement with the proposal to change the pelagic (deep water) Threshold standard for transparency from a winter mean to an annual average.

Staff Proposal: TRPA staff proposed a single amendment to the Water Quality Threshold. This proposal would honor the scientific rationale and programmatic guidance provided by the TMDL for establishing a single protective standard for measuring transparency.

Governing Board Direction: The Board concurred with the staff proposal.

WQ Issue #6: Why isn’t staff proposing other Threshold changes to protect Lake Tahoe, specifically in the littoral zone?

Staff Proposal: Within the next few years, there will be adequate data collected, and TRPA staff will propose to create a suite of littoral standards.
**Governing Board Direction:** The Board directed staff to create a suite of littoral standards before the first [next] Five-Year Threshold Review.

**WQ Issue #7: Is Secchi transparency the only way to measure the health of the pelagic zone?**

**Staff Proposal:** After the update of the Plan, TRPA plans to propose augmenting its transparency standard with a clarity standard so that all three agencies can converge around one singular transparency standard and one singular clarity standard by which to evaluate deep water quality.

**Governing Board Direction:** The Board concurred with the staff proposal.

**WQ Issue #8: Private sector representatives recommended the use of a pro forma economic analysis to inform the allocation- and incentive-based system for land use regulation.**

**Staff Proposal:** Staff proposed to perform this analysis to inform TRPA on ways to achieve Water Quality and Land Use Program goals by developing incentives that provoke positive responses from project proponents and investment decision-makers.

**Governing Board Direction:** The Board directed staff, through the TRPA Land Use Program, to conduct an analysis to better inform its transfer ratios and land use incentive packages in cooperation with local government and private sector representatives.

**WQ Issue #9: Concern exists over the proposed alternatives treatment of BMP point-of-sale requirements.†**

**Staff Proposal:** Staff proposed that the Project Description and Matrix include the following policy considerations in the alternatives:

<table>
<thead>
<tr>
<th>Alternative 1</th>
<th>Alternative 2</th>
<th>Alternative 3</th>
<th>Alternative 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>No point-of-sale policy proposed, only require disclosure</td>
<td>Require point-of-sale implementation of BMPs or post a financial guarantee</td>
<td>No point-of-sale policy proposed, only require disclosure</td>
<td>Require point-of-sale implementation of BMPs</td>
</tr>
</tbody>
</table>

**Governing Board Direction:** The Board directed staff to revise Alternative 2 to include increased disclosure requirements (which may or may not, depending on research) include amending the Real Property Disclosure Statement to require that it be disclosed to buyers of real property in the Tahoe Basin that there are BMPs.

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† This issue was raised at the January 28, 2010 meeting. It was not included in the FactSheet.
requirements. Amend Alternative 3 to require point-of-sale BMPs or post a financial guarantee.

Staff will amend the Project Description and Matrix to reflect the Board’s direction and the following policy considerations in the alternatives:

<table>
<thead>
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<td>Require point-of-sale implementation of BMPs</td>
</tr>
<tr>
<td>Increased BMP point-of-sale real property disclosure requirements</td>
<td>Requires Alternative 2's flexible approach to Compensatory Mitigation for New Disturbance in SEZs?</td>
<td></td>
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</tr>
</tbody>
</table>

**What was the direction given by the Governing Board concerning Stream Environment Zones policy issues?**

**SEZ Issue #1: Establishing TRPA regulatory definitions for permanent SEZ disturbance might affect Lahontan’s and the Forest Service’s regulatory programs and resource management operations.**

**Staff Proposal:** In response to this concern, TRPA staff proposes to coordinate with partner agencies during development of the regulatory definition for permanent disturbance. The intent will be to develop a regulatory definition that:

1. Provides adequate protection for SEZs.
2. Is consistent with state wetlands and SEZ policies to the extent possible.
3. Does not unnecessarily burden forest fuels and vegetation management projects with compensatory mitigation requirements.

**Governing Board Direction:** The Board directed staff to coordinate with partner agencies during development of regulatory definitions for SEZ and permanent disturbance.

**SEZ Issue #2: Why is staff recommending Alternative 2’s flexible approach to Compensatory Mitigation for New Disturbance in SEZs?**

**Staff Proposal:** Staff proposed to revise the compensatory mitigation requirement under Alternative 2 to include a variable, project-specific mitigation-to-impact ratio that will range from 1.5:1 to 4:1 instead of 2:1 to 4:1.

**Governing Board Direction:** The Board amended staff’s proposal to read as follows: “Staff proposes to revise the compensatory mitigation requirement under Alternative 2 to include a variable, project-specific mitigation-to-impact ratio that will
range from 1.5:1 to 4:1 instead of 2:1 to 4:1 in evaluation of new and relocated disturbances."

SEZ Issue #3: TRPA’s proposal to create definitions for the different types of compensatory SEZ mitigation may create conflict with the operations of other agencies.

**Staff Proposal:** Although TRPA has agreed to continue to engage the Forest Service and CTC on this issue, no change to the Project Description or Matrix was proposed. TRPA’s position is that the definitions proposed under Alternatives 2, 3, and 4 will be consistent or compatible with state and federal regulatory program definitions.

**Governing Board Direction:** The Board directed staff to ensure that the definitions proposed under Alternatives 2, 3, and 4 be consistent or compatible with state and federal regulatory program definitions as related to enhancement, restoration, and creation.
MEMORANDUM

To: TRPA Governing Board

From: TRPA Staff

Date: February 17, 2010

Subject: Settlement of Litigation, League to Save Lake Tahoe, Friends of Tahoe Vista v. Tahoe Regional Planning Agency, Tahoe Vista Partners, LLP, Placer County, USDC E.D. Cal. Case No. 2:08-cv-2447 JAM-KJM

Requested Action: Governing Board action on the proposed Settlement Agreement.

Staff Recommendation: Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) to resolve litigation pending regarding Tahoe Vista Partners (TVP) Affordable Housing and Interval Ownership Development Project on APN 117-071-29 (Project). Pursuant to the proposed Settlement Agreement the existing land coverage recognized on APN 117-071-29 (the “Property”) will be adjusted to 125,000 square feet (“sf”), affordable housing units will be moved offsite, and the developer, TVP, will be required to submit a conforming plan revision to TRPA within 18 months. In exchange, The League to Save Lake Tahoe and the Friends of Tahoe Vista (collectively “League”) will dismiss their lawsuit and agree not challenge future project modifications.

Required Motion(s): In order to approve the proposed Settlement Agreement, the Governing Board must make the following motion, based on this staff summary and the evidence in the record:

A motion to accept the proposed settlement and approve the Settlement Agreement as set forth in Attachment A.

In order for the motion to pass, 5 affirmative votes of the California delegation and 9 overall votes are required (an extraordinary vote is required as the Settlement Agreement results in the modification of an approved California project).

Discussion: On July 23, 2008, the Governing Board approved the TVP Affordable Housing and Interval Ownership Development Project on APN 117-071-29 (Project). The League subsequently sued TRPA and TVP alleging that TRPA’s approval of the Project violated the TRPA Compact and Code. One of the League’s primary concerns was the amount of land coverage TRPA recognized as existing on the Property. After extensive discussions and the use of a mediator, the parties have reached a tentative Settlement Agreement to resolve the litigation. The proposed Settlement Agreement revises the amount of existing coverage recognized on the Property consistent with the Resolution of Compliance Investigation previously proposed by TRPA staff (See December 2009 Memo, Attachment B (excluding attachments)). The previously
proposed Resolution includes additional background information that should be reviewed to understand the proposed Settlement Agreement.

In addition to land coverage, the proposed settlement agreement contains provisions regarding: (1) affordable housing; (2) project redesign; and (3) limitations on further challenges regarding the Project. The critical elements of the Settlement Agreement are as follows:

1. **Land Coverage**

   TRPA's approval of the Project recognized approximately 174,324 sf of coverage as legally existing on the Property. Independent of the litigation and in response to an administrative complaint filed by the League, TRPA conducted an investigation into the amount of coverage legally existing on the property. As a result of its investigation, in December 2009, TRPA proposed a resolution to the Board which would have revised the amount of legally existing coverage recognized on the Property to 125,102 sf (See Attachment B). Because of the ongoing settlement discussions in the context of the litigation, TRPA deferred consideration of the proposed resolution. All Parties now agree that TRPA shall amend the Project permit to recognize 125,000 square feet (“sf”) of coverage as existing on the Property (See Attachment A, Settlement Agreement ¶ IV.B.1.) Per the terms of the Agreement, approval of the amended permit may occur at staff level without subsequent Board action (Settlement Agreement ¶ IV.B.1.d.).

   Pursuant to TRPA's land capability system, absent existing coverage, the Property would be entitled to 30% coverage or 81,691 sf. In addition, under TRPA’s rules the Property would be entitled to utilize any coverage recognized by TRPA as existing on the Property (125,102 sf, per the Settlement Agreement). As part of the proposed settlement agreement, however, TVP and the League agree that in order to utilize coverage above 81,691 sf up to 125,000 sf, TVP will retire an equal amount of coverage elsewhere in the hydrologic zone. (Settlement Agreement ¶ IV.D.1.b.) TVP agrees that the coverage it will retire to meet this obligation to the League shall come from the Agate Bay Hydrological Zone and will be retired prior to prior to placement of coverage over the 81,691 Bailey threshold. (Id.)

   Further, pursuant to TRPA’s rules regarding community plans, TVP is permitted to transfer in additional coverage to the Project, which is located within the Tahoe Vista Community Plan, up to a maximum level of 50 percent of the project area (or 136,151 sf). The proposed Settlement Agreement allows TVP to utilize this transfer provision assuming it meets the applicable Code requirements for the transfer (See Settlement Agreement ¶ IV.D.1.c.).

2. **Affordable Housing**

   To satisfy Placer County's inclusionary zoning requirements, TVP proposed, and TRPA and Placer County previously approved, six affordable housing units to be built on the Project site. Pursuant to the proposed agreement, TRPA agrees to amend its permit to allow the housing requirement to be satisfied with the purchase and deed-restriction of off-site existing housing stock (Settlement Agreement ¶ IV.B.1.b.). Placer County, the source of the affordable housing requirement, likewise agrees to process an amendment to its permit to affect the same change (Id., ¶ IV.C.).
3. **Project Redesign**

In order to reflect the change in coverage and the affordable housing requirement, the Settlement Agreement requires TVP to redesign its project. As part of the proposed Agreement, TVP and the League also agree to changing a number of project specific elements that TVP will include in its revised site plan application and otherwise undertake, such as removing a sound wall, addressing fire access, and removing gates, carports and garages (Settlement Agreement ¶¶ IV.D.2,3.). Pursuant to the proposed agreement, TVP agrees to submit an application to TRPA for a permit modification with a revised site plan within 18 months. (Settlement Agreement ¶ IV.B.1.b.). As specified in the Agreement, the permit modification application can be approved at staff level without further Board action. The Parties agree to carry forward any applicable conditions of approval. (Id., ¶ IV.D.2.g.)

4. **Agreement not to challenge Project**

As part of the proposed Settlement Agreement, The League and Friends agree to dismiss their lawsuit with prejudice and to not challenge subsequent Project approvals that are consistent with the terms of the Settlement Agreement (Settlement Agreement ¶ IV.D.4.). This dismissal is contingent upon Placer County and TRPA approval of the modifications addressed above.

**Conclusion:**

The proposed Settlement Agreement represents an acceptable approach to resolving the litigation and coverage issues related to the TVP Affordable Housing and Interval Ownership Development Project. Approval of the Settlement Agreement will permit TVP to resolve the uncertainty regarding the Project and obtain the necessary financing to proceed with the Project. Staff recommends that the Governing Board approve the proposed Settlement Agreement.

**List of Attachments:**

(A) Settlement Agreement

(B) December 2009 Staff Report re Resolution of Compliance Investigation (excluding attachments)
I. SETTLEMENT AGREEMENT

This Settlement Agreement (the “Agreement”) is entered into by and among TAHOE VISTA PARTNERS, LLC (“TVP”), a California limited liability company; the LEAGUE TO SAVE LAKE TAHOE (“League”), a California non-profit corporation; FRIENDS OF TAHOE VISTA (“Friends”), an unincorporated association, the TAHOE REGIONAL PLANNING AGENCY (“TRPA”), and the BOARD OF SUPERVISORS OF THE COUNTY OF PLACER and the COUNTY OF PLACER (“County”). The parties hereto are TVP, the League, the Friends, TRPA, and the County and may be collectively referred to as the “Parties” and individually as a “Party.”

II. DEFINITIONS

For purposes of this Agreement, the terms listed below are defined as follows:

2. “Agate Bay Hydrologic Transfer Area” means the Agate Bay hydrologic area, as defined in Chapter 20 of the TRPA code with overlay map on file at TRPA.
3. “Bailey Coefficient,” has the meaning defined in Chapter 2 of the Code.
4. “CEQA” means the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).
6. “Compact” means the Tahoe Regional Planning Compact, as amended.
7. “Complaint” means the “Verified Third Amended Complaint for Declaratory and Injunctive Relief; And Related Pendant State Law Petition for Writ of Mandate” filed by the Plaintiffs on or about October 29, 2009, in this Action.
8. “County” means, collectively, the County of Placer and Board of Supervisors for the County of Placer.
9. “Coverage” means Land Coverage, which has the meaning defined in Chapter 2 of the Code.
10. “CTRPA” means the California Tahoe Regional Planning Agency.
11. “Effective Date” means the date this Agreement takes effect. The Effective Date shall be the later of the following two dates: (a) the sixty-first (61st) day following TRPA’s approval of a modification to the permit for the TVP Project limiting existing Land Coverage for the Project to 125,000 sf, and other changes to the permit required by this Agreement, if no legal challenge is filed contesting the Governing Board’s approval of the permit modifications; or (b) the ninety-first (91st) day following the County’s approval of a modification to the permit for the TVP Project requiring that affordable housing units be...
located within the existing housing stock rather than on site and any other changes required by this Agreement, if no legal challenge is filed contesting the County’s approval of the modifications to the permit. If a legal action is filed within the sixty (60) day or ninety (90) day limitations period for challenging TRPA’s or the County’s approval of the permit modification, respectively, discussed in the preceding sentence by any person, organization, or entity other than the Parties, this Agreement will not take effect.

12. “Friends” means Friends of Tahoe Vista, its officers, directors, members, consultant, and agents, including but not limited to the following persons: Laurie Gregory, Gary Kaufman, Leah Kaufman, Barbara Haas, Mark Haas, Fran Robinson, Alvina Patterson, Trudi Lesem, Gwen Rosser, Ellie Waller, Dale Chamblin, Pam Chamblin, Ezra Meyer, Janet Harley, Meera Beser, Dave McClure, Janet Tuttle, Cindy Curran and Kathy Uskert.

13. “Governing Board” means the TRPA Governing Board.

14. “Haas property” means APN 112-060-023-000 located at 6910 Toyon Road, Tahoe Vista, Placer County, California.

15. “League” means League to Save Lake Tahoe, and its officers, directors, employees, and agents.

16. “Land Coverage” has the meaning defined in Chapter 2 of the Code.

17. “NEPA” means the National Environmental Policy Act.

18. “Physical Construction Activities” means any construction activities that result in permanently covering land, including but not limited to grading, pavement, structures, tree removal, or similar construction activities that are not designed to be temporary. Physical Construction Activities specifically does not include demolition, or similar activities that are not designed to permanently cover land.

19. “Plaintiffs” means, collectively, the League and Friends.

20. “Project” means the TVP Affordable Housing and Interval Ownership Development Project approved by the TRPA on July 23, 2008, and by the County on October 20, 2008, to be located at 6873 North Lake Blvd., Placer County, California. The decision of TRPA and the County is the subject of the Action and this Agreement.

21. “Project site” means the approximately 6.25 acres (+/- 272,303 sf), of real property designated by the Assessor Parcel Number (APN) 117-071-02 and located at 6873 North Lake Blvd., Placer County, California.

22. “Revised Project” means the project as modified by TVP consistent with the terms of this Agreement.

23. “sf” means square feet.
24. “Staff report” means Tahoe Regional Planning Agency’s December 9, 2009 staff report to the Governing Board, including attachments.

25. “TRPA” means the Tahoe Regional Planning Agency, including its officers, directors, governing board members, employees, and agents.


III. RECITALS

A. The Project was approved by the TRPA on July 23, 2008, and by the County on October 20, 2008. The Project site is 272,303 square feet (“sf”), or approximately 6.25 acres. The site currently consists of a campground resort, restaurant, and associated buildings. The Project, as approved by TRPA on July 23, 2008 and by the County on October 20, 2008, would convert the existing campground/RV park into a timeshare resort with up to 39 market rate timeshare units, six affordable housing units, a clubhouse and related structures.

B. TRPA regulates land coverage as a means of achieving its environmental objectives. The TRPA Code of Ordinances defines land coverage and limits the amount of permissible land coverage on a site, based on slope, soil characteristics, historic use of the site, and other factors. (TRPA Code, chapter 20.)

C. The Governing Board’s July 23, 2008 approval of the Project recognized 174,324 sf of coverage as legally existing on the site, including 92,633 square feet in excess of the Bailey Coefficient for the site.

D. The action of the Governing Board was based on a site inspection conducted in 2002 that determined that 174,324 sf of coverage was present on the site at that time.

E. After the Governing Board approved the Project, on October 14, 2008, Plaintiffs filed suit against TRPA and TVP alleging that TRPA’s approval of the Project violated the TRPA Compact and Code in various respects.

F. On November 3, 2008, Plaintiffs submitted a letter to TRPA requesting that, pursuant to TRPA Rules of Procedure 9.2, TRPA initiate an investigation of coverage on the site. Plaintiffs’ letter attached various documents that, in Plaintiffs’ view, support its contention that coverage on the site had increased by approximately 95,676 square feet between 1984 and 2001.

G. In response to Plaintiffs’ request, TRPA commenced an investigation regarding the amount of coverage legally existing on the Project site. On November 24, 2008, TRPA issued a letter to TVP disclosing that TRPA had commenced a coverage
investigation. The letter stated TRPA had placed a “hold” on the Project permit pending conclusion of the investigation.

H. On December 18, 2008, Plaintiffs filed a First Amended Complaint including a claim that TRPA recognized too much coverage on the Project site when it approved the Project in July 2008.

I. In response to TRPA’s investigation, TVP submitted to TRPA various documents that, in TVP’s view, support the proposition that the TRPA Governing Board’s recognition of 174,324 square feet of coverage was proper.

J. TRPA staff assert that in preparing the administrative record for this Action, they located a 1980 CTRPA Permit file for the Project site, which had been in TRPA’s files but which had been misfiled. The 1980 Permit authorized the operation of 25 campsites. Plaintiffs contend, and TVP and TRPA deny that the 1980 Permit also limited coverage on the site to 81,581.7 sf.

K. Plaintiffs contend that TRPA should rescind TVP’s permit and that any future recognition of coverage existing on the site should be limited to the 81,581.7 sf that Plaintiffs contend was permitted by CTRPA in 1980, or to the 81,691 sf Bailey Coefficient of 30%. Plaintiffs also contend that the TRPA violated the Tahoe Regional Planning Compact and the Tahoe Regional Plan, and failed and refused to provide appropriate protection to the sensitive environment of the Lake Tahoe Basin in a variety of other ways with respect to the issuance of the TVP permit. TVP disputes these contentions.

L. TVP contends that the 174,324 sf of existing Land Coverage recognized by TRPA when it issued the permit was supported by substantial evidence and that Plaintiffs’ allegations relating to coverage are procedurally barred. TVP further contends that Plaintiffs’ other contentions are similarly without merit and/or procedurally barred. The Plaintiffs dispute TVP’s contentions.

M. As of the date of the signing of this agreement, the TRPA Executive Director not issued a Notice of Violation and the TRPA Governing Board had not taken action with respect to the results of the investigation of the coverage on the site.

N. The Parties desire to resolve their dispute regarding the amount of legally existing coverage on the Project site, along with all other disputes concerning the Project.

IV. AGREEMENT

NOW THEREFORE, for valuable consideration, the Parties agree as follows:

A. Recitals.

The above recitals are true and are hereby incorporated by reference as part of this Agreement.

