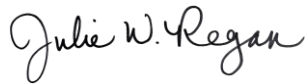


TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that on **Wednesday, April 10, 2024**, commencing at **9:30 a.m.**, **on Zoom and at the Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV** the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting. The agenda is attached hereto and made part of this notice.

To participate in any TRPA Advisory Planning Commission meeting please go to the Calendar on the www.trpa.gov homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website.

April 3, 2024



Julie W. Regan
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA and Zoom

April 10, 2024
9:30 a.m.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS

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.

Written Public Comment:

Members of the public may email written public comments to 'publiccomment@trpa.gov'. We encourage you to submit written comments (email, mail, or fax) in advance of the meeting date to give our staff adequate time to organize, post, and distribute your input to the appropriate staff and representatives. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting. Late comments may be distributed and posted after the meeting. Please include the meeting information and agenda item in the subject line. For general comments to representatives, include "General Comment" in the subject line.

Verbal Public Comment:

Public comments at the meeting should be as brief and concise as possible so that all who wish to participate may do so; testimony should not be repeated. The Chair of the Board shall have the discretion to set appropriate time allotments for individual speakers (usually 3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments of any length are welcome. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. Public comment will be taken for each appropriate action item at the time the agenda item is heard and a general public comment period will be provided at the end of the meeting for all other comments including agendaized informational items.

Accommodation:

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to participate in the meeting. Please contact Tracy Campbell at (775) 589-5257 if you would like to participate in the meeting and are in need of assistance. The

meeting agenda and staff reports will be posted at <https://www.trpa.gov/meeting-materials> no later than 7 days prior to the meeting date. For questions please contact TRPA admin staff at virtualmeetinghelp@trpa.gov or call (775) 588-4547.

- IV. DISPOSITION OF MINUTES
 - November 8, 2023 Meeting Minutes **Page 5**
 - December 6, 2023 Meeting Minutes **Page 33**
 - February 14, 2024 Meeting Minutes **Page 61**

- V. PLANNING MATTERS
 - A. Active Transportation Plan Update **Discussion and Possible Action/Recommendation** **Page 87**

- VI. PUBLIC HEARINGS
 - A. Discussion and possible recommendation on the proposed amendment to the Washoe County Tahoe Area Plan to add “Schools – Kindergarten through Secondary” as a special use within the Wood Creek Regulatory Zone, for those parcels equal to or greater than three acres in size **Discussion and Possible Action/Recommendation** **Page 91**

 - B. Discussion and possible recommendation on proposed revisions to environmental threshold carrying capacities (threshold standards) for the:
 - a. Restoration of stream environment zones, (SC11-SC13)
 - b. Tahoe yellow cress, (VP21)
 - c. Aquatic invasive species, (WQ9-WQ14)**Discussion and Possible Action/Recommendation** **Page 195**

 - C. Discussion and possible recommendation for Technical Clarifications to the Phase 2 Housing Ordinance Amendments, specifically Code of Ordinances sections 30.4.2.B.5.a and 30.4.2.B.6.a regarding mandatory participation in a stormwater collection and treatment system to receive coverage incentives, and section 52.3.1 regarding reservation of bonus units for affordable and moderate housing **Discussion and Possible Action/Recommendation** **Page 243**

- VI. REPORTS
 - A. Executive Director **Informational Only**

1) Upcoming Topics

Informational Only

B. General Counsel

Informational Only

C. APC Members

Informational Only

VII. PUBLIC COMMENT

VIII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Tahoe Regional Planning Agency
Zoom

November 8, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry called the meeting to order at 9:35 a.m.

Members present: Mr. Alling, Mr. Kuchnicki (for Ms. Carr, zoom), Ms. Chandler, Mr. Drake, Mr. Drew, Ms. Sullivan (for Ms. Ferris, zoom), Mr. Ferry, Ms. Setzer (for Ms. Jacobsen, zoom), Mr. Letton, Ms. Moroles-O'Neil, Mr. Hitchcock (for Ms. Roverud), Ms. Simon, Ms. Stahler, Mr. Stephen (zoom), Mr. Teshara, Mr. Young

Members absent: Mr. Hill, Mr. Smokey

II. APPROVAL OF AGENDA

Mr. Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

Ms. Ellie Waller said she had last been before the Commission in 2017 when the Placer County Tahoe Basin Area Plan was approved. Fast forward, she has been to several meetings at Placer County, Douglas County, and Tahoe Transportation District.

She tries to remind people about acrimony. Even at the Governing Board and other committees she has been totally dumbfounded how, in her opinion, the agencies have run amok on decorum and process. Referring to the 54-minute webinar recently posted, she believes public participation was stunted. It wasn't a comfortable meeting, and she is hoping that the public will get more respect.

Changing subject to the Barton Hospital site, Ms. Waller said the Douglas County Area Plan has not been updated to allow the hospital to come forward without that zoning change. She knows an Area Plan is in the works, but it looks like work has gone forward before it should have.

Mr. John Messina said he has lived here a long time and agrees with Ms. Waller. These meetings are like a secret society. Nobody in town knows they are happening. Nobody gets to put input into them, and you guys make decisions that are not in the best interests of the City.

Chair Ferry advised that meeting agendas are posted one week in advance on the TRPA website and that has happened for many, many years.

Ms. Ann Nicols said she hoped this webinar would not be like recent ones. She said that at the last webinar on this subject, the people speaking were edited and they weren't able to see the online questions from other people. No one could really learn from everyone else. She added that as far as noticing for these meetings, this is really significant. These are major changes to our housing amendments, and Placer County amendments are going at the same time. In fact, we just had a meeting where public comment wasn't allowed at a meeting, which she believes is a Brown Act problem. She said 18 pages of new information was submitted at the TRPA Operations and Governance Committee, and John Hester and Cindy Gustafson were saying well maybe we don't need public participation if we've heard what they have to say before, which is awkward because a lot of the same people are on all these different committees. But then there's new people, so the public feels like they have to make their point. She said you can see how complicated this is getting - everything is a little bit different, but it's all about housing.

Mr. Tim Delaney said he grew up in Incline Village and he agrees with Ms. Nicols. He feels the way these meetings are being conducted is a horrible, strong-arm tactic against old money and local people that own property all around the Tahoe Basin. He said it's just overwhelming to deal with, every single day we're being worked over and pressured into accepting all these code changes and new development in our region. The thing is, low, middle, high income, Native Americans, Reno Sparks, the extreme athletic community all around the Tahoe Basin, there's no way extreme athletic individuals are going to approve of all this. We're the type of folks that are one with nature, and building gigantic 65-foot-tall buildings, and shoving more people in our community is just wholly unacceptable.

He said he feels overwhelmed by the way the meetings are being conducted. It's a pressure tactic and he feels a lot of times he's cut out of public comment. All these slide shows are going down and all these buzzwords. We're just being steamrolled and it's highly inappropriate. He said for the folks at TRPA, he held jobs too and it's tough. You're a young man and you have a child, a mouth to feed. Sometimes in life, when you have a job you have to speak up. He said some jobs he just gave up just wouldn't do. So he said he just has to wonder about folks at TRPA. Mind, body, and spirit here it just seems that there's something wrong when you're using these type of tactics against an older community who's being overwhelmed with all these meetings and everything. It's ridiculous, he doesn't want to waste his life going to meetings defending his property interests. It's absurd and it's vile, and it needs to stop.

Mr. Doug Flaherty said he wants to know which of you today will have the leadership to speak up for the most wonderful Tahoe Basin, its clean waters, clean air, and public safety, rather than rubber stamping the TRPA's self-preservation process that has been in place since the 2012 Regional Plan. He asked the Commission to please ask questions and not continue to rubber stamp TRPA's leadership ideology of overcapacity, and degradation of the lake and public safety. He said he thinks we're past the tipping point here at the lake, and doesn't think any of you are envisioning at what point we stop this. He said you can keep saying there are growth limits, but TRPA always finds a way of round these things – what will your Phase 3 Housing Amendments be? It's a huge, wonderful lake, but has a very small capacity. He is wondering why you're not thinking for yourselves. You have a very important role, and you can make a big difference, but who within your group is going to supply the leadership to get this done? He

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thinks it's time that we start thinking about a change in leadership at the TRPA. When you add up all the cumulative impacts, and all the negatives since the 2012 Regional Plan, it's been a failure. You may not think so, but sooner or later, it's going to be demonstrated somewhere that your self-preservation process at the TRPA is not working.

Mr. Flaherty continued that we're not a bunch of nimbys out here, we're reasonable people, we love our homes, this is about our homes. This is not about destination, it's about public safety. It's about adhering to the laws and regulations of the state of California, Nevada, and the federal laws. Your Counsel can manipulate it all he or she wants, but I ask you to use your own brains.

Ms. Kathy Julian said on the issue of process, she appreciates that the agendas are posted, and that TRPA have a very good website that talks about a lot of issues. But she doesn't think people know about the agendas list or the website. She thinks TRPA needs to do a much better job of outreach to inform the citizens of the basin on what is going on, and the decisions that are being made. She added that she is especially interested in having more transparency on these advisory working groups like the Tahoe Living Housing Council. She has a list of everybody who's on it, but thinks if you were to do a survey of people in the Tahoe Basin on knowledge of TRPA and what it is and knowledge of these advisory groups that you oftentimes draw from the relatives, the developers, the not-for-profit community, few environmental groups, they would draw a blank and absolutely be clueless. And that's a problem because all of these groups are contributing to decisions that affect our lives. The lack of voice that people are feeling in the basin is palpable, and this is one of the things TRPA needs to address. One simple thing you could do when you have these webinars is to share who else in our community is attending. If we were doing this in person we could see who is attending and hear their comments. In these webinars it's this black box and it's like you're isolated. This is not community. Can we have something where we see the list of participants? This makes a community, and it helps us connect with one another on issues that matters to us. If you're not acknowledging that, I'm afraid it suggests to me you don't want us talking to each other, and that would not be good.

Ms. Alexis Oller, Executive Director of Mountain Area Preservation (MAP) said the MAP are a 36-year-old environmental advocacy organization focused on Truckee-Tahoe, and wanted to bring just two items to the APC's attention. I know today you're mostly going to hear about Phase 2 housing amendments and the concerns with the fast-paced process along with a number of other outstanding concerns. I want to talk about process, and I want to talk about regional growth because I think it's very important for the APC to consider these items. The process that has come forward with these housing amendments is absolutely egregious. I'm tying this to the Placer County TBAP (Tahoe Basin Area Plan) process, and I think it's important for the APC to understand how confusing this process has been when Placer County also put forward their economic amendments that also included housing. I think it's important for this commission to understand that it has been woven together.

Ms. Oller said your planners, your TRPA staff has admitted that it has been a confusing and inappropriate process to many of us as stakeholders, who have said this doesn't make sense. There's charts and data that are just not even updated on the TRPA website and we're being asked to follow along. So when you hear about process concerns, I hope you all are listening today, because it is not transparent, and it is not building community trust in TRPA nor Placer County for those of us on the north shore. Additionally, regional growth is something that we

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seem to not even be considering. The landscape is nowhere near the same as it was in 2012 when the Regional Plan Update was approved.

Ms. Oller said we have the town of Truckee who has put forward a twenty-year general plan with the hopes of having a 50,000-person population. You've got Reno, Sparks, Carson City, all of these communities are planning major growth, and we're not even taking that into consideration with this, and how it's impacted the Regional Plan Update. So please, today, think about what happens outside and inside the basin because Tahoe is not isolated. We are not a bubble, and we deserve better than one size fits all planning.

Ms. Pamela Tsigdinos thanked everybody for taking the time to read all the comments that were submitted. She said she wanted to set a real understanding of the importance of the discussion/decision today. Ms. Tsigdinos said she was very powerfully moved back in August at the Lake Tahoe Summit when one of the leaders of the Tahoe Basin, Herman Fillmore of the Washoe Tribe, reminded everybody who was there about the destruction and degradation of the Tahoe Basin over generations. He talked about the fact that the land was dug up, that the waters are no longer clean. To quote him directly, he said they're sick. Today our land is no longer good. We owe it to ourselves and to future generations to make sure that anything that we do in the Tahoe Basin honors the land, takes care of the environment, the wildlife habitat.

Ms. Tsigdinos said she just cannot underscore enough the powerful words that we heard, and the importance of setting that as a high bar for today's discussion.

IV. DISPOSITION OF MINUTES

Mr. Teshara moved approval of the October 11, 2023 meeting minutes, as amended.
Mr. Alling seconded the motion

Motion passed.

V. PUBLIC HEARINGS

[Agenda Item No. V.A. Phase 2 Housing Amendments](#)

Ms. Karen Fink, TRPA Principal Planner, introduced the item. She said she wanted to talk about how these amendments fit into the work of the Tahoe Living Working Group and TRPA's Tahoe Living Strategic Priority. This is phase 2 of 3 phases of work that we've been bringing forward with the Tahoe Living Working Group - that working group is an APC Committee, chaired by the APC Chair Mr. Ferry.

What you're seeing today is the work of that group coming to fruition in this phase. The purpose of the Tahoe Living Strategic Priority is to look at TRPA's role in addressing the shortage of affordable and workforce housing, and how through that effort we can also achieve the environmental and sustainability goals that are called out in the regional plan. Having sufficient affordable and workforce housing, in places that are walkable and close to transit and existing stormwater infrastructure, is very tied to meeting environmental goals.

When we first introduced this phase to the Tahoe Living Working Group in October, staff initially proposed just focusing on density. What we later heard from the Working Group, and then from the Governing Board, was that we should look at density, height, coverage, and parking together, because when builders are trying to build affordable and workforce housing projects, all of those development standards work together as a package.

The Governing Board also wanted us to take this opportunity to do some analysis to understand what are the full range of development standard changes that would be needed to allow workforce housing to be built, without a public subsidy. We have included as many of those recommendations as possible in this proposal. But in order to keep this phase moving, staff committed early on to keeping the scope to within a level that could be analyzed under an Initial Environmental Checklist (IEC). So the scope is very narrow, it's focused only on the remaining bonus units, which we have already analyzed and planned, would be distributed throughout the existing bonus unit boundary. That's the area where we have our town centers, multi-family zones, and are walkable - close to transit and services. The changes also don't go beyond what can be mitigated through our existing regional code. All the changes need to use existing findings, or existing programs, like our existing coverage and transfer program. Ms. Fink said, we do believe that these amendments are critical for reducing the cost to provide affordable and workforce housing for both the private market, and for publicly subsidized projects.

Alyssa Bettinger, TRPA Senior Planner presented the item. She said that amendments will focus on addressing the affordability crisis that we're facing here in Tahoe today. Over the past few decades, the cost per unit of housing has skyrocketed. We need more housing units at an affordable price. She noted that over the past few decades, the cost per unit of housing has significantly increased, emphasizing the need for more affordable housing units.

Smaller units inherently tend to be more affordable, and the proposed changes to development standards are aimed at achieving more affordable housing.

Ms. Bettinger emphasized that the discussion is not limited to housing alone. Environmental gain and affordable housing are interconnected, especially when affordable housing is developed as compact development near town centers. This development allows people to walk or bike to their destinations, reducing Vehicle Miles Traveled (VMT). Compact development is more likely to use less coverage on a per-unit basis and can integrate with stormwater treatment systems in and around town centers. Also, compact development along corridors provides the necessary density for effective transit systems, aligning with various regional plan goals.

The Tahoe Living Strategic Priority, initiated in 2020, started with changes to accessory dwelling units and incentives to convert old motels to residential areas. We are currently in Phase 2 of the Tahoe Living initiative, which focuses on development standards. The plan aims to kick off Phase 3 to address larger changes to growth management systems, development rights, and policies for improved equity, including a review of fees and permitting.

Ms. Bettinger clarified that development is capped by the 1987 and 2012 regional plans, and there are no proposals for changes or new growth beyond these caps. The specified number of remaining bonus units in the TRPA pool is 946. Bonus units are given to projects that are building deed restricted housing.

Regardless of the approval of these amendments, the 946 bonus units specified can be built today, so there is no change in the development capacity under the proposed amendments. The focus is on expediting the utilization of bonus units in and around town centers through the proposed changes. Ms. Bettinger said development standards, including coverage, height, and density, play a crucial role in influencing what gets built on the ground. These standards are typically set at the regional level through local area plans. TRPA defers decisions on parking and setbacks to the local authorities, and these development standards directly influence what gets built on the ground (see slide 6).

The pink area on the graphic (slide 6) represents lost square footage due to parking requirements on the ground floor. Significant space is allocated to parking and the garage, and the roof pitch requirements on the top floor result in a loss of living space. A single-family home can work within this building envelope, but when you add in more than one unit, the units become so small that it is financially unfeasible. The constraints imposed by current standards contribute to the construction of large single-family homes, often catering to the second home and vacation home rental market.

Over the past couple of years, TRPA has collaborated with a third-party consultant to assess development standards and explore changes to enhance housing affordability. The analysis revealed that modifications to all development standards, not just density, could lead to a potential reduction in rents by nearly 40%, showing the potential for cost-effective housing without extensive subsidies.

Building on this baseline analysis, TRPA conducted extensive outreach and received community input on the proposal, evolving it over the past couple of years, particularly intensifying outreach efforts in the last 6 months. Slide 8 shows a list of groups with whom TRPA engaged during the outreach process. Acknowledging the diverse opinions on the proposal, TRPA views it as a middle ground that aligns with housing goals and broader regional plan objectives.

Ms. Bettinger repeated that the proposal presented applies exclusively to deed-restricted bonus units. TRPA has 946 bonus units available for projects that commit to deed restrictions for housing. There are three deed restriction levels: affordable, and moderate (income-based), and achievable (targeted at the local workforce, no income limit but requires at least one person in the household to work at least 30 hours per week within the Tahoe Basin).

The proposal varies by location. Two specific areas are targeted: town centers and corridors. Town centers, often concentrated around existing commercial zones, lack residential support. The proposal aims to encourage higher-density housing in these areas to support shops, restaurants, and transit.

The first area is the town centers, such as those on the South Shore, where the proposal suggests allowing an additional 9 feet of height, increasing the maximum height from 56 feet to 65 feet. It is emphasized that additional findings will need to be made when proposing additional height. Ms. Bettinger noted that projects exceeding 56 feet in height are required to step back one foot for every one additional foot of height, resulting in a steeper roof pitch. The proposal also suggests allowing coverage over 70%, as opposed to the current limit of 70% in town centers. However, this would require stormwater runoff treatment through area-wide

treatments, which is currently available only in specific areas like State Line, Harrison Avenue, and Tahoe City. Coverage over 70% is subject to the availability of area-wide stormwater systems, and the hope is for more systems to be built over time, expanding opportunities for additional coverage tie-ins.

The proposal aims to remove density maximums, enabling more units to fit within buildings without forcing developers to build larger units. Density at the parcel scale is presently limited by factors such as lot size, building coverage, and height.

The final change proposed for town centers pertains to parking. Currently, local jurisdictions mandate between one to two parking spaces per unit. The proposed changes to parking standards would allow developers to go lower than the current requirements. However, developers would need to provide a parking analysis demonstrating how parking demand is being met, either through parking spaces or potentially via shared parking agreements with adjacent landowners.

Ms. Bettinger acknowledged the diverse opinions on parking and said that this was the direction received from the Regional Plan Implementation Committee.

Ms. Stahler asked for clarification on whether in a town center, a development could only take advantage of additional coverage allowances if they could contribute their stormwater flow to an existing area-wide treatment facility, and that existing facility had capacity to treat that stormwater. Ms. Bettinger said yes, but the one caveat would be for developers to work with Public Works to build a new area-wide system, but that is a lengthy process.

Ms. Setzer asked about the distinction between "constructed" and "active" regarding area-wide stormwater treatment facilities. Ms. Bettinger explained that "constructed" means the facility has been built but is not yet registered with the TMDL system, indicating it's in the final construction process.

Ms. Simon sought clarification about the term "bonus pools" and understanding the 946 bonus units that remain. Ms. Bettinger said that during the community planning phase they allocated bonus units to each jurisdiction, who each have their own "bonus pool", all of which make up the 946 total bonus units.

Ms. Bettinger continued that they are also proposing changes to in areas zoned for multi-family. Maps are shown on slide 13/14. Within these areas TRPA are proposing to allow:

- Additional flexibility/height for shallower roof pitch
- Additional land coverage up to 70%
- Exempt deed restricted units from density requirements to encourage smaller sized units
- Allow project to provide alternative parking strategies to meet parking demand, with parking analysis, .75 parking spaces per unit on average

In order to create a transition between the town center locations and the multi-family areas, the proposal includes an additional height allowance for parcels adjacent and contiguous to town centers.

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This would be an additional 11 feet of height (slides 16/17) over what is allowed right now - that additional high would be subject to the same findings, so any additional height would have to be stepped back.

Ms. Bettinger said the proposal would apply to mixed-use and ADU's. The proposal aims to encourage walkable development with ground floor commercial and residential above. It applies to mixed-use developments with 100% deed-restricted residential units above. The commercial portion cannot exceed 50% of the total square footage.

ADUs in town centers and multi-family areas are eligible for additional coverage incentives based on property location, with size limits up to 1,200 square feet. The proposed mixed-use definition involves 100% deed-restricted affordable units, with no more than 50% of the total square footage allocated to commercial space. The proposal has evolved based on input since the packet was posted, the changes include:

- Shade: a provision for shade has been included at the project level through a shade analysis
- Parking and Coverage: projects utilizing coverage incentives cannot exceed local jurisdiction parking minimums, ensuring a balance between building and parking space allocation

TRPA has historically delegated height and density standards to locals when they are developing area plans. Because of the need for affordable housing, the proposed changes supersede local area plans' height and density standards. Local jurisdictions have the option to opt-out but would need to go through an area plan amendment process. Any reduction in height, density, or changes to parking must be supplemented by strategies reducing the cost of deed-restricted housing.

Local jurisdictions can set their own standards through an area plan amendment process. The process requires an analysis, similar to the performer analysis in the proposed changes, demonstrating that alternative standards provide the same level of affordability.

Ms. Bettinger said TRPA did complete an Initial Environmental Checklist (IEC), and a round of revisions is expected in time for the Governing Board packet next month. The staff report will include a list of comments received and how the document was changed based on those comments.

APC Comments/Questions

Mr. Young expressed concern in the disconnect or misinformation in how we are able to communicate the importance of workforce and lower income housing to the environmental quality of the basin. He knows it's in every presentation, but some point we haven't been able to make that connection. The fact that we have a maximum amount of development is well known, but doesn't seem to be communicated well enough. He understands the value of bringing in workforce housing, and how that in turn, helps us accomplish some of our other missions.

Mr. Young questioned the 50-50 split for mixed-use developments, suggesting a higher allocation (e.g., 55-60%) for residential use might be more incentivizing for property owners.

Mr. Young sought clarification on whether local jurisdictions with area plans would be required to amend those plans to reflect the proposed changes, or if the superseding concept would be perpetual. Mr. Marshall responded that the concept of area plans was to allow local jurisdictions to deviate from TRPA's basic standards, assuming they can make appropriate findings. Area plans provide a mechanism for folding local planning into the regional plan, allowing deviations from regional standards based on local needs and conditions.

TRPA is now enacting new standards (e.g., height requirements) to promote both environmental and housing objectives. The proposed changes are seen as the minimum necessary to achieve environmental and housing goals, preventing local jurisdictions from imposing lower height requirements. TRPA's new standards will supersede local rules in areas where there is a deviation. Local jurisdictions are preempted from imposing lower height requirements until they adopt area plan amendments justifying the deviation.

For example, if a local jurisdiction hasn't updated its area plan to reflect TRPA's new standards, TRPA's rules would supersede local rules. TRPA would control the process until the local jurisdiction adopts an area plan amendment reflecting the changes.

Mr. Ferry asked for clarification on a hypothetical scenario where a project is proposed under TRPA rules before the local area plan is amended - would the TRPA rules control the project until the area plan is updated? Mr. Marshall said the TRPA rules would be effective 60 days after Governing Board adoption. At that point, those sections inconsistent with any area plan provisions will have control, until the local jurisdiction adopts, and TRPA approves, an area plan amendment that meets the same housing requirements.

Mr. Young advised that when Washoe County adopted its area plan, they included the entire portion of Washoe County in the Tahoe basin. One of the reasons we wanted to do that was to get as far away from two sets of codes and two sets of rules as possible, because we had lived for many years trying to explain to customers whose rules applied when. One of the things we have benefited from since the adoption of the area plan is much better customer relations and customer engagement because there aren't so many different places that you have to look. So I understand this opt out process and I'm not against it, but I am going to ask for help in customer engagement, and in explaining that this does supersede our rules. We have made significant progress lately and this is a bit of a step backwards in terms of process.

Mr. Marshall replied that if local jurisdictions wanted to deviate from the standards he would strongly encourage them to adopt an area plan that would do so. He added that the TRPA Local Government Coordinator has been working with local jurisdictions on education around ADU permitting, and that could be an example of how they could work together to educate customers on these new amendments.

Ms. Simon asked for clarification on coverage vs parking. Ms. Bettinger replied that the coverage proposal allows projects to use the minimum amount of parking required by the local jurisdictions. For example, if someone is building 4 units, and the local jurisdiction currently requires one parking space per housing unit, the developer would need to build 4 parking spaces, but they couldn't build more than 4, and receive the additional coverage. If they provide more parking than the parking minimums of the local jurisdiction, they will no longer qualify for the additional coverage incentive.

Ms. Chandler commended the Tahoe Living Working Group's work but expressed concerns about misinformation in the community. She emphasized the need for more transparency and community awareness, highlighting the importance of proper communication about development locations, transit centers, traffic reduction, and the population decrease in the basin. She suggested responding to misinformation, clarifying points, and ensuring the community understands the plan's benefits, including reduced traffic congestion and housing near transit centers.

Ms. Moroles O'Neil inquired about deed restrictions, the number of units, and whether lenders have assessed the plan's viability, especially given the current market conditions. Ms. Fink explained the split (50:50) of bonus units into pools for deed-restricted affordable units and moderate/achievable units. TRPA also recently brought changes to the achievable definition, and worked with a lender on those changes to ensure lenders could finance properties with the deed restrictions. She reiterated that the plan's intention is to benefit affordable, moderate, and achievable housing. Affordable and moderate will still probably need help from local jurisdictions, but the plan will also make that easier by lowering overall construction costs.

Mr. Kuchnicki asked for clarification on the requirements for connecting to area-wide treatment systems. Ms. Bettinger replied that it depends on the location. Within town centers, we are requiring that the projects tie into area wide stormwater treatments. Outside of town centers, within multi-family areas, there are less opportunity for area wide systems, so we have included the option to do onsite BMPs. That includes a requirement that the local jurisdiction monitor to ensure those BMPs are being maintained over time.

Mr. Kuchnicki asked if project owners will be required to pay into a maintenance fund for the respective jurisdictions. Do these local jurisdictions have the mechanisms in place to accept this funding. Ms. Bettinger responded that area wide projects typically do pay an annual maintenance fee, depending on the location is. For onsite BMPs they will be setting up a process with the Public Works Department, and she assumes there will be a fee associated with the annual monitoring of the BMPs. Mr. Marshall added that it would be between the developer and the local jurisdiction or the operator of the area wide. They have to demonstrate that they are a participant of that area wide. Mr. Kuchnicki said he thinks that is a great concept. Mr. Hester added that they want the local entity, city, county, or district utility to take responsibility for that, and for the local government taking responsibility to include that in their clarity credits to meet their TMDL requirements.

Mr. Kuchnicki pointed out the need for snow removal on pedestrian paths during the winter in Tahoe to ensure walkability. He inquired about outreach to jurisdictions regarding keeping paths clear during snowy periods. Mr. Hester said they were having ongoing discussions with local jurisdictions regarding snow removal and funding for specific pedestrian corridors. He acknowledged efforts to clear bike paths and multi-use paths, emphasizing the importance of keeping paths open.

Mr. Hitchcock raised concerns about the responsibility of local jurisdictions for on-site BMPs (Best Management Practices). He suggested considering a deed restriction requiring the developer to complete a BMP maintenance log, providing a mechanism for enforcement.

Mr. Hitchcock asked for clarification on the additional 11 feet in height outside centers. He sought details on how the one-to-one stair-step requirement would work, especially regarding the starting point of the slope for the step-back. Ms. Bettinger said the way it is written now is that any height above 11 feet would have to be stepped back. Mr. Marshall proposed further collaboration to refine the language. Ms. Bettinger suggested sitting down with Mr. Hitchcock to discuss and fine-tune the wording.

Mr. Alling expressed concern about the feasibility of having BMPs maintained by a public entity in multi-family areas with increased coverage. He also raised the issue of potential water quality impacts due to decreased parking in these areas, leading to on-street parking and questioned if the plan addressed BMPs along streets where cars may park. Ms. Fink said that the developer would need to conduct a parking analysis to justify reduced parking. The parking plan must be legal and could include strategies such as car-sharing or aggressive transit plans. She clarified that on-street parking would need to be legal and not on dirt, with the plan addressing it as part of the project approval.

Mr. Alling said he was concerned about potential disconnection between the plan and people's willingness to park where they want. He acknowledged the need for decreased vehicles but worried about pushing parking into areas without full BMPs, potentially causing impacts.

Mr. Alling raised concerns about Phase 1, specifically addressing the process and analysis for accessory dwelling units and motel residential conversion (slide 4). He sought clarification on how the overall environmental process was considered, ensuring that the analysis was not piecemeal but considered the holistic impact of the entire process. Ms. Fink responded that for Phase 1 (allowing Accessory Dwelling Units) and Phase 2, they conducted an Initial Environmental Checklist (IEC). For Phase 3, they have funding to conduct an EIS, and anticipate that may be needed. The Phase 3 kick off meeting with the Tahoe Living Working Group is currently scheduled for January 31, 2024. A grant has been received from the State of California to partially fund the process, and they are currently soliciting for a consultant to assist with the process. Mr. Alling expressed the importance of the revised Initial Environmental Checklist (IEC) coming back to the Advisory Planning Commission (APC) before going to the Governing Board, considering the role of the APC as a technical advisory committee.

Mr. Drew mentioned concerns expressed by the community regarding transparency and the pace of the project. He asked staff if they could speak to those concerns so he could better understand the process.

Ms. Fink replied that the process started in October 2021 with the Tahoe Living Working Group. Those meetings are publicly noticed and open to the public. They then went to the Governing Board in July 2022, to workshop and vet the work, and then back to the Tahoe Living Working Group in April 2023 with a more fleshed out proposal. After that began intensive outreach program throughout the summer, including farmers' markets and meetings with various community groups, website, webinars, surveys, articles, and ads in the Tribune. She said we do feel we have done quite a bit of outreach and gotten feedback, but we understand that people are seeing this could affect their community, and are willing to consider additional outreach.

Mr. Drew asked if staff could walk through the process to the end. Ms. Bettinger said that they would be going before the Regional Planning Implementation Committee (RPIC) the following

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week, and then on to the TRPA Governing Board meeting on December 13, 2023, giving at least two more opportunities for public comment on this item.

Building on Mr. Alling's comments, Mr. Drew acknowledged that many of the public comments received so far expressed concern about the adequacy of the environmental review, particularly regarding potential cumulative impacts. He asked for more details on the depth of the environmental review to date and future steps.

Mr. Marshall reminded the group of the scope of the project, amendments that apply to relatively restricted, both in number and location. So that is the project that was analyzed in the Initial Environmental Checklist (IEC). Mr. Marshall offered clarification that the revisions to the IEC are mainly language clarifications and not substantial additions to the analysis. Ms. Fink added that feedback received led to clarifications in how the proposal aligns with strategies related to wildfire and evacuation.

Mr. Drew also referenced concerns and questions from the community about potential undesirable density overwhelming town centers. He is struggling with community members feeling like town centers will be overwhelmed, when the number of units is capped. These units can, and likely will happen, at one time or another, so really what is changing is the potential increase in density within town centers.

Ms. Fink acknowledged concerns and emphasizes that the proposed changes don't increase the overall number of units but allow more flexibility by parcel. Basically, although this encourages already allowed density to be further concentrated in town centers, the only place it's moving from is within the bonus unit boundary. This amendment would just allow individual parcels to have higher parcel density than before.

Mr. Drew said the concept makes sense to him and he guesses it will make sense to a lot of people, but what's hard is when you own the property next door to a parcel that will have increased density. He expressed the need for the community to decide the importance of the issue because it has to go somewhere. The whole point of town centers was to create a situation where some of these issues could be dealt with in the town centers. He recognized the importance of addressing concerns related to parking, water quality, and other impacts during the implementation phase, and the importance of sensitivity in addressing the challenges associated with increased density within town centers.

Mr. Drew said concerns were also raised regarding the potential for luxury developments taking advantage of the proposed changes. He's looking for where and how that can happen and asked for clarification. Ms. Fink said that one of the things that has come up is that people fear the term "achievable" is a euphemism for luxury development. Ms. Fink said that achievable deed restrictions limit the resale or rental of units to a certain income group, reducing the likelihood of luxury development. Anyone who can afford to buy at market rate will do so.

Mr. Drew acknowledged the complex, emotional nature of the issue, and mentioned comments from both community members and developers, who felt these changes didn't go far enough, highlighting the need for a balanced solution. He believes there are limitations on what can be addressed at the policy level and stressed the importance of local jurisdiction partners

addressing certain concerns during permitting. But the status quo is not acceptable, we need to move forward with something.

Mr. Ferry also raised a question on the luxury development topic. He mentioned a recent approval for the 947 Tahoe project, that took advantage of the two-step subdivision process, leading to luxury condominium projects. He believes we learned from that, and it has led to some further changes. He asked about the possibility of a similar scenario occurring with the proposed changes. Ms. Fink said no, the proposed changes include requirements for affordable deed restrictions on units resulting from a two-step subdivision, if the current residents are low/moderate income. A monitoring and reporting program is also in place to ensure compliance with those deed restrictions.

Mr. Drake agreed with Mr. Drew's point that we are still taking about the same number of units, but the configuration has changed. We have a very serious problem, and we need action, and the reality is that changing height and density changes a community's character – we need to decide what is most important - expediently solving the problem, or preserving long-term community character. Regarding the proposed change to height, Mr. Drake asked if there has been any analysis of how many properties that would potentially unlock. Ms. Fink said we don't know which parcels will take advantage, but we have about 180 vacant developable parcels in our town centers, and about 4 times that in multi-family areas. Again, there's only 946 bonus units left, and around half of those are already reserved for projects like Dollar Creek and Lake Tahoe Community College dorms. So we're really only talking about 446 units that will be distributed among these areas and those parcels.

Mr. Drake said the height issue is a hot button issue and it's not going away. He is personally less concerned about it, but through conversations with his community he has come to understand where people are coming from, and feels it's a very site-specific question to answer. He is pretty uncomfortable with proceeding with a basin wide solution and believes there are opportunities to do a zoning text amendment to allow for increased height on a particular parcel. Is that accurate that there is a process today to make a project work on a couple of key parcels where it makes sense. Mr. Marshall said the short answer is no. That would be a type of variance, and what they want to create is areas in which those individual projects can occur. That is why you see a general zoning approach to density, height, and coverage. The parcels would still have to meet all the project level findings, including height shading provisions.

Mr. Drake observed the challenges faced by larger projects in terms of capital, public resources, discounted land, and lengthy CEQA processes. He sees smaller neighborhood-scale projects with fewer units and quicker turnaround times as potential opportunities. What can we do to reduce barriers for smaller projects, where it is more about density and less about height. This may meet less resistance and have a faster turnaround time. Ms. Fink said they had heard comments that they shouldn't allow additional height, density, or changes to parking, but instead communities should focus on generating subsidies to offset the cost. That is the reasoning behind allowing local jurisdictions to opt out with alternative strategies, including the potential for local funding sources to subsidize projects. Another way to get at some of these projects will be addressed in Phase 3, which aims to assess TRPA's regulations, growth management system, and coverage transfers for equitable application based on project size. The expectation is that Phase 3 will make it easier for smaller projects.

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Mr. Hitchcock expressed concerns about a one-size-fits-all approach, especially outside town centers. He suggested they consider an opt-in approach for local jurisdictions, allowing time for community discussions, particularly regarding the additional 11 feet in height.

Ms. Setzer highlighted the unique housing situation in North Lake Tahoe and Placer County, where they have a majority (80%) of second homes. Given that, some changes are necessary for them to have workforce housing projects. They aren't seeing these projects on the private side, and don't have enough funding for subsidizing beyond tax credit-affordable projects. She added that she had recently participated in the Moving Mountain Summit, focused on workforce housing in western mountain towns. She can safely say we are behind compared to other mountain towns and there is an urgency to catch up. No one solution will be the answer, and we can find flaws in every approach. We're hearing that from the public, but we don't have a choice if we want our workers to live here. The upcoming Phase 3 will be very important in this toolkit of solutions. She clarified that the Placer County Tahoe Basin Area plan Amendments that we are bringing forward to TRPA in the next couple months are a completely separate process. I know there has been a lot of confusion from members of the public and I think it's because we are all playing catch up right now.

Mr. Young reminded the group of APC members' involvement in the Tahoe Living Working Group, and encouraged others to check the group's members and attend their meetings in the new year. He said the group is thoughtful, focused, and dedicated to solving issues. He emphasized the diverse backgrounds of group members, contributing valuable viewpoints and asking challenging questions. The meetings are public and extremely transparent. He also gave recognition to the extensive research conducted by staff in response to questions raised by the working group.

Mr. Young reflected on the adoption of the town center concept in the regional plan update, and said they had anticipated challenges and compromises. He emphasized the importance of not giving up on the concept despite the initial challenges. We really have just begun the work on implementing the town center concept.

Mr. Ferry, in response to some comments that members are pro-developers and/or don't care about the lake, gave clarification. He said they all care deeply for the lake and the community's environmental protection. Many live at the lake, and work every day to better the lake and ensure the protection of the basin. They are only pro-developer in the context of supporting affordable housing projects, and gave recognition of the need for developers to make a reasonable profit to incentivize affordable housing construction. He acknowledged the critical need for affordable housing units and the urgency to address the issue. He further clarified that these types of housing projects will involve a discretionary process involving public hearings and environmental analysis. So there will be additional analysis conducted at the project scale, with public comment and approval.

Public Comment

Mr. Stephen Prescott, co-owner of the Kings Beach Mountain Town Center, asked if the watershed improvement program would count as a stormwater treatment system for the additional coverage.

Ms. Bettinger responded that she would defer to Placer County to answer, but if it is certified area wide, recognized by the local jurisdiction, it would count.

Ms. Ellie Waller said she thinks is bad timing - since we're in a financial paradigm shift in the world. She said localized impacts are really what we're talking about. She doesn't believe that any of us want to live next door to something that we didn't buy into originally. Yes, we need more affordable housing. The terminology is confusing to everybody. It's not about luxury. Sometimes there are reasons people don't want to rent or they have an unrealistic expectation of what their first homes are going to be. All of this comes into play. She noticed that Glenbrook was not shown as a multi-family area, but said it's very unlikely some developers would want to come in there.

She said Placer County got ahead of the game and are trying to keep the height down, and would like to believe they won't come back with another amendment for increased height.

Ms. Waller said we are not addressing the lower-income issues, a lot of our workers won't be able to afford this. We call our community nurses, teachers, doctors, we don't call them bartenders, or restaurant workers. Phase 3, the equity, I just don't even know where to start after hearing all your comments today, some very thoughtful. With the Initial Environmental Checklist (IEC) coming out December 13th, why did the meeting not get postponed until then?

Ms. Peggy Borland said she has been a resident of South Lake Tahoe since 1972. She thinks some of TRPA's policy of our past is worth reviewing. For decades, going back to the 1970's, the TRPA allowed only one residential unit to be built on a parcel. No, duplexes, triplexes, or apartments were allowed to be built. Any multi-unit construction would have, according to the TRPA, been growth-inducing. New homes were being built no matter how large were only allowed to have two bathrooms, again because the TRPA considered that to be growth inducing. Also in the 1970's the TRPA's warnings to be severely limiting any building going forward in the basin backfired and set off a building frenzy. El Dorado County, where I worked as a property appraiser at that time, was issuing 1,200 single family building permits a year in Tahoe. That happened two years in a row, a classic example of unintended consequences. Later during the redevelopment era in the 1990s, mobile home parks and apartment buildings were being torn down to make room for the tourism industry, and none of those workforce type housing were allowed to be replaced.

Ms. Borland said these TRPA policies may have seemed like a good idea at the time, but they have created more problems than they ultimately solved. Fast forward, and today, using questionable Prosperity Center data, we're told that thousands of residential units are needed for workforce housing. In response the TRPA is proposing sweeping policy changes under a deceptive banner of housing and community by revitalization, that would promote the urbanization of parts of the Tahoe Basin. The new plan defies environmental protection. For decades building sprawl was forced on the basin by the TRPA's policy of one lot and only one unit to be put on it, with no option to build multi-units for workforce housing. Now the TRPA is proposing to fix the problems they created, by allowing five-story buildings, higher density, and almost no parking requirements - all this with no environmental impact study.

Before new regulations are approved to allow more and more development, we need to first revisit the short-term rental issue. There are more than 5,000 permitted short-term rentals left

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in the basin, and estimates of hundreds and hundreds more operating illegally. Contrary to what you might think, the vast majority of short-term rentals are what you would call workforce housing, 2- and 3-bedroom modest homes - not the multi mansions you hear about. This is existing housing that has been allowed to be converted to commercial use lodging. And because we have a housing crisis and not a tourist accommodation crisis, this is where the TRPA needs to turn their focus. Five years ago, in the City of South Lake Tahoe, the citizens took it upon themselves to find a remedy to what they identified as lack of housing. It took the form of a citizen's initiative that ended up being called Measure T. That passed and today there is additional housing in that jurisdiction. And right this minute, residents of Douglas County are gathering signatures to do the same thing in their jurisdiction. It's time for the TRPA to start doing what the residents have taken the initiative to start the process of.

Ms. Linda Witters said she attended the Meyers meeting on October 4, 2024, and some of what was said there has been left out today. Part of it is that the goals under this proposal include equity and climate change, which isn't even proper English. She said nobody talked today about the HIT grant. You took 2.5 million dollars to cause these new proposals to happen. And to not mention it, even when on your own website, Julie Reagan is quoted as saying, and I paraphrase, that TRPA has completely screwed up and incentivized luxury development over the years. No kidding, we know that. And then you're going to come out to Meyers, which isn't a walking town. Last year, the snow removal on the bike path couldn't be done. We got 60 feet of snow on South Upper Truckee Road

When something like this came before the Douglas County commissioners last month, they said there's no such thing as no parking. There's not even such a thing as limited parking. You know what there is? There's parking in other people's neighborhoods. And that was vocalized by one of the Meyers advisory committee member who was there at the meeting on October 4th, and he said when they did this in Oregon, the effects were not contained in the area which was addressed. The effects went to the neighboring neighborhoods. And when you talk about, well maybe they'll park on the road and if we have curb and gutter that'd be okay. What about snow removal conditions? This presentation has not been transparent, and you didn't have your ducks in a row before you started this meeting, or the process. And then you think that because you've been out at farmers markets that people know? Are you not listening to people saying they have jobs and families? After the October 4th meeting, I tried to get on TRPA's website and look at the maps. I could not pull up the map of the town centers. Why? And you're saying we're all perfectly informed and this is transparent, I disagree.

Ms. Witters said that anybody on the Advisory Planning Commission, which does not have an ombudsman, the person who represents the public. That position needs to be filled for this committee right here. And if you are a person who needs this housing in order to live in Tahoe, then you need to recuse yourself, whether you're on the Governing Board or you're on this advisory committee, because that is a conflict of interest. That's just the least of what I could say.

Mr. John Messina said he liked what Linda had to say. There's an elephant in the room. I moved into a quiet little neighborhood, which you've now designated as a town center. There is now over 1,000 affordable housing and workforce housing units within a mile of my house. You know how many units are within a mile of the TRPA building here? Zero workforce or affordable housing. This is all what we call nimbyism. Let's build it over there. What are you doing in

realistic stuff? You're dumping everybody in our neighborhoods getting us higher densities, lower value properties. This is not the way to improve things. If you have more people that can live in a city, take some of this land over here and create a new city. Don't squeeze it until the quality of life here sucks. Because your job is supposed to be to preserve the quality of life in the Tahoe Basin. Just adding more people to it dilutes the quality of life. There's so many things that came up in this 3-hour meeting, I can't address in 3 minutes, but you're talking about setbacks. One of the worst things in this whole area is a 20-foot setback from the street is not sufficient. Cars are 20 feet long, then you add a 10-foot snowbank for snow removal, it's not enough space. They just built a whole roll of duplexes with one parking space per unit, and in the winter, they're shoveling their snow out in the street because they have no place to dump it. Your job is supposed to be making sure people have places to dispose of their snow. You're talking about the quality of life for people who don't live here, you should be worrying about the quality of life for those of us who have lived here for 20 or 30 years.

Mr. Patrick Taylor, with Alpine Corporation, said they specialize in developing achievable housing in the Lake Tahoe basin. He said he would address some of the questions and comments heard in this meeting. Most of the changes he's heard for the new code are definitely needed, and some could go a little further. Particularly, what we need around the basin wide is a stormwater drain system. If there was a stormwater drain system, then we wouldn't have this problem. Now how do we implement that? That's the real challenge because that costs money.

The next thing, the parking issue is easily done because when you build these buildings, they all should have parking underneath. That's where the height thing comes in. I sat down with my architect looking at these new code amendments on designing a new project. One of the questions that I heard today was, how many more units can you get with these code changes? With these new code changes, we were able to double the number of units, from 70 units to 150.

Mr. Taylor said what he hears from the public comments has no solutions. I haven't heard anybody talk about how we are going to solve the workforce housing issue. We all know it's a huge issue, and it doesn't help the environment.

The next thing we're talking about is the lenders. I deal with lenders all the time because I have to finance these projects, and they cost an enormous amount of money. Basically our returns are so small, lenders ask me all the time, "why are you even doing this?". I have no investors in our projects because I couldn't attract an investor, we make less than 3% of our return. So if I wasn't fortunate enough to have my own cash and capital put into these projects it wouldn't get done. We really have to recognize all these facts and how difficult it is to build these achievable housing projects. The only other way you can do these affordable housing projects is to get money to come in like they did for Sugar Pine Village, which that's very hard to get because the basin is not really qualified to get most of that money. So you have to really look at all of this. These changes are desperately needed, and all of these changes help address this.

Ms. Stacey Ballard, a 30-year resident in South Lake Tahoe, said she falls under extremely low income because I am on security disability. I was not disabled when I moved to South Lake Tahoe and just like most people, we will all get sick as we grow old. Many of us who are low income need our cars because we cannot rely on public transportation to get us to the places we need. My biggest issue is that I am now walking down streets I've walked down for the last

30 years and I'm seeing 10,000 square foot homes going in with 4 and 5 car garages, and yet you all want to shove us into a smaller places and take away our cars. I know this has to be done, but I think there has to be a middle ground found as far as coverage and heights that you are demanding the whole basin follow your rulings on. It's not coverage just because we need more parking, it's coverage because we want bears walking through our neighborhoods. A lot of the drawings that you guys' show are so deceptive because there's large trees around these huge buildings going in but that's not realistic. Also, I think the height is going to be a huge problem you are going to deal with. Again, I'm low income and I don't want 5 story buildings in here. I think we have to find some middle ground so I'm asking that you don't decide anything today. I think the public is confused because you haven't educated the community enough. This needs to be done. I think there needs to be more transparency. I'm wondering what input you've gotten from our different city councils and our elected members, that really care individually about each of our cities. Also be sure to build accessibility into all this please.

Mr. Bill Chan, Tahoe Prosperity Center, said I'm commenting to thank TRPA for its efforts to increase workforce housing the basin, and to support the proposed housing amendment package. There are no perfect solutions to this incredibly complex housing challenge in Tahoe. However, these proposed changes will help increase the supply of the types of housing we need here, while preserving the environmental and community characteristics of the basin that we all cherish.

Mr. Bob Poet said he agreed with Mr. Young on the mixed-use zoning ratio. The 60% might even have to be boosted to something like 70%. On your slide you show a picture of Alpine Coffee and that's on Highway 89. I'm familiar with the property and the upstairs portion is by no means 50% of the total square footage unless you were to say that that upstairs would have access to the downstairs kitchen area. He likes the idea of having mixed use because you can alleviate the problem one at a time, dispersed over a wide area. That wouldn't add to the density, which is one of his main concerns. If we have an emergency evacuation it could be a problem, especially if people don't have cars. He advocated the need for taking baby steps in addressing housing challenges rather than trying to solve the complex housing problem in one swift move. Mr. Poet added that he presumes the presented amendments comply with federal housing laws.

Ms. Ann Nichols, North Tahoe Preservation alliance, said it was an exaggeration to say these amendments were middle ground. She referred to a table she had distributed to the APC and staff, detailing the amendments' impact on the transition area. Ms. Nichols expressed disappointment in the complexity of the TRPA code, and highlighted the need for additional findings and a schedule for compliance measures. Ms. Nichols raised concerns about enforcement and income policing, and about increased density leading to potential traffic issues. Referring to the Boulder Bay project she questioned the claim of reduced traffic despite significant growth in square footage, and said that the studies always work for the project. She said these amendments are not ready and called for more time spent on environmental review and impact analysis.

Ms. Kristina Hill, long term resident and ex-TRPA staff, said that a TRPA application for garage addition must make findings to show it won't exceed the thresholds. She is really disappointed in the TRPA not being able to make those findings. There is a section in the staff report that says the findings were made in the 2012 Regional Plan Update – citing old, outdated documents as having done your homework for you. That is really troubling, and on that basis alone, the

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process should be delayed to make the required findings. It also says in the staff report that amendments for additional height were not analyzed, leaving the developer to make the scenic research findings. If TRPA can't make them, how can the developer? She is flabbergasted at the lack of environmental review for the proposed, monumental changes to the code.

Ms. Helen Neff, Incline Village resident, highlighted safety concerns for residents and visitors due to proposed amendments. She called attention to the lack of clarity on achieving transportation goals, especially in areas where walking and biking are not safe. She shared a personal experience of being hit and severely injured while legally crossing State Route 28 in a crosswalk in 2021. Ms. Neff described Incline Village as not safe or comfortable for walking or biking due to safety concerns on State Route 28, and questioned how these amendments promote safety for pedestrians, cyclists, and transit users. Housing code amendments should address safety improvements and a crash rate far above the national average, and public transit options need to be provided before parking requirements are relaxed, not afterwards. Land use must also provide safe fire evacuation for all residents. She asked that they do not pass the buck on safety to other agencies or local jurisdictions – safety is part of equitable, comprehensive planning .

Mr. Doug Flaherty, Tahoe Clean Air, said, as substantiated in my written comments, per the bi-state compact, TRPA regulations and CEQA, the TRPA must prepare a new or supplemental EIS/EIR to the 2012 Regional Plan EIS/EIR before deciding to approve the proposed amendments. Failure to do so represents a prejudicial abuse of discretion on the part of the TRPA. The new or subsequent EIR must address the identification of wildfire evacuation routes and their capacity, safety and viability, and evacuation locations under a range of emergency scenarios, in line with California Government code 65302.15 A & B. Further, the new EIS/EIR must discuss significant new, important, life safety planning information contained in the CEQA 2020 California Attorney General guidance best practices for analyzing and mitigating wildfire impacts of development projects. Failure to do so represents a prejudicial abuse of discretion on the part of the TRPA. He asked the APC to please read his written documents, and said finally, here we go again.

We just learned that the Wednesday before the Governing Board meeting, we're going to get to see a brand new, revised Initial Environmental Checklist (IEC). Why do we keep doing this? You say on the one hand you're concerned about transparency and public trust, and we hear today on this very important item that you're going to roll out a revised environmental checklist. This is really egregious, it's shameful, it's outrageous. Why do you keep doing this? Just to use an IEC for this item, which is significant, is egregious shameful and outrageous. One of your members finally boldly spoke up. Please, let us see that environmental checklist long before it goes to the next committee or commission, and please bring it back to the APC before allowing this to go forward on your part.

Ms. Pamela Tsigdinos said she like to really underscore this question of timeline and process and how difficult it has been for the public, those of us who do not understand acronyms, jargon, developer speak, to be able to parse exactly what is being proposed here. She wants to really underscore that the fact that there is no ombudsman means the public has no person to contact to really ensure that the public's perceptions, as well as issues are being adequately addressed.

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Ms. Tsigdinos added, there's also no dedicated media, and I say this as someone who's a columnist. It is remarkable to me that an agency this large, that has this much scope of power has nobody monitoring, tracking, and giving the public a really clear understanding of what's happening. Without this media scrutiny, I believe there have been many decisions made that have never had the level of transparency that the public deserves.

Ms. Tsigdinos said, I'd also like to talk about the timeline, in relation to how this is being laid out. The fact that we are not getting all the data up front, but it's coming close to when the Governing Board is going to make a decision. I want to double down on what Doug Flaherty said, we need more than two weeks to review an Environmental Impact Checklist. It really needs to be much more substantive - frankly, we need a much bigger environmental impact overview, by virtue of the fact that in 11 years much has changed, not only in the basin, not only in the climate, not only in the local populations. We have a very different world today than we did 11 years ago.

Ms. Tsigdinos added, I'd like to also point out that in 2022, Stanford University put out a study published in Nature Magazine, about the very real hazards of building in double hazard zones. This is exactly what TRPA is proposing. It sounds like you are creating a potential disaster by virtue of trying to put more building, more construction, into a very densely wooded area. Just imagine, we had one lane available to use this summer because of roadwork. If all of this construction goes on, and the green light goes, we are going to have some significant problems not only just going about our daily lives, but getting out of the basin in the event of an emergency. I'd also like to really underscore the importance of going slow. What is the rush? You could do a proof of concept in one area. If it's so wonderful, it will wow everybody, and we will understand how this will happen in other parts of the basin.

Mr. Gavin Feiger, League to Save Lake Tahoe (LTSLT), expressed his appreciation for the work of the staff and commissioners. He highlighted concerns, which have been the same since the start, related to coverage, transportation impacts, and the need to protect the environment. The League to Save Lake Tahoe (LTSLT), want to support deed-restricted housing, and see the dire need for local housing, but emphasize the importance of balancing housing needs with environmental preservation. They very much support concentrating the remaining allowed development only to town centers initially, until they see they are working, and are opposed to expanding incentives to adjacent parcels. They would much prefer to see that in Phase 3, alongside a more detailed environmental review.

Mr. Feiger said the two issues for League in these amendments are coverage and parking. These are inextricably linked – coverage may be the strongest protection for the lake in terms of land use development, and cars are bad for the environment. We need to change our car-centric planning. We need to ensure that the proposed coverage amendments only apply to the current 946 bonus units, and the commercial needed to support those units (mixed-used definition). What it cannot do is condone additional coverage, above the base allowable, for any other development. For parking, they are unwilling to accept any additional coverage, over the base allowable. We need places for people not cars. As proposed, these amendments don't require less parking, but they do allow it for renters that don't need a parking space – and there are many of them out there.