B. TVP, TRPA and Plaintiffs agree as follows:
1. Within twenty (20) days of the date of the last signature on this Agreement, TVP shall propose, and twenty (20) days thereafter TRPA shall grant:
   a. An amendment to the TRPA permit for the TVP Project to limit the recognized existing Land Coverage for the Project site from 174,324 sf to 125,000 sf, as a compromise of the disputed claims in this litigation;
   b. An amendment to the TRPA permit for the TVP Project to remove the requirement that the six affordable units associated with the project be built on-site and substitute a requirement that six affordable units be provided within the existing housing stock.
   c. An amendment to the TRPA permit for the TVP Project requiring TVP to submit new site plans to TRPA within eighteen (18) months of the Effective Date of this Agreement without on-site affordable housing units, with affordable housing units provided within the existing housing stock, and consistent with the revised coverage number approved for the Project and other applicable provisions of the Code.
   d. At TRPA’s discretion, TRPA’s Executive Director may approve amendments to the TRPA permit for the TVP Project specified in this Agreement;

2. Plaintiffs, TVP and TRPA understand and agree that TRPA’s approval of the reduced coverage number discussed above will be implemented by amending the existing TRPA permit for the TVP Project, and that amendment will be a final decision for purposes of judicial review and binding on any and all future owners of the Project. All Parties agree that they will not seek judicial review of the TRPA Permit amendments for the TVP Project if they are consistent with the terms of this Agreement.

3. Plaintiffs, TVP and TRPA understand and agree that TRPA will adjust the original conditions of approval and mitigation required for the project in accordance with its factual review and findings with respect to the Project. Plaintiffs, TVP and TRPA understand and agree that the County of Placer may make similar modifications to its conditions of approval and mitigation measures for the Project.

4. All Parties understand and agree that this Agreement is contingent on TRPA amending the TRPA permit for the TVP Project to require that the six affordable units associate with the Project be provided within the existing housing stock and adjust the recognized coverage for the Project as set forth above and the sixty (60) day period for challenging the TRPA permit amendment running without a legal challenge being filed. All Parties understand and agree that this Agreement is further contingent on the County amending the County permit for the TVP Project to require that the six affordable units associate with the Project be provided within the existing housing stock as set forth above and the ninety (90) day period for challenging the County permit amendment running.
C. TVP, the County and Plaintiffs agree as follows:
   1. Within twenty (20) days of the date of the last signature on this Agreement, TVP shall submit an application to the County to amend the permit for the Project to remove the requirement that the six affordable units associated with the project be built on-site and substitute a requirement that six affordable units be provided within the existing housing stock.
   2. TVP and County agreed to work together in good faith to expedite the processing of the affordable housing amendment to the County permit for the TVP Project.
   3. TVP, the County and Plaintiffs understand and agree that TVP will submit new site plans to the County within eighteen (18) months of the Effective Date of this Agreement without on-site affordable housing units, with affordable housing units provided within the existing housing stock, and consistent with the revised coverage number approved by TRPA for the Project.
   4. Plaintiffs, TVP and TRPA understand and agree that County will extension the time for TVP’s current permit to allow TVP to submit a modified site plan consistent with the terms of this Agreement and further allow reasonable time for completion of the Revised Project consistent with Agreement. Plaintiffs agree not to oppose this extension of time or any additional extensions sought by TVP relating to the Project.
   5. Plaintiffs, TVP and the County understand and agree that the County will adjust the original conditions of approval and mitigation required for the project in accordance with its factual review and findings with respect to the Project. Plaintiffs, TVP and the County understand and agree that the TRPA may make similar modifications to its conditions of approval and mitigation measures for the Project.
   6. All Parties understand and acknowledge that, in the context of processing amendments to the Project, the County cannot guarantee the ultimate outcome of any public hearings before the County Planning Commission, Board of Supervisors or other public bodies of the County, nor prevent any opposition thereto by members of the public or other agencies affected by or interested in the Project. The Parties further understand and acknowledge that land use regulations involve the exercise of the County’s police power and, at the time of executing this Agreement, it is settled California law that government may not contract away its right to exercise its police power in the future. (Avco Community Developers Inc. v. South Coast Regional Com. (1976) 17 Cal.3d 785, 800 (1976); City of
The Parties further understand and acknowledge that the approval of the Project may be subject to procedural or substantive obligations under California Environmental Quality Act (“CEQA”) (Pub. Resources Code, §§ 21000 et seq.), the California Code of Regulations, title 14, Section 15000 et seq. (“CEQA Guidelines”), the State Planning and Zoning Law, or other laws potentially applicable to such approvals; nothing in this Agreement is intended to constrain the County’s consideration of the Project in light of information obtained or developed pursuant to these laws; and the County retains the discretion to approve, conditionally approve, or deny the Project in light of such information. Subject to the foregoing, County, to the extent allowed by law, agrees to diligently process any and all amendments to the Project, including any necessary environmental actions, without unnecessary delay. The County shall send notice to Plaintiffs and TVP, through its legal counsel, a public hearing notice for all actions relating to the Project that require a public hearing before the County Planning Commission or the Board of Supervisors.

7. All Parties understand and agree that this Agreement is contingent on the County amending the permit for the TVP Project to require that the six affordable units associate with the Project be provided within the existing housing stock as set forth above and the ninety (90) day period for challenging the permit amendment running without a legal challenge being filed. All Parties understand and agree that this Agreement is further contingent on TRPA amending the permit for the TVP Project to require that the six affordable units associate with the Project be provided within the existing housing stock and adjust the recognized coverage for the Project as set forth above and the sixty (60) day period for challenging the permit amendment running without a legal challenge being filed. The Effective Date for this Agreement is the date when the time period for seeking judicial review of the TVP Permit amendment approved by TRPA and the County has run without a legal challenge being filed, whichever date is later.

D. TVP and Plaintiffs agree as follows:

1. Land Coverage.

Although the Plaintiffs and TVP dispute the revised Land Coverage amount discussed above in paragraph IV.B.1 of this Agreement, the Plaintiffs and TVP agree as follows in order to resolve their differences concerning coverage on the Project site, and as a means to reach a compromise of the litigation:

a. The Project site’s base coverage is the Bailey Coefficient of 30% of the Project site, or 81,691 sf.

b. TVP shall purchase additional coverage reflecting the extent to which the Revised Project includes coverage in excess of the Project site’s Bailey
Coefficient, up to the amount recognized as legally existing by the TRPA. Plaintiffs and TVP acknowledge and agree that TVP may purchase and retire this coverage from separate parcels within the Agate Bay Hydrologic Transfer Area. The difference between the base coverage (81,691 sf) and the revised existing coverage recognized by the Parties pursuant to this Agreement (125,000 sf) is 43,009 sf. With respect to this 43,009 sf increment of coverage, if the Revised Project proposes coverage in excess than the Bailey Coefficient, and if such amount of coverage is approved by TRPA, TVP may use, as if legally existing on-site, up to 43,009 sf of coverage over the base allowable provided TVP acquires and retires an equal amount of existing or base allowable coverage from any land capability class within the Agate Bay Hydrologic Transfer Area. TVP shall acquire and retire any portion of this increment of coverage above the base allowable coverage of 81,691 sf before commencing Physical Construction Activities associated with any phase of the Project that will result in permanent land coverage in excess of 81,691 sf. The Parties acknowledge and agree that TVP will not be required to purchase or retire any such coverage until it commences construction on a phase of the Revised Project that will permanently cover land on the Project site above the base allowable coverage of 81,691 sf. The obligation to acquire and retire this increment of coverage is intended to, and shall, run with the land, such that the obligation shall apply to any subsequent owner or developer of the Revised Project.

c. Under the Compact and Code, a landowner in the Tahoe Vista Community Plan area may acquire and transfer additional coverage, over base or TRPA-recognized existing coverage, up to 50% of the project site. In accordance with the Compact and Code, TVP may, at its discretion and to the extent required for the Revised Project, acquire and transfer to the site coverage in an amount equal to the difference between 125,000 sf, and 50% of the Project area, or 136,151 sf. Nothing in this Agreement is intended to affect the acquisition and transfer of additional coverage authorized by the Compact and Code, and in accordance with all applicable requirements of the Compact and Code.

2. Revised Site Plan

The site plan that TVP shall submit to TRPA within 18 months from the approval of the permit amendment discussed in paragraph IV.B.1 shall include the following elements:

a. Coverage. TVP’s application for the Revised Project shall include a new site plan that is based on, and consistent with, the land coverage amounts set forth in this Agreement. The Revised Project shall reflect the revised total amount of coverage existing or that can be transferred onto the site consistent with this Agreement. In any
event, the Revised Project shall provide that land coverage shall not exceed fifty (50) percent of the total Project site area.

b. Affordable housing. The Project, as approved by TRPA and the County, included on-site affordable housing. The Revised Project shall not include on-site affordable housing. Within twenty (20) days of the date of the last signature on this Agreement, TVP shall propose to the County and TRPA that the affordable housing approved as part of the original Project instead be provided through TVP’s purchasing and deed restricting as affordable existing residential units within the County’s housing stock or other terms satisfactory to the County, TRPA and TVP. In the event TVP encounters obstacles with respect to not locating affordable housing on the Project site, TVP shall notify Plaintiffs and request their assistance in an effort to persuade the County and/or TRPA that affordable housing should not be located on the Project site. The Parties acknowledge and agree that removing the Project’s on-site affordable housing and accomplishing the provision of affordable housing through the purchasing and deed restricting of residential units within the County’s existing housing stock is subject to review and approval by the County and TRPA. In the event that TRPA or the County does not approve the Revised Project to reflect the substitution of affordable housing within the existing housing stock for on-site affordable housing this Agreement will not take effect.

c. Sound wall. The Revised Project application shall propose to eliminate the sound wall that was required as mitigation for the approved Project. The Parties understand that the Project, as approved by TRPA and the County, included a sound wall. TVP shall use its best efforts to avoid including a sound wall in the Revised Project, including working with Plaintiffs if any obstacles to the removal of the soundwall as part of the Project are presented by the County or TRPA. In the event that TRPA or the County will not approve the Revised Project without the inclusion of a sound wall, TVP may proceed with a Revised Project without eliminating the sound wall.

d. Fire Access. TVP shall use its best efforts to avoid the need for a fire road extending northward from the northeast corner of the Project site. If a fire road extending northward from the northeast corner of the Project site cannot be avoided, then the eastern edge of the fire road shall be at least of 20 feet from the Haas property line and landscaped per County requirements. The road shall be gated and used solely for emergency vehicles and for pedestrian and bicycle use.

e. Gates/Garages and Carports. The Revised Project shall not include gated roads (except as required for fire road(s)). The Revised Project shall not include free standing garages and/or carports.
f. **Design.** The Revised Project shall be designed in a manner intended to be consistent with the style generally understood to be “Old Tahoe” style. TVP will utilize a design facilitation process that will allow Plaintiffs to provide input and comments on the design of the Revised Project. The Parties recognize and agree that final design decisions are within TVP’s discretion.

g. **Existing conditions of approval.** TVP shall propose, in its application for the Revised Project that the conditions of approval adopted by the County and TRPA in 2008, shall apply to the Revised Project, including limiting the number of market rate units to 39 or less, except that conditions of approval will be modified consistent with the terms of this Agreement. The Parties further recognize and agree the conditions of approval and mitigation measures adopted by the County and TRPA in 2008 shall be adjusted proportionately so that they reflect the revised size of the Project (e.g., fees to be paid based on the number of units may be adjusted and reduced to reflect the number of units in the Revised Project). Any additional future permit revisions are limited to changes that result in reduced environmental impacts than the originally approved Project.

h. **Commencement of construction.** Physical development of the site shall not proceed unless and until TVP submits, and TRPA and the County approve, the plan revisions for the Revised Project described in this paragraph.

3. **Other TVP commitments.**

   TVP shall adhere to the following additional commitments with respect to the Revised Project.

   a. **Bikes/shuttle van/bus passes.** TVP shall provide at least ten (10) bikes for use by guests of the Project. TVP shall provide one (1) shuttle van for local trips for residents and guests of the Project. TVP shall provide its customers with Tahoe Area Rapid Transit bus passes for use by residents and guests of the Project.

   b. **No Boat and Trailer Parking:** The Revised Project shall not contain boat or boat-trailer storage or parking.

   c. **Community meeting.** TVP shall hold at least one community meeting to solicit comments from interested members of the public before seeking administrative approval for the Revised Project from the County or TRPA. TVP shall provide Plaintiffs at least thirty (30) days notice before any such meeting, and shall publish at least one (1) public notice of the meeting in the Sierra Sun at least twenty (20) days prior to the meeting. TVP will provide written response to all written comments regarding the Revised Project received five business days prior to or at the Community meeting.

4. **Further Project approvals.**
5. **Other TVP commitments.**

Plaintiffs and TVP acknowledge and agree that no further approvals are required based on this Agreement other than any approvals that are currently required under existing law, or those expressly required pursuant to this Agreement.

6. **Plaintiffs’ commitments.**

In consideration of the commitments by TVP set forth above, Plaintiffs shall comply with the commitments set forth in this paragraph.

   a. **TRPA Approvals and Coverage.** All parties shall support the Governing Board’s approval of this Agreement. All parties shall have the right to express their views, publicly and to the TRPA Governing Board, of the facts of this matter. If this Agreement is approved by the Governing Board plaintiffs shall support any future permit modification(s) for the Project required to conform the Project to this Agreement. Plaintiffs shall support and cooperate with TVP in TVP’s efforts to purchase coverage to satisfy the conditions of this Agreement and will not directly or indirectly obstruct TVP’s efforts to purchase coverage consistent with the terms of this Agreement.

   b. **Dismissal.** Plaintiffs shall file a dismissal of, or enter into a stipulation dismissing, or otherwise file a motion for dismissal of, the entire Action with prejudice not more than ten (10) business days after the Effective Date.

   c. **Future challenges.** Plaintiffs waive any and all rights to bring any future challenge relating in any way to the Project in administrative or legal proceedings, with the exception of alleging a breach of the Settlement Agreement or a failure to comply with any and all written contractual agreement(s) between some or all of the Parties relating to the Project. Plaintiffs understand, acknowledge and agree that the Agreement will constitute a complete and sufficient defense barring any such claims included in this paragraph, and that the Defendant Parties will be relying upon the Settlement Agreement as a complete defense.

7. **Run with the Land.**

This Agreement shall run with the land and be binding upon all present and future owners of the Project site, and shall exist through the duration of this Agreement or until such time as the terms of this Agreement have been fully fulfilled or this Agreement has been terminated by the mutual agreement of the Parties. The terms of this Agreement shall be binding on and inure to the benefit of the Parties hereto and their successors, assigns, heirs, and representatives. TVP shall record a notice of this Agreement and provide an executed copy of this Agreement to any prospective purchaser(s) of the Project, the Project Site, the Permit for the Project, the Permit for the Revised Project, or of TVP itself.

8. **No Admissions.**
This Agreement is entered into in compromise of disputed claims, the existence of any liability for which is expressly denied. All Parties agree that this Agreement shall not be deemed or construed for any purpose as an admission of liability or responsibility for or participation in any unlawful or wrongful act at any time by any Party hereto or any other person or entity, and shall have no precedential value for any other case or circumstance. The Parties understand and agree that nothing in this Agreement, or in the execution of this Agreement, shall constitute or be construed as an admission by any party of any inadequacy or impropriety in connection with the allegations contained in the pending lawsuit, including but not limited to any violations of the Tahoe Regional Planning Compact, TRPA Regulations, the Code, County planning documents, the County’s zoning ordinance, NEPA, CEQA, or other laws, plans or regulations governing the use of the Project site. It is agreed that all statements contained herein and the conduct of any Party in connection with this Agreement shall be inadmissible as evidence under California Evidence Code § 1152(a), except that the statements contained herein shall be admissible in any action to enforce or interpret this Agreement.

9. **No Prior Assignment.**

   The Parties represent and warrant that they have not sold, assigned, transferred, hypothecated, pledged, encumbered or otherwise disposed of or set over to any person or entity, in whole or in part, voluntarily or involuntarily, any claim, demand, or right covered by this Agreement.

10. **Entire Agreement; Modifications; Waiver.**

    This Agreement contains the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements, representations, and understandings of the Parties, with the exception of any and all written contractual agreement(s) between any or all of the Parties relating to the Project. This Agreement may not be amended or modified by the Parties except in a writing executed by all Parties. No waiver of any provision of this Agreement shall be binding unless executed in writing by the Party making the waiver. No waiver of any provision of this Agreement shall be deemed, or shall constitute, a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver.

11. **Interpretation.**

    This Agreement shall be deemed to have been drafted equally by the Parties, and shall not be interpreted for or against any Party by reason of the alleged authorship of any provisions. The Parties understand and agree that the general rule that ambiguities are to be construed against the drafter shall not apply to this Agreement. Each Party acknowledges
that it is represented by counsel, and has had the benefit of advice from counsel with respect to this Agreement.

12. **Headings.**
   
The headings and numbers used in this Agreement are included for the purpose of convenience of reference only and they shall not be used to explain, limit, or extend the meaning of any part of the Agreement.

13. **Severability.**
   
If any term or provision of this Agreement or the application thereof to any person or circumstance shall be held invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law, unless the exclusion of such term or provision, or the application of such term or provision, would result in such a material change so as to cause completion of the obligations contemplated herein to be unreasonable.

14. **Governing Law; Venue.**

   This Agreement shall be construed under and governed by the laws of the United States and the State of California with venue in United States District Court for the Eastern District of California.

15. **Specific Performance; Remedies.**

   The Parties agree that specific performance is the only appropriate remedy for enforcement of this Agreement. Any Party claiming a breach of this Agreement, shall provide the other Parties thirty (30) days’ notice before commencing any action to enforce this Agreement and shall meet and confer and attempt to resolve their differences informally before commencing any such action. The prevailing party in any action to enforce this Agreement shall be entitled to their reasonable attorney fees and costs.

16. **Authority; Warranties.**

   Each person signing this Agreement on behalf of a Party hereby represents and warrants that he or she has complete authority to bind that Party to the terms and conditions of this Agreement.

17. **Execution.**

   This Agreement may be executed in multiple counterparts, each of which shall constitute an original, and all of which taken together shall constitute one and the same instrument.

18. **Notice.**
TVP shall provide Plaintiffs with written notice of the completion of each requirement set forth in this Agreement to be performed by TVP and within ten (10) days of the completion of such requirement, and such notice shall explain the manner in which TVP complied with each such requirement. Plaintiffs shall provide TVP with written notice of the completion of each requirement set forth in this Agreement to be performed by Plaintiffs within ten (10) days of the completion of such requirement, and such notice shall explain the manner in which Plaintiffs complied with each such requirement. All notices required under this Agreement shall be in writing, and shall be given by both: (1) either personally or by United States First Class mail; and (2) by telephone facsimile or electronic mail (PDF format). Any Party may at any time, by giving ten (10) days’ written notice to the other Party, designate any other person or address in substitution of the address to which such notice shall be given. Such notices shall be given to the Parties at their addresses set forth below:

For the League to Save Lake Tahoe:
Rochelle Nason, Executive Director
League to Save Lake Tahoe
955 Emerald Bay Road
South Lake Tahoe, CA  96150
FAX:  (530) 541-5454
Email:  rochelle@keeptahoeblue.org

For the Friends of Tahoe Vista:
Ellie Waller
P.O. Box 535
Tahoe Vista, CA  96148
FAX: __________________
Email:  tahoellie@yahoo.com

For Tahoe Vista Partners, LLC:
Tim Wilkens
Tahoe Vista Partners
P.O. Box 2490
Napa, CA  94558
Email:  twilkens@interx.net
With copies to:

Whitman F. Manley
Howard F. Wilkins III
Remy, Thomas, Moose and Manley, LLP
455 Capitol Mall, Suite 210
Sacramento, CA 95814
Telephone: (9169) 443-2745
Facsimile: (916) 443-9017
19. Waiver; Defenses.

Except as otherwise expressly set forth in this Agreement, each Party, on behalf of itself and its respective officers, directors, agents, members, insurers and subrogees, predecessors, successors, affiliated and related entities, and assignors and assignees, and each of them, hereby releases and forever discharges all other Parties and their respective officers, directors, agents, insurers and subrogees, predecessors, successors, affiliated and related entities, assignors and assignees, and each of them, from any and all past, present and future claims, demands, causes of action, obligations, damages, costs and expenses of any nature and kind whatsoever, relating to or arising out of, directly or indirectly, the Claims and the Project, with the exception of alleging a breach of the Settlement
Agreement or a failure to comply with any and all written contractual agreement(s) between any or all of the Parties relating to the Project. The Parties intend this Agreement to be a full and general release as to subject matters set forth in the Claims, and they hereby mutually, expressly, knowingly and intentionally waive all claims or benefits which they now have, or in the future may have, under the provisions of Section 1542 of the California Civil Code, which reads as follows:

“A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor.”