Sophia Heidrich, Advocacy Director for Mountain Area Preservation (MAP), voiced concerns about the proposed amendments, particularly the potential for sprawl outside town centers. Sprawl goes against everything the TRPA stands for. Town center boundaries were thoughtfully developed – let’s respect them. Secondly, the proposed height, density, and coverage are out of character with the area. These amendments have the potential to drastically impact Tahoe. Some sites may be able to accommodate, but not 100’s across the basin. The TRPA needs to be more thoughtful about this process. Ms. Heidrich said she supported Mr. Drake’s comments, and urged TRPA to conduct a site analysis to identify specific parcels suitable for affordable and workforce housing. Third, she emphasized the need for thorough environmental review, pointing out flaws in relying on outdated analyses. Finally, she stressed the importance of enforcing restrictions on affordable and workforce housing. Without enforcement, this simply won’t work.

Mr. Rob Olsen, full-time resident/employer for over 17 years, architect/builder, said there are major pitfalls in the current codes that hinder the number of workforce housing units that could be built today. He is working on his own workforce housing unit in Tahoe City, aiming for at least 16 units. He expressed support for the proposed amendments, emphasizing potential benefits for both local and external developers. He advocated for keeping the momentum and pushing for approval from TRPA and local jurisdictions. He highlighted the positive environmental impact of having local workers living closer to their workplace, and urged action, arguing that inaction could further jeopardize the housing situation. Pushing these amendments down the road is a stall tactic, we need these updates.

Ms. Tobi Tyler, Sierra Club - Tahoe Group, said they object to the proposed amendments, and requests APC members to vote against them. She expresses concerns about the lack of assurances and enforcement mechanisms for ensuring truly affordable housing. The proposal is a giveaway to developers, accusing it of incentivizing/encouraging, rather than mandating affordable housing. The TRPA sanctioned Tahoe Prosperity Center have devised this charade to increase development by masking it as affordable housing. The Sierra Club also opposes the use of the Initial Environmental Checklist (IEC) for inadequate environmental evaluation, which will severely impact public safety during evacuations and stresses existing environmental issues in the Tahoe Basin.

Ms. Leah Kaufman, retired 40-year land use planner in the Tahoe Basin, expressed concerns about impacts on transition areas and multifamily units not adequately discussed. She highlighted the need for notification of affected parties and suggested improvements (in a letter to the APC) to the achievable housing definition - land use planners and attorneys are always looking for loopholes. She said she criticizes the transparency of exhibits presented to the public, emphasizing the importance of clear information, and advocates for the bifurcation of outside town centers and references specific language in the Tahoe Area Plan for concentrating development and preserving SEZ (Stream Environment Zone) restoration.

Ms. Emily Blackmer, Tahoe City resident, said she strongly supports measures to address the housing crisis. She wanted to share a voice/story to the people these amendments will support. Some are commuting from Reno, and some, like her, are already in the basin and living in unsuitable conditions. As a professional public servant, an involved community member, and lifetime resident of the basin, she and her cohorts are in a similar position – priced out of ever buying a home, while being worried about being kicked out of their rentals. Her family lives in a

400 sq. ft. apartment in Tahoe City, it's small but provides a high quality of life in a denser, walkable community, per the proposed amendments. As two public servants, they would like to start a family, but can't find anywhere affordable. When you're talking about community character, and housing, you're talking about me and my husband, and our future children, and whether we can live in this community I call home.

Ms. Niobe Austere said she had sent three separate comments for the attention of the APC. Firstly, she asked why Phase 3 had not been considered before Phase 2. She emphasized the importance of addressing existing multi-family units and transition zones first. She expressed concerns about building heights and density, which takes a longer time to get through the public process.

Ms. Austere questioned the accuracy of renderings presented to the public and highlights the need for transparency. She raised concerns about the 'Achievable Housing' definition, and suggests addressing loopholes related to business licenses, and opposed developments exceeding three-four stories, emphasizing the impact on community character. She supported the idea of identifying specific lots for multi-family development around the lake rather than implementing an overall zoning change.

Mr. Jackson Rialo thanked TRPA staff, and all involved in bringing forward the proposed amendments, acknowledging the extensive research and effort. He said he agrees with comments made by Emily, Rob Wilson, and Patrick Taylor, emphasizing the need for amendments to incentivize desired housing types.

Mr. Rialo highlighted the need to bring amendments that support affordable housing. Many of the people that would benefit from these amendments are unable to show up these meetings. As a professional South Lake Tahoe resident, and as a land use planning consultant, he said current code standards incentivize luxury housing that everyone complains about. These amendments offer a step forward to incentivize the housing we need to see in our communities. Looking to Phase 3, he encouraged TRPA to evaluate whether including condominiums, or creating a separate use category for specific subdivisions could address equity concerns.

Ms. Kathy Julian expressed agreement with Emily's comments on the need for workforce housing. As a resident of Incline Village, she understands the need to incentivize that. But 946 units are precious, and she is concerned that the amendment language is not ensuring that units go to local workers. She suggested a focus on rental housing and consideration of income caps. Ms. Julian recommends dropping changes to non-town centers, and making amendments to language to address suggestions made during the meeting accordingly.

Ms. Rebecca Bryson said she had been working on housing issues for 5-6 years. She fully supports no parking minimums and is glad to see that highlighted, she also strongly advocates for the density amendments – small, environmentally-friendly housing, she also supports coverage as mitigate by stormwater requirements.

Mr. Alex Tsigdinos said he would like to add his skepticism around this plan, with the objective of more workforce housing, that include dramatic changes to town centers. If you move forward with this an easy way to get there is limiting or capping STR's (short term rentals). We have 5,000 STR's units in the basin, 1,000 here in Incline Village, and it's wrong that young families

living might be lucky to find 1-2 rental options. Secondly, I'm skeptical of deed restrictions. I understand we have 50+ deed restricted units that have not been enforced – which may also apply to new buildings that would become STR's. The 947 project is a potential example. Regarding, the 'walkable downtown', it's a great thought, maybe for San Diego, but it's a challenge in the basin, where we get snow by the foot.

APC Comments/Questions

Chair Ferry invited additional clarification from staff. Ms. Karen Fink replied to comments around enforcement on deed restrictions, and the issue related to that part of the definition of 'achievable' relies on the occupants of the household having a business license or tax address in the Tahoe-Truckee region, and concerns that it may be too easy to get a business license in Truckee. She said that Ms. Kaufman had submitted language from Summit County that tightened down that requirement, to require that, if a household is self-employed, they need to demonstrate that at least 30 hours of their average week work, requires them to be in the region. We did not specifically include that when we brought this forward because we feel like we have a lot of people (contractors etc.) who may some years have more work outside of the basin. So those are the people that we want to capture. But if the APC wants to discuss that I want to put that out as something we would like to hear from local government, in terms of what workers you want to make sure we capture, and who you're not as concerned about.

Ms. Fink said she also wanted to speak to the enforcement of deed restrictions. We have embarked on a pretty robust enforcement system this year per the requirements in the code, and also based on some violations that we saw in Incline Village, we started reaching out to all of the Incline Village homeowners, who have deed restrictions, and that has been successful. So we are enforcing these units, and we plan to continue that with funding to continue the enforcement.

Ms. Bettinger added that these amendments do not propose changing any setbacks with this proposal. She added that the bonus unit boundary right now encompasses both town centers and the areas that are zoned for multi-family.

Mr. Steve Teshara asked Mr. Marshall if TRPA code amendments had to apply region wide. Mr. Marshall agreed that was generally accurate, but said we also have the ability to provide zoning to smaller or special areas. Mr. Teshara said he learned two basic things this morning. One was that because you have to have an existing registered area wide storm drain, the areas of the basin where this could apply if it went forward are pretty limited. Mr. Marshall confirmed that was correct for the increased coverage incentives. Mr. Teshara said that the practical reality is that it's pretty limited opportunities that we're talking about. He thinks a lot of people are concerned that this is a broad swath of new opportunities, or a gift to developers, although he is pretty certain that people are not in the affordable housing business to make a huge profit.

Mr. Teshara said he is concerned about the whole issue of who goes first, whether it's the TRPA or local governments, and whether you opt in or opt out. He questioned whether by doing this we are creating additional challenges and work for the local governments. Mr. Marshall said he does not think so. Code amendments become effective 60 days after Governing Board approval. If local governments agree with these provisions, they don't need to do anything. If they want to do something different, then they need to opt out and say, we want a different mix of criteria

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here. We're going to get the same result, but we think we can do that by utilizing inclusionary zoning, plus this or that technique. There is no requirement for the local jurisdictions to do a plan amendment to have these go into effect. But if they wanted to do something different there would be. Mr. Hester said they (TRPA) have spoken with the City Manager, Assistant City Manager, and New Development Services Director, and they asked for the option to create their own version, so that's part of the reason it is the way it is.

Mr. Teshara said some local governments have more capacity to process things than others, and that's a concern. He added that the fundamental principle of the Regional Plan of 2012 was that TRPA would partner with local governments to implement the Plan. He wants to make sure we're not unduly burdening some of the local governments that may not have the capacity to keep up with their end of the deal.

Mr. Teshara added that he does not recall any time that the APC has received so many comments. To him that means we're probably not ready to move forward today, we have some things to address. He'd like to see the revised IEC come back to APC before moving onto the Regional Plan Implementation Committee (RPIC) and Governing Board. He also expressed concern around the timing and complexity of many different meetings at this time of year, and said that it is hard for the public to follow.

Then there's the APC and the RPC and the Governing Board and it's hard to follow, if I didn't just do this full time it would be hard to follow, and so I appreciate the public having some struggles with trying to understand where we're going and what we're doing. He thinks it would be important for us to not stop the process, but to slow it down to give it a little bit more thought.

Mr. Marshall said that the APC can recommend the IEC come back to them if that is their direction of choice. Mr. Ferry said his thought on it is that if the changes are non-substantial, (say, just some context, and adding reference to the Attorney General's memo on wildfire evacuation), he does not need to see that again for a technical review. If the changes are substantial (changes to the analysis or conclusion for example) then yes, I think we should see it.

Ms. Simon said I would like to associate with Mr. Teshara's comments and added that I'm concerned that we seem to be dependent on 2012 data to base decisions that will affect us for years to come. While the scope of the universe that we're discussing here might be small, the decisions that we make will have implications for the basin as a whole. One thing that really bothers me is the transportation and parking issues. In most areas of the basin we do not have reliable transportation, so one car per unit seems to be a reasonable amount, not 0 or a 0.75. And I'm not sure how increased height will result in more achievable or affordable housing. I don't think I can support the amendments as they're presented today.

Mr. Young agreed with Mr. Ferry that he does not need to see the revised IEC unless something really remarkable comes of it, which he does not expect. I think that we've had a very good review and discussion today, and it's time to try something. It's time to get started and keep moving, there are no disasters here. If the new checklist turns out to show us something significant, the TRPA as a whole will surely act on that. I am ready for a motion and ready to move forward on this item.

Mr. Drake said STRs (short term rental) and VHRs (vacation home rental), and how they have wildly distorted our market, came up several times. How much discussion of STR reform has there been as part of the housing working group? Mr. Hester said the Local Government Committee of the Governing Board spent two years on it. Their direction was to have each local government address it. While that sounds like a nice solution, where those units are, and the types of people who need affordable housing, are not the same – it's different locations and different types of units. Ms. Fink said that the numbers show that even if restrictions were applied it would only add 500-900 units, which is not enough to address the problem. She added that vacant second homes are really causing the vast majority of the inequities that we face.

Mr. Drake said another comment that came up was about considering adding an income cap to the definition of achievable. He believes that could eliminate the concern about any these deed restricted units becoming high end or luxury units. Ms. Fink said we previously had an income cap that was tied to the income needed to afford the median priced home. We got a lot of feedback that the income cap was not very useful. For instance, in Washoe County it was 540% of AMI, because that's the level of income you need to be able to afford the median price home in Washoe County. Then in Placer County we heard that it was too low - even people who are making two professional incomes still could not afford the median price home under those caps. So, we looked to other areas like Summit County, Eagle County and Vale, who have just a workforce restriction, not an income restriction, and we made that change in April of 2023. So we did take that specific change to the Governing Board. If it's a big enough issue we can revisit it, but we have vetted that and brought it forward for consideration already.

Mr. Drake said the height piece is the most contentious for obvious reasons, it's the most sensitive to our community. Has there been any analysis on what gains we could see with just density and parking improvements. Ms. Bettinger said the affordability level would be higher because you can fit more units in a taller building. Mr. Hester said the amendments all work together, without each piece the costs can't be pushed down to moderate/low levels, and subsidies would be required.

Mr. Drew said a more cautious approach could be to focus on the town centers first. That could also support the concept of deed restrictions enforcement because I know that was also an issue. I think it is pretty unrealistic to relax the parking standards completely. It is the Tahoe Basin and people are going to need automobiles to get to services off the hill. So he would suggest that one parking space per unit is probably more realistic. Mr. Drake said I think the idea is to decouple parking from the building itself, and let the market, the developer decide what they want to provide. That would allow some of these units to be even less expensive for people who don't own cars. For those who do, and value that, they can choose to rent a unit that has a parking spot with it and pay a little more for it. While they may be the minority, there are quite a few low-income people who do not own cars, and would love to have a more affordable unit and not be paying for somebody else's parking space. To me, that's the bigger piece of this equation, and I strongly support the parking reforms - if we do one thing today I want to see that pass.

Ms. Chandler said I'm just not comfortable with going ahead and approving all of these at this point. It almost seems like it would have made more sense to go through each chapter individually because it's too much of a bundle for us to go forward. I really agree with Mr. Teshara that we need to think a little bit more about this.

Mr. Ferry said it's bundled because these things all work together, and that's why we see a complicated motion. Mr. Ferry said he is comfortable moving forward, with the addition of a motion to say that if the IEC changes substantially it will come back to the APC for consideration. To him, these amendments are very narrow and targeted, and these 946 units are already ready to be used, in basically the same areas. I understand height is a big issue and I think locals need to take that on and change that if it's a local concern.

Ms. Setzer said she was ready to move forward with approval of the entire package. She agrees these amendments are very targeted and don't apply to a blanket area of zone districts or parcels. They still have to meet scenic standards, and will still need County environmental review. So there are many steps before major change actually happens.

Mr. Teshara said if somebody wanted to propose a motion that was narrower in scope than the whole package, he could be okay with that. He added that Placer County did a pretty good job in responding to the public comments they received on the Tahoe Basin Area Plan amendments, with a detailed comprehensive response to comments. He suggested the staff consider creating a similar document for these amendments.

Mr. Young made a motion to recommend approval of the required findings (Attachment A), including a finding of no significant effect, for the adoption of amendments to the Code of Ordinances Chapters 1, 13, 36, 37, 31, 30, 34, 52, and 90; and changes to the Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units

Ms. Stahler seconded the motion.

Ayes: Ms. Moroles O'Neil, Ms. Chandler, Mr. Drake, Mr. Kuchnicki, Mr. Drew, Ms. Setzer, Mr. Hitchcock, Ms. Stahler, Mr. Young, Mr. Ferry

Nays: Ms. Simon, Mr. Teshara

Mr. Teshara quantified that the only reason he voted no is because he believes we should do a little bit more work on responding to the public comments.

Motion Passed.

Mr. Young made a motion to recommend approval and adoption of Ordinance 2023-___ (Attachment C), amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 1, 13, 36, 37, 31, 30, 34, 52, and 90; and changes to the Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units to the TRPA Governing Board.

Ms. Stahler seconded the motion.

Ayes: Ms. Moroles O'Neil, Ms. Chandler, Mr. Drake, Mr. Kuchnicki, Mr. Drew, Ms. Setzer, Mr. Hitchcock, Ms. Stahler, Mr. Young, Mr. Ferry

Nays: Ms. Simon, Mr. Teshara

Mr. Teshara quantified that the only reason he voted no is because he believes we should do a little bit more work on responding to the public comments.

Motion Passed.

Mr. Ferry made a motion to recommend that in the event the Initial Environmental Checklist (IEC) is substantially amended, the proposed amendments return to the Advisory Planning Commission for review and recommendation, before proceeding to the Regional Planning Implementation Committee

Mr. Drew seconded the motion.

Ayes: Ms. Moroles O'Neil, Ms. Chandler, Mr. Drake, Mr. Kuchnicki, Mr. Drew, Ms. Setzer, Ms. Simon, Mr. Hitchcock, Ms. Stahler, Mr. Young, Mr. Teshara, Mr. Ferry

Motion Passed.

VI.A. [Agenda Item No. VI.A. 2020 US Census Demographics for the Tahoe Region](#)

This item was continued to the December APC Meeting.

VII. REPORTS

A. Executive Director

TRPA Chief Operating Officer and Deputy Director, Mr. John Hester provided an update on what Governing Board actions have been taken on recent APC recommendations. Threshold Standards have been referred to a meeting of the TUISWG (Threshold Update Initiative Strategic Working Group), tentatively scheduled for December 19, 2023.

As far as upcoming topics, Placer County will be bringing Tahoe Basin Area Plan amendments before the APC in December 2023, and in the Spring we will see mixed-use amendments, climate smart amendments, possible area plan amendments for the City of South Lake Tahoe, Washoe County and Douglas County

B. General Counsel

Mr. Marshall said we got a positive recommendation out of the magistrate overhearing the Miller versus TRPA case which challenged the Ski Run cell tower. This was a very limited case to the increased depth of excavation required by a different type of foundation. The court recommended to the district court that TRPA prevail against all the claims of Mr. Miller.

ADVISORY PLANNING COMMISSION

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C. APC Member Reports

Mr. Hitchcock advised that the City council held the first reading of the City's inclusion housing ordinance this week. The second reading is scheduled for December.

VII. PUBLIC COMMENT

None.

VIII. ADJOURNMENT

Ms. Simon moved to adjourn

Chair Ferry adjourned the meeting at 2:07 p.m.

Respectfully Submitted,



Tracy Campbell
Clerk to the Advisory Planning Commission

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Tahoe Regional Planning Agency
Zoom

December 6, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry called the meeting to order at 9:32 a.m.

Members present: Mr. Alling, Ms. Carr, Ms. Chandler, Mr. Drake, Mr. Drew, Mr. Ferry, Mr. Hill, Ms. Jacobsen, Mr. Hitchcock (for Ms. Roverud), Ms. Simon, Ms. Stahler, Mr. Drennan (for Mr. Stephen), Mr. Teshara, Mr. Young

Members absent: Ms. Ferris, Mr. Letton, Ms. Moroles-O'Neil, Mr. Smokey

II. APPROVAL OF AGENDA

Mr. Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

Ms. Ellie Waller said she wanted to address the overarching theme of regional growth, and how it directly relates to both agenda items, particularly focusing on Truckee, Carson City, and Reno.

Reno has had over 35,000 permits in recent years, and it does affect the basin. She said the current economic issues have a widespread impact, affecting both residents and the tourist population. It's often a roller coaster ride for developers navigating through these challenges.

She is conscientious about the cost of living in Tahoe. Although she no longer reside there, this remains her backyard, and she is happy to continue participating.

Shifting to the second topic about recusal, Ms. Waller said that yesterday, Placer County Supervisor Gustafson, who also happens to be the TRPA Governing Board Chair, had to recuse herself from discussions on two Kings Beach projects. Ms. Waller said her recusal was related to financial issues, highlighting the importance of addressing such matters. She understands that from time to time, similar situations may arise for each local jurisdiction, and it's important to be prepared for these occurrences. Ms. Waller proposed that we consider delving into further discussions about recusal policies to ensure transparency and fair representation in our future endeavors

IV. DISPOSITION OF MINUTES

November minutes continued to the next Advisory Planning Commission meeting.

V. PUBLIC HEARINGS

[Agenda Item No. V.A. US Census Demographics Tahoe Region](#)

Mr. Ken Kasman, TRPA Research and Analysis Department Manager presented the item. He said he was there to discuss critical issues within our community, specifically addressing concerns related to overuse of resources, traffic problems, and a perceived gap between local sentiments and actual data.

Mr. Kasman said the efforts involve a comprehensive analysis of diverse datasets, attempting to better understand the concerns expressed by community members during public meetings and engagements.

At a national level, the repercussions of COVID-19 have significantly impacted outdoor recreation, with approximately 7 million new participants since 2019. This surge has not only enriched the local economy but has also strained the region's infrastructure. Challenges have become evident, ranging from overcrowded national parks to increased litter on beaches post-holidays. The inadequacy of infrastructure to support this influx has become apparent, particularly concerning parking and overall facility management.

Mr. Kasman said that Tahoe's economic landscape has shifted from a focus on gaming to prioritizing outdoor recreation. This transition is reflected in the decline of casino-related employment and revenue. The impact extends beyond casinos, affecting schools, population dynamics, and the broader employment sector.

Mr. Kasman said the data also shows that climate change has positioned Tahoe as a refuge for communities seeking respite from valley heat. Data from the Science Council indicates a doubling in traffic to Tahoe when temperatures rise in the valleys, emphasizing the region's appeal during temperature spikes.

Addressing concerns about the 2020 census data, Mr. Kasman said it is crucial to recognize that the US Census Bureau conducts a census every 10 years. The 2020 census data stands as the most accurate and up-to-date information available for understanding the region's population dynamics as of December 2023. He said the Census Bureau produces other products that are slightly timelier than the decennial census. The American Community Survey, conducted annually, has the current vintage of information from 2021. The 2022 data is expected to be released next week, providing updated population information for the country and for Tahoe.

Mr. Kasman said we acknowledge the importance of using the 2020 census data, as it is the latest available information. While we await more recent data, we are exploring various

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indicators and datasets to address the observed disconnects between public perceptions and actual population trends.

The regional population in 2020 was 55,800 full-time residents, showing a relatively flat trend from 2010. Notably, between 1990 and 2000, there was a nearly 20% increase, but since then, one in every nine residents has left the region, leading to a significant decline.

Drilling deeper into the data, on the Nevada side, there was a 7% increase in population from 2010 to 2020. In contrast, the California side experienced a 2% drop, while the state of California grew by 6%. This divergence is noteworthy and runs counter to statewide trends.

Examining the North and South Shores separately, the North Shore saw a 2% increase overall, with Incline Village and Crystal Bay contributing most to this growth - Incline Village experienced the fastest growth at about 8%. On the South Shore, the population remained flat.

Mr. Kasman said that contrary to some public perceptions of a significant population increase, the census data indicates an average annual growth of about 1% between 2010 and 2020, showing a more modest change than what some community members have reported.

Looking at age demographics, slide 9, a notable trend is that Tahoe's population has been aging, indicating a significant shift in population composition beyond the natural process of aging. The median age in Tahoe is currently 44 years old, with more residents over 50 than under 35. This signifies a significant shift from the peak in 2000, when 40% of the population was under 30. The region gained 8,000 residents over 55 but lost 15,000 residents under 30, illustrating a substantial demographic change.

Mr. Kasman said another trend is the doubling of high-earning households since 2000. While this may initially seem positive, it indicates a loss of lower-income residents, not just an increase in income levels. The data reveals a 44% increase in households earning more than \$75,000 and a 35% decrease in lower-income areas.

Ms. Jacobsen asked if they have data on local job trends versus commuters? Mr. Kasman replied that the American Community Survey provides insights into commute patterns and work locations. However, due to the five-year average nature of the data, the most recent available is from 2017 to 2021. We anticipate more accurate post-COVID trends with the 2022 data, and efforts are underway to collaborate with employers for additional insights.

Moving on to various data sets, Mr. Kasman said they explored different patterns to bridge gaps between census data and community perceptions. Analyzing entry and exit volumes, slide 12, it was noted that traffic volumes have not yet reached historical peaks, even with the post-COVID recovery. Looking to hotel rooms rented, slide 13, there's a consistent theme of recovery post-recession and post-COVID, but numbers remain below historical highs. Passenger volumes at Reno Tahoe Airport, slide 14, show a similar pattern, with a slow recovery, expected to surpass 2019 but remain below early 2000's levels.

On slide 15, regional employment data reveals a 20% drop since 2000, with over 9,000 jobs lost. Twice as many jobs were lost on the south shore compared to the north shore, directly related

to decreases in casino employment. While the number of business establishments is slowly increasing, the employee count continues to decrease.

Mr. Kasman said this troubling trend persists in K-12 school enrollment, with a 46% loss on the Nevada side and a 22% decrease overall since the peak in the 2000's.

In seeking additional insights, Mr. Kasman said they examined regional water use data, indicating fluctuations but no clear pattern pointing to a substantial increase in population. A travel time analysis on various road segments throughout the region revealed that congestion is more linked to seasonal factors like road construction and winter conditions, rather than a fundamental increase in population.

Mr. Kasman said the perception of overcrowding might stem from changes in behavior and an increase in second home use, impacting popular areas such as trails and beaches. He added that second homes account for 50% of the residential units in the region, many of them vacation home rentals, with up to 80% on the West Shore. Even a 1% change in usage of those second homes could represent 500-600 additional people. Day use visitation has certainly increased, with a lot more activity on the east shore. Mr. Kasman said they are seeing that people recreate in different places because of the availability of information, so locals are feeling that their hidden spots are now overrun, and there are more people out on the trails and beaches where they didn't use to be. That makes it feel more crowded.

Traffic patterns on Highway 50 showed a 30% decrease in southbound traffic (towards South Shore Casinos) and a 50% increase in northbound traffic (towards Incline and the East Shore). In some data, there's a significant change in the number of trips ending in certain corridors. Although volumes are not large, we're witnessing an increase in traffic going north on the East Shore, leading to issues like roadside parking.

Mr. Kasman said trips to Sand Harbor during COVID showed record visitation in 2020, with a potential to surpass in 2021. However, closures due to the Caldor fire in 2021 and a drop in 2022 indicate that the COVID peaks did not sustain, and visitation has subsided in recent years.

Changes in behavior show earlier trips ending at Sand Harbor on weekends, aligning with earlier parking lot occupancy. Another pattern shift is seen in the distribution of trips through casino corridors, indicating people are exploring different locations rather than staying at casino parking lots. In the late 1980's-1990's, for every 100 vehicles that came into the region, we would have 120 vehicles pass through the casino corridors. Today it is half that, at 60 trips through the casino corridors, but the volumes are the same. People are going to different places, so the strategic focus is on accommodating these shifts in usage patterns and managing behaviors rather than focusing solely on capacity.

Mr. Kasman closed by thanking his team, and providing links to interactive tools accessible through the open data page, providing access to census data and more:

Demographics Data: <https://data-trpa.opendata.arcgis.com/pages/demographics>

2020 Census Report: <https://monitoring.laketahoeinfo.org/socioecon>

Tahoe Roadway Congestion Report:

<https://monitoring.laketahoeinfo.org/MonitoringProgram/Detail/77>

APC Comments/Questions

Mr. Drew said there's a need to differentiate between macro and micro data, especially in regions like Placer County, El Dorado County, and the Truckee Meadows. The population growth and trends at a micro-level may differ from broader regional perspectives. The bottom line is that the populations of both California and Nevada have grown substantially, but the areas adjacent to the Lake Tahoe basin have grown substantially faster, and those have direct impacts.

Mr. Drew added that the shift in travel patterns, like the number of people per car, is challenging to obtain but crucial. Some places in the country have observed more people per vehicle, increasing the number of individuals. That data is really important to a place like Tahoe with limitations in physical growth. There will never be enough beaches or trails for the amount of people. Mr. Drew highlighted the challenge of managing this increasing visitation. The impact of population changes and outdoor activities on existing resources is a significant concern.

Mr. Drews suggested that the change in how people interact with Tahoe is related to how Tahoe is being marketed. Fundamentally, visitors are going to where they are being directed. He said it would be interesting to explore the relationship between marketing campaigns, outdoor recreation amenities, and visitor behavior. The impact of marketing efforts on trailhead and parking lot usage could provide valuable insights.

Ms. Jacobsen said she appreciates the data presentation and finds the shift from casinos to recreation encouraging. She emphasized the need to manage the increasing tourism and focus on strategies to bring back locals to support the service industry. Ms. Jacobsen expressed concern about the decline in local employees and businesses facing challenges due to a lack of workforce. She suggested they think strategically about projects and programs to address housing issues and make the region more affordable for locals.

Mr. Kasman added that one of the reasons for this item/presentation was due to its relevance in connecting the various TRPA strategic priorities, including transportation, destination stewardship, and workforce housing.

Ms. Stahler agreed this was very valuable information and inquired about any plans to share the information with other groups, such as the Tahoe Executive Interagency Steering Committee, or the Environmental Improvement Program (EIP). She noted an emphasis on the Nevada side examples (Sand Harbor, SR 28 Corridor, Incline Village), and said there are a lot of planning efforts underway to address visitation and enhance recreation facilities along the corridor. Mr. Kasman said this presentation has also been given to the TRPA Governing Board and the Tahoe CEO roundtable. He emphasized TRPA's willingness to share this data, and added that the detailed information is available on the TRPA website.

Mr. Drake commended the presentation and asked about micro-level data, specifically about data on employees in the Tahoe Basin and commuting patterns. Mr. Kasman referred to the upcoming American Community Survey for updated information. It is a five-year average, so he acknowledged the research gap. They would like to have more data and are reaching out to local employers for more precise data. Mr. Kasman said they are also exploring big data tools,

especially regarding changes in commute patterns post-casino job loss, and post-pandemic work schedules. Mr. Hester added that 25% of TRPA employees are from outside the basin, and he imagines that is fairly typical depending on job type.

Mr. Young expressed gratitude to TRPA for maintaining a science-based approach. He appreciates the data presentation, and its role in raising important questions. Mr. Young said it validates the perception that homes in the region are marketed based on proximity and access to Tahoe, not for gaming participation but to enjoy outdoor recreation. It's in every real estate brochure and the data shows some of the impact of that.

Mr. Young questioned whether local employment is coming back. He said that with the redevelopment efforts in Crystal Bay there are significant environmental redevelopment opportunities aligned with the Regional Plan, and the number one barrier is finding employees willing to work the projects due to housing and commuting affordability issues.

Mr. Young raised concern about the potential for unintentional invalidation of community members' feelings and experiences. He acknowledged the importance of being careful in framing presentations and project discussions. He said while it is important for us all to know that the data doesn't always show what we are hearing, we must be careful to not accidentally invalidate community members' emotions and experiences. He requested careful consideration in how information is presented in future interactions with community members.

Ms. Simon agreed with Mr. Young's remarks and described her direct experience of sitting in traffic for four hours for what used to be a 20-minute drive, so people do have these real-life experiences. She suggested staff explore the influence of technology, such as computer-based systems in gaming and restaurants, on employment trends. She also recognized the role of social media in influencing visitation patterns and activities in the region. When the spring flowers bloom everyone heads up to see them and there is now a sign to Chickadee Ridge, so they will be very well fed this year.

Looking to demographic shifts Ms. Simon said we do have an aging population in the United States and that's reflected in the demographic statistics presented. She noted the implications of an aging population on travel, residence choices, and the need for senior services.

Ms. Chandler questioned if any consideration had been given to undocumented workers and how that might affect the data presented. Mr. Kasman said they used data from the Census Bureau Report, and he doesn't know how that report treats illegal workers – his guess is that it does not, but he will investigate

Ms. Chandler also asked about water use in the basin, and whether any consideration was given to factors like drought, watering restrictions, and water usage during events like fires and evacuations. Mr. Kasman said the data showed some of the efficiency improvements in water use, which he believes are indicative of conservation measures. But the drops in overall water use exceeds those efficiency improvements so it does show a larger reduced use of water.

Mr. Drake said we have two seasons in Tahoe – snow removal and construction. He expressed concern about the impact of road construction on travel times and suggested a need for better coordination. He asked if there were any interagency efforts to coordinate construction projects

and strategic discussions about optimizing the timing and execution of such projects. Mr. Ferry said El Dorado County does attend coordination meetings, but it's far from perfect. He acknowledged the challenges in achieving perfect coordination due to factors like funding availability, environmental documents, and workload balancing. Ms. Jacobsen said Placer County also have coordination meetings but it's a limited season so it's a constant challenge to keep up on that. Mr. Drew said the single biggest impact on coordination is the low bid contracting that local governments are forced to use. If they could use best value, and have more flexibility it would provide tremendous opportunity for improved coordination.

Public Comment

Ms. Ellie Waller thanked Mr. Kasman for the American Community Update and what that 5-year data may change in all our planning documents going forward. Lots of conundrums of things to address and manage. She has been in Tahoe for 20 years and is part of the aging demographic that tries to stay put in the region. There's also not just finding employees but keeping them – each jurisdiction has different levels of employment payment, and we lose good people to different states. Lots of conundrums with short term rentals and how we look at them, is it high season when the people are feeling more compacted in their local neighborhoods. Just the general impacts of short-term rentals that should be analyzed more. We have an event center now, we're going to get a hockey team, what is that going to do to the South Shore. Our shoulder seasons don't look like shoulder seasons anymore. We're all discussing different ways to look at this data, and how the general public lives there, the general public commutes. A report from the Reno-Tahoe regional airport said they are expanding their market. Lots of things lend not just to the specific data in Tahoe, but also to regional issues. Technology has changed our lives, COVID has changed our lives.

Ms. Yolanda Knaak said the most important thing is that there is no evaluation of the South Lake Tahoe evacuation for the Caldor Fire. There's also no evaluation of the Hawaii fire or the Paradise fire. These are really serious issues, evacuating us on a 2-lane road, that cannot be widened. Her community has had meetings about how they will evacuate and even though they are working on plans, the bottom line is that there are 3 exits from Incline Village. She said that when South Lake Tahoe evacuated it was like a parking lot. We want to be able to get out, these are our lives we're talking about.

Ms. Knaak said that the data presented is flawed. Some people up here work in Reno or Carson City. You have not taken into consideration that Nevada schools are dead last in the nation. Some people go to private schools in Reno and Carson City. She added that the last few years have seen tons of parking on SR 28, all the way from Incline Village to US 50. It was totally dangerous. They are starting to make that no parking and build a bigger lot at Chimney Beach, she is not sure if all of that was taken into consideration.

Ms. Knaak said if we are not a congested area she wants her money back from the Animal Control. They say that all congested areas have to have dogs licensed and she has her dogs licensed. She doesn't think they're congested but because of the fires NV Energy has spent a lot more time trimming the trees around the power lines. Plus there are multiyear developments going in at Crystal Bay and Incline Village and that is going to affect traffic. The bottom line is that we need to be able to evacuate and as it is she is not sure she could get out alive.

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Ms. Jacobsen said she appreciates the public comments and appreciates people's fear, particularly around evacuation. She said that Placer County emergency responders and planners have been testing and modifying evacuation methodology based on lessons learned from other fires. Even with the Caldor evacuation, they had looked at what happened in Paradise, and changed their methodology to make sure people got out. Ms. Jacobsen added that Placer County conducted a recent town hall workshop focused on evacuation, which was deemed super helpful for the community. She suggested it might be possible to provide a similar presentation at the APC to enhance understanding of the coordination, mutual aid, and methodologies involved during evacuation events.

In response to the comment about the data being flawed, Ms. Jacobsen asked that commenters describe how it is flawed, and request that they suggest alternative data sources that may provide more accurate information. Mr. Kasman added a request for local jurisdictions to share relevant data that could contribute to the modeling effort for the regional transportation plan and forecasts. He also expressed their openness to consider various data sources and a willingness to incorporate additional information into the analysis.

Mr. John Hester said that in October 2023, the Tahoe Fire & Fuels Team (TFFT) and the MAC (Multi Agency Coordinating Committee), representing law enforcement and fire officials from across the basin, provided the TRPA Governing Board a presentation on their work. The Governing Board members asked them what TRPA can do. They responded with two things, one is to prioritize thinning around evacuation routes to enhance fire safety measures, and the second is to support ongoing efforts to improve the Intelligent Transportation Systems (ITS) for better communication during emergencies. TRPA have submitted a grant to pursue those activities.

This item was informational only.

VI.A. [Agenda Item No VI.A. Tahoe Basin Area Plan Economic Sustainability and Housing Amendments](#)

TRPA Senior Planner Jacob Stock introduced the item. Mr. Stock said that Placer County staff have developed both policy and implementing code changes aimed at adapting the Tahoe Basin Area Plan (TBAP) to achieve housing and economic development goals initially envisioned when the plan was adopted in 2017. Building on years of study, these amendments aim to provide a systemic approach to encourage desired investment in environmentally and economically beneficial redevelopment and workforce housing.

Mr. Stock was joined by Placer County staff, Interim Community Development Director Crystal Jacobson, and Principal Planner Stacy Wydra to present a detailed summary of the amendment package. Mr. Stock said that after reviewing the proposal, the Initial Environmental Checklist (IEC), conformance documents and findings, TRPA staff have determined that the proposed amendments are in conformance with the Regional Plan and will not result in significant environmental effects.

Ms. Jacobsen said the revisions proposed in the amendment package focus on economic sustainability, redevelopment in town centers, and the production of workforce housing. The Tahoe Basin Area Plan (TBAP) was adopted in January 2017, and has been adaptively

managed since that time.

Ms. Jacobsen said that this amendment process began in mid-2021, and included extensive public outreach meetings, workshops, hearings, and engagement with stakeholders and associations. Work on the package included preparation of an environmental analysis and a CEQA addendum to the 2017 EIR/EIS. An errata to the CEQA addendum addressed cumulative analysis. In addition, an implementation report and written responses to public comments were also prepared. Ms. Jacobsen walked through the public outreach timeline (slide 3).

Ms. Jacobsen said that these amendments are the result of years of feedback about the lack of reinvestment and redevelopment in town centers. The TBAP was adopted in 2017 and included allowances for increased height and density allowances with aim of shifting redevelopment into the town centers to meet Regional Plan goals. The TBAP is comprised of two documents, a Policy Document, and Implementing Regulations Document, which serves as the zoning ordinance for the Tahoe area of Placer County. Since then the county has spent a lot of public money on town center streetscape improvements and water quality improvements, and had hoped to see similar reinvestment from the private sector. That hasn't happened. A 2020 Economic Study was initiated to look at this issue and identified key recommended actions, one of which was to look at the TBAP for areas of improvement.

Ms. Jacobsen said these amendments are minor in nature, and are intended to move the needle and redevelopment and investment. She outlined what the amendments do and do not do:

What the amendments do:

Businesses in Town Centers:

- The amendments help small businesses, entrepreneurs, and starts-ups in Placer County's Tahoe basin town centers of Kings Beach and Tahoe City by:
 - Complying with SB 946 to legalize sidewalk vending and clarifying mobile food truck requirements
 - Streamlining new small-scale hotels, restaurants, retail, and other local-serving land uses
 - Enhancing compatibility between mixed use/commercial zone districts and adjacent residential zone districts
 - Increasing creative solutions to address parking, transit, and mobility needs for projects in town centers

Workforce Housing:

- The amendments help promote the construction of workforce housing by:
 - Streamlining permitting of deed-restricted workforce housing
 - Limiting new single-family housing in town centers if not deed restricted for workforce housing
 - Clarifying requirements for tiny homes

What the amendments do not do:

- Increase density standards (allowed units per acre)
- Increase building height (no change proposed from current TBAP allowance of 56' in

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- town centers)
- Increase carrying capacity (build out of TBAP area)
- Increase overall development potential, as this is capped by TRPA growth control system; as such, the amendments do not result in uses or activities that increase wildfire risk
- Conflict with TRPA scenic or environmental thresholds, including traffic/VMT
- Create a change of circumstances requiring CEQA supplemental analysis
- The amendments are not connected to any specific project and do not result in piecemealing under CEQA

Ms. Jacobsen clarified that staff had initially proposed height and building length increases in town centers; however, this proposal has been removed from these amendments. She added that they may look to add those to targeted areas in town centers in the future, but they are not part of this package.

Ms. Jacobsen stressed that there is a cost to doing nothing. There is a lot aging infrastructure in our town centers, that includes some blighted county-owned properties in Kings Beach. But if we're not trying to move the needle on getting redevelopment on those sites, we're not getting environmental improvements to help with runoff to the lake. Ms. Jacobsen said they're focusing on moving lodging into the town centers - trying to get the short-term rentals out of the neighborhoods, and put them in the town centers where people can walk. These amendments are intended to help revitalize and redevelop those town centers.

Regarding congestion, they are trying to focus keeping local workers here, so that they're not driving from distant areas such Carson City or Reno or Auburn. How can we promote the construction of housing workforce, deed restricted housing, to keep workers local and reduce congestion and VMT.

These amendments are also just one tool to address the lack of vibrancy, vitality, and walkability in the town centers. We have town centers that are deteriorating, and we're trying to address it.

Ms. Jacobsen described the amendments to the TBAP Policy Document (slide 8):

Scenic Resources	Policy to support for: TRPA Scenic Evaluation to direct private reinvestment into Town Centers
Vegetation	Policy to support for hardening, green waste, and defensible space incentive and/or rebate programs
Socio Economic	Policies to support for: High-speed broadband infrastructure capacity; Childcare facilities to meet the needs of the local workforce; Mechanisms to prevent ongoing blight
Land Use	Policies to support for: Reservation and conversion manual for the allocation and conversion of TRPA development rights; Funding sources for infrastructure such as sidewalks, curbs, and gutters; Parking management plans; Community-wide snow storage plan
Mixed Use	Policy to support to encourage mixed use, and residential components in business park, and light industrial space

Town Centers	Policies to support for: Active ground floor uses; Mobile vendors and food trucks in Town Centers; Retention and expansion of businesses from the North Tahoe-Truckee region; Relocate industrial and public utility land uses in the Town Centers to free up Town Center sites; Parking maximums and creative parking solutions
Community Design	Policy to support for Local public art in North Tahoe
Redevelopment	Policies to support for Adaptive reuse of vacant or underutilized retail and office space; Revitalize and create new high-quality lodging; Multipurpose and flexible gathering spaces in private and public parking areas; Expedite building permit processes; New business innovation space and flexible light industrial spaces
Housing	Policies to support for Streamline affordable, moderate, and achievable housing; Require that 50 percent of units converted from multifamily to condominiums be deed restricted to affordable, moderate or achievable housing; Monitor and track housing data in the region; Adaptive management of the short-term rental inventory to balance housing availability (each new lodging unit = decrease in STR cap); Allow local worker overnight camping in public and private parking lots; Build local worker housing above public and private public parking lots

Ms. Jacobsen handed it over to Placer County Principal Planner, Stacy Wydra, to describe the changes to the Implementing Regulations.

Ms. Wydra acknowledged Ms. Jacobsen’s high-level (10,000-foot elevation) overview, and dove into the specifics (2,000-foot elevation) of the proposed amendments - how do we get some movement on the ground.

Starting with town center amendments:

Allow small-scale uses “by-right”	No use permit for small projects that generate low VMT (projects “screen out” from TRPA VMT threshold); most would still require Design Review
Allow Food Trucks & Mobile Vendors	No Use Permit; no Design Review; would require permits from Environmental Health & cannot be parked in roadways
Prohibit Real Estate & Property Management Offices	Do not allow (new) on ground floor highway frontage
Allow Hotels/Motels/TAUs “by-right”	Allow by right if 20 units or less; would still require Design Review
Prohibit NEW Single Family units	Allow existing SF units; new SF units only allowed if part of mixed-use project or if SF are deed restricted for affordable/workforce housing
Prohibit ADUs	Allow existing ADUs; new ADUs not allowed on highway ground floor frontage
Allow MF, Multi-person, Employee	Allow “by-right” if 100% of units are deed restricted for affordable/workforce housing; would require Design Review

Housing Units	
Clarified Streetscape/Roadway Requirements	Added references to County Code related to roadway standards
Clarified Frontage Improvements	Added language to provide consistency with County Code related to sidewalk, curb, gutter requirements
Shorezone Requirements	Added references to County Code “Lake Tahoe Shorezone Ordinance”
Building Length	Added language to provide consistency/clarity; decreased length for commercial buildings adjacent to residential zone districts
Building Height	Maintain allowed height of 56’; eliminated reference to number of “stories” allowed
Setbacks	Removed rear setbacks when adjacent to residential zones with substantial rear setbacks; addresses constraints of small-town center lots
Ground Water/Snow Storage	Allow ground water interception for below-grade parking; require snow storage for projects

Looking to other sections of the TBAP, to ensure that they are being consistent throughout the document, Ms. Wydra described some additional amendments to the Implementing Regulations:

Community Service Zone Districts	<ul style="list-style-type: none"> • Allow SF, MF, multi-person, employee housing and encourage deed restricted housing • Allow mobile vending uses • Modify/modernize development standards to encourage affordable housing
Recreation and Tourist Zone Districts	<ul style="list-style-type: none"> • Allow employee housing within 64-Acre Tract Zone District • Allow residential uses within Granlibakken Zone District if 100% deed restricted
West Shore Mixed-Use Zone Districts	<ul style="list-style-type: none"> • Allow mobile vending within Tahoma, Homewood, and Sunnyside Zone Districts
Parking	<ul style="list-style-type: none"> • Modernize/reduce parking requirements for residential uses • Eliminate parking requirements for projects that add under 1,000 SF in town centers • Allow parking management plans for projects in town centers to provide parking flexibility if project contributes to transit and mobility and commits to participating in community-wide parking management program
Tiny Homes	<ul style="list-style-type: none"> • Added Movable Tiny House uses and development standards
Signage	<ul style="list-style-type: none"> • Removed sign requirements and refer instead to TRPA requirements
Various Revisions	<ul style="list-style-type: none"> • Modified areas of miscellaneous cleanup, typos, etc.

Finally, looking to housing related amendments:

Allow MF, Multi-Person, Employee Housing “by-right” where currently allowed with a use permit	No use permit required if in a residential district currently designated as preferable areas for workforce housing and if 100% deed restricted; may require Design Review
Modified/Modernized Development Standards within Residential Zone Districts	<ul style="list-style-type: none"> • Matched minimum lot size to existing density maximums • Reduced minimum lot width to match existing development patterns and encourage smaller scale development • Deleted minimum lot area per dwelling unit (excessive restrictions, rely instead on setbacks and coverage) • Allow for zero-foot setbacks to accommodate duplexes • Cleanup: Matched multiple family density with existing employee housing density in Fairway Tract Northeast

Ms. Wydra emphasized that they have received some great public comments along the way, recognized some of the key topics and environmental concerns around food trucks, parking, lake clarity, carrying capacity, piecemealing, wildfire risk traffic and VMT. All of these comments were taken into consideration, and vetted through the environmental review.

Regarding the environmental review, the county prepared an addendum and errata to the TBAP EIR/EIS, in compliance with CEQA. It concluded that none of the conditions described in CEQA guidelines 15162 called for the preparation of a subsequent EIR. It further concluded that the proposed amendments would not result in any new, or substantially more severe significant impacts than those identified in the original 2017 Area Plan EIR.

The errata, which was prepared as a result of additional public comments, concluded that no alterations to the conclusions of the EIR addendum were found. As a result, the Board of Supervisors did adopt and certify the addendum and the errata for the TBAP amendments.

Similarly, coming before TRPA, Placer County staff prepared an Initial Environmental Checklist (IEC), in accordance with the TRPA Rules of Procedure and the Code of Ordinances, and found that there was no conflicts. As a result, we need to make the required findings, and those findings were prepared in accordance with the Code of Ordinances. As such, those findings made the following conclusions about the proposed amendments:

- No significant effect on the environment,
- Consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans/plan area statements, the TRPA Code, and other TRPA plans and programs,
- The Amendments would not cause the environmental threshold carrying capacities to be exceed,
- The Amendments do not affect or change the federal, state, or local air and water quality standards applicable for the Region and projects developed under the Area Plan will meet the strictest applicable standards and will be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact,
- The Amendments continue to achieve and maintain the thresholds of the Regional Plan,

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- The Amendments are consistent with and furthers the goals and policies of the Regional Plan.

APC Comments/Questions

Chair Ferry thanked staff for a thorough, clear presentation and invited questions and comments from Commissioners.

Mr. Drake acknowledged the need for these amendments. He said they don't go as far as he could see them going, but they are a step in the right direction. He added that staff did a good job in clarifying that these amendments are not proposing an increase in density in the area, it is shifting the priorities and trying to streamline the process for the type for the types of development we need to see.

Ms. Stahler thanked staff for the presentation and applauded Placer County for taking a step forward – she is looking forward to a more vibrant and walkable future in Tahoe City and surrounding areas. Ms. Stahler inquired about the frequency and process for evaluating the impact of amendments. Ms. Jacobsen said they don't have a formal structure in place, but their agency focuses on adaptive management. They track projects annually, and TRPA has a re-certification process. Placer County focuses on what is happening in their region and areas of needed change. Since 2017 they have already made one set of changes in 2021 related to housing. There is no specific timeline, but there is a process for tracking what is happening in town centers and reprioritizing for necessary amendments.

Ms. Stahler said she works for the Nevada Division of State Lands (NDSL), where the state owns 500+ parcels within the Wildland Urban Interface (WUI). So while this does not pertain to the Placer County jurisdiction, she asked if they had received any feedback from the California Tahoe Conservancy (CTC) who also own urban lots, about changes to setback requirements. NDSL experience is that sometimes when variances are issued adjacent to state-owned lots it can have some impacts to sensitive forested parcels. Ms. Jacobsen replied that they had not received feedback from CTC.

Mr. John Hitchcock said these changes seem like common sense amendments to the TBAP. It tracks well with the City of South Lake Tahoe who will be proposing similar changes, particularly around parking, employee housing, and multi-family development.

Mr. Drew asked about any feedback the county had received on the prohibition of real estate offices on frontage parcels. Ms. Wydra said the issue was raised by the public as a result of a new structure occupied by a real estate office in Tahoe City. Others had been trying to occupy the building and it caused some anger. The public came to the county to question what uses were allowed on the ground floor. That resulted in the proposed language to allow no new real estate offices on the ground floor, while recognizing a for these services in town centers but with limitations on dominating frontages. Mr. Drew asked if they had considered the possibility of variances, especially in cases where spaces might remain vacant. Ms. Wydra replied that the amendment only applies to new property managers or real estate offices. Ms. Jacobsen added that you cannot apply variances to use, so they have not considered that, but it was something that is very important to the constituency base. Mr. Drew said it might be important for other local jurisdictions to think about – you don't want to get into a situation where you're telling a

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property owner what they can/cannot do about leases when they may or may not be able to do. Maybe you find other ways to incentivize other businesses than property management and real estate, but you don't prohibit it.

Vice Chair, Ms. Jennifer Carr, said she appreciated the part of the presentation on what the proposed amendments are not doing, it definitely provided some clarity. One of the comments she read yesterday talked about the allowance or requirement for zero parking for some development. She couldn't tell if that was for new residential, and assuming people aren't going to have a car, or if it was more of the shared bank/restaurant type concept.

Ms. Jacobsen replied that there were a couple of things around parking. One is to bring the parking requirements for residential units more consistent with where the state is going with parking. So we didn't eliminate, we reduced the number of stalls for both multi-family and single-family. It's not eliminated. It's just reduced. She added that what you may be hearing in the comments could be about what we're doing in town centers. Our board adopted a pilot program a couple of years ago that applies only to town centers, and allows for projects to propose a waiver of parking. It's a case-by-case basis, where they would come in with a request that is reviewed by staff, and has a plan for parking. It's mostly for mixed use projects, where they might have a hotel and also some residential and some commercial. We could look at that that project and potentially allow a waiver for the units that would have been allowed for the retail piece, understanding that we need to make sure the project is parked right for the lot, because you need to have stalls for that hotel use. But the waiver is only allowed if that use is contributing on an annual basis to transit. We want to promote transit, so if you're reducing the parking in your town centers for retail uses, you want those people to be using transit/micro shuttles and such, so we're collecting fees for that.

The other thing that they are required to do is to participate in the county's parking management program currently under development. We want to bring those sites into a comprehensive management program that has public/private use in the town center so that we get better use of our stalls. So there's some stipulations around when you can have a waiver, on a case-by-case basis. That was a pilot program that has now been memorialized in these amendments.

Ms. Carr said she wanted to be sensitive to the idea of Tahoe being an exclusive destination or the over gentrification of basin areas. As we saw earlier today - the housing costs, the age and income of people in Tahoe is higher. And yet, coming out of Carson City, there are a lot of folks that work for me, and barely making ends meet, that may want to go to a sandwich shop, and take it to Tahoe. If paid parking becomes a limitation to their ability to access those sorts of activities, that's a real concern. I want to protect against the over gentrification of the basin, and maybe look at local discounts and other ways that keep the basin accessible for everyone.

Ms. Jacobsen replied that the paid parking program is separate and apart from what we're bringing forward today. It is something being worked on out of our Department of Public Works Office in Tahoe. It's coupled with our micro-shuttle programs where we're trying to get people to shuttle instead of hopping in their car. It's not just the paid parking, reducing VMT is the intent.

Mr. Young said Washoe County are working on similar Area Plan amendments and thinking

through many of the same challenges. He appreciates what Placer County are doing and hopes to learn from that.

Public Comment

Ms. Ellie Waller said she has participated in many planning processes since 2007 with the Regional Plan Update. She expressed concern that community members are not being equally represented in what is being heard. She believes the process had a breakdown in the first two years. You have had comments submitted from the Sierra Club, TahoeCleanAir.org, and Mountain Area Preservation, all with concerns that have been inadequately addressed in my opinion. Three minutes will not give adequate perspective, there is a lawsuit.

Ms. Rhonda Tyser said Cascadia's primary suggestion for making affordable housing in Tahoe is to eliminate minimums for parking lots and garages for living units. In fact, eliminating parking garages was more critical to making development affordable than increasing height, coverage, or density.

She continued; Cascadia presented several visuals that showed how many more living units could be included on a parcel if the old mandate for at least one parcel space was eliminated. Cascadia relied on research showing how other towns had managed to eliminate parking garages and increase units, thus decreasing developers per unit cost. But eliminating parking for a low-income Tahoe resident worker is a non-starter. She can't think of anyone in Incline who doesn't need a car, except maybe temporary J1's using micro-transit for summer months.

Ms. Tyser said, Cascadia published a memorandum, "Parking Management for Housing Affordability and Complete Communities". They estimate people would pay a rent on a tiny unit of less than 700 sq. ft. of \$2,400 per month. She was struck by the idea that these residents would need to make about \$85,000, assuming housing makes up a third of their salary, and tried to imagine who would live in these units without a car. Cascadia refers to many other towns that have eliminated minimal parking on site, but the references are for almost 99% urban settings. Those areas don't have Tahoe's topography or weather.

Ms. Tyser said that with red flag days in winter there is no place for on-street parking when the snow falls. Nor can workers walk in snow. So the idea of eliminating parking for affordable housing in Tahoe town centers is wishful thinking. Resident workers need their cars. They have to park somewhere. Developers need to build one covered parking space per unit on a lower floor of any affordable development in Tahoe - even if it means getting public money. Jennifer Carr is right, paid parking is a limitation to access for locals. It will create a lack of accessibility. And shuttles don't work for shopping especially in winter. We need at least one parking space per unit in Tahoe.

Ms. Suzanne Pechi said is a resident of Elk Grove, and has been a second homeowner in Tahoe Vista for 50+ years. She moved to the rural community of Elk Grove in 1978. Since the incorporation of her area in 1978, planning and development had increased density to almost 200,000 people. Time across town used to take 10 minutes, now it takes 20-30 minutes. They left urbanization in the bay area but are experiencing it now. Listening to this presentation from Placer County sounds like the same playbook over the last 20 years – destination city, outdoor by-right wine and beer venues, by-right worker housing on farmland, sidewalk venues, industrial

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uses in sensitive areas, unlimited food trucks, packing in high-density housing without appropriate environmental review, vibrant, walkable communities, transit centers. Nothing about this is new except this if for Lake Tahoe and not Elk Grove.