Each Party acknowledges that its attorney-at-law has explained to it the meaning and affect of this statute. Each Party understands fully the statutory language of Civil Code Section 1542 and, with the understanding, each Party nevertheless elects to, and does, assume all risk for claims released under this Agreement heretofore and hereafter arising, known or unknown, and each Party specifically waives any rights it may have under Civil Code Section 1542. Each Party fully understands that if the facts with respect to this Agreement are found hereafter to be other than or different from the facts now believed by it to be true, it expressly accepts and assumes the risk of such possible difference in facts and agrees that this Agreement shall be and remain effective, notwithstanding such difference in facts.

_______________  League to Save Lake Tahoe (Initials)
_______________  Friends of Tahoe Vista (Initials)
_______________  Tahoe Vista Partners, LLC (Initials)
_______________  Tahoe Regional Planning Agency (Initials)
_______________  County of Placer (Initials)

Each Party hereby agrees never to commence, aid, prosecute or cause or permit to be commenced or prosecuted against the other Party any action or any other proceeding based in whole or in part upon any rights, liens, claims, demands or causes of action of any nature whatsoever waived, released or discharged by this Agreement. This Agreement may be pled as a full and complete defense to any subsequent action or other proceeding involving any person or Party which arises out of, relates to, or has anything to do with, the rights, liens, claims, demands or causes of action waived, released and discharged by this Agreement. The Parties acknowledge that this Agreement is being entered into in settlement and to avoid further dispute, expense or litigation. The Parties agree that neither execution hereof nor performance of any of the provisions of this Agreement shall constitute or be construed as an admission on the part of either Party of any liability regarding the claims, and nothing herein shall be admissible in any proceeding as an
admission of any factual matter, liability or fault against any Party. Each Party agrees to indemnify and save harmless the other Parties from any loss incurred directly or indirectly by reason of the falsity or inaccuracy of any representation made herein by it.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be duly executed as of the date hereinafter written.

February ___, 2009   FRIENDS OF TAHOE VISTA

By: ________________________________
    Ellie Waller

February ___, 2009   LEAGUE TO SAVE LAKE TAHOE

By: ________________________________
    Rochelle Nason, Executive Director

February ___, 2009   TAHOE VISTA PARTNERS, LLC

By: ________________________________
    Tim Wilkens

February ___, 2009   TAHOE REGIONAL PLANNING AGENCY

By: ________________________________
    Joanne Marchetta, Executive Director

Approved as to form:

February ___, 2009   KENYON YEATES LLP

By: ________________________________
    Bill Yeates
    Attorneys for Plaintiff
    Friends of Tahoe Vista
February ___, 2009   LOZEAU DRURY LLP

By: ______________________________________________________
   Richard T. Drury
   Attorneys for Plaintiff
   League to Save Lake Tahoe

February ___, 2009   REMY THOMAS MOOSE & MANLEY LLP

By: ______________________________________________________
   Whitman F. Manley
   Howard F. Wilkins III
   Attorneys for Defendant,
   Tahoe Vista Partners LLC

February ___, 2009

By: ______________________________________________________
   Nicole Rinke, General Counsel
   John L. Marshall
   Attorneys for Defendant
   Tahoe Regional Planning Agency
MEMORANDUM

To: TRPA Governing Board
From: TRPA Staff
Date: December 9, 2009
Subject: Resolution of Compliance Investigation, Tahoe Vista Partners, LLP (TVP), Adjustment of Legally Existing Coverage, 6873 North Lake Tahoe Blvd., Placer County, CA, Assessors Parcel Number (APN) 117-071-29

Requested Action: Governing Board action on the proposed Resolution of Compliance Investigation.

Staff Recommendation: Staff recommends that the Governing Board accept the proposed Resolution of Compliance Investigation (Attachment A) in which the existing coverage recognized on APN 117-071-29 is adjusted to 125,102 square feet ("sf") and requires TVP to submit a conforming plan revision to TRPA within 18 months.

Required Motion(s): In order to approve the proposed Resolution, the Governing Board must make the following motions, based on this staff summary and the evidence in the record:

A motion to accept the proposed settlement and approve the Resolution as set forth in Attachment A.

In order for the motions to pass, 5 affirmative votes of the California delegation and 9 overall votes are required.

Background: On July 23, 2008, the Governing Board approved the TVP Affordable Housing and Interval Ownership Development Project on APN 117-071-29 (Project). The approximately 6-acre Project site currently consists of a campground resort, restaurant, and associated buildings. The Project as approved would convert the existing resort into a timeshare resort with timeshare units, employee affordable housing units, a clubhouse and related structures. This resolution concerns the extent of coverage TRPA, as part of its approval of the Project, recognized as legally existing on the Project site.

Under TRPA’s Code of Ordinances (Code), the amount of coverage that may be developed on a property depends upon the property’s land capability. In addition, under certain circumstances, properties may be eligible to develop additional coverage, including if they are commercial properties located in a Community Plan or if TRPA has verified that there is additional legally existing coverage on the property. The Code defines “existing coverage” as that coverage legally existing on a site as of February 10,
1972 or created thereafter by permit from TRPA. Coverage that TRPA verifies as legally existing may be retained regardless of land capability limits.

Pursuant to TRPA’s verification of coverage on the TVP Project site in 2002, the Governing Board’s approval of the Project recognized 174,324 sf of coverage, approximately 64% of the Project area, as legally existing on the Project site. The TVP Project site is confirmed as Class 6 land capability and would otherwise be entitled to 30 percent coverage. In addition, the Project site is located within the Tahoe Vista Community Plan, and would, therefore, be eligible to transfer in (i.e. purchase) additional coverage up to 50 percent.

At no time during TRPA’s consideration of the Project did any individual or group dispute the amount of coverage TRPA recognized as legally existing on the Project site. After the Governing Board approved the Project, The League to Save Lake Tahoe and the Friends of Tahoe Vista (collectively “League”) sued TRPA and TVP alleging that TRPA’s approval of the Project violated the TRPA Compact and Code. Also, subsequent to Project approval, the League began investigating the amount of coverage legally existing on the site and requested that TRPA initiate an investigation of coverage on the site. A copy of the League’s letter requesting the investigation is attached (Attachment C). The League attached to its letter a 1984 map (neither submitted to or approved by TRPA previously) and other documents it had recently discovered. The League argued that these documents established that the amount of existing coverage on the Project site was substantially less than the amount recognized by TRPA and that the agency should revoke its permit for the Project. In December 2008, the League also amended its litigation to include a claim that TRPA recognized too much coverage on the Project site when it approved the Project.

In response to the League’s request, TRPA staff promptly commenced an investigation regarding the amount of coverage legally existing on the Property. On November 24, 2008, TRPA issued a letter to TVP informing it of the coverage investigation and in essence, putting the permit on hold pending conclusion of the investigation.1 In opposition to the League’s contentions, TVP supplied TRPA with several letters and backup information to support the 2002 verification (see Attachment D). TRPA has now concluded its investigation and has determined that the coverage associated with the Project requires modification to reflect certain terms and conditions of a 1980 California Tahoe Regional Planning Agency (CTRPA) permit that was not previously considered by TRPA during its 2002 coverage verification or project approval in 2008.

At the time of TRPA’s coverage verification in 2002, the resort had approximately 47 campsites. While preparing the administrative record for the litigation, TRPA staff located a CTRPA file of documents related to the site. TRPA’s computer database indicated that this file existed and staff had previously looked for this file but could not locate it during consideration of both the 2002 coverage verification and the 2008 Project.2 TRPA’s CTRPA file contains several documents relevant to the determination of existing coverage on the Project site. In 1980, the CTRPA issued a permit to the prior

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1 Due to settlement negotiations in the related litigation, the investigation into the coverage issues has not been continuous.
2 The CTPRA file had been misfiled in an unrelated file years ago and only recently discovered and placed in the appropriate APN file.
owner to reopen an existing campground. The permit authorized the operation of 25 campsites. A copy of 1980 CTRPA is included as Attachment E.

In general, TRPA will not reopen permits to reconsider issues already resolved by the Governing Board. However, pursuant to the Code, Rules of Procedure and permit conditions TRPA has the discretion to modify permits if information TRPA relied upon turns out to be false or misleading. TRPA will also reexamine permit conditions only if consideration of the accurate information would result in a material change in the permit. In this instance, the discovery of the CTRPA file indicates that the 2002 and 2008 verification may have been based upon incomplete information regarding the legally existing status of coverage. In addition, the information in the file has been determined to be material and, therefore, to constitute grounds for modification of the 2008 permit.

To resolve this matter, TVP has agreed to: (1) the recognition of a reduced amount of coverage on the Property; and (2) submit for a permit revision to reflect the reduced coverage amount, as described in detail below and in the Resolution of Compliance Investigation (Attachment A). If the Governing Board approves the proposed resolution, TVP will subsequently submit a plan revision to TRPA to: (1) change the permit term identifying the amount of existing coverage on site to 125,102, and (2) redesign the Project to be consistent with, subsequent to a transfer, at most 50 percent coverage. TVP and staff agree that 18 months time is appropriate for TVP to file such a plan revision with TRPA. Given that the Governing Board approved the Project or a project of lesser intensity at the July 2008 meeting, staff anticipates that no additional environmental review will be required and that the Executive Director will make the final determination on the redesigned project.

Discussion:

At issue in this investigation is TRPA’s verification of legally existing coverage on the TVP Property. In verifying coverage as legally existing, TRPA generally looks at: (1) what coverage exists on the Property today and; (2) what amount of that coverage is legally existing, i.e. existed before 1972 or was legally created thereafter. Coverage can include both soft and hard coverage. Hard coverage is that associated with hard surfaces, such as buildings, paved roads, etc. Soft coverage, on the other hand, refers to areas that have not been physically covered, but have been utilized to the point of compaction such that water infiltration is reduced and vegetation can no longer be supported. For example, soft coverage includes dirt roads, dirt parking areas, and campsites. The questions presented in this investigation do not relate to what coverage was on the ground physically in 2002, but only to whether the amount of soft coverage that was present in 2002 was legally existing.

At the time of TRPA’s coverage verification in 2002, existing coverage on the site consisted of both soft and hard coverage in the form of approximately 47 campsites, an extensive road network, and several buildings. The total coverage verified in 2002 was 174,324 sf, which included 25,487 sf of hard coverage and 148,837 sf of soft coverage. (The coverage verified in 2002 is indicated on the map included in Attachment D.) TRPA investigated the legally existing status of all of the coverage on the property, which can be categorized into three areas: (A) the hard coverage associated with buildings and road; (B) the amount of soft coverage associated with the campground, and (C) the amount of coverage associated with the unpaved road network. In addition, TRPA reviewed all of the arguments presented and documents submitted by the League.
and TVP during the course of this investigation. Based upon its review, TRPA, as explained in more detail below, has determined that a reassessment of coverage on the site is warranted and proposes to revise the legally existing coverage recognized on the site to 125,102 sf, which consists of 23,373 sf of hard coverage, 53,004 sf associated with the road network, and 48,725 sf of soft coverage associated with the campground. The map attached as Attachment B shows the areas of coverage and their general derivation as a result of TRPA’s investigation.

I. TRPA’s coverage reassessment

(A) Hard coverage

In general, the amount of existing coverage verified for the buildings, paved roads and other hard surfaces on the site is relatively non-controversial. Documents and aerial photographs demonstrate what buildings existed pre-1972 and where they were located. The amount of hard coverage on the site in 2002 was 23,373 sf and is indicated by the grey shaded areas on the map included as Attachment B. TRPA’s investigation revealed that there was a need to slightly revise the amount of hard coverage downward to reflect the absence in aerial photographs of coverage recognized in the 2002 verification.

(B) The Campground:

The amount of soft coverage associated with the campground in 2002 (excluding the road network) was approximately 91,597 sf. The campground soft coverage included all coverage associated with the campsites (tent spaces, fire rings, compacted areas, off-pad parking, use trails). TRPA has determined, based on information contained in the 1980 CTRPA file, that the amount of soft coverage verified as legally existing in 2002 and affirmed in the 2008 permit requires revision. Specifically, TRPA has decided to revise the amount of coverage verified for the campground to 48,725, which reflects the 25-site campground approved by CTRPA in 1980.

The 1980 CTRPA file

Although the campground has likely been in operation since 1933, it appears that it closed for at least a season in the mid-1970’s. In 1979, the owner of the site applied to CTRPA for a permit to reopen the campground. The resulting CTRPA permit and associated documents contain information regarding the location of the road network, the number of approved campsites and areas required to be revegetated (but never were) relevant to the amount and legal status of coverage on the site. ³ Although this file was in TRPA’s possession in 2002 and 2008, it was incorrectly filed and therefore not considered during the 2002 coverage verification or the 2008 project approval.

The 1980 CTRPA file contains two items of information that warrant adjustment of the amount of coverage recognized as existing in 2002 and 2008 in association with the campground. First, the CTRPA permit authorized only 25, not 47 campsites on the

³ The 1980 permit also contains a specified coverage amount (22,842 sf) associated with the Project site. As discussed below, this amount of coverage cannot possibly reflect the existing coverage on the Project site given the existing buildings, which then existed without dispute and alone exceed this amount.
property. These 25 sites occupied some smaller area than the configuration of 47 sites reviewed in 2002. At no time since 1980 have the owners of the site sought CTRPA or TRPA approval for an increase in the number of sites. Because a use may not be expanded without approval from TRPA, the increased coverage associated with the unauthorized increase in campsites cannot be recognized as legally existing. TRPA has, therefore, determined that it should adjust its coverage verification to reflect 25 not 47 campsites.

Second, in the permit conditions and subsequent security return correspondence, it is clear that the then owners of the campground had agreed to revegetate a portion of the central open space between the front buildings and campground area. Unfortunately, the area indicated to be revegetated was never either assigned a specific square footage or carefully delineated on a map. The area, however, is described generally as two camp sites west of the main access road and a truck and wood pile on the opposite, east-side, of the access road. The owners of the site never revegetated this area and because staff was not aware of this revegetation requirement, the 2002 verification/2008 permit counted coverage associated with this area as legally existing. Based on the 1980 revegetation requirement, TRPA has determined that this area should not be recognized as legally existing coverage. Because this area was occupied by campsites in 2002, revision of the coverage verification to reflect 25 not 47 campsites captures the removal of this area from the amount of coverage TRPA is recognizing as legally existing.

Determining the amount of coverage associated with the 25 legally existing campsites

Although the 1980 CTRPA file confirms that the site was authorized for 25 campsites the exact amount of coverage associated with these 25 sites is virtually unknowable. First, by their nature, campgrounds are difficult to verify because, while it is possible to confirm the number of sites, the size and location of sites tend to shift over time through regular use. Second, while aerial photographs confirm the presence of the campground, these photographs cannot be used to calculate total coverage because tree canopy covers much of the campground area. Third, while TRPA has now confirmed that the number of campsites in the campground has increased over time, this increase does not necessarily correlate to a specific increase in the amount of coverage (i.e. existing sites have been divided; new sites could have been placed on existing coverage, etc). Because of these challenges, staff developed a method to estimate a reasonable amount of per campsite coverage that could then be applied to the 25 legally existing number of campsites.

Using the 2002 verification/2008 permit, staff calculated the amount of coverage attributable to the 47-site campground in operation (not counting coverage associated with the road network or hard coverage such as the bathroom/shower buildings). The amount of soft coverage associated with the campground includes areas compacted by overflow parking, tent use, fire pits, dining areas, foot paths, etc., and equaled approximately 89,110 sf for the 47-site campground in 2002. Staff then divided this campground soft coverage figure by 47 to derive a per site allocation of 1,949 sf. Staff then multiplied this per-site figure by 25 (the number of legally existing sites), which yields 48,725 sf of soft coverage that can reasonably be attributed to the 1980 CTRPA-permitted 25 site campground.
As a check on this method, TRPA used two different points of comparison. First, California State Parks has recently submitted data to TRPA for a coverage assessment for the Sugar Pine Point State Park campgrounds located on the west shore of lake Tahoe. This preliminary data indicates that camp sites at the Sugar Pine Point State Park average approximately 2,600 sf of soft coverage per campsite. These site averages do not include parking pads for individual campsites or common campground areas, like use trails, etc. As such, the per-campsite amount of coverage is significantly greater at Sugar Pine Point than the number derived and utilized by TRPA for the TVP reassessment.

Second, TRPA informally sampled a small number of sites currently existing at the TVP campground and calculated the amount of per-campsite coverage for the existing sites. Based on this sampling, TRPA determined that the coverage associated with the current campsites on the TVP Project site average approximately 1,029 sf for smaller sites and 1,667 sf for larger sites. Using these numbers as representative of the amount of coverage associated with the campsites as they existed in either 1972 or 1980 is somewhat problematic as some subdivision of sites has likely occurred since then. As such, the current sites are most likely smaller than those that were on the property in 1980. Nevertheless, these numbers are a useful guide and suggest that the per-campsite number derived and used by TRPA in the reassessment is a reasonable per-campsite number. Although the number derived and used by TRPA (1,949 sf) in its reassessment is greater than the numbers yielded by the on-site sampling (1,029-1,667 sf), this difference is reasonable given that the derived number used by TRPA includes common area coverage whereas the per-site sampling number does not.

(C) The Road Network:

Staff calculated the coverage associated with the road network based on the road coverage represented in the 1980 permit and modified by on-the-ground observation of the existing road network and established continued use since before 1972. The road network has remained relatively constant over the years and accounts for 55,183 sf of coverage. The yellow shading on Attachment B indicates the road network TRPA verified as legally existing coverage pursuant to its reassessment.

The main portion of the road network verified by TRPA upon reassessment appears on the 1980 CTRPA map. In addition to the main portion of the roadway, TRPA also recognized a number of parking spaces associated with the buildings on the road-side of the property and road connections through the trees. Although these did not appear on the map supplied by the prior owner when he applied to the CTRPA in 1980, these access ways appear to have been in use prior to 1972. The campground, without dispute, has been in use since before 1972 and the use of these secondary access ways and parking spaces represents a logical flow of traffic and vehicular use on the property. Unfortunately aerial photographs of the property are not useful in confirming the presence of these secondary roadways because of the heavy tree canopy in these areas.

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4 TRPA did not planimeter the exact extent of per campsite coverage, but rather calculated coverage based on the general ground area per campsite. In addition, TRPA sampled approximately 12 sites rather than all existing sites on the property.
The area verified by TRPA includes the central open portion of the site that was previously recognized in the 2002 verification as coverage and authorized in the 1980 CTRPA permit as parking areas. Aerial photographs, useful for this area because of the light tree cover, reveal that this area was in use prior to 1972 and in succeeding years. However, as noted above, under the 1980 CTRPA permit, the owners of the Sandy Beach campground were required to revegetate a middle portion of this central area. TRPA therefore did not assign this area coverage as part of the road network.

II. Response to Additional information submitted during the investigation:

In its letter requesting investigation and court filings, the League argues that coverage on the site must be limited to the base allowable coverage of 30 percent (and the 2008 permit rescinded) because the legally existing coverage on the Project site does not exceed this amount. The League premises its claims on two basic arguments: (A) that the CTRPA made a binding determination in 1980 that as of that time only 22,842 sf of coverage existed on the parcel, and (B) subsequently prepared maps by KB Foster indicate that only 78,648 sf of coverage existed on the Property as of 1984. (The League subsequently submitted a map prepared by KB Foster in 2000 for a Placer County sign permit that indicates over 90,000 sf of coverage.) As part of its investigation, Staff has considered the arguments and the documents submitted by the League, as well as the documents and arguments submitted by TVP and other documents in its files and determined that: (1) the CTRPA coverage number is incomplete and, therefore, not binding; and (2) the KB Foster maps are not conclusive evidence of legally existing coverage on the Project site.

(A) The CTRPA coverage number is not binding.

In general, coverage calculations included within CTRPA permits will be treated as binding. A number of factors in this case, however, render reliance upon the 22,842 square foot figure contained in the CTRPA file inappropriate. First, nothing in the CTRPA file indicates that CTRPA made an on-site coverage delineation. Rather, the coverage number appears to have been an estimate submitted to CTRPA by the then owner for the CTRPA application and adopted, without verification, by CTRPA. Second, the amount of coverage identified by the then owner in the application (and carried forward in the permit) bears no reasonable relationship to the amount of coverage that then existed on the site. As noted above, all other coverage aside, the hard coverage on the site, unchanged for decades, is approximately 23,373 sf. The 22,842 sf figure in the 1980 CTRPA permit simply cannot be reconciled with the amount of hard coverage that, without dispute, then existed on the property. Staff therefore concluded that the 1980 CTRPA file was not an accurate indication of coverage on the property in 1980 and that the figure was, therefore, not binding.

(2) The KB Foster Maps are not convincing evidence of legally existing coverage.

The League submitted two maps prepared by KB Foster in 1984 and 2000 to TRPA. Neither map, however, provides reliable or convincing evidence regarding the amount of coverage legally existing on the Project site. The 1984 map submitted by the League is a map of coverage that was commissioned by the then owner of the property Ken Foster. The map shows approximately 78,648 sf of coverage on the Property. The 2000 map commissioned by TVP after it purchased the property in 1988 shows 91,905 sf of coverage on the property. The map was prepared by Foster for TVP as part of a
Resolution of Compliance Investigation/Tahoe Vista Partners
8 of 8

sign application TVP was submitting to Placer County. Neither maps were provided to TRPA when it performed its coverage verification in 2002 or when it approved the Project in 2008.

TRPA has reviewed these maps in light of the whole record and has determined that they are not probative as to the amount of coverage that legally exists on the Property. As an initial matter, neither the 1984 or 2000 map is indicative of what coverage existed on the property in 1972 or was legally created thereafter. Rather, they are at most representations of what existed on the property in 1984 and in 2000. However, as neither map was prepared for coverage verification purposes neither map is necessarily a reliable and accurate representation of the coverage that existed on the property in 1984 or 2000, respectively. In fact, based on verifiable objective evidence, the maps on their face appear to be inaccurate representations of the coverage that then existed on the property. First, both maps’ representation of coverage conflict with aerial photographs. Specifically, the maps’ representation of coverage in the central open portion of the parcel conflicts with 1971 and 1980 aerial photographs that show substantially more use (e.g., roads), that are still present today, than indicated on the Foster maps. Likewise, the maps represent very limited coverage for individual campsites. The 1984 Foster map assigned a total of 9,908 sf to 27 campsites, or 367 sf per campsite – a figure inconsistent with the both the Sugar Pine Point campground data and the informal TVP camp site surveys. Finally, the maps do not reflect other coverage generally associated with campgrounds, such as voluntary footpaths between sites, within sites and between parking areas and bathrooms.

Based on the discrepancies and inconsistencies within the maps staff has determined that they cannot be relied upon to establish legally existing coverage on the property. While these maps suggest that the coverage verified by staff in 2002 and approved in 2008 may have been incorrect, they do not offer reliable evidence of the amount of coverage legally existing on the property.

Conclusion:

The 1980 CTRPA permit for the Sandy Beach campground, which was not provided to TRPA during the coverage verification process, necessitates a revision to the amount of coverage on the site that can be recognized as legally existing. As a result of this preexisting permit, TRPA determined that legally existing coverage should be 125,102 sf. Since the Project approved by the Governing Board depended upon a substantially higher amount of coverage existing on the site, TVP has agreed to voluntarily submit a revised site plan to conform to the reduced available coverage. Staff therefore requests that the Governing Board approve the attached Resolution of Coverage Investigation to reflect the adjustment in coverage and TVP’s commitment to submit a revised site plan.

List of Attachments: (A) Resolution of Compliance Investigation
(B) Coverage Site Map
(C) League’s Letter Requesting Investigation
(D) TVP Responses
(E) 1980 CTRPA Permit
MEMORANDUM

Date: February 17, 2010
To: TRPA Governing Board
From: TRPA Staff
Subject: Extension of the Time Limit for Allocation Reservations Relative to the Community Enhancement Program

Requested Action: Governing Board adoption of the attached resolution (Attachment A) amending TRPA Resolution 2008-11 to extend the deadline of the Reservation of Allocations for certain Community Enhancement Program (CEP) projects.

Staff Recommendation: Staff recommends that the Governing Board make a finding of no significant effect based on Attachment D and adopt the attached resolution (Attachment A) amending TRPA Resolution 2008-11 to extend the deadline for the CEP Reservation of Allocations for designated CEP projects for an additional year to February 25, 2010 or to the deadline decided by the Governing Board per the options outlined below.

Required Motions: In order to adopt the proposed resolution, the Governing Board must make the following motions, based on this staff summary and the evidence in the record:

1) A motion for a finding of no significant environmental effect based on Attachment D; and
2) A motion to adopt the attached resolution (Attachment A) amending TRPA Resolution 2008-11, to extend the deadline for the reservation of allocations relating to the designation of CEP projects.

In order for the motions to pass, an affirmative vote of any eight members of the Board is required.

Project Description/Background: The following two decisions will need to be made by the Governing Board in relation to the extension of the designated CEP projects reservation of allocations.

1. Which designated CEP projects should be provided an extension of their reservation of allocations?
2. For how long should the reservation of allocations be extended?

Question 1: Which designated CEP projects should be provided an extension of their reservation of allocations?

On February 27, 2008, the TRPA Governing Board approved the reservation of allocations for nine CEP projects through the adoption of Resolution 2008-11 and Exhibits 1-9. A copy of the adopted
TRPA Resolution 2008-11 and Exhibits 1-9 are available on the TRPA website at www.trpa.org. The reserved allocations were set to expire on February 25, 2009. In February 2009, the TRPA Governing Board approved the first extension of reserved allocations by adopting TRPA Resolution 2009-10. This extension is set to expire on February 25, 2010. Staff is requesting another extension of the reservation of allocations for seven of the original nine designated CEP projects. The TRPA Code of Ordinances, Chapter 33.3.D (3) (f) provides for an extension as follows:

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

Each project proponent was sent a letter requesting documentation to support their progress toward project approval. Those projects that have already applied to TRPA for a project permit and have commenced the environmental review process were determined eligible for an extension and were therefore not required to provide additional documentation. We received five letters requesting extensions (See Attachment B, Exhibits 1-5). One letter is from an applicant that has already made permit application to TRPA, and four are from project proponents that have yet to apply.

Adequate progress is a factual determination that is made by TRPA on a case by case basis. In order to maintain a consistent process, staff used the same criteria that were used last year to determine which projects have shown adequate progress toward project approval. The projects were evaluated based on whether they met one or more of the following criteria:

1. Dates and details of specific actions taken toward gaining project entitlements, and steps taken toward actual project application submittal. This may include the purchasing of land, options, etc., as well as contracting of consultants, including architects, landscape architects, traffic engineers, planners, and completion of planning documents. It also may include submittal of required applications to other entities including the County, City and Utility Districts.
2. A detailed showing of progress toward meeting TRPA Resolution 2008-11 conditions for individual projects outlined in Exhibits 1-9.
3. Any specific external obstacles that have prevented moving forward such as litigation, unresolved enforcement action from outside parties, planning sequencing issues, etc.

Of the original nine CEP projects, three projects have formally applied to TRPA (Boulder Bay, Homewood Mountain Resort, and BB, LLC.), and one, the Domus Kings Beach Housing Now project, has formally withdrawn from the program. The three projects that have formally applied are in various stages of environmental and project review with TRPA and the local jurisdictions. Staff is recommending that these three projects are making adequate progress toward project approval and should therefore receive an extension.

Staff is also recommending that four of the five remaining CEP projects be extended (Ferrari, Pastore Ryan, South Y Center and the former Mikasa projects) as they have demonstrated adequate progress toward project approval based on one or more of the above criteria. In speaking with the former Mikasa project proponent representative, they were reluctant to request an extension of their reservation of allocations as they have concerns about their ability to implement a financially viable project. In conjunction with the City of South Lake Tahoe, a project feasibility analysis was completed in July 2009 that indicated that the proposed project could not be completed as designed without significant financial loss. The City of South Lake Tahoe also provided a letter that indicated they were in favor of extending the reservation of allocation, as there are a number of potential planning solutions, including the completion of the City’s Redevelopment #2 Plan, that may help provide
financial assistance to bridge the financial gap facing the former Mikasa project proponents (See Attachment C1). The KB Resorts project has formally requested an extension; however, staff is not recommending this project be extended. The information in the letter provided by the project proponent does not meet the above criteria (See Attachment B3 and Items 1-3 above).

The following table summarizes the status of each CEP project and the key reasons for staff’s recommendations. Additional discussion is included in the Issues and Concerns Section of this staff summary.

In conclusion, staff recommends that the three projects that have submitted formal applications before the February 25th, 2009 deadline, Boulder Bay, LLC, Homewood Mountain Resorts, and BB, LLC receive an extension. In addition, staff also recommends extending the deadline for the following projects: Ferrari Resorts, Pastore Ryan, former Mikasa, and the South Y Center (Kmart). Although these four projects have not yet formally submitted an application to TRPA, staff feels they have provided adequate documentation that indicates why they have not yet applied to TRPA and what they have done to show adequate progress toward project approval. Staff recommends that the KB Resorts project not receive an extension on the reservation of their allocations as they have not shown adequate progress toward project approval at this time.
## Summary of CEP Project Progress

<table>
<thead>
<tr>
<th>Proposed Project Name</th>
<th>Application Submitted to TRPA (Y/N)</th>
<th>Request for Extension (Y/N)</th>
<th>Staff Recommendation for Extension (Y/N)</th>
<th>Progress Toward and Obstacles to Project Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Washoe County</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Boulder Bay, LLC</td>
<td>Y</td>
<td>Not required</td>
<td>Yes</td>
<td>Contract signed for Hauge Brueck to complete environmental document, Public Draft EIS released, final EIS scheduled for release in approximately April/May.</td>
</tr>
<tr>
<td><strong>Placer County</strong></td>
<td></td>
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</tr>
<tr>
<td>Homewood</td>
<td>Y</td>
<td>Not required, See Attachment B5</td>
<td>Yes</td>
<td>Contract signed for Hauge Brueck to complete environmental document, Administrative Draft scheduled to be released before the end of month.</td>
</tr>
<tr>
<td>BB, LLC</td>
<td>Y</td>
<td>Not required</td>
<td>Yes</td>
<td>Contract signed for EDAW to complete environmental document. Scoping scheduled for March APC.</td>
</tr>
<tr>
<td>Ferrari Resorts</td>
<td>N</td>
<td>Yes, See Attachment B1 for details</td>
<td>Yes</td>
<td>Letter of Intent in place for project development management expertise and partner, final stages of formal agreement/contract for development management partner, continued monitoring of ground water levels on properties, refinement of project plans and alternative conceptual schemes, owns all property in project area.</td>
</tr>
<tr>
<td>Pastore Ryan</td>
<td>N</td>
<td>Yes, See Attachment B2 for details</td>
<td>Yes</td>
<td>Conducted finance meetings with Placer County Redevelopment Agency (RDA) and private lenders, obtained community support letters, enhanced architectural drawings, completed façade improvements and received permit for new sign, investigated RDA programs available, formed and incorporated development entity named 8931 NLB, completed draft LEED checklist. Litigation and delayed approval associated with the Kings Beach Commercial Core Improvement Project sited as a concern.</td>
</tr>
<tr>
<td>KB Resorts</td>
<td>N</td>
<td>Yes, See Attachment B3 for details</td>
<td>No</td>
<td>Adequate progress has not been made toward project approval based on the criteria outlined in the staff summary. Based on the letter and my conversation with George Bean, the project proponents have had discussions with land partners regarding project potential and there is a desire by some to complete scaled down version of the previously proposed project. Project proponents are not owners of the property and it is staff's understanding that there are no current legally binding agreements with the original land partners.</td>
</tr>
<tr>
<td><strong>City of South Lake Tahoe</strong></td>
<td></td>
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</tr>
<tr>
<td>Kmart South Y Center</td>
<td>N</td>
<td>Letter Submitted, See Attachment C1</td>
<td>Yes</td>
<td>Request that both South Lake Tahoe CEP projects be granted extensions. Uncertain planning environment regarding the TRPA Regional Plan, the City's General Plan, the Redevelopment #2 Plan and the Tahoe Valley Community Plan. The letter reasonably concludes that the regulating planning documents are finalized, and their projects are consistent, they will not be able to determine the level of time, expense and effort associated with environmental review of their projects. Additionally, &quot;...until such time as the Redevelopment Plan is adopted, the CEP project that is facing a financial gap in feasibility cannot conclude whether or not this challenge can be overcome.&quot;</td>
</tr>
<tr>
<td>Former Mikasa (South Y)</td>
<td>N</td>
<td>No, See Attachment C1 for details</td>
<td>Yes</td>
<td>No formal letter was received to request an extension. Staff spoke with the owners representative of the Former Mikasa site. They were reluctant to request a continuation of their allocation reservation as they are unable to complete the project as proposed without a significant financial loss as shown by the City's Feasibility Analysis. The uncertain timelines associated with the adoption of the Tahoe Valley Community Plan and the City's Redevelopment Plan #2 discussed as obstacles to project approval. The City's Redevelopment Plan #2 may offer financial assistance that could fill the financial gap associated with a project at this site.</td>
</tr>
</tbody>
</table>
**Question 2: For how long should the reservation of allocations be extended?**

The time limit provides that the initial assignments of allocations expire within one year; however, it states that this time can be extended by TRPA and does not put a limit on that extension.

Staff has discussed the following two potential options associated with extending the reservation of allocations for an additional year, or beyond a year:

1. Extend reservation of allocations for one year and consider whether each project is making a showing of adequate progress toward project approval on an annual basis.
2. Extend reservation of allocations until the Regional Plan Update is adopted.

Option 1 is more staff intensive as it requires staff time on an annual basis. However, it provides a clear deadline after which the assignment of allocations will expire and provides the opportunity to review the project’s progress on an annual basis.

Option 2 may be less staff intensive, but may also delay use of the reserved allocations. This option would give the applicant the option to defer action on their proposed project until, perhaps, the economy has improved. However, a project proponent who waits too long to apply runs the risk that the project permitting and environmental review process may not be completed prior to adoption of the Regional Plan Update, which could result in the project having to be re-reviewed and possibly re-designed to comply with the amended Regional Plan.

**Issues/Concerns:** (See Attachment E)

**Regional Plan Compliance:** The proposed extension complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including the requirements in Chapter 33.3.D (3) of the TRPA Code of Ordinances. Additionally, the approval and use of the reserved allocations will be conditioned upon the project being consistent with the CEP criteria, the attached Resolution, TRPA Resolution 2008-11, the Regional Plan and Code of Ordinances, and the environmental mitigation requirements associated with each project’s environmental review.

**Contact Information:** If you have any questions, please contact Brenda Hunt at bhunt@trpa.org or 775.589.5225.

**Attachments:**

A. Draft Resolution
B. CEP Proponents Show of Adequate Progress
   B1. Ferrari Family Resort
   B2. Pastore Ryan
   B3. KB Resorts
   B4. South Y Center
   B5. Homewood Mountain Resort
C. Supporting Documentation
   C1: City of South Lake Tahoe Support Letter
D. Environmental Documentation
E. Issues/Concerns
TAHOE REGIONAL PLANNING AGENCY

RESOLUTION NO. 2010-__

RESOLUTION AMENDING RESOLUTION 2008-11, AND REVISING THE EXPIRATION DATE OF THE RESERVATION OF SPECIAL PROJECTS ALLOCATION OF COMMERCIAL FLOOR AREA, TOURIST ACCOMODATION BONUS UNITS, AND MULTI-RESIDENTIAL BONUS UNITS TO ELIGIBLE PROJECTS IN ACCORDANCE WITH CHAPTER 33 AND 35 OF THE TRPA CODE OF ORDINANCES

WHEREAS, on February 27, 2008 the TRPA Governing Board adopted TRPA Resolution 2008-11 and Exhibits 1-9, initially reserving commercial floor area, tourist accommodation bonus units and multi-residential bonus units from the special projects allocations pool for nine Community Enhancement Program (CEP) projects; and

WHEREAS, reservation of allocations in TRPA Resolution 2008-11 had a deadline of February 25, 2009, and

WHEREAS, TRPA Code Section 33.3.D (3) (f) provides for TRPA to extend the deadline for the initial assignments of allocations beyond one year upon a showing of adequate progress toward a project approval; and

WHEREAS, the Governing Board subsequently adopted TRPA Resolution 2009-10 which extended the assignment of allocations for one additional year until the deadline of February, 25, 2010, and

WHEREAS, three projects (Boulder Bay, Homewood, and BB,LLC) have submitted formal applications that are currently moving through the environmental review process and are therefore making adequate progress toward project approval, and

WHEREAS, four projects (Ferrari, Pastore Ryan, Former Mikasa, and the South Y Kmart/Raleys) have shown adequate progress toward project approval to receive an additional time extension of (insert Board approved expiration date) and

WHEREAS, one project (Domus) has withdrawn from the CEP process and their allocation reservation of 8,175 square feet of commercial floor area and 79 Multi-Residential Bonus Units shall be returned to the Special Projects allocation pool, and

WHEREAS one project (KB Resorts) has not shown adequate progress toward project approval to receive an additional extension of their allocation; therefore their allocation reservation of 6,971 square feet of commercial floor area and eight multi-residential bonus units shall be returned to the Special Projects allocation pool, and

NOW, THEREFORE, BE IT RESOLVED THAT the Governing Board of the Tahoe Regional Planning Agency hereby extends the deadline for the following designated Community Enhancement Program/Special Projects project proposals (per TRPA Resolution 2008-11) and their initial reservation of commodities as outlined in Table 1, below:

BH/JM
### Table 1:

<table>
<thead>
<tr>
<th>Community Enhancement Project Proposals</th>
<th>Commercial Floor Area (square feet)</th>
<th>Tourist Accommodation Units</th>
<th>Multi-Residential Bonus Units</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Placer County</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BB LLC</td>
<td>46,475</td>
<td>0</td>
<td>10</td>
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<tr>
<td>Ferrari</td>
<td>27,048</td>
<td>0</td>
<td>25</td>
</tr>
<tr>
<td>Pastore</td>
<td>2,383</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Homewood</td>
<td>23,237</td>
<td>50</td>
<td>12</td>
</tr>
<tr>
<td><strong>Washoe County</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boulder Bay LLC</td>
<td>0</td>
<td>40</td>
<td>48</td>
</tr>
<tr>
<td><strong>City of South Lake Tahoe</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Former Mikasa</td>
<td>43,872</td>
<td>0</td>
<td>24</td>
</tr>
<tr>
<td>South Y Kmart/Raleys</td>
<td>15,801</td>
<td>0</td>
<td>45</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED THAT the Governing Board hereby declares that at the time a project application to TRPA and the local jurisdiction is received, the project proposals designated as Community Enhancement Program/Special Projects shall be consistent with the goals and objectives of the Community Enhancement Program and the proposal concepts reviewed by staff in their pre-application packages.

BE IT FURTHER RESOLVED THAT the Governing Board hereby declares that the designation of the above proposals and the reservation of commodities are subject to the statements and conditions as generally outlined in Resolution 2008-11 and Exhibits 1-9.

BE IT FURTHER RESOLVED THAT TRPA recognizes that the project development process is fluid and that the details of project proposals are likely to change over time after the formal applications are submitted based on at least considerations of feasibility as well as the outcome of the environmental review analyses, and therefore the project conditions stated as requirements may be amended, added to, or deleted, and further, may not need to be met in every detail. The project conditions as generally set forth or as may be added, should be viewed as statements of issues that must be addressed to the full satisfaction of TRPA at the appropriate point in the project development process and no later than the time the project is considered for decision by the TRPA Governing Board.

BE IT FURTHER RESOLVED THAT the adoption of this resolution by the TRPA Governing Board is a set aside of allocations from the Special Projects pool for planning purposes only. The Board’s action is not a project approval or guarantee of any kind that the project, in any form, must be or will be approved. The CEP project applicants alone assume all risks of development, including the outcome of any future decisions of
TRPA, and this reservation of allocations must not be construed as an entitlement or vested right of any kind.