As a long-time property owner I remember when TRPA was formed, with a lofty mission of saving the lake for future generations. This is very disappointing because nothing is new or tailored to a unique natural resource. Nothing supports the reason that TRPA was formed. When will there ever be enough development in Lake Tahoe. Sounds like the TRPA is already contemplating changes to the very amendment they're looking for approval today.

Mr. Gavin Feiger, Policy Director, League to Save Lake Tahoe (LTSLT), said they submitted a detailed comment letter, and he wanted to summarize briefly. Basically, we're just not seeing the need or justification or additional environmental benefits from these amendments. We asked repeatedly to the county for some specific information on progress since the TBAP was first adopted in 2017 - how implementation is going, effectiveness of mitigation measures, what's working, what's not. We haven't seen that information. Economic development isn't part of our mission - our mission is to protect and improve the environment. With that said, we do very much support the proposed parking changes and some of the focus on providing affordable housing, and would have liked to see the amendments limited just to that.

Mr. Feiger said he doesn't want to spend too much time talking about parking, but is more than happy to get into detail about the importance of parking management, including paid parking and reduced parking requirements. This is for as all area plans amendments coming along in the next year or two. I lived car free in Tahoe for 6 years. I currently drive very infrequently. I have a lot of stories and real-life experiences. I can share stories from others who are not car dependent by choice, or not by choice. There is demand out there for car free living.

Focusing on area plan conformity, Mr. Feiger said community character is a big one. We put some detail on our comment letter on this. The role of TRPA by allowing area plans, means that the local jurisdictions still have to align with TRPA's Regional Plan, and the whole series of documents. That includes community character with a conformity checklist. I can't speak for the North Shore in detail because I live on the South Shore, but I'm hearing a lot of pushback from the community about conforming with their vision for their community character.

Mr. Feiger said that thresholds is the big one. I could talk an hour about the (VMT) vehicle miles travel threshold. But there is a 2021 VMT threshold, and achieving that threshold is paramount to all of our transportation efforts. TRPA needs to be the backstop, and require the due diligence to achieve and maintain them. The TBAP amendments as proposed were not analyzed under the current VMT threshold, and that is probably the biggest shortcoming in our opinion.

Ms. Kristina Hill, a former TRPA Shorezone planner at TRPA for 4 years, and planning consultant in Tahoe for 43 years said she is against these amendments. The adequate environmental analysis of what these amendments will result in has not been done. An Initial Environmental Checklist (IEC), are you kidding me? This is just a checklist. There needs to be a comprehensive environmental analysis done such as an EIR or EIS to evaluate these far-reaching, growth inducing impacts on the proposals to change the character of our communities. An EIR/EIS would have alternatives to the preferred alternative, it would have cumulative impacts analyzed. It would be a much easier pill to swallow if this environmental documentation had

been done correctly. With just an environmental checklist I can't buy off on there is going to be no significant environmental impact based on these amendments. And, I think having that presentation by Ken Kasman prior to the presentation of the amendments was kind of interesting. To see that the population has decreased. The basis for his analysis was the 2020 census data, which is so outdated, it's hard to believe that anybody can swallow that. I live in Incline Village. I've seen increases in traffic, in population, in garbage, in parking, and it's been very disheartening to see the whole basis for this. These changes are based on inadequate information such as the 2020 data. Since then there's been the COVID migration, and we have been at the end of our rope trying to deal with all these tremendous changes in our community.

Ms. Pamela Tsgdinos said she is also a full-time Incline Village resident who has seen tremendous impact over the last several years. She urged the APC to vote against any motion to recommend adoption and to reject staff findings. Ms. Tsgdinos said that there has not been sufficient analysis on the environmental analysis, or the infrastructure's overall limitations. Ms. Tsgdinos said she would encourage people to take a listen to this presentation on rewind. She heard the word food trucks mentioned more often than she did any other concern, and wished there had been similar amounts of time given to accessibility for residents to leave the basin in the event of an emergency. Accessibility of residents to move around the basin, to just get to doctor appointments, or to get shopping, but not competing with food trucks and visitors.

Ms. Tsgdinos continued, the growth inducing component of this particular set of amendments boggles the mind. She encouraged all to watch the 60 Minutes episode that aired on November 16, 2023. There was an extensive analysis of the lack of sufficient planning of infrastructure for Lahaina. And there was absolutely tragic discussion about the lack of available infrastructure for residents and visitors on roads. There were fire hydrants that ran out of water. These are real life concerns; this is not an academic exercise. Relying on consultants who don't live here, who don't understand the topography, the climate, the extreme weather risks, frankly, is a bit of an insult to those of us who live here. It is really critical; you are our public servants; you are the individuals who we rely on to make good policy. I would encourage you to table and go back to the drawing board and take into consideration all of the valid concerns that have been raised both by the public and some of the commission members. You don't have a chance to do this twice – once these buildings are in place and the roads are jammed, our lives are at risk.

Ms. Sophia Heidrich, Advocacy Director for Mountain Area Preservation said there is a wide variety of proposals in this package of amendments - everything from code cleanups to roadway frontage standards to prohibiting new single family uses in town centers And I actually don't think there's a lot of concern or controversy related to many of these proposals. But there are concerns related to the changes in setback requirements, allowing deed restricted multifamily housing projects by right, and associated impacts, and particularly related to the incomplete environmental analysis. We've heard from Placer County staff that the county just isn't seeing the redevelopment that was envisioned in the 2017 TBAP, or the 2021 amendments. I think that's a tough argument to make given that it's only been 6 years since the TBAP was adopted and two years since the amendments were adopted. And we went through a global pandemic which slowed down everything.

There are a number of projects that have already submitted applications or in the hopper and so we don't understand what projects made these amendments to be viable. We pointed that out last year, but that's still an outstanding question.

In terms of environmental analysis, we feel that the review of the cumulative impacts is still lacking. The EIR addendum and errata did not consider the cumulative impacts of increase VMT, particularly related to the projected growth in the town of Truckee's recently adopted general plan. There was some discussion of the village of Palisades plan, but it essentially says that because a different project has been taken off the books, that somehow offsets the impact from the Palisades development. We feel that that is an insufficient analysis. And there are a number of other projects proposed in the reasonably foreseeable future and their cumulative impacts must be considered as well.

I also wanted to briefly comment on the building height discussion, and I think that the reason that there is so much confusion and concern on that particular issue is because of the TRPA's parallel housing amendments planning process. Following Placer County's workshop in March, the proposed increase in building height was taken out of the proposal, and we super appreciated and supported that. Since then we've learned about the TRPA's proposed housing amendments which would put those heights right back on the table. And I just don't think that feels transparent to the community. It's created a lot of confusion, a lot of concern.

And then finally, I wanted to bring up wildfire, and I hope that a key takeaway from these various planning processes is that wildfire is a very real threat in the Tahoe Basin, and the community is asking for more analysis. We want to know how the potential development allowed under the TRPA's regional plan will impact evacuation and what can be done to better prepare and plan for wildfire. I think we keep bringing this up, hoping that this analysis will be part of these planning processes and evaluated under CEQA, but we keep hearing that because overall density will not increase, that's not an impact the jurisdictions need to consider at this point. Please hear the community on this one; evaluate wildfire, if it's not in this process then through an alternative planning process.

Ms. Nyobe Burden said I am just a resident of Tahoe Vista, having come back to the Tahoe area after 10 years away. I just found that it was an extreme difference from what I knew prior to when I was living here in the early 2000's. To say that there's no increase in tourism and population is just absolutely crazy, especially with Truckee, Reno, and Carson also involved.

I want to reiterate Mr. Feiger of the League's public comment, and I think it's great that they're supporting some changes. We've come a long way, but it's not where it needs to be. Parking management needs to be in place before zero parking in town centers and 0.75 per unit in multifamily zones is put into place. I submitted a comment showing pictures of Incline Village and parking on the roads everywhere. Who's to say that doesn't happen as we go forward without parking management in place.

The achievable definition is a loophole, which has already been brought up many times. It's being advertised in three projects, Alpine View Estates, Alpine Estates, and another one. It's a loophole that is going to allow a lot of development that's not intended for the real need. We need affordable and moderate housing units, and this achievable is going to take away that possibility because, of course, developers are going to go for the achievable. Why would they go for affordable and moderate? It's not an incentive at all.

Thank you to Sophia of MAP, for clarifying the height issue. Yes, the parallel TRPA amendments

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are just going to put it right back in, so that's a huge concern. And lastly, the environmental analysis, why is an EIR required for an area plan and rezoning for Reno housing requirements, but not for these amendments? I think this is why there's a lawsuit. Please consider taking this back for more detailed analysis, the devil is in the details.

APC Comments/Questions

Chair Ferry thanked the public commenters and said themes included questioning the environmental analysis, which staff talked about with the addendum and the errata to CEQA, along with the IEC, lots of comments about growth inducing and expansion, but I think staff addressed that head-on by saying nothing is expanded beyond what was already approved and contemplated in the 2017 TBAP. Also, continued concerns about wildfire evacuation. I think all of us are always concerned about that. We live here, our families live here, that's a peak concern for all of us. And then the VMT discussion that continues to come up in the comments we're hearing, including the league's comments. Does staff want to respond to any public comment to clarify anything?

Ms. Jacobsen said that on CEQA, the Placer County board acted on the CEQA document and felt that those were appropriate. When we look at preparing CEQA documents, and when EIRs and EIS's come into play, it's typically when you have land use changes – when you're rezoning land, you're changing colors on a map, you're increasing density, you're putting residential where maybe there was recreation or something. And so you really need to look at what does that density increase do? What are the impacts associated with that on the environment? But we are not doing that here. We are not increasing density, we are not rezoning land, we're not changing any designations. We are making mostly changes to development standards to try to achieve the goals of the former plan. So from a CEQA perspective, our Board is very comfortable with the addendum that was prepared. We're comfortable with the IEC, it's appropriate in this case. These are very minor changes related to standards to try to meet the overall goal of the TBAP and of other regional plans. And that goal really is what was analyzed before, that build-out and the carrying capacity has not changed. So that would be the comment on CEQA.

Ms. Jacobsen said that growth inducing is the same. Again, we're not increasing density. I know some folks may think we're trying to encourage redevelopment. The fact is that those projects in the town centers can come in today under the existing code and develop, but they're not. We're seeing some people come in, but they're not moving forward fast. So the opportunity for them to come in has not changed. They were allowed today, and they would be allowed with these amendments. So from a growth-inducing perspective again, we're not changing the build-out of the plan.

On the VMT, again, it's the same thing. These amendments are not increasing density, not increasing population, not increasing the VMT - that analysis had been done in the area plan. Same thing with wildfire and evacuation. The former 2017 EIR/EIS that was prepared for the TBAP did analyze wildfire risk and evacuation based on the population that would have been associated with that build-out. That build-out is not changing, so the addendum then relies on that analysis, because that population base associated with that density is not changing as a result of these amendments.

Ms. Ferry said that Mr. Feiger from the League to Save Lake Tahoe (the League) requested an implementation report from Placer County. Mr. Ferry said that is Attachment K in the staff report for this item. Ms. Jacobsen said the implementation report was prepared in response to those comments from the League. She said they wanted to try to provide a written summary of what they have done to implement. When you're talking about implementation of mitigation measures, that occurs with development. So the EIR/EIS that was prepared as part of the Tahoe Basin Area Plan looked at the impacts of future development that could occur under that area plan, right. And then it identified mitigation measures that you would apply to those projects as they come forward. The fact is we haven't seen projects come forward. So those mitigation measures that are in that EIR/EIS will happen when the development comes forward. But there are a lot of policies and programs in the area plan that we have been working on, and so we have tried to summarize that in the Implementation Report.

Ms. Jacobsen said that Placer County have spent millions of dollars on improvements in Placer County. The Implementation Report illustrates where those dollars have gone, we have had improvements in transit and mobility, active transit, trails, and housing. In addition, there's an implementation plan chapter that's part of our document, that lists different projects that mostly public agencies are working on, and we have provided a status of every one of those. A lot of them are water quality improvement or trail projects, and 24 of them have been completed. So while the mitigation measures maybe have not been implemented as much as we would have liked to see because we haven't seen that development, we have been actively working on the implementation of the TBAP, actively working on the implementation of TRPA's Regional Plan, and really meeting regional goals around housing and transportation. Those are two of the big areas of focus for us.

Mr. Garth Alling referred to last month's APC meeting where we were talking about area-wide stormwater plans that have been approved. I think there's one that's active in South Lake Tahoe and asked if the active one was in Tahoe City. Mr. Ferry confirmed that there is an active regional treatment system in Tahoe City. Mr. Alling asked about the status of such a plan in the Kings Beach area. Ms. Jacobsen said the Implementation Report has a section on TMDL and talks about work in that area. She's not sure on the specifics but will track that down. Mr. Alling said the reason for the question was the same comment he made last month in regard to reducing parking. I think you're just kicking the can down the road. You're going to have people that end up parking in non-paved areas, and you have the potential for increased erosion associated with that. I didn't see any of that covered in the IEC, so I think there's a small deficiency there.

Mr. Alling asked about all of these public comments that we've been hearing, and also received via email - were all of these comments, or the majority of these comments, also given in response to the draft EIR that was prepared, and were those comments all responded to? I think there are some comments that people have made where they feel a little frustrated that there has been no response. Ms. Jacobsen replied that when you prepare an EIR, and you prepare a draft, that goes out for public comment. So when that was prepared back in 2016, we were obligated to respond to those. So that final document that was adopted and certified included those responses. In an addendum, it's a little bit different. We don't have that requirement of preparing formal responses. What I can say is that we have sifted through stacks and stacks of comments. Along with a traffic study that was submitted to our board on October 16, 2023, right before the board hearing. And that was one of the reasons the board said we're going to press pause, we're going to come back on October 30, 2023, because we want staff to look at

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this. So that written response that has been submitted here is the result of sifting through those comments, identifying themes, and then providing written response. Do we have to do that legally? No, but we did it because we felt it was important to include for our board's consideration, and for the Commission here today, and moving forward to the Governing Board.

Mr. Alling asked for clarification for the public, if when people make comments and send comments to us right now, is there a requirement that a response is given to them for each comment that they make. Mr. Marshall confirmed that was correct.

Mr. Teshara said he thinks the attachment Ms. Jacobsen was referring to is Attachment M. Attachment M came from the Board of Supervisors review of all the comments received. He thought Attachment M was a very comprehensive detailed analysis of response. Even though not legally required, he thought it was prudent. As part of our record here, there's a whole section about wildfire and evacuation which was spoken to by the people responsible for that in Placer County. He encouraged people to read that Attachment.

He added that he has lived and worked in the area, and it is sad to see the state of Tahoe City and Kings Beach – these communities are much less lively than they were back in the 1970's-80's. They're more walkable, and there's some environmental improvement to stormwater, but they are a shadow of their former selves. Yes you can walk, but where do you walk to? Buildings that are boarded up, lots that are fenced off. Those are not environmentally appropriate communities, and I do believe, as Mr. Drake said, that this is a step in the right direction. Having talked with people that are trying to build affordable housing, deed-restricted housing, achievable housing, they see this as a step forward to building the housing we need. It doesn't come easy, we're trying to break the addiction a lot of developers have to just build things that are big, that people will pay a lot of money for. I believe the package before us today is an attempt to break that cycle. I appreciate Placer County's leadership on this, it hasn't been easy, it's tough to be vilified and excoriated for trying to do something. I have a strong feeling of wanting to see the communities of Tahoe City and Kings Beach come back to the vibrancy they used to have, in a way that is environmentally appropriate – that's not happening now.

Mr. Alling thanked Mr. Teshara for bringing up Attachment M, and that all that information is there because I think it's important for the public to know that that comments are being responded to and are being listened to. He also thanked Ms. Jacobsen for reiterating all of that, and what has happened during the CEQA process. That's extremely important.

Mr. Drake said he feels compelled to put some of the minimum parking language in context. I hear Ms. Carr's comments loud and clear about it seeming impractical to build without at least one car per person. I heard that many times in the community. People are fearful of this. But the reality is that there is, as Mr. Feiger said, a demand for car-free living. It's a tiny minority, but guess what, that minority is the population that needs housing as well. And giving our developers the opportunity to decouple parking from a living space, just gives people the option. It doesn't mean building a 50-unit place with zero parking, it might mean 25 spaces and you pay an extra \$400 a month if you want a parking space, and if you don't you get much more affordable rent. I can speak from experience, because when I was in graduate school I got a very inexpensive apartment without parking. It was very convenient, and I was willing to give up the convenience of having dedicated parking, for a very affordable place to live. That was a long time ago, but there's still people who work for me today who don't own cars and are not J1s

and they walk to work. It's a small percentage, but they exist. If you live in central Incline, you can probably walk to Raley's or the new Grocery Outlet, or soon the new Natural Groceries. If you live in Kings Beach, it's pretty easy to walk to Safeway when the paths are plowed. There is a small segment of our population that would benefit from this, and those are the people at the low end of the income spectrum. If we take the maybe 5% of people who don't own cars they are almost certainly going to be in that lower income bracket. If that can help to move these projects forward, I think it's important. The other thing is that Kings Beach has quite a bit of underutilized parking, as I think most of our communities do. For broad numbers, last I checked, Kings Beach had twice the number of parking spaces as Truckee, and half the amount of commercial floor area. We're talking about the need to better utilize the parking we have, and figure out how to do that between businesses, between a bank and a brewery for example.

Mr. Drake added that everyone is on edge about wildfire evacuation. It's an ongoing concern and we do a lot of modeling. There are plans in place, and I know our agencies are doing their best to figure out what the best options are. I think the reality is that the proposed changes before us today are about creating vibrant town centers and affordable housing. Stopping that progress will definitely keep our towns from becoming the vibrant towns that everybody deserves for people who live here. We need to be addressing the day use visitors. We need to be addressing the number of people who can freely drive into the basin any time, and pack the basin full of as many cars as we can literally fit. We need to be talking about a basin entry fee or some type of system like that. For the public who are very concerned and vocal about wildfire evacuation I want to steer the focus back to the bigger conversation about how we manage day use visitors and inter-regional transportation. Because if we let our fears about evacuation stop progress in our town centers, we're going to lose our schools, we're going to lose the ability for this to be a year-round community. That's my fear, that we're throwing the baby out with the bathwater by lawsuit after lawsuit stopping progress to make our small-town centers more vibrant. They're related, but they're separate issues with separate solutions.

Mr. Drake made a motion to recommend approval of the Required Findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Area Plan amendment as described in the staff summary

Mr. Young seconded the motion.

Ayes: Ms. Chandler, Mr. Alling, Ms. Carr, Mr. Drew, Mr. Hitchcock, Mr. Drake, Mr. Hill, Ms. Simon, Mr. Young, Mr. Teshara, Ms. Stahler, Mr. Ferry

Motion Passed.

Mr. Drake made a motion to recommend adoption of Ordinance 2024-___, amending Ordinance 2021-02, to amend the Tahoe Basin Area Plan as shown in Attachment C.

Mr. Hitchcock seconded the motion.

Ayes: Ms. Chandler, Mr. Alling, Ms. Carr, Mr. Drew, Mr. Hitchcock, Mr. Drake, Mr. Hill, Ms. Simon, Mr. Young, Mr. Teshara, Ms. Stahler, Mr. Ferry

Motion Passed.

VII. REPORTS

A. Executive Director

TRPA Chief Operating Officer and Deputy Director, Mr. John Hester provided an update on what Governing Board actions have been taken on recent APC recommendations. Firstly, APC actions on the Phase 2 housing amendments were forwarded to what is now called the Regional Planning Committee, previously known as the Regional Planning Implementation Committee (RPIC), who moved it on to the Governing Board, who will be hearing that next week. The motion from the Regional Planning Committee had a few explanatory text clarifications added to the code, but nothing significant.

Upcoming, the APC is the lead entity delegated for the Threshold Update Initiative Stakeholder Working Group (TUISWG). The APC Vice Chair is the Chair of that working group, and that group will be meeting on December 19, 2023. The other working group is the Tahoe Living Working Group, and the APC Chair is also the chair of that committee who will meet on January 30, 2024.

As Mr. Hitchcock mentioned, there are some area plan amendments coming from the City of South Lake Tahoe, and we anticipate some other area plan amendments, as well as some climate amendments coming forward, but specific dates are unknown.

The report on how the local governments are doing on delegated area planning will be sent to the Governing Board next week on the consent agenda. It recommends all of the area plans continue to be certified. If anyone wants to get that report, I can send you the link or you can find it in the Governing Board Packet.

Finally, the two-year terms of your Chair and Vice-Chair have come to an end as of today. One of the two has asked to step back from being an officer, and the other member is willing to serve in either position. We thought we would open it up to anybody who wants to be considered. You can call me or email me or contact Mr. Ferry to discuss what it really takes to be chair. From the staff perspective, we appreciate what you do as chair and work closely to plan the agenda and presentations to make these meetings as meaningful and smooth as possible. We hope some others will step up. Not that we don't want Mr. Ferry to continue, but just wanted to invite you to contact me or Mr. Ferry, and we'll get in touch and try to have a slate of officers for your next meeting. Mr. Ferry encouraged his colleagues, if anyone wants to step into this role, don't hesitate to call me.

Mr. Alling added that he thinks it would be very important for the APC to do a field visit to the NV Energy project implemented underneath the power lines. He attended the Tahoe Douglas Fire Protection District board meeting last week, and NV Energy gave a presentation on the project. With all the talk of wildfire and evacuation concern, I think it's very timely and important that everyone on the APC understands the project. I have some contacts, and I think it would be a great field visit, maybe even having NV Energy come and give us a presentation.

Ms. Carr offered another idea. She went on a legislative tour around the time of the Lake Tahoe Summit, and one of the stop was the Meeks Bay area to learn about fire management and forest management from the Washoe Tribe. She had some awareness of those topics, but until she

was out there hearing from the tribe and seeing it on the ground, it made a different impact. It might be another opportunity to bundle those ideas together.

B. General Counsel

Mr. Marshall said as you have heard referenced today, a lawsuit has been filed. The North Shore Citizens, Green Friends of West Shore, TahoeCleanAir.org, and North Tahoe Preservation Alliance has sued the County of Placer over the county's adoption of the area plan that you just recommended. That's been filed in state court as a lawsuit based under CEQA. Basically, the complaint is that conditions regarding fire risk and population in the basin have changed such that you could no longer rely on the 2012 Regional Plan Update or the 2016 Tahoe Basin Area Plan EIS/EIR.

Ms. Simon asked if in the event the lawsuit prevails what would that do to the motions that we passed today. Mr. Marshall said that's an interesting question because we have the County acting under its own state laws and CEQA, and then APC, as part of TRPA are acting under TRPA ordinances and Article 7 of the compact, which is the environmental documentation procedures. The lawsuit is just about CEQA and the Placer County Board of Supervisors' action under state law. We anticipate that if the TRPA Governing Board approves these amendments, and perhaps even the housing amendments that are coming next week, there will be another lawsuit associated with that approval. So, in some sense, it may not matter. But assuming there is not a secondary lawsuit, and the plaintiffs do prevail, then that only impacts the Placer County decision. If the TRPA has taken an action by the time that is not sued, then those changes to the Regional Plan and the Area Plan will be made, because those are within the discretion of the Governing Board. It maybe that any additional provisions that are purely related to state law may be stayed, or they may choose to pull back some of the things associated with why there was a deficiency, or they may just go back and do additional environmental documentation. So in that aspect it probably depends on what the decision is.

Ms. Simon asked if there was any idea of the timeline of the lawsuit. Mr. Marshall said it will depend on whether the suit stays in state court. CEQA cases are given precedence under state law. It takes a while to prepare the record, to brief, then have oral arguments, so I wouldn't expect anything before 9 to 18 months.

C. APC Member Reports

Ms. Carr said the Nevada Division of Environmental Protection (NDEP) has developed a new outreach listserv for people that want to sign up for Army Corps 404 actions that require 401 state certification. The federal government updated the 401 rules and procedures, and we're reacting accordingly by developing a new method of doing public comment periods on our 401 state certification decisions. If you're interested in NDEPs 401 actions, you can go to our website and sign up for our listserv going forward, and those 401 state certification applications will be publicly noticed for 30 days going forward.

Mr. Teshara, speaking as Chair of the Board of Directors South Shore Transportation Management Association said that as an outgrowth of their work on micro-transit Lake Link

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service had a couple of notes. One is that the City Council recently approved an additional allocation of funds, so they'll be able to expand the Lake Link service area within the City. Not all the way to the Y yet, that's our collective goal, but significantly farther into town. And we did get funding from Douglas County, and we'll have a slight expansion to Round Hill Mall in the Round Hill neighborhood and a little farther up lower Kingsbury. So those are positive signs. We have also established a partnership with Commute with Enterprise, which is a branch of Enterprise rental cars to do van pools that connect Carson Valley, Carson City, and even Reno to the South Shore. I know there are similar efforts underway on the North Shore through the Truckee North Tahoe TMA, and the town of Truckee is working to get van pools in place. The interesting thing is that we've learned if we can position the van pools correctly, they would become part of the public transit services that we provide as a region. If we can increase the amount of public service or public transit that we do, there's actually a potential that we could get more formula money for transit services by doing so. So right now, if people are van pooling or carpooling separately, this is great, but if it can go into an overall program that can increase the transit services that we provide as a region, there's another benefit to that. So we're excited about the opportunity. Not to give them a commercial plug, but Commute with Enterprise has this down, and it's a program that we strongly believe in. We're working now with Caesar's Tahoe and others to launch the program and make it available to any employer or any group that would be interested.

Ms. Carr said that they learned, once we started to promote more commuting from Reno for our staff when telework went away for state workers, was the Reno RTC provides a benefit where if you are in a carpool or van pool, and for some reason there's an emergency, for example, your kid breaks their leg at school, and you've got to get home and the van pool's not leaving until 5. If you subscribe to a certain level, they will pay for an Uber to you to get home. I don't know if that's an aspect that's been discussed here, but it really gives you a lot of assurance that if something goes wrong you have the ability to get home.

Mr. Teshara said he appreciated the point, it's called 'Guaranteed Ride Home', and they will have a similar benefit for family emergencies. The other thing that Washoe RTC provides is an incentive. So any van pool that leaves Washoe County or comes back into Washoe County, gets a \$400 incentive, which draws down the overall cost of the program. So many employers put up money, the employees put up money, and then there's this incentive. Through the South Shore TMA, maybe in partnership with TDD, we're looking at providing a similar incentive. Because we want to encourage anything that takes down the costs of commuting.

Mr. Drake said that Placer County is throwing a parking party on January 10, 2024, 5:00-7:00 p.m. at the North Tahoe Event Center, and all are invited. It's a public meeting about the parking management pilot project that's happening in the North Shore, primarily Kings Beach, and it's been a long time coming. There's a very savvy, experienced consultant facilitating the meeting. We're excited to have them on board. One of the big topics will be dynamic pricing and how to make it work for residents, visitors, seasonality, on peak-off peak, and just be easy to use.

Ms. Jacobsen said Placer County recently engaged with Dixon Consulting to work on formulating the parking management program. They've done outreach, and King's Beach seems a little bit more interested in moving forward with paid parking than Tahoe City. So we're focusing our efforts there as a pilot. She also wanted to mention that Palisades Tahoe reached out about partnering with them on parking management of their lots. You may have heard they're moving

to a paid parking reservation system, and we are taking an agreement to our board to help them with enforcement. The Tahoe Office code team currently manages parking enforcement in the basin area, and they're excited about the first public-private partnership related to parking.

Regarding the Short-Term Rental (STR) Program, Ms. Jacobsen said that board discussions in October led to key policy considerations for the STR program. Creation of a formal structure for the STR stakeholder working group to address cap reduction (currently at 3,900) and spatial distribution of STRs in neighborhoods.

Ms. Simon suggested a field trip related to invasive species, potential locations could be the Tahoe Keys or Emerald Bay. Regarding the Boulder Bay project in Crystal Bay, she said it is moving excruciatingly slowly but a proposal is going to the Washoe County Board of Adjustment tomorrow, maybe we'll see some movement on that.

Mr. Young said he appreciated the work and effective leadership of the current APC Chair.

Ms. Chandler agreed and said they hoped he would continue in his role as chair. That said, it would be helpful to share job descriptions for Chair and Vice Chair roles. Ms. Chandler added that she was pleased to share that the Tahoe Keys Property Owners decided to fund the Control Methods Test for Year 3 following excellent Year 2 results. They would gladly host a field trip in the summer.

Mr. Ferry said El Dorado recently completed a big EIP project, the San Bernardino bike path project, a major and high-use connection point.

VII. PUBLIC COMMENT

Ms. Ellie Waller, quoting Mr. Thomas Edison said, "being busy does not always mean real work, the object of all work is production or accomplishment, and to either of these ends there must be forethought, system, planning, intelligence and honest purpose". She said she would like Placer County to come back on the failed community enhancement program. We are now going back with 2017 changes as perceived failures. The BBLLC project, which is now Kingsbarn is going into another two-year extension due to another developer. The 1990's had parking management plans – never brought forward into the 2017 planning cycle for accomplishment. La Lima is being piecemealed, sold. Fast forward, Tahoe City Lodge – it's shameful that putting in porte-cochere posts is progress. Sandy Beach did the same thing, it's a long age-old lawsuit. Creating new programs with no benchmarks doesn't help bring all of these new changes. She thanked Ms. Tyser on urban vs rural, Ms. Tsigdinos. All of the commenters have spent many hours reviewing these documents that will be going to the Regional Planning Committee in January. She was really surprised that TRPA Counsel brought up that there may be a lawsuit against the housing amendments.

Ms. Pamela Tsigdinos said she wanted to comment on a comment made by a commissioner about walking in Incline Village to Raley's etc. It's very important to know that our existing multi-use paths are very rarely plowed in the winter, which means people are walking in the already crowded two lane streets. In the summer e-bikes race by and there are very poor pedestrian crossings, making multi-use paths rather deadly if you want to cross the road.

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Secondly, Ms. Tsigdinos said I'm very disappointed that the APC voted unanimously in favor of these inadequately researched amendments. It's clear from the public comment that the vast majority of Tahoe residents, particularly those not associated with commercial development, real estate, lobbyists, and attorneys, oppose the proposed amendments. If there had been a public referendum these amendments would have failed. I'd also like to highlight faulty logic and lack of intellectual honesty around the formation of these amendments. There is not a lack of housing in the Tahoe Basin. What there is, however, is a very poor short-term rental (STR) policy that favors tourists over residents. These policies favor T.O.T. collection over the needs of those who need a place to live. You just have to accept that is the truth. I'd also like to comment on some of the commission statements today. The commission has now approved these amendments, so I'd like to underscore Ms. Stahler's comments – it's imperative that the commission put in place strict and regular monitoring of the amendment impacts. I'd like to suggest monthly updates, with a formal annual review. As for one commission member's comment on blight in Tahoe communities, keep in mind the public is not responsible for the blight, it is the result of bad policy, and private developers looking for the highest return on investment. Please don't conflate bad policy and public resistance to these amendments. The public has legitimate concerns about the changes in our environment, in overall visitation, and the climate, and we should not be thrown into a category of resisters for the sake of resistance when we're asking meaningful questions and requesting more analysis.

VIII. ADJOURNMENT

Mr. Teshara moved to adjourn

Chair Ferry adjourned the meeting at 1:20 p.m.

Respectfully Submitted,



Tracy Campbell
Clerk to the Advisory Planning Commission

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Tahoe Regional Planning Agency
Zoom

February 14, 2024

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry called the meeting to order at 9:35 a.m.

Members present: Mr. Alling, Ms. Carr, Ms. Chandler, Mr. Drake, Mr. Drew, Ms. Ferris, Mr. Ferry, Ms. Wydra (for Ms. Jacobsen), Mr. Letton, Ms. Moroles-O'Neil, Mr. Hitchcock (for Ms. Roverud), Ms. Simon, Ms. Stahler, Mr. Lindgren (for Mr. Stephen), Mr. Teshara, Mr. Young

Members absent: Mr. Hill, Mr. Smokey

II. APPROVAL OF AGENDA

Mr. Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

Ms. Ellie Waller said she believes at some point we need to step back and analyze the existing conditions better. Without proper analysis, we may repeat past mistakes, such as not implementing a community enhancement program. I don't think all projects consider the cumulative impacts or existing conditions of an area, not just the project site. When evaluating projects, I hope the thresholds are examined more thoroughly to understand the direction they are heading. It's essential to assess whether newer projects align with existing conditions and address issues like achieving "no net zero".

Ms. Yolanda Knaak, Incline Village resident, said she is concerned about the parking issue. The first mistake made was last year when the zoning on 947 Tahoe Blvd. was changed. Affordable housing for people that work here, that would be apartments. They're not going to be able to come up with the 20% needed to buy a condo or house. So this whole program is completely ridiculous. And thinking that you have parking on the street. I'm looking at my street right now and there's a foot and a half of snow and ice along the side of the road. Even though today is a green day, you wouldn't be able to park on the side of the road. So this whole idea that you're going to provide affordable housing and that people are going to have to come up with 20% to buy a condo is unrealistic. Apartments are what is going to be realistic for people that work here.

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Ms. Knaak continued, the other issue that you're not taking into consideration is evacuation. The evacuation plans are inadequate. They do not include visitors. We have thousands of visitors every day. So, you should never move forward on some project like this with the idea that people are going to be able to park, with the idea that people are going to be able to buy these condos, and with the idea that people are going to evacuate. I don't know if you know, but Incline Village was compared to Lahaina after the Lahaina Fire, and Kings Beach was compared to Paradise after the Paradise Fire. So you need to first be able to provide safe evacuation for the people that live here before you go working on new developments.

Mr. Doug Flaherty, TahoeCleanAir.org said he is always amazed at how the chairs of these various committees are quick to move in and attempt to silence speakers and degrade their first Amendment rights, you need to be a little more tolerant before you make judgmental opinions about what a general comment is or isn't.

Secondly, APC members in the past have basically been useful lap dogs for the TRPA staff and I just hope that based on everything that you know that's happening politically and otherwise here in the basin, that you start to ask some reasonable hard questions about what the staff is feeding you. Because you really are providing and historically have not provided leadership to protect the Lake Tahoe Basin and the clarity of the lake.

In addition, with regards to the fire evacuation issue, you the APC, various committees, the Governing Board, completely fear a data-driven roadway evacuation capacity analysis, because you know that once that analysis is published based on pure data, you will not be able to continue to saturate and degrade the Lake Tahoe Basin for your public interest partners. Those partners include public agency partnerships, non-profits, and the development industries.

Finally, you're all a product of regulatory capture. There was a news article on that recently. This is what happens; you've created this system, this repetitive system of self-preservation on the part of the TRPA since the 2012 regional plan. And now it's all about protecting your interest, digging your heels in, coming up with whatever idea of the day that you're trying to promote, and you'll take everything right into a lawsuit, regardless of what the public produces as far as data. So, I'm ashamed of the history of the Advisory Planning Commission and the TRPA since 2012. You guys need to ask some hard questions today, not just be spoon-fed by the staff.

IV. DISPOSITION OF MINUTES

November 2023 and December 2024 meeting minutes continued to the March APC meeting.

V. PUBLIC HEARINGS

[Agenda Item No. V.A. Election of APC Chair and Vice Chair 2024-2025](#)

Mr. John Hester, TRPA Chief Operating Officer, introduced the item. He said you as you may recall, at the December meeting, we announced that we would have elections at the January meeting, which was canceled, and asked for interest from those on the commission. The interest that we got was that your chair volunteered to serve again if necessary, and nobody else wanted

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to do it. Ms. Stahler volunteered to serve as Vice-Chair if the current chair would continue on. So, that is the slate of officers that we heard about as staff. It's now up to the Commission to consider those or others. Mr. Ferry asked if anyone else care to throw their hat in the ring.

Mr. Teshara said that typically the Chair and Vice-Chair are from different states. So, the pairing that Mr. Hester announced in his view would be appropriate. Ms. Carr added that with the additional roles and responsibilities of her current job, she felt the APC could be better served by another representative as Vice-Chair.

Ms. Carr made a motion to elect Mr. Brendan Ferry as Chair, and Ms. Ellery Stahler as Vice Chair, to the Advisory Planning Commission for 2024-2025.

Mr. Teshara seconded the motion.

Ayes: Ms. Moroles O'Neil, Ms. Chandler, Mr. Drake, Mr. Teshara, Mr. Drew, Ms. Wydra, Mr. Letton, Mr. Hitchcock, Mr. Alling, Ms. Carr, Ms. Ferris, Ms. Simon, Ms. Stahler, Mr. Lindgren, Mr. Young, Mr. Ferry

Motion Passed.

VI.A. [Agenda Item No. VI.A. Notice of Preparation for Proposed Possible Boatworks Redevelopment Project](#)

TRPA Local Government Coordinator, Brandy McMahan, presented the item. She said they are here today because Placer County and the Tahoe Regional Planning Agency have issued a notice of preparation for the proposed Boatworks Redevelopment Project in Tahoe City. We are planning on moving forward with the preparation of a joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS), which is going to be prepared pursuant to the California Environmental Quality Act (CEQA) and TRPA rules and regulations.

Ms. McMahan is joined by Heather Beckman, Senior Planner and Leah Chavez Principal Planner with Placer County. From the applicant's team we have Vinton Hawkins with MJD Capital Partners, Wyatt Ogilvy - Land-use Consultant, Marie Murphy - property owner, and Chip Williamson – Attorney, to present the proposed project as well as the plans for moving forward with the environmental review process. In the audience, taking notes because this is considered a scoping meeting, we have Nanette Hansel and Jessica Mitchell with Ascent Environmental, which is the environmental firm that has been hired to prepare the joint environmental document.

Ms. McMahan said the purpose of a scoping meeting is to obtain public and agency input regarding the potentially significant environmental issues, and to discuss reasonable project alternatives and potential mitigation measures that will be evaluated in the joint environmental document. Today we will highlight the potential impacts we are planning to analyze in the joint environmental document. Any comments we receive verbally today or in writing throughout the scoping process, will be taken into consideration, and then later on in the process, there will be additional public hearings where we discuss the merits of the project.

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In addition to today's scoping meeting, we're having another scoping meeting in Tahoe City on February 26, 2024. It's going to be a hybrid meeting so people can participate in person or remotely. And then we've also placed the Notice of Preparation on the Governing Board agenda for February 28, 2024. We released the Notice of Preparation on January 31st, so we are taking written public comment through February 29th, which is the end of the scoping period.

We did send the notice of preparation to property owners within 300 feet of the project boundary. We're maintaining a distribution list for anyone who's interested in being notified of upcoming public hearings. We provided the Notice of Preparation to state and federal agencies, tribes, county departments, and public agencies such as school districts, and we provided a notice in two newspapers. With that Ms. McMahon turned the presentation over to the applicant's team.

Ms. Marie Murphy, owner and manager of Boat Works at Tahoe LLC, the subject of the discussion today, said that her operating company, MJD, acquired the Inn at Boatworks, formerly known as the Tahoe City Inn in 2018. The following year, we purchased the Boatworks Mall. Boatworks has been the hub of the North Shore for decades, and through our combined ownership of the inn, mall, and office space at Boatworks, our team has revitalized these aging structures, drawing people back to this central location in Tahoe City.

We've invested over a million dollars in renovating the Inn, and successfully leased 30% more space in the mall than the previous owners. We take pride in fostering a sense of place for the Lake Tahoe community through our investments and community-oriented events. We've introduced the first mural to Tahoe City, collaborated with non-profits and small businesses, and provided space for various activities, including art, health and fitness, wine, commerce, retail, and most importantly, environmental stewardship.

My partner, Vinton Hawkins, and I are deeply rooted in the local community while we also have an institutional mind-set, essential for navigating the entitlements we're here to discuss today. Vinton, a lifelong Lake Tahoe resident, has familial ties to the area dating back nearly a century. I am a mountain enthusiast from Utah and have been in California since 1997. Our goal has been to provide a significant time and exposure to the wonders of the Lake Tahoe Basin, especially for my daughters.

Over the past 4 and a half years, Vinton and I have diligently prepared for today's discussion, consulting with both Placer County and TRPA to align with the goals outlined in the 2017 Area Regional Plan. Our development proposal focuses on restoring the environment, enhancing community character, and improving socio-economic conditions.

We plan to enhance the Stream Environment Zone (SEZ), introduce environmentally friendly buildings and transportation options, and align our operations with environmentally forward practices. Our project is designed to create a sense of place in Tahoe City, reflecting the mountain architecture that both Boat Works and the community are built on.

As a catalyst for redevelopment, we aim to create new jobs and improve overall socio-economic conditions on the North Shore. We've conducted thorough due diligence on land capability and zoning. We firmly believe that the benefits of this transformative redevelopment will elevate a dormant town to its highest potential, benefiting the environment, the lake, and both local

residents and visitors alike.

Mr. Vinton Hawkins, Legal Counsel for MJD Capital Partners and co-owner and project manager of the Boatworks redevelopment. His great grandfather bought property in the basin in 1924 and he has spent his entire life connected to the lake. He said like all of you, I love and desire to protect Lake Tahoe, and to do so it takes vision and money. The proposed project will not only enhance the existing conditions, but will provide economic benefits to continued efforts to preserve the lake. We are proposing a destination hotel for the redevelopment of the Boatworks. Once guests arrive they can access the alternative modes of transit, walk, or bike the town, and reduce travelling in and out of the basin because they can find a hotel. Tahoe is a tourist-based economy, but the Placer County portion of the basin has a limited supply of hotel rooms. There are approximately only 1,700 hotel/motel rooms in the Placer County portion of the basin, and there has not been a new hotel of scale in 60 years. Stakeholders have spent the last 25 years studying where and how tourist accommodation should/could occur. After extensive research, we agree that the Boatworks is the ideal location for a hotel redevelopment as it fill the mission and vision of regional planning documents.

Mr. Hawkins highlighted the importance of revitalizing the Tahoe City Town Center for overall community development. Very little has occurred here in decades. The project aims to address new infrastructure, environmental enhancement, and economic growth. The proposal includes modern, comfortable, and sustainable accommodations for tourists, incorporating energy-efficient designs, LED certified construction, fire-resistant building materials, and modernized fire suppression and HVAC systems.

The project emphasizes water conservation, pollution prevention, and site-wide modernization of runoff, stormwater recapture, and infiltration systems. It will reduce the existing footprint, and some of the existing encroachment into the Bliss Creek stream environment zone (SEZ). Coverage will be further reduced with the introduction of pervious surfaces.

The redevelopment is expected to have positive effects on local businesses and residents, creating job opportunities, increasing tourism revenue, and enhancing property values. The project also integrates public and private transportation options to improve the site's transportation infrastructure, including pedestrian-friendly streetscapes, lakeside trails, shuttle services, and biking opportunities.

The project location, in Tahoe City's mixed-use town center core, is surrounded by like zoning, with no residential interface. The site comprises three structures—the Boatworks Mall, Boatworks Commercial Condominium, and Boatworks Motel. The site is approximately 75% covered by structures and impervious surfaces, with a massive asphalt parking lot, over an acre in size and covering 28% of the entire site.

The proposed redevelopment program includes a streetscape with a single-story retail band, 29 condominiums, and a hotel structure with 79 units. The design considers the preservation of a large tree to buffer the structure in the northwest portion of the site.

The project team is committed to environmentally conscious practices, sustainable design, and reducing the reliance on cars, promoting alternative modes of transportation such as walking, biking, and shuttle services.

The amenities of the project are positioned away from the shoreline towards the center of the site to break up the massing and adhere to the 56-foot height limit. The development team includes local expertise from Ogilvy Consulting for land use, SB Architects for architectural design, Design Workshop for landscape design, and others.

Mr. Wyatt Ogilvy said he has worked with Marie and Vinton since they were in due diligence to acquire the project site and the assemblage of properties, through to close of escrow and ultimately assembling the project team. He said they are putting together a comprehensive project in response to the Placer County Tahoe Basin Area Plan (TBAP).

Mr. Ogilvy said the site today has minimal BMPs by the consolidation of vehicles in a structured parking garage. We contain the vehicle impacts to the site and we can, not only through the use of the garage but have a comprehensive modernized BMP program for the site that's right on the shore of the Tahoe City Marina and Lake Tahoe.

We met early with the League to Save Lake Tahoe to consider both physical and programmatic elements to the development program, in the hopes of reducing trips through a destination resort to have both interaction with the community, the physical attributes of the site, and programmatic elements such as employee lockers and showers to hope to get to as close to net neutral in both the VMT, as well as based on the extended development across the site.

The site borders Bliss Creek along the Easterly project boundary. That creek actually influences the adjoining property, so we don't control the full extent of the creek, but to the extent we can, where we have control and influence, we're going to do enhancements to the creek itself and pull out development, both building footprint and impervious surface from the creek and the stream environment zone.

Through the design and analysis both under the document and in compliance with TRPA code, we will comply with the scenic resource elements. By doing so the project will help trend this segment of shoreline towards threshold attainment for scenic resources both from the roadway and the shoreland component.

And then housing, because we are net neutral or close to that neutral by the time we get to full analysis in the document of commodities, we anticipate that the housing element is going to be relatively small. However, we will, of course, comply with Placer County's adopted housing element. That said, both Vinton and Marie are cognizant of the housing challenges that our region faces and the need to operate effectively. We have to have employees and our employees need places to live, so they continue to look at options outside of the project itself. Mr. Ogilvy described the images on slide 12, showing project renderings.

The Tahoe Basin Area Plan has amendments that are being put forward by Placer County, one provision of those amendments is a provision for groundwater interception. The project as proposed, TRPA issued a soils hydro approval, and the garage is currently cited to sit above the groundwater profile across the site, and parking demand is met on-site. However, since we're going through this joint environmental document and in parallel, the area plan amendments are being considered, we're also analyzing an option that would provide for some additional parking beyond the demand of the project that could have a community benefit should those provisions be ultimately adopted and upheld. As opposed to taking a step back or having a delay, we're

analyzing this option concurrently through the preparation of the joint environmental document.

Mr. Ogilvy handed it back to Ms. McMahon who said that the project will require approval by both Placer County and the Tahoe Regional Planning Agency. For those not familiar with the environmental review process we are currently scoping. The next step will be to prepare a draft Environmental Impact Report, and Environmental Impact Statement. Once that is complete, we'll release the draft document for 60 days and have additional public hearings. We will respond to the comments we see during that period in a final environmental document and then we'll take the project through the public hearing process. So we'll go through the Placer County and then TRPA public hearing process.

Ms. McMahon said we will analyze potential environmental impacts in the environmental document. Some impacts we plan to analyze in detail, such as air quality, water quality, and noise. Other impacts will be covered with a brief discussion and analysis in the document. In addition to the proposed project that was presented today, we will be evaluating potential alternatives. So the no-project alternative or existing conditions, and then we're also considering analyzing a reduced height alternative, and then a reduced units alternative in the environmental document.

Ms. McMahon said we are accepting written public comments through February 29th. The public comment can be emailed to or mailed to Placer County, and the information is available on slide 19. TRPA is posting all the application documents on the Lake Tahoe Info Parcel Tracker. You just need to enter either in the APN or the project number. So those of you on the APC or in the audience who want to see some more information on this project, you can go to this website.

APC Comments/Questions

Mr. Alling said he had a question regarding Bliss Creek on the northeast portion of the property. In the notice it states that some enhancements are proposed to Bliss Creek. He asked if any efforts have been made to coordinate with the adjacent property owner to include enhancements for the entirety of the creek instead of just one half. Mr. Hawkins said that the site (Safeway) is going to be put on the market. They originally reached out to Safeway and attempted to acquire that property as well. That didn't come to fruition, and we don't know who will own it. It would be great if we could get cooperation from our adjoining property owner.

Ms. Stahler echoed Mr. Alling's comments. Additionally, she said that considering the proximity to Lake Tahoe, there's a prime opportunity to design and implement Best Management Practices (BMPs) that can significantly reduce sediment loads impacting Lake Tahoe. Her agency, the Nevada Division of State Lands (NDSL) through the Lake Tahoe license plate program, recently sponsored a review of BMPs, considering climate change and other factors, to determine what would work best for Lake Tahoe. As part of the request for comments, I may submit these findings to Placer County, hoping that they pass through to the project sponsors for their consideration as they plan and design the water quality infrastructure components.

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Ms. Moroles-O'Neil said she is happy to see this development in our community, especially considering its historical significance for Tahoe City. She said she was present when the Boatworks was built, and it's been disheartening to see it not being utilized. Her question, although it may not have a clear answer, pertains to Jake's on the Lake, which has become a staple in that building. With the new development including restaurants, has there been any communication with Jake's on the Lake, or will all the current occupants be displaced? Mr. Hawkins will respond offline since the question doesn't pertain to the Notice of Preparation.

Ms. Simon said I would like more information about the consideration of reduced height, how that works, and the envisioned total buildout of the parcel.

Ms. Chandler raises two concerns. She would like to see more details on the workforce housing plan. She has many friends in the area struggling to find housing. The project might force more people to live outside the community, increasing daily commutes and vehicle miles traveled. Another worry is the lack of information about a specific evacuation plan. The increased density could significantly impact the population, and I'd like to see figures comparing current and future occupancy along with an evacuation plan for the parcel.

Ms. Carr echoed Ms. Stahler's comments regarding stormwater best management practices (BMPs). The proximity to the lake and the underground parking structure raises questions about potential groundwater interception during construction or long-term use. A thorough analysis of what would be done with the water in case de-watering would be interesting. She would also be interested in seeing a phase one environmental site assessment in the surrounding area, particularly in the upgrading areas for potential groundwater contaminant sources.

Mr. Hitchcock said he assumed that the scenic section would include a detailed analysis of the visual magnitude of the proposed project considering its location near the shoreline. Ms. McMahon said a scenic analysis has been prepared, and is available on the [Itinfo.org](https://www.ltinformat.org) parcel tracker.

Mr. Lindgren, representing Lake Tahoe Basin fire chiefs, said the fire department supports the project. North Tahoe Fire Protection District and Chief Leighton are happy with the communication received to make the public safety enhancements and evacuation considerations. He'll speak more about evacuation in commission comments at the end.

Mr. Drake said he will miss the Boatworks Mall but is happy to see a hotel redevelopment happening on this parcel, it's totally appropriate. Regarding transit, he said the Boatworks was envisioned as a hub for a future water taxi stop. This project also sits along a high-use trail, and in the commercial corridor with bus services. In the spirit of multimodal development he would like to know how they're envisioning a future water taxi stop, and moving people from that stop up to the road.

It doesn't look like that's currently envisioned in the design, and if we were to succeed at getting a functioning water taxi service going, I'd hate to have to look at a redesign or shove a square peg in a round hole. It looks like there's a bus stop called out on the road, but I would really like to see a more modern pull-out, proper bus stop with a shelter. If we're really trying to focus on multimodal that seems appropriate.

Mr. Drake asked what the vision for commercial retail is, and more specifically what's the current amount of retail square footage is, and what would be proposed in the future. Mr. Hawkins said they've been operating the mall as it exists for over four years. Currently, retail is on the ground floor, with non-profits, the snow museum, and professional offices on the second floor. While we want to fill them all, it's not pure retail. That should be up on the street. He added that it will be like any other hotel, we want to encourage the public, locals, and tourists to come and visit the site. There will be amenities that are accessible. The only area that is probably going to be private is the pool, for liability purposes, that has to be controlled. But everything else is going to be accessible. So, between the commercial floor area (CFA), coupled with the accessory uses of the hotel, we feel that we're not going to be losing anything that the mall is providing on today's basis.

Mr. Drake said that Mr. Ogilvy mentioned in his comments about parking that current parking is at 155 spaces, and proposed is 175 spaces, but that there's a possibility of going beyond that to provide additional community benefit. He asked for elaboration on that comment. Mr. Ogilvy replied that the parking as proposed today meets the initial shared parking demand analysis done by the transportation consultants, and that will be further analyzed in the joint document. The proposal you're referencing would be the increase if the area plan provision for groundwater interception was allowed. Then an additional 20 stalls beyond what meets that shared demand today. So if that provision for groundwater interception was adopted and upheld, this option would analyze some additional parking beyond the shared demand that the project generates at peak time. Mr. Drake said he was wondering where the public benefit component comes in. Mr. Ogilvy said Placer County have been analyzing elements of how to better manage parking for farmers markets etc. across the community.

Mr. Ferry said that having visited that site many times, it seems like redevelopment is very appropriate there. It sounds like you're very thoroughly approaching this process and there's a long way to go. You'll be in front of the public many times in the future. He assumes the 56-foot height proposal meets the Placer County area plan. He acknowledged Placer County staff nodding in agreement. Mr. Ferry encouraged the project team to think about locals, and is happy to hear that the property will be welcoming to all, and that pedestrian amenities will be provided, bike racks, bathrooms, all those things that the public needs. Finally, he mentioned the VMT issue, he knows they will be looking at that through the analysis, it's an important hot topic in the basin.

Public Comment

Ellie Waller said she has several points. Firstly, she asked if 3.8 acres are sufficient for the proposed uses, expressing concerns that telling us the project has 75% existing coverage doesn't tell us if the entire project will fit. She believes the Waldorf Astoria is on 12 acres.

Ms. Waller seeks clarification on the definition of discretionary entitlement on the Boatworks project, inquiring about the approving members and potential variances to codes and regulations, if any. She asked how the project will meet the no-net VMT requirements, particularly regarding trip-producing amenities and EV stations. She expressed concerns about the quantification of certain mitigation measures, whether EV stations will be accessible to the general public, and how usage by guest towards mitigation can be determined.

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Ms. Waller questions the project's ability to determine guest use of public transportation, providing connectivity and shuttles does not guaranteed people will use them. Bicycles cannot be used 12 months out of the year, another point for reduction. Ms. Waller asks if the project will require Placer County to relax scenic standards as proposed in the Tahoe Basin Area Plan (TBAP)

Ms. Waller recommends erecting story polls along with balloon studies for public observation and questions the shared parking formula. How can you quantify the hours cited in the shared parking report – are those guesstimates. She inquires whether the hotel component will be conditioned in the first phase, it certainly should be. We all talk about 60 years, every project that we don't get a hotel, but the luxury condos go up first. How many Tourist Accommodation Units (TAUs) does the project currently have, how much of the existing commercial floor area will count as TAUs. The TAUs should be deed-restricted with no short-term rental capability. How many Residential Units of Use (RUUs) does the project have? How many units of affordable workforce housing is required? The Waldorf incorporated 13-14 units into their design, that should go into the alternatives. Ms. Waller agrees with the recommendation that one alternative should have three stories, which is what is currently there. She asks how much land will be utilized for snow storage and how much is needed for emergency vehicle turnaround.

Ms. Waller asks if there is dedicated space for a drop-off location, and how much space is going to be taken up by EV stations and bicycles. With the adoption of the area plan to ensure compatibility, she thanks Mr. Hitchcock for also mentioning the TRPA visual magnitude and all that scenic analysis. She said TRPA may permit additional square footage for that and all of that needs to come out in the environmental document. Ms. Waller asked for an explanation of the multi-family conversion to condo units.