BE IT FURTHER RESOLVED THAT the Governing Board hereby declares that this reservation of commodities shall be amended to expire on (insert Board approved expiration date), unless extended by TRPA upon a showing of adequate progress toward project approval.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on February 24, 2010, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

__________________________  
Allen Biaggi, Chair  
Tahoe Regional Planning Agency  
Governing Board
Attachment B
CEP Proponent Showing of Adequate Progress

B1. Ferrari Family Resort
B2. Pastore Ryan
B3. KB Resorts
B4. South Y Center
B5. Homewood Mountain Resort
29 January 2010

Ms. BRENTA HUNT
Associate Planner
Tahoe Regional Planning Agency (TRPA)
P.O. Box 5310
Stateline, NV. 89449-5310

Re: Community Enhancement Program (CEP)-Ferrari Family Resort, Kings Beach, CA.

Dear Brenda:

Per your letter of January 21, 2010 regarding TRPA Governing Board adopted Resolution 2009-10 regarding an extension of CEP project allocations, we understand that the TRPA Governing Board will be formally considering a one-year extension of the CEP allocations at the board meeting scheduled for February 24, 2010. The potential extensions will be based upon projects demonstrating adequate progress towards project approval over the course of the past year.

Regarding the proposed Ferrari Family Resort redevelopment project, below is an outline of key progress made over the course of the past year:

- Ongoing monitoring of ground water levels on properties through wells
- Letter of Intent (LOI) in place for project development management expertise & partner
- Finalizing a formal agreement/contract for the same (development management partner)
- Refinements of project master plan and alternative conceptual schemes

Additionally, we previously completed the following for all of our properties:

- Completion of a survey of existing trees (location, size, and health)
- Verification of entitlement requirements (TRPA & Placer County)
- Project surveys completed (topography, key features, right-of-ways, utilities, etc.)
- Held joint stakeholder meetings with entities with interests in our area including the Tahoe Conservancy, California State Parks, North Tahoe PUD, and Placer County Redevelopment and Public Works.
- Ownership of all properties within our project area.
It is our goal to be in a position to formally submit a project environmental questionnaire & formal application the first half of this year. Considering the efforts made in the past year, we would like to respectfully ask that TRPA staff determine that sufficient progress has been made on the Ferrari Family Resort proposal and recommend to the TRPA Governing Board that an additional year extension of the CEP allocations be granted.

Sincerely yours,

[Signature]

Dave Ferrari
Co-owner, Manager, Ferrari Investments LLC
Co-owner, Manager, La Perrona LLC
Dear Brenda Hunt and Governing Board of the TRPA,

The Pastore•Ryan CEP project has been weathering the storm (some would say drought) of the current economy during the last couple of years. The delay in approval of the KB CCIP was an unanticipated major setback from a regional investment standpoint. State controlled funds being frozen and the residential construction collapse have all played a role in reducing investment enthusiasm.

Pastore•Ryan (PR) has, however, forged ahead and made significant investment into the project. Our commitment and our enthusiasm for Kings Beach and Lake Tahoe have not waned. The following list of items and their associated attached documents demonstrates our continued progress on the project:

1. Conducted finance meetings with both Placer County Redevelopment Agency (RDA) and private lenders: Bank of the West and Johnson Development Industries (letter attached)
2. Garnered letters of support from community leaders (attached)
3. Completed enhanced architectural design drawings (attached)
4. Completed façade improvement design and permitting application for new sign (attached)
5. Investigated a variety of programs available through RDA (letters attached)
6. Formed/incorporated a development entity named “8931 NLB” (Please note for your records – Applicant is now “8931 NLB”)
7. Intend to be LEED Certified and Completed LEED checklist (attached)

Our commodity requests remain consistent with those previously reserved.

Since we have not heard much from the TRPA or Placer County regarding the CEP over the last year, we are unsure of the current status of the program. We have heard numerous rumors in the community but have not heard much in the way of official communication. We would appreciate a program update from the program managers.

We look forward to continued CEP participation and continued success toward achieving TRPA critical thresholds while providing significant community improvements.

Sincerely,

Tony D. Pastore

Andrew T. Ryan

Feb. 1, 2010
February 1, 2010

Ms. Brenda Hunt  
Tahoe Regional Planning Agency  
PO Box 5310  
Stateline, NV 89449 

Dear Brenda,

RE: CEP Project Extension Request

In response to your email and our subsequent discussion, KB Resorts LLC is formally requesting an extension on our CEP project. Our team consists of three principals Nancy Frisch, Michael Blakeman and George Bean. As I mentioned and in the interest of clarity, over the last twelve months there has been significant internal debate between our land partners and ourselves regarding the advisability of remaining as a participant in the CEP. That being said and as you know from our conversation, one of the concerns about expending resources in this economic climate is the uncertainty over the outcome of the TRPA Regional Plan and the Kings Beach Commercial Core Improvement Project that has just been approved. We believe that the approval of the Commercial Core Improvement Project is a huge step forward in the revitalization of Kings Beach and one of the key elements we have been hoping would be resolved.

We are committed to going forward with a project in Kings Beach in any capacity you consider appropriate. We do not wish to misuse the time and resources of TRPA or Placer County in making this request but we feel the that we originally presented a viable project that met the needs of the community and going forward, we would create a scaled-down version of the same project without sacrificing quality.

As you are well aware, the economics of real estate have changed dramatically since we started in the CEP process and the reality is that if you allow us to move forward, we would proceed with greater caution and sensitivity to the market forces now in effect.

Please advise us of your decision and thank you for your consideration.

Sincerely,

George Bean
January 28, 2010

Ms. Brenda Hunt
Tahoe Regional Planning Agency
Sent Via Fax: (775) 588-4527

Re: Request for One Year Extension for CEP Application
South Y Center, South Lake Tahoe, CA

Dear Brenda:

Thank you for your letter of January 20, 2010 reminding us that our one-year extension on our CEP project is about to expire. On behalf of the owners of the South Y Center, we appreciate the work that TRPA has done on our project and the first one-year extension. By this letter, we are requesting another one-year extension.

In your letter, you ask what progress we have made toward project application and approval in the past year. As I believe you and TRPA know, the center continues to be involved in a lengthy and costly environmental matter mandated by the Regional Water Quality Control Board. Since our last correspondence, the actual remediation process has begun. Our experts expect this phase will take perhaps several years to complete. Upon completion, we expect to receive a “No Further Action” letter from the Water Board. If it would be helpful, we would be happy to keep you informed of our progress with the environmental matter.

As we have learned over the past year and I am sure you can imagine, lenders and investors are reluctant to become involved in any property or project with environmental issues. For this reason, we continue to concentrate our efforts, expending considerable time and resources, on the site environmental matter. It is important to resolve this issue prior to submitting a permit application to TRPA’s Environmental Review Services Branch. Other factors delaying our progress at this time are the severe economic downturn, especially as it has impacted the South Lake Tahoe area, and the uncertain status of the other redevelopment plans and the still unfinished Tahoe Valley Community Plan.
Ms. Brenda Hunt  
January 28, 2010  
Page 2

We respectively request that TRPA extend the CEP allocation for the South Y Center for the period of one additional year.

Very truly yours,

[Signature]

James R. Meredith
26 January 2010

Ms. BRENDA HUNT
Associate Planner
Tahoe Regional Planning Agency (TRPA)
P.O. Box 5310
Stateline, NV. 89449-5310

Re: Community Enhancement Program (CEP)-Homewood Mountain Resort
Ski Area Master Plan

Dear Brenda:

This letter is in response to your correspondence of January 21, 2010 regarding TRPA Governing Board adopted Resolution 2009-10 that pertains to extending the reservation of allocations for CEP projects. It is our understanding that the TRPA Governing Board will be considering another one year extension of the CEP allocations at the February 24, 2010 board meeting based upon projects demonstrating adequate progress towards project approval over the course of the past year.

With respect to the proposed Homewood Mountain Resort Ski Area Master Plan project, the following is a summary of key progress that has been made toward project approval since February 2009:

- 4-party agreement signed with the TRPA, Placer County, Homewood, and environmental consultant (Hauge Brueck) for a detailed environmental analysis of the proposed Homewood Mountain Resort Ski Area Master Plan- Fall 2008
- Homewood Mountain Resort Ski Area Master Plan administrative draft document completed June 2009
- First Draft of Cumulative Watershed Effects Study for the Ski Area Master Plan completed May 2009; final expected to be completed February 2010
- Updated Homewood land coverage calculations (existing & proposed)
- Land Capability Challenge application review & approval completed August 2009
- Draft sections of the Administrative Draft EIR/EIS (ADEIR/EIS) completed Fall 2009; expect formal issuance of ADEIR/EIS first quarter of 2010
- Bi-weekly project meetings with TRPA & Placer County staff, environmental consultant and Homewood team aimed at information dissemination related to the EIR/EIS
In short, it is our current expectation that the Homewood Mountain Resort Ski Area Master Plan and associated environmental analysis would be available for public review this spring and up for TRPA APC & Governing Board review and approval the latter half of 2010. Given the progress made on the proposed project over the course of the past year+, we respectfully ask that TRPA staff find that adequate progress has been made on the project and recommend to the TRPA Governing Board that another one year extension of the CEP allocations being granted for the proposed Homewood Mountain Resort Ski Area Master Plan.

Respectfully,

David A. Tirman  
Executive Vice President
Attachment C
Supporting Documentation

C1. City of South Lake Tahoe Support Letter
February 1, 2010

SENT VIA EMAIL WITH COPIES VIA U.S. MAIL

Ms. Joanne Marchetta
Executive Director
Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, Nevada 89449

Re: Community Enhancement Projects’ One Year Extension Requests

Dear Ms. Marchetta:

I am writing to you on behalf of the South Lake Tahoe City Council, in support of requests you have received for a one year extension from the two Community Enhancement Projects (CEPs) located in the City, within the Tahoe Valley Community Plan area and the Redevelopment Project (Study) Area #2.

These two projects are generally referred to by their site tenants, present and former: the Miller-Mikasa site on the north-east corner of the Highway 89 and 50 intersection, and the Raley’s-Kmart site on the south-west corner of the same intersection. These two sites, and their property owners, represent one of the better opportunities TRPA may have in the next 5 years to illustrate the economic value, increased attractiveness, and environmental improvement possible from reinvestment. These reinvestments differ significantly from those at Stateline, as they have no hotel component. Therefore, one of them has raised issues of first impression, most acutely in forecasting improved productivity and revenue that would be achieved by meeting local residents’ requests and retail needs.

The City of South Lake Tahoe supports the goals of the TRPA’s Community Enhancement Program, to seek "net gain solutions for the Lake Tahoe Basin which implement environmental improvements, enhance the quality of life for residents, improve the visitor experience and contribute to the long-term economic vitality of the region."

As you know, the City Council has taken a positive leadership role in local planning as contemplated in Article VI of the Bi-State Compact, investing significant funds, City and TRPA staff time, and community effort, in shaping the City’s Comprehensive General Plan Update, the Tahoe Valley Community Plan (TVCP), and a new Redevelopment Project Area encompassing the TVCP Area. These efforts aim at implementation of TRPA Goals and Policies, but at the local level.
The project proponents have had extraordinary planning uncertainties to evaluate that affect the timing and clarity of investment parameters, complex ownership decision-making structures, and fast-shifting economic conditions to contend with. In addition to these uncertainties, the project proponents have been waiting for TRPA and the City to complete their comprehensive planning processes including TRPA’s Regional Plan, City’s Comprehensive General Plan, and the Tahoe Valley Community Plan. To assist in financing future development the City is also in the process of adopting a new Redevelopment Project Area encompassing the TVCP.

The Community Enhancement Projects have an important public benefit. However, until the CEP proponents can reasonably conclude that the regulating planning documents are finalized, and their projects are consistent, they will not be able to determine the level of time, expense and effort associated with environmental review of their projects. Additionally, and as explained further below, until the Redevelopment Plan is adopted the CEP project that is facing a reported financial gap in feasibility cannot conclude whether or not this challenge can be overcome.

We believe that the City’s planning processes are consistent with the existing Regional Plan and the intent of the TRPA Compact. However, they have presented project proponents with more uncertainty about the outcome of the City General Plan, TVCP and Redevelopment work that is nearing completion. Our reading of the Compact suggests that City government leaders need to be encouraged and supported to undertake and implement programs and policies that achieve responsible local and regional planning goals. As stated in the Compact, Article VI:

*Whenever possible without diminishing the effectiveness of the regional plan, the ordinances, rules, regulations and policies shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective States, counties and cities the enactment of specific and local ordinances, and rules, regulations and policies which conform to the regional plan. [Emphasis added.]*

Neither of these projects in our view and at this time merit concerns, experienced in different circumstances, of hoarding limited commodities or excessively prolonged indecision, and no objectively identified public harm would result from a one year extension. Should at some future time our regular contact and communication with proponents indicate the projects are not do able, city staff will inform you of that fact.

The Miller-Mikasa site, unlike the Raley’s-Kmart site, involves a complete removal of older existing structures. A detailed pro forma evaluation has been completed for this site as part of the proposed Redevelopment Project Area adoption process. The report outlines a financial feasibility gap. The question now is whether this project is, or can be adjusted to become, economically feasible. Additionally, the Raley’s-Kmart site has special environmental circumstances affecting their planning, and the City has closely monitored filings and progress with the Lahontan Regional Water Board. As such, the City is in a position to represent that the extension time, if granted, will constructively support these projects maturing. Terminating the projects now, for failure to meet the current deadline, would be pre-mature, and nothing would be learned of benefit to the wider area.
The ultimate success of these projects is essential to motivate smaller parcels to aggregate voluntarily irregular small lots, and attain the reasonable return on their investment that can remediate the out-dated planning and development of the past. Without such examples, the environmental benefits that run concurrent with reinvestment may remain elusive.

With as much time, money, effort, and constructive energy that has been placed into the comprehensive planning process still underway, it would be most helpful to continue until the professed goals and objectives of the Community Enhancement Program are either successfully obtained, or clearly cannot be. Only in that way can a public benefit be gleaned: for either we will have a revitalization of the Y to show for our efforts, or we will both clearly understand what policy changes must be made to obtain overdue private investment in the City’s built environment.

Thank you for your deference to the City’s planning aspirations, and consideration of this request.

Sincerely,

[Signature]

David M. Jinkens
City Manager/Executive Director STRA

C: Mayor and Council
   Brenda Hunt, via fax
   Hilary Hodges, Community Development
   Eugene Palazzo, Redevelopment & Housing
   James R. Meredith, First Commercial Properties
   Cliff Ohman
Environmental Documentation: Environmental documentation is not required for the Governing Board to identify project proposals that may now submit an application, or to conditionally reserve allocations to those project applications. TRPA completed Environmental Review with the initial establishment of the TRPA allocation system. The reservation of allocations is not a final action, and environmental review and documentation will be completed for each project approval in the future. Therefore, staff recommends that the Governing Board make a finding of no significant effect.
Attachment E
Issues and Concerns

Why is KB Resorts not being recommended for an extension?

Staff believes that seven of the eight designated CEP projects that have reserved allocations have shown adequate progress toward project approval, and/or have shown there are legal or planning obstacles that have impeded their ability to apply to TRPA. As shown above, the KB Resorts project is the only project staff is not recommending for an extension. While all of the projects have faced certain planning obstacles including the uncertain economy and the potential for litigation; the other CEP applicants have either expended time and financial resources to move their projects forward, or have faced significant planning sequencing events or legal matters that have impeded their ability to move forward. Staff considered the letters received and the conversations conducted with the proponents. It is our understanding that the project proponents of the KB Resorts project do not own any of the land and have no legally binding agreements with the land owners that were originally a part of the proposed KB Resorts project. Additionally, the project proponents do not appear to have made any efforts to continue pursuing the viability of the project beyond an idea stage for a new, reduced project alternative. Staff determined that the KB Resorts project did not meet the criteria (Items 1-3) outlined in Question 1 in the staff summary; and therefore a finding could not be made that the project made a showing of adequate progress toward project approval.

The unused allocations from the Domus project and the KB Resorts project will be returned to the Special Projects pool pursuant to the TRPA Resolution 2008-11.
MEMORANDUM

February 17, 2010

To: TRPA Governing Board

From: TRPA Staff

Subject: Amendments to Chapter 33 of the TRPA Code of Ordinances allowing Re-issuances of Certain Residential and Commercial Permits without Requiring New Allocations

Proposed Actions: Governing Board adoption of the attached ordinance (Attachment B, Exhibit 1) amending Chapter 33, Subparagraphs 33.2.A and 33.3.A of the TRPA Code of Ordinances.

Staff Recommendation: Staff recommends that the Governing Board make the required findings and adopt the implementing ordinance (Attachment B), adopting the proposed amendments to the Code of Ordinances.

APC Recommendation: The Advisory Planning Commission (APC) unanimously recommended Governing Board adoption of the proposed Chapter 33 Code amendment at their February 11, 2009 meeting.

Required Motions: To adopt the proposed amendment to the Code of Ordinances, the Governing Board must make the following motions based on this staff summary and the complete administrative record:

I. A motion to make the required Chapter 6 findings (Attachment A) and a Finding of No Significant Effect for all potential impacts.

II. A motion to adopt the attached ordinance (Attachment B) adopting the Code of Ordinance amendments in Exhibit 1 amending Subparagraphs 33.2.A and 33.3.A.

Background: The proposed amendments to Chapter 33 of the TRPA Code of Ordinances would allow current permit holders of new residential and commercial projects to obtain reissued TRPA permits without the loss of their residential or commercial allocations. This proposal is in response to the current credit crises and poor economy which are forcing many permittees to either let their permits expire or obtain new allocations for previously permitted projects. Currently Article VI (p) of the Compact and Section 4.9 of the TRPA Code (Attachment C) establish requirements for permit extensions. The Compact requires permits to expire in three years unless construction has begun and the project is diligently pursued. Section 4.9 of the Code details the requirements for single family residences and other projects.
The proposed amendments, if approved, would also apply to TRPA permits issued through one of TRPA’s delegation Memoranda of Understanding partners (namely, Placer, Washoe, and El Dorado Counties, and the City of South Lake Tahoe.)

TRPA rarely prohibits permittees from reapplying for construction permits before or after these permits expire. For residential or commercial modification projects not requiring allocations (those that do not involve “additional development” as defined in Chapter 33 of the Code), permits are relatively simple to reissue provided the projects are not prohibited by any successive changes to the Regional Plan and are updated to reflect changes in mitigation fees, etc. For new residential projects requiring allocations, however, applicants must re-acquire allocations before a permit can be reissued which can lead to significant delays if allocations are not readily available. These delays can be due to a number of factors such as market competition or time needed by TRPA to “reload” allocation pools. According to comments from some local developers, these delays, especially in the current economic climate, frequently lead to loan cancellations, partnership disinvestments, or similar outcomes.

Residential allocations are “used” once an allocation is submitted with an application for a new residential unit, whether or not a permit is issued for the project. The same rule applies to multi-residential development where allocations are required for each new unit at the time of application. (An analogy for a residential allocation would be a movie ticket. A movie ticket allows the holder to enter a theater and is “used” once the holder enters the door.) Competition for residential allocations varies annually depending on market conditions and allocation availability per TRPA’s performance-based allocation system. This system is described in Subparagraph 33.2.B of the TRPA Code (available on-line at www.trpa.org).

In contrast to the residential allocation system, allocations of Commercial Floor Area (CFA) are returned to a TRPA allocation pool for future reallocation to other commercial projects if unused. CFA allocations, therefore, are not “used” at the time of application, but rather when a project is constructed. CFA is measured on a square-foot basis (rather than a unit basis), and competition for CFA also varies year to year.

Regulation of new development is a fundamental component of the TRPA Compact and is embodied in the current Regional Plan. The residential and commercial allocation systems described in Chapter 33, particularly annual growth rates and caps on total growth, are primary elements of TRPA’s Regional Plan. The proposed Code amendments are consistent with the Regional Plan because they do not result in new residential or commercial development beyond amounts already allowed in the Code, and that were analyzed in the certified Environmental Impact Statement (EIS) for adoption of the Regional Plan. In addition, the proposed amendments do not violate the TRPA Compact which limits TRPA approvals to a maximum of three years (See Attachment C, Article VI (p) from the TRPA Compact). Extending TRPA permit expiration dates, as many local jurisdictions have done this year for (non-TRPA) county permits, would violate the TRPA Compact.

For additional background on TRPA permit expiration dates and extensions, please see August 25, 2009, TRPA letter to Bob Hedley, Chase International South Tahoe Realty (Attachment D). Attachments specific to that letter are available from TRPA on request.
Applications for re-issued permits are normally treated as “minor” plan revisions in the TRPA Application Filing Fee Schedule if there are no substantial changes to the previously approved plans. Substantial modifications to the approved plans are treated as “major” plan revisions. The application fee for a minor plan revision is 40 percent of the fee that would be charged for a new project. The fee for a major plan revision is 70 percent of the fee charged for a new project.

Description of Proposed Code Amendments: The language for the proposed Code amendments can be found in Attachment B, Exhibit 1.

The following elements are common to both proposed Code amendments:

1. The proposed Code amendments would only apply to new residential or commercial projects permitted prior to February 24, 2010 (the expected date of Governing Board action). Staff is proposing the amendments solely in response to the current economic crises with no intention of presupposing or influencing future Code language in the new Regional Plan currently under preparation.

2. Application for a re-issued permit (which preserves an existing allocation of development) must be made prior to the expiration date of the permit as defined in Section 4.9 of the TRPA Code. Under this section of the Code, permits which are “diligently pursued” are not considered expired and are eligible for re-issuance under this proposal.

3. Re-issued permits must be updated to meet all TRPA requirements when TRPA (or one if its MOU partners) re-issues the permits.

4. Only one reissued permit, and not a series of reissued permits, may occur as a result of the proposed Code amendments. Again, staff is proposing to limit the application of this amendment so as not to presuppose or influence future Code language in the new Regional Plan currently under preparation, which occur if permits are reissued indefinitely into the future.

Please call Lyn Barnett, AICP, at (775) 589-5238 if you have any questions concerning this item. Mr. Barnett may also be reached by e-mail at lbarnett@trpa.org.

Attachments
A. Required Findings
B. Adopting Ordinance
   Exhibit 1: Proposed Amendments to Chapter 33, TRPA Code of Ordinances
C. Copy of Code Section 4.9 and TRPA Compact Article VI (p)
D. Letter to Bob Hedley, dated August 25, 2009 (without attachments)
REQUIRED FINDINGS

Chapter 6 Findings: The following findings must be made prior to amending the Code of Ordinances which constitutes a Regional Plan Amendment.

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

   Rationale: The proposed amendments to Chapter 33 of the TRPA Code of Ordinances would preserve allocations for new residential and commercial projects one time when application is made for permit re-issuance prior to permit expiration. The proposed Code amendments do not create new allocations of development and do not extend existing permit expiration dates beyond the limits of the TRPA Compact or Regional Plan.

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

   Rationale: The proposed Code amendments only modify administrative procedures and processes and have no impacts to environmental thresholds for this reason.

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

   Rationale: See Findings 1 and 2 above.

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

   Rationale: See Findings 1 and 2 above.

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

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

   Rationale: These amendments were analyzed in a TRPA Initial Environmental Checklist (IEC) for potential environmental
impacts, and no impacts were identified. The proposed Code changes are consistent with the permit expiration limitations in the Compact and Regional Plan.

2. Finding: That the amendment provides for an equal or better means of attainment or maintenance of the thresholds.

Rationale: The amendments will provide equal or better means of attainment and maintenance of environmental thresholds because reissued permits will comply with the requirements of the original permit and updated Code when the permit is reissued, if applicable.

3. One of the following findings:

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

b. The provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan package and complying with the Compact; or

c. Legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code; or

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

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

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

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

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

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

Staff proposes to make Finding e, above.
Rationale: The Code language that is being amended is currently counter-productive considering the current distressed state of the economy, and does nothing to attain or maintain thresholds.

Environmental Documentation: Based on the above analysis, and the Initial Environmental Checklist (IEC) prepared for the Code amendments, no environmental impacts were identified.
TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2009 –

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, BY AMENDING THE CODE OF ORDINANCES, CHAPTER 33 ALLOWING RE-ISSUANCES OF CERTAIN RESIDENTIAL AND COMMERCIAL PERMITS WITHOUT REQUIRING NEW ALLOCATIONS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00 Findings

1.10 It is necessary and desirable to amend TRPA Ordinance 87-9, as amended, which ordinance relates to the Regional Plan of the Tahoe Regional Planning Agency (TRPA) by amending the Chapter 33 of Code of Ordinances, in order to further implement the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.

1.20 These amendments to Chapter 33 of the TRPA Code of Ordinances will have no negative environmental impacts.

1.30 The Advisory Planning Commission (APC) has conducted a public hearing on the amendments and recommended adoption. The Governing Board has also conducted a noticed public hearing on the amendments. At those hearings and workshops, oral testimony and documentary evidence were received and considered.

1.40 Prior to the adoption of this ordinance, the Governing Board made the findings required by Chapter 6 of the Code and Article V(g) of the Compact.

1.50 The Governing Board finds that the amendments adopted here will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.

1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 Amendment of the Code of Ordinances, Chapter 33.

Subsection 6.60 of Ordinance No. 87-9, as amended, is hereby further amended as set forth in Exhibit 1, which attachment is appended hereto and incorporated herein.
Section 3.00  Interpretation and Severability

The provisions of this ordinance and the amendments to the Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Code of Ordinances shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Code of Ordinances are hereby declared respectively severable.

Section 4.00  Effective Date

The provisions of this ordinance amending the Code of Ordinances shall be effective immediately after its adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held February 24, 2010, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Allen Biaggi, Chairman
Tahoe Regional Planning Agency
Governing Board
PROPOSED AMENDMENTS TO CHAPTER 33, TRPA CODE OF ORDINANCES

Note: Language to be deleted is struck out. New (proposed) language is double underlined.

33.2 Allocation Of Additional Residential Units: TRPA shall allocate the development of additional residential units as follows:

33.2.A Requirement Of Allocation: No person shall construct a project or commence a use, which creates one or more additional residential units, without first receiving an allocation approved by TRPA. This requirement does not apply to affordable housing units approved after January 1, 1986, but shall apply to conversions of such affordable housing to nonaffordable status. In order to construct the project or commence the use, to which the allocation or the exemption therefrom pertains, the recipient of the allocation or exemption shall comply with all other applicable provisions of this Code.

(1) Applicable Residential Uses: The following residential uses referred to in Chapter 18 contain residential units: secondary residences; employee housing; mobile home dwellings; multiple family dwellings; multi-person dwellings; nursing and personal care facilities; residential care facilities; single family dwellings; and summer homes.

(2) Definition Of "Additional Residential Unit": Residential unit is defined in Chapter 2. A residential unit is considered "additional" if it is to be created pursuant to a TRPA approval issued on or after January 1, 1986. The conversion of an existing nonresidential use to a residential use constituting a residential unit is an additional residential unit requiring an allocation under this chapter. The following are not "additional" residential units:

(a) The reconstruction or replacement, on the same parcel, of a residential unit legally existing on or approved before January 1, 1986;

(b) The reconstruction or replacement, on the same parcel, of a residential unit which was allocated and approved pursuant to this Code;

(c) Legally established additions and accessory uses to an existing residential structure, that do not create additional residential dwelling units;

(d) A residential unit constructed on a foundation, the use of which is authorized by Chapter 11.

(e) The relocation of residential units legally existing on January 1, 1986, other than mobile home dwellings, through a transfer approved by TRPA;

(f) The relocation of a legally established mobile home dwelling
with existing water, sewer, and electrical services to a mobile home development or to a multi-family dwelling of five units or more, pursuant to a transfer approved by TRPA; or

(g) An existing, legally established mobile home pad with water, sewer and electrical services, whether or not a mobile home is located thereon; or

(h) One or more new residential units permitted by TRPA prior to February 24, 2010, provided that:

(i) Application is made to TRPA prior to the expiration of the permit, as determined in Section 4.9, to re-issue a permit for a project for which an allocation(s) was assigned;

(ii) All permit conditions, fees, securities, building and site design conditions of approval, plan revisions, and other requirements of the original permit, are updated to meet the requirements of the Code and all other applicable TRPA ordinances, rules, or regulations at the time of permit re-issuance; and

(iii) Subparagraph 33.2.A(2)(h) has not previously been used in relation to the same project.

33.3 Allocation Of Additional Commercial Floor Area: TRPA shall allocate the development of additional commercial floor area as follows:

33.3.A Requirement Of Allocation: No person shall construct a project or commence a use, which creates additional commercial floor area, without first receiving an allocation approved by TRPA. In order to construct the project or commence the use, to which the allocation pertains, the recipient of the allocation shall comply with all other applicable provisions of this code.

(1) Applicable Commercial Uses: The commercial uses set forth in Chapter 18 contain commercial floor area. The allocation of additional commercial floor area pursuant to this chapter also applies to commercial activities that are not primary commercial uses, except that accessory uses as to which TRPA makes the following findings shall be deemed not to contain additional commercial floor area:

(a) The accessory use meets all criteria specified by Chapter 18 for an accessory use; and

(b) The accessory use is designed to serve the noncommercial primary use, as determined by reference to the following criteria:

(i) There is no separate entrance for the accessory use;

(ii) The accessory use is compatible with the size and
patronage of the primary use;

(iii) The accessory use does not rely on separate parking;

(iv) The accessory use is not separately advertised;

(v) The use season of the accessory use corresponds to that of the primary use;

(vi) The accessory use does not generate additional vehicle trips; and

(vii) In applicable instances, the accessory use is principally for service or repair rather than sales. The following are examples of accessory uses of a commercial nature not subject to the allocation of additional commercial floor area: ski rental shops in ski areas; gift shops in airports; tackle shops used by patrons of marinas; newsstands in motels; pro shops at golf courses; and cafeterias in hospitals.

(2) "Additional" Commercial Floor Area: Commercial floor area is considered "additional" if it is to be created pursuant to a TRPA approval issued on or after January 1, 1987.

(a) Additional commercial floor area includes, but is not limited to, the following:

(i) The construction of commercial floor area, which did not exist before January 1, 1987; or

(ii) Conversion of legally existing or approved floor area from noncommercial use to commercial use.

(iii) The construction of, or conversion to, floor area that is primarily utilized for commercial enterprise regardless if it is classified as public service or is publicly owned, except when such floor area is for an accessory use excluded in Subsections 33.3.A(1)(a) and (b) or such floor area is excluded by Subsection 33.3.A(2)(b).

(b) Additional commercial floor area excludes the following:

(i) Changes in commercial use per se, not involving any increase in commercial floor area;

(ii) Additions to, or expansions of, legally existing commercial floor area of 500 square feet or five percent of the existing commercial floor area, whichever is less, provided the existing structure and any subsequent additions or expansions physically exist and were completed at least one year prior to an application pursuant to this subparagraph, the exempt addition or expansion is not applied for or built in conjunction with any other addition or expansion, there is no change in use, any increase in traffic is insignificant as defined in Chapter 93, the exempt
addition or expansion occurs within a single project area and the exempt addition or expansion does not occur within the same project area more frequently than once every ten years;

(iii) The relocation, replacement or reconstruction on the same parcel of commercial floor area, which either existed as of January 1, 1987, or which contains floor area allocated and approved pursuant to this Code;

(iv) The replacement, reconstruction or relocation of commercial floor area legally existing as of January 1, 1987, pursuant to a TRPA-approved redevelopment plan;

(v) The TRPA-approved transfer of legally existing commercial floor area; or

(vi) The construction of floor area associated with a publicly owned assembly and entertainment facility with a fire rated capacity of less than 1,100 people; or

(vii) New commercial floor area permitted by TRPA prior to February 24, 2010, provided that:

(A) Application is made to TRPA prior to the expiration of the permit, as determined in Section 4.9, to re-issue a permit for a project for which an allocation was assigned;

(B) All permit conditions, fees, securities, building and site design conditions of approval, plan revisions, and other requirements of the original permit, are updated to meet the requirements of the Code and all other applicable TRPA ordinances, rules, or regulations at the time of permit re-issuance; and

(C) Subparagraph 33.3.A(2)(b)(vii) has not previously been used in relation to the same project.
4.9 Expiration Of TRPA Approvals: Approval by TRPA of any project expires three years after the date the approval is granted by TRPA, as defined in TRPA's Rules of Procedure, or December 19, 1980, whichever is later, unless construction is begun within that time and diligently pursued thereafter, or the use or activity has commenced.

4.9.A Operation Of Law: Expiration of TRPA approvals shall be by operation of law. Failure to give notice of expiration shall not affect the applicability of this provision.

4.9.B Commencement Of Construction: Commencement of construction shall be the pouring of concrete for a foundation, or work of a similar nature upon the permitted structure. Commencement of construction does not include grading, plan preparation, installation of utilities or landscaping.

4.9.C Diligent Pursuit: Diligent pursuit is defined as follows:

(1) Diligent pursuit shall be defined by the condition of approval relating to completion of the project. Project approvals shall state the time for completion of the project.

(2) For projects approved without a condition of approval relating to completion of the project, diligent pursuit shall be defined as reasonable onsite progress toward completion of the project each building season beginning with the building season in which construction is commenced. Failure to accomplish onsite progress toward completion in any building season after construction has commenced and the three year approval period has passed shall result in expiration of the approval for failure to diligently pursue construction. Failure to give notice of such expiration shall not affect the applicability of this section.

4.9.D Single Family Homes: Construction of new single family homes shall be completed within two years from the date of the TRPA pregrading inspection. The two year period may be extended once for up to one year provided the request is made in writing prior to the expiration of the two year period, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:

(1) The project was diligently pursued, as defined in subparagraph 4.9.C(2), during each building season (May 1 - October 15) since commencement of construction.

(2) That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.
4.9.E **Other Projects**: Construction of projects other than new single family homes shall be complete by the date set forth in the conditions of approval. Extension of a completion schedule for a project other than a single family home may be granted provided the request is made in writing prior to the expiration of the completion schedule, a security is posted to ensure completion or abatement of the project and TRPA makes either of the following findings:

1. The project was diligently pursued, as defined in subparagraph 4.9.C(2), during each building season (May 1 - October 15) since commencement of construction.

2. That events beyond the control of the permittee, which may include engineering problems, labor disputes, natural disasters or weather problems, have prevented diligent pursuit of the project.

4.9.F **Completion Of Project**: Completion of a building shall be defined as a fully enclosed structure with all permanent drainage improvements, slope stabilization, and revegetation installed. Completion of projects which do not consist of a building or buildings, shall be defined as commencement of the use or activity permitted and installation of all permanent drainage improvements, slope stabilization and revegetation.
(k) The agency shall monitor activities in the region and may bring enforcement actions in the region to insure compliance with the regional plan and adopted ordinances, rules, regulations and policies. If it is found that the regional plan, or ordinances, rules, regulations and policies are not being enforced by a local jurisdiction, the agency may bring action in court of competent jurisdiction to insure compliance.

(l) Any person who violates any provision of this compact or of any ordinance or regulation of the agency or any condition of approval imposed by the agency is subject to a civil penalty not to exceed $5,000. Any such person is subject to an additional civil penalty not to exceed $5,000 per day, for each day on which such a violation persists. In imposing the penalties authorized by this subdivision, the court shall consider the nature of the violation and shall impose a greater penalty if it was willful or resulted from gross negligence than if it resulted from inadvertence or simple negligence.

(m) The agency is hereby empowered to initiate, negotiate and participate in contracts and agreements among the local governmental authorities of the region, or any other intergovernmental contracts or agreements authorized by State or Federal law.

(n) Each intergovernmental contract or agreement shall provide for its own finding and staffing, but this shall not preclude financial contributions from the local authorities concerned or from supplementary sources.

(o) Every record of the agency, whether public or not, shall be open for examination to the legislature and controller of the State of California and the legislative auditor of the State of Nevada.

(p) Approval by the agency of any project expires 3 years after the date of final action by the agency or the effective date of the amendments to this compact, whichever is late, unless construction is begun within that time and diligently pursued thereafter, or the use or activity has commenced. In computing the 3-year period any period of time during which the project is subject of a legal action which delays or renders impossible the diligent pursuit of that project shall not be counted. Any license, permit or certificate issued by the agency which has an expiration date shall be extended by that period of time during which the project is the subject of such legal action as provided in this subdivision.

(q) The governing body shall maintain a current list of real property known to be available for exchange with the United States or with other owners of real property in order to facilitate exchanges of real property by owners of real property in the region.

ARTICLE VII. – ENVIRONMENTAL IMPACT STATEMENTS

(a) The Tahoe Regional Planning Agency when acting upon matters that have a significant effect on the environment 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) Prepare and consider a detailed environmental impact statement before deciding to approve or carry out any project. The detailed environmental impact statement shall include the following:

(A) The significant environmental impacts of the proposed project;
August 25, 2009

Mr. Bob Hedley
Chase International South Tahoe Realty
989 Tahoe Keys Boulevard
South Lake Tahoe, California 96150

Dear Bob,

It was a pleasure to meet with you and Larry Lohman (El Dorado County Building Official) to discuss expiration dates and extensions for Tahoe Regional Planning Agency (TRPA) and El Dorado County residential building permits. Wendy Jepson, TRPA Senior Planner, also joined us in the discussion. At the end of our meeting you asked me to memorialize our conversation in a letter so that you could accurately inform others on these matters. While I cannot represent El Dorado County in this matter, I am able to summarize TRPA regulations for you.

As we discussed in our meeting, certain residential projects may be reviewed and approved by El Dorado County on TRPA's behalf according to two memoranda of understanding (MOU) between the two governments (see Attachments 1 and 2). These MOUs were developed primarily as a convenience for applicants by creating a "one-stop shop" for certain permissible residential activities. The MOUs allow El Dorado County to concurrently review residential applications for compliance with applicable TRPA and County regulations, and issue a combined TRPA and County permit when projects are consistent with both sets of regulations. When regulations overlap between the two governments the permit issued by the County will reflect the stricter regulation in effect at the time of approval, including permit expiration dates and conditions for allowing construction to occur past the permit expiration date.

TRPA permit expiration dates are established in the TRPA Compact ("the Compact") and Regional Plan. Article VI (p) of the Compact (Attachment 3) sets the expiration date for permits to three years after the date of final action by TRPA unless construction is begun within that time period and diligently pursued thereafter, or the activity has commenced (for a use that does not require construction, for example). In computing the three-year period, any time during which a project is the subject of a legal action that delays or renders impossible the diligent pursuit of the project is not counted against the permit expiration date. Permit expiration dates are included in all TRPA permits (and, therefore, permits issued by El Dorado County pursuant to an MOU) according to Article 5.18 (e) of the TRPA Rules of Procedure (Attachment 4).

Section 4.9 of the TRPA Code of Ordinances ("TRPA Code") also addresses expiration dates for TRPA approvals (Attachment 5). Subsection 4.9.C of the Code defines "diligent pursuit" in the context of permit expiration. Failure to accomplish on-site
progress toward completion of a project in any building season after construction has commenced, and the three year approval period has passed, will result in the expiration of an approval due to failure to diligently pursue construction.

Expiration deadlines for single family home construction are subject to Section 4.9.D of the Code which states, "Construction of new single family homes shall be completed within two years from the date of the TRPA pre-grading inspection." This two-year period may be extended once, up to one year, under certain circumstances (see language in Attachment 5). Expiration dates for projects other than single family homes are established in Subsection 4.9.E of the Code (also in Attachment 5). This provision allows for extensions to construction schedules under certain circumstances (see language in the Code for specific requirements). The minimum requirements for a construction schedule are listed in Section 62.2 of the TRPA Code (Attachment 6).

Finally, Section 4.9.F of the TRPA Code (Attachment 5) defines the amount of construction necessary for a project to be considered "complete" by TRPA. TRPA will not return any project securities until the project is completed in accordance with Sections 4.9.F and 8.8.E of the Code (Attachment 7), plus any standard or special permit conditions specific to the project approval.

In our meeting we discussed three hypothetical single family permit expiration scenarios that I feel are worth repeating in this letter to help clarify the regulations quoted above, specifically for single family home construction.

**Hypothetical Scenario 1:** Property Owner “A” received a TRPA or El Dorado County MOU permit, as the case may be, to construct a new single family home on July 1, 2006. The permit expiration date specified in the permit is July 1, 2009. No construction occurred on the project before July 1, 2009, except for tree removal and some site preparation work, and no events beyond the control of the permittee prevented diligent pursuit of the permit. Is this permit still active or has it expired?