Ms. Waller said she is still reviewing the information and will submit more detailed comments in writing.

Ms. Judith Tornese, President of Friends of the West Shore, expressed appreciation for the potential revitalization of Tahoe City through the project. However, she raised several concerns. Firstly, she expressed concerns about the mass and height of the project and public access, emphasizing the importance of maintaining public access to the recreational area around the lake. Referring to the cumulative impacts, Ms. Tornese urged the inclusion of a comprehensive analysis of cumulative impacts with other projects in the area in the Environmental Impact Report (EIR) or Environmental Impact Statement (EIS). She also mentioned affordable workforce housing, not achievable housing but real affordable housing, in close proximity to the site, preferably walking distance. Finally, they are concerned about emergency evacuation in the event of wildfire and called for an in-depth analysis of emergency evacuation plans.

Mr. Doug Flaherty emphasized the need for a thorough and comprehensive EIR/EIS. He said I don't know of anyone that's opposed to redevelopment, so let's not paint the people that are asking questions as Nimby's. No, many people are just simply opposed to cumulative impact over development, and want to make sure that we have the proper and complete comprehensive EIS/EIRs that we need. The TRPA and Placer County have responsibility to ensure that the EIR/EIS include analysis of new or changed circumstances, cumulative impacts, and other information which may result new significant impacts, not considered in a previous EIR/EIS. It must provide a comprehensive analysis of all topics they presently intend to scope out or

dismiss. Page 5 a full list of items you intend to scope out and dismiss, that's just simply not acceptable.

Mr. Flaherty continued, with regard to public safety within the unique Tahoe Basin and its extreme 306-degree high hazard severity wildfire, wildland urban interface zones, overcapacity two-lane and traffic coming roadways, and it's demonstrated wind and slope environment, the EIR/EIS must include a comprehensive analysis of new information as the discussed in the California Attorney General's October 2022 best practices for analyzing and mitigating impacts of development projects under the California Environmental Quality Act (CEQA). This information was not available during the 2012 Regional Plan or the 2016 Placer County Area Plan. Despite repeated pleas from the public to do so, Placer County and the TRPA have failed to substantially address wildfire and wildfire evacuation in relation to individual and cumulative new information and changed circumstances. Data and information regarding the increase in intensity of wildfires was not available in 2016 when the County approved the TBAP or during the 2012 regional plan process.

He said, as stated by the California Attorney General, best practices, guidelines, the changing nature of wildfires under various metrics, frequencies, areas burned, adverse ecological impacts, a number of Californians displaced, is a worsening crisis that will unfortunately be part of California future. All we want you to do is include this study in the EIR/EIS. That's all we're asking for. Let's get the data. Let's ensure that we have the data that helps us to prevent more, more, more, overcapacity in the basin, and prevent the Tahoe Basin from being the first piece of information on one of the upcoming Super Bowls like the Lahaina Fire was.

Thank you. Doug. The next hand raised is Anne Nichols and if you unmute you can address the commission.

Ms. Anne Nichols, North Tahoe Preservation Alliance, said this is 10-pounds in a 5-pound bag. What would be really nice to have, for transparency and ease for the public, is a fact sheet, including things like total square foot build out compared with the 46,000 square foot build out now. When you cover all that parking area, and go 56 feet it becomes huge, with the underground parking. She asked, what are the cuts you're going to be making? How many cubic yards of soil will be removed? How many truckloads will that be? What will the population of the site be? The 44 employees seems optimistic, but the rationale for that would be great.

Ms. Nichols said the Condotel part, as far as a hotel its 79 units – how many square feet is that? It's 57% of the project just looking at units, but what is it as far as build out? The Condotel is 43% of the project as far as units. Again, the square foot build out would be great to have.

She said, we just need to think about what the phasing is, how many years build out? Are you going to be asking for an onsite batch plant like the Waldorf Astoria is asking for in Crystal Bay? And then of course the in-lieu for workforce housing is completely unacceptable. If you really care about the community that is not the way it should go at all. Anyway, it'd be nice to see things done that are lovely. I'd love to see community access to the pool, or have two pools as a community benefit, I think it'd be a lot more than 20 new parking spaces. As far as the community benefit of less encroachment on Bliss Creek, of course that should be the case, that goes without saying.

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Ms. Niobe Burden, Tahoe Vista resident and conservation photographer, said this is great as a redevelopment. She does have concerns, as many in the community do, about making sure it does stay at 56 feet. In order to visualize this she thinks it's important to have story polls put into place. She thinks story polls should be mandated on all commercial projects, in town projects or anything on the lake side, to really verify scenic thresholds, and give the public a visual concept of height and how it's going to look in mass.

Ms. Burden's second concern is providing affordable workforce housing in the design alternatives. How many TAUs versus RRUs, and then what sort of workforce housing component. Of course we all know this is a huge need, and it would be a great community benefit to have this for such a large project. She said having public access more delineated in the plan would be great so that we know that access is clear from the lake for the future water taxi, and the transportation hub having a turnout. Those sorts of items obviously are very important. Finally, she echoed Doug Flaherty's comments and our concerns as a community, to have the EIS updated as a cumulative study from what it's been based on in 2012. Huge difference between then and now.

Commission Comments/Questions

Mr. Teshara asked, with respect to the VMT and the no new net, does Placer County or TRPA have an analysis of the VMT that existed in Tahoe City when it used to be a thriving community? Because he doesn't think it has the VMT that it did at one point in time. So how are you going to determine if there's no new net VMT, if there used to be a lot of VMT, and now we're based on the fact that Tahoe City is largely a ghost town.

Ms. Jacobsen said she would lean on Leeah Chavez (Environmental Coordinator) to test her memory on the VMT data. Ms. Jacobsen can say they are currently undergoing an Eastern Placer County VMT threshold analysis. That's looking at using data from the last couple of years. So that has been underway. She said we could also be looking back towards the TBAP, and there would be some VMT analysis in there. Ms. Chavez added that this project falls within the Tahoe Basin Area Plan, which did have a VMT analysis that from a cumulative standpoint, determined that VMT as a whole would go down with the redevelopment proposed with the Area Plan. But this is definitely something they will be analyzing in the EIR/EIS.

Mr. Teshara said that Tahoe City is not the community it once was, and suggested that there should be some analysis that says we used to have this much, and now we have this much. He added that he will be preparing some written comments on the project, but in his mind, the team that's been assembled, the property owner, the consulting team, etc., is the kind of approach we're looking for in terms of people coming in to redevelop our town centers, and that Tahoe City and Kings Beach desperately need.

Mr. Drake said we all know that short-term rentals (STRs) have filled the need for beds for visitors coming to the Tahoe Basin. The whole intent of developing these hotels and commercial cores is to bring people back to our town centers. He knows there's been discussion in Placer County about reducing the STR cap on total number of permits, and speaking as both a commissioner and member of the public, he's curious where that's at. They would like some clarity around what the mechanics of that look like; if we get x number of hotel beds, can we

reduce the STR cat by at least a comparable number of permits. That would help our community get behind a project like this, and other proposed hotel projects coming down the pipeline.

Ms. Wydra said that TBPA amendments coming to the TRPA Governing Board soon do include a policy that would allow them to explore reduction of the short-term rental cap when new lodging units come into the town centers. Through that policy they will develop that program. So if the TBAP amendments get approved then that's something they can embark upon in concert with the short-term rental program, which could help feed into this project as well as future lodging projects.

Mr. Drew said that to clarify on Mr. Teshara's comment, a topic that relates to this project, but that's also a broader topic we may need to bring back, is just how we define baseline for VMT. This is the third time in the last 6 months this has come up as a part of discussions of projects that have come forward, including this one. Having a better understanding of what's defining baseline may be something we want to do for this project as well as having a broader discussion about how that's going to be defined moving forward, because the time and place of baseline is very important.

Mr. Young said he appreciated this entire discussion today. He thinks the questions today give a pretty full palette of what everybody should expect in the future regarding future questions. We should expect that almost every single question or inquiry we heard today will be heard again in the future. He added that the Regional Plan contemplated something called environmental redevelopment. That was the whole concept of what we were trying to achieve with the new Regional Plan. It's what the new area plans are all supposed to be focused on trying to achieve. And we have to expect that when we get what we asked for, it's going to look different than it looks now. It's going to function differently than it functions now. It's going to fit into the community a little bit differently than it does now. But, in order to achieve that overall goal of environmental redevelopment, that's where we have to go. He really appreciates the meeting today, really hopes to hear answers to the questions that were raised, and looks forward to seeing how this environmental redevelopment project unfolds over time.

Mr. Drake echoed comments from Ms. Carr and Ms. Stahler's comments about proximity to Lake and BMP's and looks forward to seeing the more detailed proposal about how we address stormwater runoff from the project. Speaking broadly, he's aware of many projects that have been permitted in the last few years, that are still permitting old school stormwater designs that are not addressing pollutants of concern. He looks forward to reading the study the NDSL study. He knows that it's difficult to address the fine particles, but it essentially means either super high maintenance expensive mechanical treatments or settling and infiltration. He encourages this project to take a hard creative look at the stormwater treatment design approach and to raise the bar on what we've seen recently, because it needs to happen.

Mr. Ferry agreed with Mr. Drake and added that Placer County will be looking at this from their TMDL program.

VI.B. [Proposed Code Amendments Supporting Climate Resilience Affordable Housing and Mixed-Use Design Standards](#)

Mr. John Hester introduced the item, and said it was informational only, and designed to inform the public and the commission about considerations and provide an opportunity for input. He provided a few important background points. The amendments are designed to implement the regional plan, focusing on protecting the environment and achieving thresholds. Some key concepts are walkable communities, mixed-use standards, and addressing dark skies and climate considerations. He added that the dark skies and climate components were worked on with UC Davis graduate students and some of those were already passed. This is the second iteration, and more climate amendments are anticipated in the future.

Mr. Hester said the probably most important is affordable housing. We want to ensure that higher-end developments is contributing to affordable, moderate, and achievable housing to address the extra-regional sprawl that's caused when local workers don't have an opportunity to live where they work and have to commute in from other areas. So the focus on affordable housing is driven by the need to curb extra-regional sprawl and reduce environmental impact.

Mr. Jacob Stock, TRPA Senior Planner emphasized that this an informational session with no action required today. He said that the focus of these amendments includes integrating climate best practices into our code, setting standards for mixed-use development, and introducing affordable housing mitigation for condos. He said they are seeking public and APC input on ways to improve the proposal which aligns with Governing Board and APC direction, notably stemming from the Washoe Tahoe Area Plan amendments. He added that the climate amendments have been in progress for a couple years, with ongoing efforts for finalization. All the amendments are aimed at adaptive code management, addressing emerging issues and technologies.

Mr. Stock said the proposed climate amendments originate from the Regional Plan, and from the 2013 Sustainable Action Plan, which has seen significant implementation, with 80% either completed or currently in progress. Following Governing Board direction, the focus has shifted to executing the remaining actions tied to the Code of Ordinances outlined in the Sustainability Action Plan.

In the summer of 2022, a workshop with the Governing Board was conducted to further prioritize sustainability goals from the sustainability action plan for integration into the Code. Key areas identified included efficient lighting standards, standards for renewable energy, standards supporting electric vehicle charging, and mitigations for large special events.

Collaboration with UC Davis graduate students in the environmental policy program ensued. They conducted research and facilitated stakeholder input sessions, involving representatives from local government, land use professionals, local non-profits, Liberty Energy, and the Washoe Tribe. This collective effort produced a formal proposal presented as an informational item to the Regional Planning Committee.

The initial presentation in the summer led to valuable feedback from the Regional Planning Committee, prompting further refinement of the proposal. Some elements have already been

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adopted through the permitting improvement amendments presented to the board in September 2023. The remaining recommendations are encapsulated in Attachment B to the staff report.

Mr. Stock highlighted important elements of the proposal:

- Traffic Plan for Temporary/Special Events: Addressing traffic impacts for temporary or special events, akin to the requirement in the city of South Lake Tahoe for events with 500 attendees or more
- Electric Vehicle Charging: Recognizing the importance of EV charging, the proposal introduces items related to this current and emerging issue. Items include, definitions, primary use for EV charging, and requirements for conduit and large parking lots, aimed at encouraging EV charging as a distribute accessory use, while also allowing it as a primary use
- Solar Energy Generation: Designed to streamline the process for staff and property owners interested in installing roof-mounted solar, while still providing protections for scenic quality. They tried to do this through a qualified exemption (QE) for roof-mounted solar, that meets certain requirements, an important one being meeting a reflectivity standard in scenic areas, and less stringent out with scenic areas.
- Dark Skies: The proposal includes a reorganization of outdoor lighting standards with a focus on preserving dark sky resources. Long Range and Permitting staff worked closely with on this section to balance dark sky preservation with property rights and ease of implementation. This is the item that has changed the so Mr. Stock said he is particularly interested in hearing input on this piece, which includes that outdoor lighting:
 - Must serve a functional purpose
 - No splay of light offsite
 - Color temperature limit
 - Lumen limit on commercial properties
 - 50% reduction after operating hours
 - Lighting plan

Mr. Stock continued, the mixed-use proposal, as Mr. Hester mentioned, was crafted to further the goals of Regional Plan which specifically identifies mixed-use as a tool to achieve energy conservation and greenhouse gas reduction goals.

Attachment A to the staff report outlines the proposed mixed-use standards. Mixed-use involves multiple compatible uses on a single parcel, and it's exemplified by projects like the Boatworks. The idea is that placing services and residences in proximity reduces energy use and greenhouse gas emissions by decreasing reliance on vehicles.

Previously, we lacked a definition or standards for mixed-use, but it gained prominence in the 947 Tahoe proposal and the Washoe Tahoe Area Plan amendment. Directed by the APC and the Governing Board, staff developed mixed-use standards and affordable housing mitigation for condos as part of the Washoe Tahoe Area Plan. These were adopted, and the Governing Board further directed us to pursue mixed-use standards and a similar affordable housing mitigation, regionwide.

Delving into the proposed requirements for mixed-use, Mr. Stock said the standards are

intentionally general, allowing flexibility for specific local design standards while emphasizing the Regional Plan goals of energy conservation and Greenhouse Gas Reduction by creating walkable areas.

We propose a requirement for non-residential uses on the ground floor of structures, comprising either 60% of the building frontage, or 60% of the ground floor. This flexibility accommodates site-specific scenarios, ensuring that non-residential spaces, such as commercial or services, are on the ground floor and oriented towards the street for easy pedestrian access. Mr. Stock said the images on slide 7 illustrate the mixed-use concept. The top image showcases a ground-floor café oriented towards the street, with residences on the second floor. The bottom image provides a conceptual representation of how this might look in Tahoe with local design standards and architectural style.

Moving on to the affordable housing mitigation, Mr. Stock said it responds to the direction from the APC and the Governing Board following the amendment to the Washoe Tahoe Area Plan, where they recognized the need to mitigate the impact of new market rate housing on the workforce housing gap. The proposal suggests that 10% of units in condominium subdivisions should be deed-restricted as affordable or moderate-income housing. This percentage aligns with the Washoe Tahoe Area Plan adopted last year.

The 10% requirement is derived from housing needs assessments by the Mountain Housing Council and Tahoe Prosperity Center, indicating a gap of over 5,000 workforce housing units for lower and moderate-income residents, approximately 10% of the total potential units in the basin. While the proposal won't replace Placer County or the City's existing requirements, rather it will apply to jurisdictions without equivalent programs. The next phase of Tahoe Living will explore other policy options for mitigating impacts on affordable housing.

Regarding what's next, staff are seeking input today, and plan to present the proposal to the Regional Planning Committee, incorporating comments from both RPC and APC. They will conduct a final round of stakeholder outreach and then work on the IEC and conformance documents, aiming to begin the hearing process in April 2024, and present to the Governing Board for consideration in June.

APC Comments/Questions

Mr. Drew raised two points. Firstly, on EV charging, there are unintended consequences where people use parking lots for charging and not for the intended facilities, causing conflicts. More thought is needed to manage this across the basin. A good example is at Meyers Holiday Market, where a substantial part of the parking lot is taken up for EV charging, but people charging their vehicles aren't frequenting the businesses. Solutions are needed to address this issue moving forward.

Secondly, on affordable housing, flexibility is encouraged. Flatly requiring 10% of a project to have deed-restricted housing is good in concept, but flexibility is necessary. There should be an option, under certain circumstances, to allow agencies, both TRPA and local agencies, the flexibility to decide on a site-by-site basis. This would enable projects in an area to work together, maximizing the ability to provide affordable, deed-restricted housing units, even if not

directly on their site. The goal is to increase the number of moderate and affordable units in desirable locations and layouts. While the requirement is fine, more thoughtfulness and flexibility can lead to better outcomes.

Mr. Teshara agreed wholeheartedly with Mr. Drew's important points. He also raised a question about whether existing mixed-use buildings would be affected by the new ground-floor use requirements. Mr. Marshall, TRPA General Counsel clarified that the prospective application applies only to new mixed-use developments, not existing ones. He added that they would need to look at how the new standards might affect existing buildings that want to make enhancements.

Mr. Teshara also expressed concern about the availability of dark-sky-compliant lighting and whether it's readily accessible. Mr. Stock assured that such lighting is readily available and not a specialty item.

Ms. Stahler appreciated TRPA addressing climate change and suggested that the focus should be on reducing emissions to help address climate change rather than just adapting to it. She also mentioned a concern about renewable energy and how shade can negatively impact solar panel installations, especially considering the abundance of trees in the region. Ms. Stahler added that there may be other opportunities to achieve the same goal of utilizing renewable energy, either through participation in community-based projects or purchasing renewable energy from utility providers.

Ms. Stahler also brought up the importance of considering how technology is used for energy efficiency, emphasizing commissioning standards for testing HVAC systems. Additionally, in response to Mr. Drew's comments, she highlighted the need for EV charging infrastructure in new multi-family housing or condominium developments. If EV charging isn't available at home, people will seek it elsewhere.

Ms. Wydra said she appreciated the mixed-use standards, and had a question regarding section 36.14B, where it requires a 60% of ground floor area, suggesting "shall" instead of "must" for greater enforceability. She also raised questions about the lighting requirements, specifically exploring timers and addressing timelines for Christmas lighting. Additionally, she inquired about the definition of public safety signs and questioned the threshold for temporary events, suggesting a reconsideration of the number 500. Lastly, she expressed appreciation for the efforts in exploring qualified exempt projects and activities.

Mr. Stock said thanked Ms. Wydra for raising timers, they had not considered that but will take a look. Christmas lighting, if not addressed in the Code, is addressed in the building design standards. Regarding the size of events, Mr. Stock said the 500 number was borrowed from the City of South Lake Tahoe Ordinance, so they are certainly open to other suggestions.

Ms. Moroles-O'Neil raised concerns about the impact of cold weather on EV charging stations, citing logistical issues faced in the East when temperatures dropped. She suggested considering the potential impact on service stations and parking lots during cold weather.

Mr. Eric Young expressed appreciation for TRPA's efforts to align process and regulations with data and rational criteria. While acknowledging the rational basis behind the 10% affordable

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housing requirement, he emphasized the need for flexibility when linking regulations to specific numbers. It's a trick to pull off, but it's necessary. He appreciates the need for an empirical 'number' but suggests that they build in flexibility with other ways to achieve the same goal.

Mr. Young also expressed appreciation for TRPA's commitment to seeking and establishing best practices. In the context of dark skies, he expressed interest in hearing more about TRPA's approach to incorporating best practices, whether by building regulations based on existing best practices or formulating their own based on gathered insights.

Mr. Young also raised the point that best practices may still be evolving, especially concerning EV vehicles, and charging stations. He questioned the extent to which TRPA could even identify and implement best practices for new developments, particularly in the distributed charging infrastructure space. He acknowledged the challenges in this area and sought clarity on TRPA's stance and efforts regarding best practices. In conclusion, Mr. Young thanked TRPA for its ongoing efforts and emphasized the importance of understanding how best practices, both established and evolving, are being integrated into the regulatory framework.

Mr. Hitchcock inquired about the mixed-use design standards outlined in code section 36.1.4. He sought clarification on whether substitute standards incorporated by local jurisdictions in their area plans would supersede this code section or if consistency with section 36.1.4 would be necessary. Mr. Marshall replied that unless there was something specific in the amendments, an area plan, as part of the Regional Plan, would preempt inconsistent code requirements, but that is an issue we should track – whether we want TRPA to provide minimum requirements for example. Mr. Hitchcock emphasized the importance of avoiding conflicts between area plan standards and the Code of Ordinances. Mr. Marshall said nothing precludes substitute standards for these items. Mr. Stock added that he reviewed the area plans against these proposed amendments and couldn't find any conflicts, but agreed they should continue to track.

Ms. Chandler sought clarification on whether the traffic mitigation tied to a South Lake Tahoe City ordinance would also apply to events in Stateline. Mr. Stock confirmed that if the proposed amendments were adopted, it would have basin-wide applicability.

Ms. Carr raised two points, with a focus on service station amendments and a query about rooftop solar. Regarding service stations, she delved into the language on page 62 of the packet, in Table 21.4-A that addresses primary uses for service stations. Her concern centered around the use of double negatives, specifically an exclusion that seemed to indicate service stations would not be considered a primary use when operating as a convenience store with two or fewer gas pumps. Miss Carr questioned how this provision would apply to Electric Vehicle (EV) servicing stations, particularly those with two or fewer charging points. She used the example of a 7-Eleven in South Lake Tahoe without traditional pumps but the potential for EV charging stations, wondering if they would benefit from the designation as a primary use.

Miss Carr raised a second question about the reflectivity cap in scenic areas for rooftop solar. While acknowledging the importance of limiting light reflection, she expressed interest in whether the cap could also affect/reduce heat production, especially in an environment dependent on winter sports. The concern was focused on larger solar installations and whether they might contribute to localized heat.

Mr. Ferry supported the comments from Mr. Drew and Mr. Young about the 10% threshold, suggesting more explicit information on the rationale behind the number and considering flexibility.

Regarding lighting standards, Mr. Ferry inquired if there were provisions for retrofitting when someone pulls a permit for other construction activities. Mr. Stock clarified that, currently, when a permit is issued for a home and the exterior lighting is non-compliant, the property owner is required to bring it into compliance.

Mr. Ferry also pointed out a minor wording issue in section 36.8.1.H, where "commercial operation of search lights" might be intended to refer to spotlights, as searchlights are typically associated with helicopters.

Public Comment

Ms. Ellie Waller expressed concerns and suggestions related to the proposed amendments. She said this isn't a blank slate. Asking affordable housing to be shared with developments that may take years has to be taken into consideration. She understands the flexibility of trying to get 10% somehow, but doesn't find that as achievable as putting a 10% issue on this. In the past, the larger employers, like ski resorts and hospitals, that have never had their fair share needs to be revisited. I don't know how you go back but we need to start to look at a different range of how we gain affordable housing.

Ms. Waller brought up Bliss Creek and advocated for a comprehensive Environmental Improvement Program (EIP) project that involves shared responsibility, not just leaving it to developers. She said we've all talked about VMT and how all this will relate to getting more EV's into the basin, but there are people who may not transition to electric vehicles easily and urged a broader examination of these issues.

She said she is very concerned about the visual impact of rooftop solar depending on the height of a building. She lives in the Carson Valley and has an issue with homes in Clear Creek Tahoe, where the reflectivity downhill into subdivisions is horrible. She emphasized the importance of considering these aspects from different angles, not just within scenic zones.

Ms. Waller noted the need for a tailored approach, as what works in one area may not be suitable for another.

Ms. Ann Nichols said she is confused on the agenda whether the graduate students from UC Davis did all of this work, or only night sky. She asked whether the mixed-use requirement includes office spaces in a project. That's not delineated and needs clarification. Additionally, she said the stuff about the 10% requirement of affordable or workforce housing is based on Prosperity Center data. Who are the Prosperity Center? They're very well meaning I'm sure, but they are quasi-governmental, they get paid to do this work. Can we really rely on this? For instance the Waldorf Astoria project, which is 800,000 sq. ft. has to do 14 units which is really nothing, and I'm not sure about the Boatworks, which says they only have 44 employees and don't give us a population or build out. We need to know a lot more and I hope you will ask all these questions.

VII. REPORTS

A. Executive Director

TRPA Chief Operating Officer and Deputy Director, Mr. John Hester referred to comments on the incorporation of green stormwater infrastructure in these amendments. He said staff were developing standards for consideration, in collaboration with agencies such as the Nevada Division of Environmental Protection (NDEP) and Lahontan.

Mr. Hester informed that the Tahoe Basin Area Plan will come before the TRPA Governing Board in two weeks.

Regarding upcoming items, Mr. Hester advised of the Annual Report in March 2024, and other Spring 2024 upcoming items to include a Threshold Update, a Washoe County Area Plan amendment on school uses in the Wood Creek area, and update on the Active Transportation Plan, a Meeks Bay EIS, and a couple of amendments on the Tourist Core Area Plan and Tahoe Valley Area Plan.

B. General Counsel

Mr. Marshall said the recommended housing amendments adopted at the Governing Board December meeting will go into effect 60 days, but reminded that some of the incentives are contingent on area plan amendments either opting in or opting out. As an editorial aside, he said it has been a somewhat of a tragedy, particularly in California, that environmental statutes have been used to basically block affordable housing initiatives. That brings us to this lawsuit, filed last week by the Mountain Area Preservation Foundation (MAP), seeking to enjoin the housing amendments for a variety of reasons, but essentially claiming that the agency did not look hard at the alleged environmental impacts associated with the amendments as adopted.

Mr. Marshall said, I can go through their various arguments, but essentially they focus on the adequacy of the IEC, and whether or not the IEC is supported by sufficient evidence in the record to essentially say that there was no unmitigated environmental impacts associated with the proposal. If you remember the proposal was how to use the existing bonus unit pool for affordable and moderate in workforce housing. So it didn't approve any new development, it just identified as to how to incentivize getting those bonus units on the ground in areas that are environmentally beneficial as opposed to spread out throughout the basin. Essentially MAP, who to my knowledge has not been present in the basin before on any significant environmental issues, has decided now that affordable housing is their next target.

There are some interesting things about the case. The case has been filed in the Eastern District of California in federal court. It's been assigned to a magistrate judge in the beginning so we don't know if we decide to go with this district court judge who that would be. The lawsuit is an administrative record review case. What that means is we'll first have 60 days to answer, we have 45 days to prepare the administrative record, then briefing. Then the court gets to decide on the papers. There might be oral argument but that whole process takes a significant amount of time. We'll be looking at ways to efficiently litigate, and we're planning to present a strong

defense. The rules remain in effect until a court tells us otherwise, and if you have any specific questions, I can respond to them. We provided everybody with a copy of the complaint, and we're looking forward to defending what we think is a strong decision based on a good record.

In other news, we have hired two new attorneys, together with expanding the number of hours we have from Marsha Burch. The first attorney, Graham St. Michael, will be starting next Wednesday. He's from the basin and he currently works for the California Department of Conservation as an attorney. He has also worked for the California Tahoe Conservancy (CTC), and we're looking forward to having him come on board.

C. APC Member Reports

Tahoe Douglas Fire Chief, Scott Lindgren said we know there's a ton of concern, including some comments today, on evacuation and wildfire threat. I'm representing the Tahoe Basin Fire Chiefs and want to assure everyone that all of the fire chiefs in the Lake Tahoe Basin are very concerned about the wildfire threat and about evacuations. With that being said, I think about it every day, even when we have snow on the ground, it's a big concern.