**Answer:** This permit is expired because construction did not technically commence, as defined in Section 4.9.B of the TRPA Code.

**Hypothetical Scenario 2:** Property Owner “B” received a TRPA or El Dorado County MOU permit, as the case may be, to construct a new single family home on July 1, 2006. The permit expiration date specified in the permit is July 1, 2009. However, in this scenario the permittee received a pre-grade inspection on July 1, 2006, and completed a foundation on the property by July 1, 2008, but no other work was completed after the foundation was installed. Is this permit still active or has it expired?

**Answer:** The permit would have been active through July 1, 2009, if a one-time request to extend the two-year construction period described in Subsection 4.9.D was made in writing before July 1, 2008. However, the permit expired on July 1, 2008, if this request was not made.

**Hypothetical Scenario 3:** Property Owner “C” received a TRPA or El Dorado County MOU permit, as the case may be, to construct a new single family home on July 1, 2006. The permit expiration date specified in the permit is July 1, 2009. However, unlike the first scenarios, this permittee received a pre-grade inspection on May 15, 2009 (prior to
the July 1, 2009, expiration date specified in the permit), and completed a foundation on
the property before July 1, 2009. Is this permit still active or has it expired?

Answer: The permit is still active and construction may continue for an additional two-
year period (ending May 15, 2011) in accordance with Subsection 4.9.D of the TRPA
Code. Pursuant to this Code section, this date may be extended one additional year to
May 15, 2012, if a written request is made to extend the two-year construction period. In
this scenario, the permitted activity is allowed to continue nearly six years from the
original date of project approval.

In our meeting we discussed several other permit expiration scenarios which time does
not allow me to repeat in this letter. I addressed the three scenarios above because
they best illustrate our regulations and because we spent the greater part of our meeting
discussing them. I would be happy, however, to respond to any other scenarios that you
need us to clarify if you would submit these scenarios to me in writing.

Thank you for your interest in this matter. I hope this information will be useful to you and
your clients. Please call me at (775) 589-5239 if I may be of further assistance to you.

Sincerely,

[Signature]

A. Lyn Barnett, AICP
Chief
Environmental Review Services Branch

Copies: Wendy Jepson, Senior Planner, ERS Branch, TRPA
       Mike Cavanaugh, Assistant Branch Chief, ERS Branch, TRPA
       Nicole Rinke, General Counsel, TRPA
       Austin Quinn-Davidson, TRPA Associate Attorney
       Jerry Wells, Deputy Executive Director, TRPA
       Larry Lohman, Deputy Director – Building Official, El Dorado Co.

Attachments:

1. 1992 El Dorado County/TRPA MOU (Appendix W, Chapter 4, TRPA Code)
2. 2000 El Dorado County/TRPA MOU (Appendix JJ, Chapter 4, TRPA Code)
3. Article VI (p), TRPA Compact (Public Law 96-551, 94 STAT. 3233; and
   California Government Code Section 66800-66801)
4. Article 5.18 (e), TRPA Rules of Procedure
5. Section 4.9, TRPA Code of Ordinances
6. Chapter 62, TRPA Code or Ordinances (Grading and Construction
   Schedules)
7. Section 8.8.E, TRPA Code
MEMORANDUM

Date: February 17, 2009
To: TRPA Governing Board
From: TRPA Staff
Subject: Amendment of Map Showing Need for Water Quality Improvements Pursuant to Requirements of Chapter 37, Individual Parcel Evaluation System (IPES)

Requested Action: Governing Board adoption of the attached ordinance (Attachment B) amending the Map Showing Need for Water Quality Improvements Pursuant to Requirements of Chapter 37, Individual Parcel Evaluation System (IPES).

Staff Recommendation: Staff recommends that the Governing Board approve the proposed amendments to the Water Quality Map and Water Quality Improvement scores by adopting the attached ordinance (Attachment B).

Required Motion: To approve the proposed action, the Governing Board must make the following motions, based on this staff summary and the evidence in the record:

1) A motion to approve the required findings (see Attachment A), including a finding of no significant effect; and

2) A motion to adopt the proposed Ordinance. (see Attachment B).

Project Description/Background: One of the eight elements of a vacant residential parcel’s IPES score is predicated on whether off-site water quality improvements are present in the adjacent serving roadway system. When these types of improvements are installed, the positively affected parcel’s IPES scores can be increased up to the maximum award for this category (50 points). These projects are a large component of the Environmental Improvement Program (EIP). At the October 1987 meeting, the Governing Board adopted the map delineating water quality improvements in the vicinity of affected parcels. Preparation of this map was based upon field data collected during the summer of 1987 pursuant to Subsection 37.2.G of the Code of Ordinances. Each year TRPA staff reviews additional completed projects, assigns water quality points, and presents amendments to the map for Governing Board approval. Attachment C explains the scoring system.

During 2009, one (1) EIP project was inspected and deemed complete. It is important to note, however, that construction was completed on several projects in late summer/fall of 2009. As revegetation was a significant component of these projects, they could not be deemed complete until sufficient vegetation has become established to meet the project’s success criteria. The one project that was deemed fully complete was evaluated and assigned Water Quality Improvement points accordingly. Below is a table presenting the project, jurisdiction, and water quality improvement points assigned.
Many parcels within the Tahoe Basin already have water quality points assigned to them based on existing infrastructure, as was the case with the 2009 EIP project area. Parcels within the project area had thirty (30) existing water quality improvement points. Based on previously existing points and the additional points awarded in 2009, all parcels within the project area achieved the maximum number of water quality points possible; fifty (50) points.

<table>
<thead>
<tr>
<th>County</th>
<th>Project Name</th>
<th>Proposed Water Quality Improvement Points from 2009 EIP projects</th>
<th>Existing Score (Prior to 2009 points)</th>
<th>Final Water Quality Score (50 pts Maximum)</th>
<th>Exhibit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Placer</td>
<td>Tahoe Estates EIP212.2</td>
<td>42</td>
<td>30</td>
<td>50</td>
<td>1</td>
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</table>

The increase of an IPES score based on water quality points impacts some transferable rights associated with a parcel, specifically the type of coverage (i.e. sensitive or non-sensitive) transferred into a parcel. In addition to transferable rights, for Placer County, the score increase also impacts whether or not the parcel meets the minimum criteria to be considered buildable, or an IPES score of 726 or above.

**Issues/Concerns:** None.

**Regional Plan Compliance:** The proposed project complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including all required findings in Chapter 37 Individual Parcel Evaluation System (IPES), Section 37.10.A Installation of Water Quality Improvements in Vicinity of Parcels of the TRPA Code of Ordinances.

**Contact Information:** If you have any questions, please contact Heather Gustafson, Senior Planner/Interim Land Capability Program Manager at hgustafson@trpa.org or 775-589-5313.

**Attachments:**
- A. Required Findings/Rationale
- B. Draft Ordinance and Exhibits 1 and 2
- C. Need for Water Quality Improvement Analysis
Required Findings/Rationale

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

A. Chapter 6 Findings:

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

Rationale: The amendments are consistent with Chapter 37 of the Code of Ordinances. Subsection 37.10.A. anticipated the need for amendments and established the criteria for the related IPES parcel score increases. The project is consistent with the Regional Plan, Goals and Policies, and Code of Ordinances. Staff has completed an Initial Environmental Checklist for the proposed amendments. A Finding of No Significant Effect (FONSE) be made for the amendments based on the IEC and Chapter 6 findings and information contained in this staff summary and the agency record.

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

Rationale: The amendments are consistent with the Regional Plan and will not cause the environmental thresholds to be exceeded. The Code of Ordinances anticipated that the scores would be adjusted when the water quality improvements were realized.

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

Rationale: See findings 1 and 2 above.

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

Rationale: For the reason set forth in the rationale for finding 1 above, these amendments better implement the Code and Regional Plan as intended and will assist in the achievement and maintenance of the environmental thresholds.

Chapter 5 Required Findings: Based on the completion of an Initial Environmental Checklist (IEC) and the above analysis, changes or alterations have been required in or
incorporated into such amendments which avoid or reduce the significant adverse environmental effects to a less than significant level.
TAHOE REGIONAL PLANNING AGENCY
DRAFT ORDINANCE NO. 2010 -___

AN ORDINANCE AMENDING ORDINANCE NO. 87-9 AS AMENDED, BY AMENDING THE REFERENCE MAP FOR THE INDIVIDUAL PARCEL EVALUATION SYSTEM RELATING TO THE NEED FOR WATER QUALITY IMPROVEMENTS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.00: Findings

1.10 It is necessary and desirable to amend TRPA Ordinance No. 87-9, as amended, by amending the Individual Parcel Evaluation System (IPES) reference map related to the need for water quality improvements in order to further implement the Regional Plan of the Agency, as amended, pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact, as amended (“Compact”).

1.20 The Advisory Planning Commission (“APC”) conducted a public hearing on December 9, 2009 and recommended adoption of the new maps and scores. The Governing Board has conducted a noticed public hearing on the amendments. Oral testimony and documentary evidence were received and considered.

1.30 The Governing Board has determined that the amendments have no significant environmental effect, and thus are exempt from the requirement of an environmental impact statement pursuant to Article VII of the Compact.

1.40 The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Section 6.5 of the TRPA Code of Ordinances and Article V(g) of the Compact.

1.50 The amendments adopted by this ordinance continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V of the Compact.

1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00: Amendment to the IPES Reference Maps

Subparagraph (1)(a) of Subsection 6.40 of Ordinance No. 87-9, as amended, is hereby further amended by the addition of the underlined language to read as follows:

6.40 Reference Maps
(1) IPES MAPS: The IPES working maps include:
(a) Need for Water Quality Improvements at the scale of 2" = 1 mile (October 1987), as amended by:

i) Exhibits 1 through 28, inclusive, attached hereto and dated October 1991.


iii) Exhibits 1 through 12, inclusive, attached hereto and dated December 9, 1997.

iv) Exhibits 1 through 9, inclusive, attached hereto and dated January 1999.


vii) Exhibits 1 through 6, inclusive, attached hereto and dated January 2002.


ix) Exhibits 1 through 5, inclusive, attached hereto and dated January 2004.

x) Exhibits 1 and 2, inclusive, attached hereto and dated February 2005.

xi) Exhibit 1, inclusive, attached hereto and dated February 2006.

xii) Exhibit 1, inclusive, attached hereto and dated February 2007.


xiv) Exhibits 1 through 4, inclusive attached hereto and dated February 2009.

xv) Exhibits 1 and 2, inclusive attached hereto and dated December 2010.

Section 3.00: Interpretation and Severability

The provisions of this ordinance and the amendments to the maps adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision, or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance, or the amendments to the maps, shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments are hereby declared respectively severable.

Section 4.00: Effective Date

Pursuant to Section 12.3, this ordinance shall become effective 60 days after the date of this adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held February 24, 2010 by the following vote:
Ayes:
Nays:
Abstentions:
Absent:

Allen Biaggi, Chair
Tahoe Regional Planning Agency
Governing Board
### Exhibit 1

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Water Quality Improvement Project Name</th>
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Need for Water Quality Improvement Analysis

One of the eight elements of a vacant residential parcel's IPES score is predicated on whether off-site water quality treatment improvements are present in the adjacent serving roadway system. When these types of improvements are installed by local jurisdictions, the positively affected parcel's scores can be increased to the maximum award for this category. These projects are a large component of the Environmental Improvement Program (EIP). Consequently, at the October 1987 meeting, the Governing Board adopted the map delineating water quality improvements in vicinity of affected parcels. Preparation of this map was based upon field data collected during the summer of 1987 pursuant to Subsection 37.2.G of the Code of Ordinances:

37.2.G  Need For Water Quality Improvements In Vicinity Of Parcel: The maximum score for this IPES element is 50 points.

(1) Preparation Of Map: TRPA shall prepare a map identifying areas within which the need for the water quality improvements listed in Table G-1 of the Technical Appendices is the same. The Lake Tahoe Basin Water Quality Management Plan (208 Plan) maps shall be used as a guideline for determining the level of improvements needed. Areas shall be assigned point values in accordance with Table G-1 of the Technical Appendices. The points assigned shall be equal to the mathematical difference between 50 points and the total of the negative points received due to the combination of water quality improvements needed.

(2) Assigning Scores To Parcels: Each parcel shall receive the score assigned to the area, established under Subparagraph (1), above, in which the parcel is located.

G. Need for Water Quality Improvements in Vicinity of Parcel

Since adoption of this map, numerous water quality improvement projects have been implemented within the Basin. As provided for in the IPES system, a parcel's IPES score may be increased if (37.10.A) "water quality improvements of the type considered in subsection 37.2.G are installed in an area subsequent to TRPA preparing the maps in accordance with subparagraph 37.2.G(1)."

Upon implementation of these projects: "TRPA shall amend the map by increasing the point values identified in Table G-1 for the improvements installed. The scores received by parcels located in areas where point values are increased in this subsection shall be increased to reflect the new point value."

Amendments proposed by staff are intended to:
1. Account for water quality improvement projects implemented since 2008,

2. Increase the point scores for those parcels affected by these projects pursuant to 37.10.A. of the Code of Ordinances.

The proposed amendments are based upon field data collected during 2009. Point values were assigned according to the scoring criteria in Table G-1. Properties affected by the score increases were restricted to only those parcels immediately within the vicinity of the water quality improvement project.

### NEEDED WATER QUALITY IMPROVEMENTS

<table>
<thead>
<tr>
<th>Needed Improvement</th>
<th>Points Possible</th>
<th>Tahoe Estates (EIP 212.2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revegetation</td>
<td>+6</td>
<td>6</td>
</tr>
<tr>
<td>Rocklined / vegetated ditches</td>
<td>+8</td>
<td>8</td>
</tr>
<tr>
<td>Curb gutter / paved swales</td>
<td>+8</td>
<td>8</td>
</tr>
<tr>
<td>Storm drain pipes</td>
<td>+8</td>
<td>8</td>
</tr>
<tr>
<td>Retaining walls</td>
<td>+4</td>
<td></td>
</tr>
<tr>
<td>Rock slope protection</td>
<td>+4</td>
<td></td>
</tr>
<tr>
<td>Paved roads</td>
<td>+8</td>
<td>8</td>
</tr>
<tr>
<td>Sediment basins</td>
<td>+4</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total Points (2009 Projects)</strong></td>
<td><strong>50</strong></td>
<td><strong>42</strong></td>
</tr>
<tr>
<td><em>Existing Water Quality Points in Project Area</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Points Assigned to Project Area (50 pts Maximum)</strong></td>
<td><strong>50</strong></td>
<td></td>
</tr>
</tbody>
</table>
MEMORANDUM

Date: February 17, 2010
To: TRPA Governing Board
From: TRPA Staff
Subject: Status Report on Individual Parcel Evaluation System (IPES) Line in Placer County

Requested Action: As required under Subsection 37.8.C, TRPA considers adjusting the IPES numerical level defining the top ranked parcels in each jurisdiction on an annual basis. Since the findings could not be made to lower the IPES Line in Placer County, staff is only presenting a status report and no action is requested. Washoe, Douglas and El Dorado Counties have already reached the bottom of the numerical level for those jurisdiction’s and no further IPES line analysis is necessary.

Staff Recommendation: Staff is not requesting action from the Governing Board on this item. Staff will present a current status and progress report on the IPES Line in Placer County which will remain at 726 as the “Vacant Lot Equation” Attachment A, finding 2, cannot be made in that jurisdiction. As the IPES Line analysis failed on the aforementioned finding, the remaining four findings were not evaluated.

Required Motion: None required.

Project Description/Background: The Individual Parcel Evaluation System (IPES) was developed and implemented to respond to the issue of constructing single family dwellings on lands classified as sensitive by the Bailey Land Capability System. This system was created through a consensus process in 1987 to evaluate the suitability of vacant lots proposed for single-family housing development. Parcels were initially scored and ranked; those parcels with scores of 726 and higher were deemed suitable for development. This system also provided a method by which parcels with scores below the cutoff score of 726 could become eligible via an annual analysis and, if appropriate, adjustment of the numerical development level.

Chapter 37 of the TRPA Code of Ordinances sets forth five findings which must be made for the IPES line to be lowered for a jurisdiction (see Attachment A). These findings cannot be made for Placer County. Specifically, Placer County did not meet the minimum criteria for the “Vacant Lot Equation”; the second element of the required Chapter 37 Findings (Attachment A). This finding requires the analysis of the “active” IPES parcel inventory and generates a numerator reflecting the number of active parcels within a given jurisdiction that have an IPES score of 725 or less. This numerator is then divided by the number of vacant parcels deemed sensitive (Bailey Class 1, 2, or 3) on January 1, 1986; for Placer County this number is 1,667 parcels. Once this ratio does not exceed 20 percent, the finding can be made.
This current analysis is based on the 2009 IPES inventory of parcels that are vacant and have a score of 725 or less. TRPA has determined the number of parcels removed from the inventory by retirement, rescoring or other such actions. TRPA also determines the number added by scoring additional lots. The net result is that five parcels were removed from the inventory. The inventory numbers and trends are shown below.

Placer County (2009): 433/1667 = 25.9 percent
Placer County (2008): 438/1667 = 26 percent
Placer County (2007): 454/1667 = 27 percent
Placer County (2005): 504/1667 = 30 percent

Issues/Concerns: The major issue or concern is that after more than twenty years the IPES line has not lowered in Placer County. Placer County is the only county within the Tahoe Basin in which the developable IPES score has not lowered to 1.

The major problem is that the Placer County IPES Line analysis continues to fail to meet the requirements of finding 2, or the Vacant Lot Equation. This finding requires that the ratio of sensitive parcels identified today, as compared to the 1,667 sensitive parcels identified on January 1, 1986, not exceed 20 percent. It is important to note that the 1,667 parcels identified in 1986 were based upon assessor's parcel numbers (APN) and not legal lots of record.

Even though sensitive parcels are being retired each year, the number of retirements has not kept pace with the number of sensitive parcels originally projected for retirement. There a number of reasons for the slow rate of retirement. Agency buyout program priorities, willing sellers, number of SEZ lots, lack of TDRs and recently the economy are factors affecting the retirement rate.

On the other side of the calculation IPES lots appear to be increasing. Placer has many small lots from pre WWII subdivisions. As has been discovered over the years, it was a common practice for property owners to have multiple legal lots of record embedded within a single APN. These legal lots of record are eligible to be assigned their own individual APN at any point in time. As a result, the numerator of the Vacant Lot Equation (i.e. the number of present day sensitive lots as defined by APNs) has actually been increasing over time.

TRPA has been aware of this issue for the last decade. The IPES line was also the subject of a series of lawsuits in the 1990’s, which in relevant part held that challenges to the findings necessary to lower the IPES line were facial challenges to the Regional Plan that should have been brought upon adoption of the Regional Plan and were thereafter time-barred. In 2006, TRPA staff worked with Placer County officials and the California Attorney General to try to develop a means by which the equation might be adjusted to compensate for the unique problem of the numerator, i.e. the total number of the IPES parcels, increasing in Placer County. After several meetings and hearings, it was decided that the criteria in finding 2 would not be amended.
It was decided that the proper course was to actively work with the local agencies and jurisdiction to do the following.

1. TPRA will continue to work with Placer County to implement water quality improvement projects so as to increase the IPES scores within and adjacent to the project. Water quality improvement points constitute 50 of the 1150 points possible for an IPES score.

2. TPRA will continue to work local agencies such as the United States Forest Service and the California Tahoe Conservancy in the retirement of the sensitive parcels within Placer County.

Regional Plan Compliance: The determination not to lower the IPES line in Placer County complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including all required findings in Chapters 6 and 37 of the TRPA Code of Ordinances.

Contact Information: If you have any questions, please contact Heather Gustafson, Senior Planner, IPES & Land Capability Program Manager at hgustafson@trpa.org or 775-589-5313

Attachments:
   A. Required Findings/Rationale
Required Findings/Rationale

Required IPES Line Findings

1. Finding: All parcels included in the top rank are otherwise eligible for development under the applicable state water quality management plan for the Lake Tahoe Basin (the “208 Plan”) and other legal limitations;

   Rationale: The TRPA 208 Plan was certified by both California and Nevada, and approved by the US EPA in 1989. The 1990 TRPA amendment to the 208 Plan redefining “in place” monitoring was certified by Nevada in 1990, by California in 1992, and approved by the US EPA in August 1993. Therefore this finding was met in 1993.

2. Finding: For any jurisdiction, the number of parcels having scores below the level defining the top ranked parcels, divided by the number of parcels in that jurisdiction that were identified as sensitive by TRPA on January 1, 1986, does not exceed the following percentages:

   (i) El Dorado County - 20 percent
   (ii) Placer County       - 20 percent
   (iii) Douglas County    - 33 percent
   (iv) Washoe County    - 33 percent

   Rationale: The finding can not be made since the current calculation as shown below is 25.9% which is greater than the required 20% for Placer County.
   Numerator = Number of vacant parcels with IPES scores of 725 or less
   Denominator = Number of vacant parcels deemed sensitive (Bailey Class 1, 2 or 3) on January 1, 1986.
   Placer County 2009: 433/1667 = 25.9%

3. Finding: The monitoring program for that jurisdiction is in place pursuant to Chapter 32 and the TRPA monitoring plan. "In place" is defined in the 208 Plan, Volume I, and p.119, as amended, as:

   ... This monitoring program shall be in place in a local jurisdiction, and shall characterize water quality conditions, before the numerical level defining the top rank for the jurisdiction is lowered (Goals and Policies, p.VII-25). The term "in place" means that a TRPA-approved monitoring system, with established procedures and responsibilities, is physically located on the selected tributaries, and samples have been collected and analyzed for the previous water year. The monitoring program, to be effective, should remain in place on a continuing and long-term basis. It is the intent of TRPA to collect, on a long term basis pursuant to stringent QA/QC procedures, improved tributary water quality data which will be used to better assess average and existing conditions and to understand water quality trends and compliance with state and federal water quality standards.
Rationale: This finding was not analyzed as finding number 2 failed.

4. Finding: Demonstrable progress is being made on capital improvement programs for water quality within that jurisdiction.

Rationale:
   a. Funding is committed and there is a strong likelihood that construction will commence on one or more high priority watershed improvement projects in the current or upcoming year and construction of one or more high priority projects has taken place in the previous or current year. (High priority projects are projects with substantial water quality benefit.); OR

   b. The performance of the local jurisdiction on implementation of SEZ restoration and capital improvement projects is consistent with progress necessary to meet the benchmarks established in the 1996 Evaluation under the Environmental Compliance Form for Water Quality (WQ-2-A). Under WQ-2-A, an indicator for total expenditures on CIP projects is set for each local unit of government. However, since the 2001 Threshold review these quantitative targets were abandoned in favor of the Environmental Improvement program project list.

This finding was not analyzed as finding number 2 failed.

5. Finding: The level of compliance with conditions of project approvals within any jurisdiction is satisfactory. The four criteria listed in the 208 Plan are used as indicators of the level of compliance within a jurisdiction. The Governing Board has set numerical performance standards for the four criteria in Resolution 93-19 (see Attachment B).

Rationale: This finding was not analyzed as finding number 2 failed.
MEMORANDUM

Date: February 17, 2010

To: TRPA Governing Board

From: Joanne S. Marchetta, Executive Director

Subject: Executive Director Report and Agency Work Program Priorities for February 2010

The Agency Work Program Priorities are as follows:

A. Regional Plan Update
B. Forest Fuels Management
C. Aquatic Invasive Species Eradication Program
D. EIP Implementation
E. Shorezone Program Implementation
F. CEP Program

Highlights of these programs follow:

A. Regional Plan Update

At the January 28, 2010, Governing Board Meeting, the RPU Team presented the first Milestone: Water Quality and Stream Environment Zones. Staff had prepared a white paper, called a FactSheet, in support of the Milestone. In it, there were eleven major issues for which the Board’s direction was being requested. The APC was there to provide technical advice. The Board provided staff with policy direction through mostly unanimous straw votes on all eleven issues. The board also weighed in on one additional issue that arose in days preceding the meeting.

The RPU Team has conducted the second set of stakeholder meetings for the upcoming Public Lands, Resource Management, and Recreation Milestone. The upshot of these meetings was very good feedback from our partners and stakeholders, and this feedback influenced the policy proposals that staff will bring forward to the GB at the February meeting.

We submitted the final EIS documents, including maps and land use proposals that were required to be submitted to the Army Corps at the end of January. This timely submittal secured the Corps’ $700,000 commitment to pay for the preparation of the EIS for the RPU.

The third set of stakeholder meetings, which will provide background for the April 2010 Land Use Milestone, have been scheduled and will be held starting this month.

Other News in Brief:
Regional Plan Update Director Harmon Zuckerman appeared on KOWL’s “Talk of Tahoe” radio show on February 2, 2010.
Made a presentation on the RPU to the North Tahoe-Truckee Leadership Program on February 3, 2010.
Met with Basin fire officials and presented the process for participation in the RPU on February 4, 2010.
Met with an extended core team on February 5, 2010 to develop a multi-faceted campaign strategy for completion of the RPU.
Continued to meet with interested stakeholders and members of the community on RPU issues.
Continued to participate on the Steering Committee for the Lake Tahoe Basin Prosperity Plan, a collaborative effort funded in part by the U.S. Economic Development Administration and led by the Western Nevada Development District and the North and South Shore Chambers of Commerce.

B. Forest Fuels Management

January was an active month for planning 2010 fuels reduction projects. The Tahoe Fire and Fuels Team (TFFT) have created the 2010 Field Season Incident Action Plan (IAP). This IAP has been presented and approved by the Multi-Agency Coordinating Group (MAC).

Mike Vollmer (TRPA Vegetation Program Manager) represents TRPA as the Chief of Planning on the TFFT and participated in working sessions on February 1, 2, and 3. These working sessions employed a team approach to development of the “lesson learned” from 2009 and gave the team some focused time to work on refining TFFT processes and procedures. The results of these working sessions will prove valuable in streamlining 2010 fuels projects.

TRPA staff also continues work with the USFS on the Spooner Fuels Reduction Project which is scheduled to begin in 2010.

C. Aquatic Invasive Species (AIS) Eradication Program

The following are highlights of work that has been performed by TRPA staff and partners since the last update in January related to aquatic invasive species.

Tahoe Resource Conservation District staff continues to conduct inspections at boat ramps this winter.

Planning for the 2010 summer season continues at a swift pace. The inspection program continues to work toward changes to improve the program’s effectiveness, including the designation of “off ramp” inspection locations. Staff has been successfully worked with private and public partners to secure several locations for these “off-ramp” inspections. Staff has met with our public and private boat launch partners to work out details for the summer season. These meetings will continue so that the program can fully benefit from the collective expertise of our partners.

Staff is working with partners to finalize the 2010 work plans for aquatic weed and Asian Clam control efforts. TRPA staff is also working closely with the U.S. Fish and Wildlife service and other partners to further develop the strategic plan and organizational framework for the overall AIS program.
o Our federal, state and private partners continue to be creative in finding additional funds for the AIS program even in these difficult economic times. They should be commended for their efforts. TRPA staff continues to provide information and coordination in support of these fundraising efforts.

D. EIP Project Permit Processing and EIP Update

The Environmental Improvement Branch staff is reviewing over 40 EIP projects. Many of these projects are being guided by technical advisory committees consisting of staff from implementing, funding and regulatory agencies. These projects and activities include:

o Several major stream channel restoration projects in different stages, from pre-project review to construction nearly finished. The Upper Truckee River (UTR) Restoration and Golf Course Reconfiguration project is currently under EIS environmental review and tentatively scheduled to be heard at the May Governing Board meeting. Several other UTR restoration projects are under review between Lake Tahoe and the Golf Course reach. Projects on other streams include Rosewood Creek, Blackwood Creek and Ward Creek.

o Caltrans is moving forward on improving highways in the Tahoe Basin. The most notable of these projects is in the U.S. Highway 50 section Trout Creek to Ski Run Boulevard, which is a cooperative effort with the City of South Lake Tahoe. The project includes stormwater treatment, sidewalks, street lights, and bicycle improvements. Caltrans is also close to approval of the replacement of historic rock walls along Highway 50 between Meyers and Echo Summit.

o The Nevada Department of Transportation (NDOT) is continuing its water quality improvement project on Highway 207 (Kingsbury Grade). This summer, NDOT plan to begin construction of several eroding cut slopes on Highway 50 along the grade to Spooner Summit.

o The California Tahoe Conservancy (CTC) South Tahoe Greenway project from Meyers to Van Sickle State Park is under EIS review. The administrative draft EIS is due the first week of March for a 60 day review period.

o Placer County has tentatively scheduled construction on the Brockway Erosion Control Project this summer.

o Washoe County is working on the Fairview/Fairway Erosion Control Project in Incline Village.

o Incline Village General Improvement District (IVGID) is on schedule to replace culverts enhancing fish passage and water quality at Incline and Third Creeks under Incline Way and Lakeshore Drive. IVGID will receive a Best in the Basin Award for last year’s Third Creek Restoration Project at the February Governing Board meeting.

o El Dorado County continues to plan and build environmental improvement projects including the Christmas Valley Erosion Control Project and a new bridge over Angora Creek at Lake Tahoe Boulevard.
The City of South Lake Tahoe is continuing work on the Sierra Tract Erosion Control Project and the Al Tahoe Erosion Control Project.

The Erosion Control Team’s Draft BMP Handbook is currently under peer and internal review and is scheduled to be released in August.

E. Shorezone Program Implementation

Program Implementation:

Staff is preparing the annual Shorezone Report which is due to be presented to the Governing Board in March. The Report will provide information on the status of the Shorezone Program in 2009 and will provide a prospectus of the upcoming 2010 boating season. The Shorezone Program includes permitting, enforcement, Blue Boating/AIS, and implementation programs along with associated monitoring, all in the context of adaptive management. In addition to the report, TRPA staff will present the Blue Boating Program Phase II and recommended 2010 boating inspection fees for March Governing Board action.

Permitting Status:

Piers: There has been no change in the status of pier applications. Consistent with the September 14, 2009 preliminary injunction hearing, the five selected pier applications for 2009 are still under review and will be processed after the buoy permit process slows down. They will be processed, but will not be allowed to construct until the court case is resolved. TRPA staff sent out notices twice to the applicants about this litigation that may affect their applications and offered them the option to withdraw and receive a refund. The 2010 submittal of pier allocation applications for the second round of pier permits was postponed until January 15, 2011 by the Governing Board at its December meeting.

Moorings: Applications for moorings have significantly slowed down since October. At this time, TRPA has applications for 4,180 buoys, fewer than the present 4,454 buoy cap. Some of these applications may be denied and other applications will be submitted by next summer. Staff estimates that the buoy enforcement program will target approximately 500 buoys for possible removal or other resolution. As of this date, TRPA has received 1,095 applications for buoys and 337 registrations for other moorings. The table below gives the break down by mooring type and processing status. It appears most applicants met the October 15, 2009 deadline and TRPA has processed the majority of the applications. There is still a significant work load remaining in the 1-3 buoy applications due to 150+ non-littoral applications being investigated. In the 4+ buoy field category, there are 64 pending applications. These applications require a higher level of review than the more common 1-3 buoy classification.

Table 1. Mooring Application Counts

<table>
<thead>
<tr>
<th>Applications</th>
<th>Total</th>
<th>Approved</th>
<th>Pending Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boat House</td>
<td>56</td>
<td>51</td>
<td>5</td>
</tr>
<tr>
<td>Boat Lift</td>
<td>281</td>
<td>211</td>
<td>70</td>
</tr>
<tr>
<td>Buoys 1-3</td>
<td>1,002</td>
<td>712</td>
<td>290</td>
</tr>
<tr>
<td>Buoys 4+</td>
<td>93</td>
<td>29</td>
<td>64</td>
</tr>
<tr>
<td>Total</td>
<td>1,432</td>
<td>1,003</td>
<td>429</td>
</tr>
</tbody>
</table>
Staff is researching the issue of non-littoral strip parcels and action is therefore pending on approximately 150 of these buoy applications. Staff has met with California State Lands, Nevada State Lands, Placer County and Douglas County to discuss fact-finding and potential resolutions for these parcels. Placer County and California State Lands have requested additional time to respond. Notices went out to the 150+ applicants asking them to provide additional information. We have targeted action on some of the non-littoral applications by the end of February.

**Shorezone Monitoring:**

TRPA with USGS, Lahontan and a consultant have completed data entry and analysis and have prepared preliminary draft reports for boating use, air quality, water quality and noise for consideration as part of the annual shorezone report. These reports will be included in the presentation to the Governing Board in March.
F. Community Enhancement Program

<table>
<thead>
<tr>
<th>Projects Submitted</th>
<th>Date Submitted</th>
<th>Type of Project</th>
<th>Status/Deadline</th>
<th>Lead Planner</th>
<th>Lead Consultant</th>
<th>Environmental Net Gains</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boulder Bay, LLC</td>
<td>March 18, 2008</td>
<td>Mixed Use Tourist Accommodation/Residential/Commercial</td>
<td>Project applications have been deemed Incomplete. The project will remain incomplete until the EIS is certified. TRPA and the applicants are continuing to discuss the additional information requested or received for various amendments to the Code. The sub-consultant is validating findings of the revised traffic study. The consultant is working to address staff’s height concerns and continue to refine the proposal. Staff has commented on an Administrative Draft EIS, and the consultant is revising the document. The EIS traffic and transportation chapter has been revised based on comments received on the administrative draft. Staff is finalizing land coverage and commercial floor area verifications. Staff will provide the Governing Board with a briefing on the draft Environmental Document at the November meeting.</td>
<td>David Landry, Senior Planner, ERS Branch</td>
<td>Hauge Brueck</td>
<td>Area-wide storm water quality improvements (EIP project), completion of mini-park (EIP project), undergrounding of powerlines along St Rte 28. Submitted Energy Consumption Analysis for Staff review. Provided methodology for Traffic Analysis for Timeshare units. Provide more definitive analysis of Alternatives focusing on non-living space.</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
<td></td>
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<td>----------------------------------------------------------------------------------------------------</td>
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<tr>
<td>11/5/09</td>
<td>The DEIS was released for public comment to the TRPA Website and other public venues.</td>
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<tr>
<td></td>
<td>11/5/09, hard copies of the draft EIS were sent to CA. Clearinghouse</td>
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<tr>
<td>11/6/09</td>
<td>11/6/09, CDs sent to Nevada Clearinghouse</td>
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<tr>
<td>12/4/09</td>
<td>12/4/09 DEIS went to GB for public comment and briefing</td>
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<tr>
<td>11/18/09</td>
<td>11/18/09 comment period was extended by Executive Director up to 90 days (Feb 4, 2010). Open House was held at Biltmore on Dec 2 to answer public questions. APC Hearing for public comment and briefing 12-9-09; public hearing Dec 16, 2009. TRPA Staff continuing to receive public comment for FEIS</td>
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<tr>
<td>1/11/09</td>
<td>1/11/09 Staff continues to receive public comment and comments from public agencies to be addressed in the FEIS which closes on Feb 4, 2010. Staff also is working on reconciling numbers for coverage transfers for Sierra Park parcel.</td>
<td></td>
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<tr>
<td>2/1/10</td>
<td>2/1/10 with the assistance of the Consultant and sub traffic consultant, an alternative approach for measuring Baseline Existing Trip Generation Analysis was developed and approach by TRPA Traffic and Project Manager. TRPA will present the alternative</td>
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<tr>
<td><strong>Homewood Mountain Resorts</strong></td>
<td><strong>April 16, 2008</strong></td>
<td><strong>Mixed Use Tourist Accommodation, Residential and Commercial, and Ski Area Master Plan (Previously submitted).</strong> Project requires Code amendments for Height and, perhaps Density. Project also requires Plan Area Statement amendments in relation to permissible uses and boundaries. Some will correct inconsistencies between Placer Counties West Shore Plan and TRPA Plan Area Statements.</td>
<td><strong>Project incomplete items relate to Environmental Document certification. Joint EIS/EIR with Placer County.</strong> <strong>TRPA Ski Area Master Plan EIS required which will be inclusive of the CEP project.</strong> A Land Capability Challenge was approved by the TRPPA Hearings Officer on August 6, 2009. TRPA and the applicants continue to discuss the additional information requested and received for the Code (Height and Density) and PAS amendments. TRPA is finalizing the alternatives that are in the EIS, and added a new alternative (No. 5), which is a combination of other alternatives. Major outstanding issues continuing to be discussed include the Master Plan, and cumulative watershed effects process. Draft Master Plan submitted, TRPA comments provided Draft Master Plan</td>
<td><strong>David Landry, Senior Planner, ERS Branch</strong></td>
<td><strong>Hauge Brueck</strong></td>
<td><strong>Four Party Contract and Scope of Work executed for joint EIS/EIR. TRPA, Placer County, Homewood Mountain Resort, and Hauge Brueck.</strong></td>
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</tbody>
</table>
being revised.

Staff is continuing to discuss cumulative watershed effects (CWE) approach with applicant and consultant.

TRPA Consultant has asked applicant to revise the master plan based on finalization of project alternatives.

Staff and applicant have discussed chapter and language changes in Code for height amendment.

Consultant prepared evaluation criteria for document, staff circulated in house for comment. Consultant compiling info and/or studies for Tree, Traffic counts. Reviewing draft language for Ht Amendment.

12/4/09 Consultant has provided 9 Chapters to TRPA of the ADEIS for internal review ahead of the whole document to give those who need a head start. Staff and Applicant have come to a final understanding as to how the CWE and TOC will be moved forward. Applicant has provided draft of height amendment. TRPA ERS & BMP folks have communicated to applicant that diversion of ground water is troublesome based on current excavation depth. Soils program manager identified that TROA will play a big part in that older half exercised water rights holders will have priority over new users (Homewood Snow making).
1/5/09 had biweekly meeting with applicant, Placer County (phone), TRPA consultant, and TRPA Staff. Staff has received Admin Draft or working copy chapters for the ADEIS and will launch internally on Tues 1/12/09. Staff has issued direction on how soils hydro investigations should be conducted (one per parcel) and will issue a memo to applicant by end of day 1/11/09.

2/1/10 HMR through their consultants submitted revised slope phase analysis information which will enable TRPA Staff and Consultant to review the revised Threshold of Concern for Homewood Cumulative Watershed Effects Analysis. Based on direction from staff HMR crafted new Ht. Amendment and PAS. Based on redirection from Senior Staff, HMR was asked to revise Ht. Amendment to be more simplified.

2/9/10 Project Manager to meet w/ legal staff on the best direction for density calculations.

| Kings Beach Community Plan amendments for Height, Density, and permissible uses. | Additional amendments to Kings Beach Commercial Community Plan are needed for permissible uses in the affected plan area/community plan.  

TRPA has selected a consultant to prepare the EIS. Placer County has accepted the consultant and a four-party contract is being prepared.  

4-party contract signed by all parties and returned to TRPA on December 1, 2009. Next step will be to prepare the NOP and take the proposal to APC for scoping. (After ongoing discussions and adjustments, we need an official project description and plans before we can proceed with the NOP and scoping).  

“Kick-off” meeting scheduled for beginning of January to resolve outstanding issues and determine when we will be ready to issue the NOP.  

Held meeting on Jan. 13, 2010. Determined that a 20 day notice is required for the NOP scoping. NOP scoping to APC will not occur before March. Applicants discussing potential project alternatives to include in scoping. |  |  |

*30 Day Review- Determines the completeness of the application and the level of environmental review required i.e.: EIS, EA, Environmental Checklist*
**TRPA issued a Request for Qualifications in November 2007. Three consultants have met the selection criteria to engage in review of CEP projects that have been determined to require an environmental document. These consultants are Hauge Brueck, EDAW, and Pacific Management Corporation (PMC). TRPA and our local jurisdiction partners are coordinating to determine appropriate consultants, based on experience, for specific CEP projects.

Other projects: Ferrari Family Resort, Pastore Ryan, KB Resorts, Former Mikasa Gateway, and South Y Center were granted one year extensions of the reservation of commodities at the February 2009 Governing Board Meeting. TRPA is continuing to work with our local jurisdiction partners to ensure that the proposals with reserved commodities are diligently working toward application submittal. Conversations continue in relation to the checklist and application submittal requirements for each project.

The one-year reservation of commodities for CEP projects is due to expire on February 25, 2009. Staff will be bringing forward a recommendation to extend the reservation of these commodities for those projects that have demonstrated adequate progress towards obtaining a permit, or that obstacles beyond their control have prevented them from proceeding.