Chief Lindgren said, we've formed a group of 33 different agencies from throughout the Tahoe Basin, 13 different fire agencies, 11 different law enforcement agencies and 7 agencies that are either county DOT or state DOT, along with Nevada DEM, and Cal OES. We're having a monthly meeting, with all of those stakeholders coming together to develop a basin wide evacuation plan that could be shared with the public. We get a lot of comments that there's no plan - there are plans, but they're not one-stop-shop and they don't fit everybody in the basin. Obviously any evacuation, like we saw in the Caldor fire greatly affects all of the agencies in the basin.

Chief Lindgren continued, we're meeting monthly, we're sharing documents. Eldorado County has a deputy fire chief from Eldorado Hills who's now been assigned to Eldorado County OES that's herding the group on a document that will be a one-stop-shop for everybody. The plan is that each agency will add their specific information to this document, and it will be accessible to the public to view their particulars; the main routes in and out; shelter in place locations etc. The goal is to have this document available to the public in Summer 2024.

At a future time, we hope to be make public presentations on that document. A really important aspect is how do you notify the community. All the counties and agencies have a reverse 911 system where the public can sign up for notifications. We will incorporate that information into the document with QR codes and links.

Chief Lindgren added that there is also a new evacuation software program called Perimeter Solutions, that is very simple to use. All of the counties that touch the lake, with the exception of Placer County, have adopted this program. The program is live all the time, so in the event of an evacuation, they push out a link that shows the location of the incident, and where to evacuate. It's not an application, but it's a real-time website/link that was developed after the fires in California in the Napa area, and has been used extensively. Chief Lindgren clarified that while Placer County is not using this program, they do have something similar, and those links will also be included. Even though evacuation remains a major concern, they learned a lot of lessons from the Caldor Fire, and there are some good things happening.

He added that while the counties are different, the agencies are different, and the states are different, all are coming together to create this one-stop document to share across all websites/media.

Chief Lindgren also commented on the Tahoe Fire and Fuels team. He sits as current chair of the Multi-Agency Coordination group (MAC), that oversees the Tahoe Fire and Fuels team (TFFT). Along with TRPA, the TFFT recently hosted a 2-day workshop, and will be reporting their findings at an upcoming MAC meeting in April 2024.

Chief Lindgren informed that last year, the MAC gave the TFFT four main priorities to work on. The number one priority is fuels reduction along evacuation routes, so that we don't get caught in a Hawaii or Paradise type fire situation. We have some big concerns in the basin, so doing that fuels reduction along evacuation corridors is our number one priority.

Number two is field breaks around infrastructure. That's probably one of the easiest ones to accomplish because we've already done fuels reduction around major infrastructure, cell phone towers, radio repeater towers, so we can communicate an emergency, but it needs to be expanded and improved.

Number three is fuel breaks around communities. That's a tough one because forest service land touches our communities, and getting approvals through the forest service is complicated. But Tahoe Douglas was the first one to accomplish one in Skyland just south of the neighborhood Highway 50 as a showcase piece of what it will look like. We had some initial concern from the community, but once we did it, we got almost 100% approval from the community. Each of the fire districts around the lake is supposed to be doing the same thing so the public can see what a shaded field break looks like.

Number 4 is probably the hardest one to accomplish, and that is strategic field breaks that follow ridge lines, from the Sierra crest to the water. These are strategic field breaks that we build ahead of time, 300 feet on either side of the ridge with thinning and fuels reduction, so that if we do have a major fire like the Caldor or the Angora and it's moving fast, we have a place to get ahead of it and make a stand.

The Fire Chiefs are also actively engaging in discussions about forest land and related matters, emphasizing the need for concrete actions. The Tahoe Fire and Fuels team, established after the Blue Ribbon Commission and the Angora fire, has achieved commendable milestones. However, current efforts are focused on moving beyond cooperation and receiving awards, urging chiefs to prioritize and implement tangible solutions. Despite the presence of snow, the unpredictable weather of the past five years and the aftermath of a prolonged drought add uncertainty to the upcoming fire season. Chief Lindgren also acknowledged the importance of forest health to the lake, and they are all actively working towards its improvement.

Mr. Alling said that the East Shore Corridor Management Plan for US Highway 50 is accessible on the Nevada Department of Transportation website. A public meeting for the Plan is scheduled for February 27th at 4:30 p.m. at George Whittell High School in Zephyr Coffee. As he understands it, the plan does not involve any lane reductions. Mr. Alling encouraged everyone to get involved either by attending the meeting or submitting comments through the website.

Mr. Teshara thanked Chief Lindgren for the thorough update, especially concerning evacuation planning. He represents the Tahoe Transportation District (Tahoe Transportation District) on the board of the California Association of Councils of Government. During a recent meeting at our annual Regional Leadership Forum in Monterey, there was extensive discussion about the projected decline in fuel tax revenue for road and transportation improvements.

This decline is attributed to the growing number of electric vehicles, which, while contributing to road wear and tear due to their weight, do not pay fuel taxes. As electric vehicles become more prevalent, there is a concern about funding for essential infrastructure maintenance. It is anticipated that this crisis will be a focal point in discussions moving forward, and I wanted to bring it to everyone's attention today. Mr. Teshara said perhaps, at some point, we could arrange for a presentation or discussion on this matter either at TRPA or TTD to explore potential solutions. This is a pretty significant impact on what we have thought for many years was our source of transportation funding.

Ms. Stahler expressed her gratitude for the nomination and the vote of confidence for the position of vice chair. She acknowledged that her acceptance was contingent on Brendan continuing as chair and commended Mr. Ferry for his effective and efficient facilitation of meetings in compliance with open meeting law. She appreciates his thoughtful leadership on the commission.

Mr. Drake informed the group about the upcoming California Trails, Parks, and Open Space Conference, scheduled at Everline Resort and Olympic Valley in late April and early May. He highlighted that it's a statewide conference, and he will be conducting a workshop on recreation access and trail-related topics on the West Shore. He added that it's nice when these statewide conferences are held locally and highlight some of the things being done here.

Mr. Drake addressed significant changes in the enforcement of the construction stormwater general permit by Lahontan. The agency's recent interpretations have led to aggressive enforcement over the past 6 to 9 months, impacting various projects in the basin. Mr. Drake anticipates that these interpretations may face challenges in the future, but we need to be aware because it will put extra emphasis on large construction projects.

Furthermore, Mr. Drake raised concerns about some fuel reduction projects, that are exempt from complying with construction stormwater permit requirements, where the BMPs were essentially non-existent. He emphasized the need for consistent enforcement, especially when large-scale projects lack adequate Best Management Practices (BMPs). There is a message sent when we don't enforce the rules on projects that are very visible to people. He urged a balance between conducting essential fuels management projects and ensuring adherence to water quality standards, emphasizing the impact of visible projects on public perception and the challenges faced by regulatory and development entities.

Mr. Letton said he appreciates the comments and emphasized their willingness to respond to public concerns regarding forestry-related projects at any time. He explained that many vegetation management projects are automatically enrolled, and it's important for the public to report any issues with projects not meeting general conditions, as it would be a violation of the Timber Waiver permit.

He acknowledged the importance of finding a balance between regulatory needs and streamlined permitting for forest projects. Mr. Letton mentioned ongoing efforts to create a greater enforcement presence in the Tahoe Basin, especially concerning violations of the Tahoe Construction General Permit, which is similar to the statewide permit. The goal is to minimize the risk of discharges that could impact the lake.

Mr. Letton also encouraged public participation and input on the upcoming renewal of the Timber Waiver permit, scheduled for consideration by the board in April 2024. He underscored the need for collective input, and anticipates another APC meeting before the board's decision.

Ms. Carr expressed their intent to follow up on the water quality and fuels reduction issue. They plan to contact both water quality permitting authorities and the Division of Forestry to gain a comprehensive understanding, particularly on the Nevada side of the basin. The speaker also echoed Mr. Letton's observations regarding the challenges posed by out-of-state contractors in post-COVID development, emphasizing the importance of holding contractors accountable and allocating additional resources for construction inspections.

Miss Chandler provided an update, mentioning the previous discussion on Aquatic Invasive Species in October 2023. The matter was sent back to the committee to develop a refined proposal. The committee is set to meet at 2:00 p.m., and Miss Chandler hopes they will have a recommendation to present but the next meeting.

Mr. Ferry shared news about Eldorado County initiating a jurisdiction-wide area planning process. The Tahoe Eldorado Area Plan aims to bring the entire county outside of Meyers up to current standards. While acknowledging there is still a long way to go, he expressed excitement about the progress, with a consultant already involved in the planning process.

VII. PUBLIC COMMENT

Mr. Ellie Waller expresses gratitude to Mr. Drew for the Best Management Practices (BMPs) in general. TRPA's used to use a percentage completion as a benchmark for residential allocations. They don't do that anymore. She emphasized the importance of local jurisdictions completing BMPs on redevelopment sites, even if a project is not actively in progress, to contribute to the overall system. Ms. Waller discussed the emergence of information about taxing vacant homes and raised concerns about major employers not doing their fair share.

Ms. Waller thanked Chief Lindgren and said she had seen the perimeter demo and it's a very useful tool. Douglas County will be providing a demo to her Property Owners Association.

She said she is still disappointed in the Latitude 39 project only being an Environmental Assessment. The project size could have triggered some kind of EIR. Some of the analysis was rushed. The VMT was at 1298 with a 1300 trigger and several Governing Board members asked for that to be re-evaluated and it was not. Now that project is entitled and for sale.

February 14, 2024

Mr. Doug Flaherty criticizes Mr. Marshall's labeling of the MAP lawsuit as a tragedy and questioned if that is his role. He should maybe explain but editorialize reflects everything that's working with the TRPA and its continued mismanagement of the Lake Tahoe Basin.

Mr. Flaherty offered kudos to Chief Lindgren, everyone would support any attempt to assist in any way they can on wildfire evacuation planning. The fact that they're just now doing it raises some questions, where has the leadership been till this point. He emphasized the need for a comprehensive evaluation of roadway capacity. He said he didn't hear anything about the best practice of the California Attorney General. He's sure all of those items will be part of the plan, and if not we go back to the same issue about identifying roadway capacity in case of wildfire to help us decide whether increased density, coverage, and height is appropriate

Referring to the BMP issue, Mr. Flaherty expresses concerns about the mismanagement of the U.S. Forest Service, including the Tahoe Fires and Fuels Team, and the 750,000 burn piles out there. He doesn't think the indigenous people cleared the forest and put piles out there, and used thousands of gallons of petroleum product to burn them. What about the run-off when it snows? They haven't been monitored, nobody is overseeing them, just like nobody is overseeing the TRPA.

Speaking of monitoring, Mr. Flaherty said he hopes the TRPA calls for a count of East Shore Trail users. That project was approved, and we've been hit with tremendous amounts of visitor traffic, and no one is taking account of visitors, we need to monitor that.

Ms. Niobe Burden suggests using story polls as a way to improve trust, transparency, and public understanding of proposed projects' height. She advocates for a discussion on possibly mandating story polls for all proposed projects to visually represent their height and impact on views. There is no better way to judge a height. A height of 56 feet on lakeside projects is misunderstood until fully visualized.

Ms. Ann Nichols from the Preservation Alliance blamed all the bad TRPA's policies for the lack of affordable housing, runaway luxury condos, and special interest projects. The monetizing of entitlements has created land to be more valuable. Let's approve really huge projects that can't even be financed, they never happen, nothing ever goes. Then you blame it on the nimbys when its really the TRPA. She questioned if the APC has ever denied or recommended not approving a project and expresses skepticism about TRPA's accountability, transparency, and enforcement.

The meeting concludes with the adjournment at 12:34 PM.

VIII. ADJOURNMENT

Mr. Drew moved to adjourn

Chair Ferry adjourned the meeting at 12:34 p.m.

Respectfully Submitted,

Tracy Campbell

Tracy Campbell
Clerk to the Advisory Planning Commission

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.

DRAFT

STAFF REPORT

Date: April 3, 2024

To: Tahoe Regional Planning Agency – Advisory Planning Commission

From: TRPA Staff

Subject: Recommendation of Approval of the 2024 Active Transportation Plan

Action Requested:

It is requested that the Advisory Planning Commission (APC) conduct a public hearing and provide comments on the draft Tahoe Regional Planning Agency (TRPA) 2024 Active Transportation Plan (ATP, the plan). TRPA is seeking APC’s recommendation of the draft ATP to the Tahoe Metropolitan Planning Organization (TMPO) for potential adoption as the Active Transportation Plan is required by the State of California and for support of the forthcoming Regional Transportation Plan/Sustainable Communities Strategy.

Project Description/Background:

TRPA, as the federally designated Metropolitan Planning Organization, is committed to keeping the ATP current to ensure the plan supports the planning and funding needs of the region. The last update to the plan was in 2018 with the TRPA Governing Board adoption of technical amendments only. The draft 2024 ATP includes major and minor changes to new facility recommendations, updating of best-practices and research methods that have occurred since the previous update, comprehensive data analysis, and environmental screening. Updates include Existing Conditions and Needs Analysis, Network Recommendations, Implementation Plan, and Priority Project list.

In addition, staff introduces two new ATP components: a “Bicycle Level of Traffic Stress/Pedestrian Experience Index” (BLTS/PEI), and California designated “Class IV” bicycle facilities. Class IV facilities are dedicated bicycle lanes that are physically separated from traffic by a vertical element. This could be flexposts, bollards, curbs, or a row of parked cars that separate the bicyclists from the auto travel lanes. BLST/PEI analyses are modern active transportation planning tools to help identify high-stress roadways, while proposing a standard list of stress-reducing infrastructure that are designed to encourage people to ride, roll or walk on a low(er)-stress network because they may no longer feel it is too unsafe or stressful. Not only are these analyses important for various planning purposes, they also serve to make Tahoe’s local agencies more competitive in regional, state and federal grant applications by identifying needs and recommendations on how to make Tahoe’s active transportation network more equitable, accessible, and interconnected. The following is synopsis of each chapter within the draft plan:

Chapter 1: Introduction

A brief overview of the 2024 Active Transportation Plan update, highlighting key themes, plan organization, public outreach, local agency roles and responsibilities, as well as a brief explainer of Tahoe’s regional land use.

Chapter 2: Existing Conditions and Needs Analysis

A fully updated needs assessment is a part of this update as well as new data, maps, figures, and tables. This chapter introduces the Bicycle Levels of Traffic Stress and Pedestrian Experience Index analyses, current challenges and solutions to safety, connectivity, implementation, and maintenance issues.

Chapter 3: Goals, Policies, & Performance Measures

A brief overview of the future of active transportation in the Tahoe Basin, and how those performance metrics support specific direction on how the TRPA, as the Transportation Metropolitan Planning Organization (TMPO) and its partnering agencies, organizations, and private entities can work together to improve active transportation and increase its use. This chapter is helpful for agencies to align regional goals with local project development.

Chapter 4: Network Recommendations

Each corridor map has been updated to illustrate existing conditions and highlight projects nearing implementation. Since the 2018 ATP adoption, new data analyses are available that enrich the existing and proposed infrastructure maps and project lists. This includes existing and proposed bicycle parking locations. Specifically, each corridor section now includes:

- New maps highlighting network recommendations
- A map of the existing and proposed bicycle and pedestrian infrastructure network (shared-use paths, sidewalks, bike lanes, bike routes, and bicycle parking)
- An updated map of the corridor crash analysis
- An updated priority project list

Chapter 5: Programs

An update on regional active transportation programs, such as Bike Month activities, Safe Routes to School, education, and awareness campaigns.

Chapter 6: Implementation Plan

This chapter provides a detailed outlook on how TRPA can best support implementation of our region’s priority projects

Outreach:

The current ATP update included engaging our regional partners, residents, and visitors around the region either in-person or via our Transportation Safety Survey, to understand how stakeholders feel about the current active transportation network in Tahoe and what could be better. Staff have attended

various events in both the North and South Shores of Lake Tahoe including Farmer’s Markets, the Family Resource Center, the Sierra Community House, multiple Bike Kitchen events, Earth Day events, among others. Beyond public outreach events, staff sought technical assistance and local jurisdiction collaboration with the convening of a Technical Advisory Committee (TAC) designed to gather local agency feedback and technical input on our ongoing planning process.

The TAC invitees include various representatives from:

- Caltrans
- NDOT
- El Dorado County
- Washoe County
- Douglas County
- Placer County
- City of South Lake Tahoe
- South Shore Transportation Management Association
- Achieve Tahoe
- Tahoe City Public Utility District
- North Tahoe Fire
- North Lake Tahoe Fire Protection District
- Lake Valley Fire
- Tahoe Fire
- Nevada Highway Patrol
- California Highway Patrol
- Douglas County Sheriff
- El Dorado County Sheriff
- League to Save Lake Tahoe
- California Tahoe Conservancy
- Tahoe Transportation District
- Lake Tahoe Bicycle Coalition

The draft ATP is currently released for public comment and can be found at www.trpa.gov/atp. Public comment on the draft closes Sunday, March 24th. After incorporating all relevant comments, staff will seek adoption via resolution at the TMPO Governing Board meeting held March 27, 2024.

Regional Plan Conformance

2024 Active Transportation Plan complies with all requirements of federal funding recipients and are consistent with the TRPA Regional Plan and supports goals and policies to implement the Regional Plan. The Active Transportation Plan also supports the objectives of the TRPA Regional Transportation Plan and associated Goals and Policies.

Contact Information:

For questions regarding this agenda item, please contact Ryan Murray at (775) 589-5244 or rmurray@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments/Links

- A. Draft 2024 Active Transportation Plan (found at www.trpa.gov/atp)

STAFF REPORT

Date: April 3, 2024

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment to Washoe County’s Tahoe Area Plan to Allow “Schools – Kindergarten through Secondary” as a special use within the Wood Creek Regulatory Zone

Summary and Staff Recommendation:

Washoe County will provide an overview of the proposed amendment to the Tahoe Area Plan (TAP) including “Schools – Kindergarten through Secondary” as a special use within the Wood Creek Regulatory Zone in Incline Village. The Washoe County Board of County Commissioners adopted the proposed amendment as a development code amendment on February 20, 2024. The Regional Planning Committee hearing held on March 27, 2024, passed unanimously a motion to recommend approval of the proposed area plan amendment. Staff seeks Advisory Planning Commission (APC) discussion and asks the APC to consider a recommendation of approval to the TRPA Governing Board for adoption of the proposed area plan amendment.

Required Motions:

To recommend adoption of the area plan amendment, APC must make the following motion(s), based on the staff summary:

- 1) A motion to recommend approval of the Required Findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Area Plan amendment as described in the staff summary; and
- 2) A motion to recommend adoption of Ordinance 2024-___, amending Ordinance 2021-06, to amend the Washoe County Tahoe Area Plan as shown in Attachment C.

An affirmative vote of a majority of the quorum present is required for a motion to pass.

Project Description/Background:

Since the 2012 Regional Plan Update, TRPA has allowed local jurisdictions to develop Area Plans to replace the former local planning documents: Plan Area Statements and Community Plans. Area Plans become a component of both the Regional Plan and the city or county’s comprehensive plan.

The TRPA Governing Board approved the TAP in January 2021. The plan encompasses the entirety of Washoe County’s jurisdiction in the Tahoe Basin and has been amended once in the two years since its adoption. Washoe County is requesting an amendment to the TAP. The proposed amendment proposes to allow primary and secondary schools as a special use in the Woodcreek regulatory zone pertaining specifically to parcels that are three acres or more in size.

There are twenty-seven (27) individual regulatory zones in the TAP, sixteen (16) of which are Residential Regulatory Zones. The Residential Regulatory Zone’s land use category is described as, “Urban areas having the potential to provide housing for residents of the region.”

To date, primary and secondary schools are not permitted in the Wood Creek Regulatory Zone under the regulations of the TAP. However, similar uses are allowed with a Special Use Permit, including a broad scope of public service uses (e.g., churches, day care centers, and pre-schools). Within the Wood Creek Regulatory Zone Special Area (SA), additional public services are allowed, including regional public health and safety facilities, cultural facilities, government offices, and local assembly and entertainment. These other uses have similar effects on the community character and similar demand for services and infrastructure as would primary and secondary schools.

The U.S. Census of 2020 and the American Community Survey both show an increase of the total population of Incline Village from 2018 to 2021 with a steady increase of the population of persons 18 years and under. Two church properties within the Wood Creek Regulatory Zone have expressed interest to Washoe County in providing additional religious school services to kindergarten through 8th grade age groups. The proposed amendment responds to both the increase of school age children within the community, as well as permitting primary and secondary school uses as a Special Use on parcels in the Wood Creek Regulatory Zone

The Washoe County Board of County Commissioners approved the development code amendment applying this change to the Washoe County Code on February 20, 2024. A copy of the adopted County Ordinance with proposed plan language is included as Attachment A to this packet. TRPA Governing Board approval is required to amend the TAP.

In addition to obtaining the APC’s recommendation, staff will bring the RPC’s recommendation of approval and amendment package to the Governing Board hearing on April 24, 2024.

Environmental Review:

Washoe County submitted an Initial Environmental Checklist (IEC) pursuant to Chapter 3: Environmental Documentation of the TRPA Code of Ordinances and Article VI of the Rules of Procedure (Attachment E). TRPA staff completed a review of the IEC and submitted revisions to Washoe County staff. The IEC finds that the proposed amendments would not result in significant effects on the environment.

Regional Plan Compliance:

TRPA staff completed a Regional Plan Conformance Review Checklist (Attachment F) and determined that the proposed amendment is in conformance with the Regional Plan. The proposed amendment will be reviewed by the APC and the RPC. Recommendations of the APC and RPC will then be considered by the Governing Board in determining whether to find the Area Plan amendment in compliance with the Regional Plan.

Contact Information:

For questions regarding this agenda item, please contact Michelle Brown, Associate Planner, at (775) 589-5226 or mbrown@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the

meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting

Attachments:

- A. Washoe County Signed Ordinance
- B. Washoe County Staff Memo
- C. TRPA Ordinance 2024-__
- D. Required Findings/Rationale
- E. Initial Environmental Checklist
- F. Conformity Checklist
- G. Compliance Measures

Attachment A

Washoe County Signed Ordinance

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: AMENDS WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 220 (Tahoe Area), Section 110.220.175 (Wood Creek Regulatory Zone) referring to land use.

BILL NO. 1901

ORDINANCE NO. 1711

Title:

An ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and all matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires to amend Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) in order to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and
- B. The Washoe County Planning Commission held a duly noticed public hearing on November 7, 2023, at which the Planning Commission initiated and recommended adoption of the proposed amendments to Washoe County Code Chapter 110, by Resolution Number 23-16 (WDCA23-0001); and
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and

- D. Following a first reading and publication as required by NRS 244.100(1), and after a second reading at a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) is hereby amended as follows:

Section 110.220.275 Wood Creek Regulatory Zone.

WOOD CREEK REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling	A	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	S	5 units per parcel
Public Service		
Schools – Kindergarten through Secondary*	S	
Local Public Health and Safety Facilities	S	
Transit Stations and Terminals	S	
Pipelines and Power Transmission	S	
Transmission and Receiving Facilities	S	
Transportation Routes	S	
Public Utility Centers	S	
Churches	S	
Day Care Centers/Pre-Schools	S	
Recreation		
Participant Sports Facilities	S	
Day Use Areas	A	
Riding and Hiking Trails	A	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Special Cut	A	

Thinning	A	
Early Successional Stage Vegetation Management	A	
Structural and Nonstructural Fish/Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment/Management	A	
Insect and Disease Suppression	A	
Sensitive and Uncommon Plant Management	A	
Erosion Control	A	
SEZ Restoration	A	
Runoff Control	A	
WOOD CREEK REGULATORY ZONE SPECIAL AREA		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
Privately Owned Assembly and Entertainment	S	
Public Service		
Same as General List, Plus:		
Regional Public Health and Safety Facilities	S	
Cultural Facilities	S	
Government Offices	S	
Local Assembly and Entertainment	S	
Recreation		
Same as General List, Plus:		
Sport Assembly	S	
Outdoor Recreation Concessions	A	
Rural Sports	S	
Visitor Information Center	S	
Resource Management		
Same as General List		

***On those parcels in size equal to, or greater than, three-acres.**

SECTION 2. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date

Proposed on January (month) 23rd (day), 2024.

Proposed by ~~Commissioner~~ Vice Chair Herman.

Passed on February (month) 20th (day), 2024.

Vote:

Ayes: Alexis Hill, Michael Clark, Manluz Garcia, Clara Andriola

Nays: None

Absent: Jeanne Herman




Alexis Hill, Chair
Washoe County Commission

ATTEST:



Janis Galassini, County Clerk



This ordinance shall be in force and effect if and when the Tahoe Regional Planning Agency ("TRPA") adopts the specific amendments in this ordinance through its adoption of an amendment to TRPA's Tahoe Area Plan.

Attachment B
Washoe County Staff Memo



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

STAFF REPORT

MEETING DATE: March 27, 2024

DATE: January 26, 2024

TO: Regional Planning Committee

FROM: Courtney Weiche, Senior Planner, Planning & Building Division, Community Services Dept., 328-3608, cweiche@washoecounty.gov

THROUGH: Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, 328.3619, kmullin@washoecounty.gov

SUBJECT: Proposed Amendment to the Washoe Tahoe Area Plan to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and all matters necessarily connected therewith and pertaining thereto. (All Commission Districts.)

SUMMARY

To conduct a public hearing and consider recommendation of adoption of an amendment to the Washoe Tahoe Area Plan. The requested code amendments are described in detail beginning on page 2 of this staff report.

Washoe County Strategic Objective supported by this item: Economic Impacts:
Support a thriving community.

PREVIOUS ACTION

February 20, 2024. The Washoe County Board of County Commissioners (Board) conducted a second reading for Bill 1901, an Ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area to add "Schools- Kindergarten through Secondary" as a permitted use in the Tahoe- Wood Creek Regulatory Zone on those parcels equal to or greater than 3 acres.

January 23, 2024. The Board introduced and conducted a first reading for Bill 1901, an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area to add "Schools- Kindergarten through Secondary" as a permitted use in the Tahoe- Wood Creek Regulatory Zone on those parcels equal to or greater than 3 acres.

November 7, 2023. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code),

AGENDA ITEM # _____

Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA23-0001 to the Board.

BACKGROUND

January 26, 2021. The Board of County Commissioners (“BCC”) adopted a comprehensive package of amendments that amended the Washoe County Master Plan, Tahoe Area Plan (WMPA19-0007) and Tahoe Area Regulatory Zone Map (WRZA19-0007) and Development Code Amendments (WDCA19-0007) replacing Article 220 Tahoe Area Plan modifiers with two new articles, Article 220 Tahoe Area Plan Modifiers and Article 220.1 Tahoe Area Design Standards.

May 26, 2021. The Tahoe Regional Planning Agency (“TRPA”) Governing Board adopted Washoe County’s Tahoe Area Plan and included Washoe County Development Code Articles 220 and 220.1 as part of this adoption.

June 8, 2023. The applicant submitted a Development Code Amendment application (WDCA23-0001) to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone.

September 27, 2023. The TRPA Regional Plan Implementation Committee (RPIC), a subcommittee of the TRPA Governing Board, held a duly noticed public meeting on the requested amendment for informational purposes only. The meeting allowed governing board members and the public the opportunity to provide comments and raise concerns before a formal vote is held in the future. TRPA received nearly 100 written public comments, approximately thirty-six (36) were in opposition and fifty-five (55) expressed support for the amendment. *See* Exhibit D - RPIC Staff Report and Public Comment to Attachment D PC Staff Report. No public (verbal) testimony was given in opposition and all RPIC members expressed support for the proposal with no notable concerns raised.

November 7, 2023. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA23-0001 to the Board.

Article 220 Amendments

The following is a summary of the specific section of the Washoe Tahoe Area Plan requested for amendment:

Section 110.220.275 Wood Creek Regulatory Zone.

Add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres.

The proposed text amendment is shown in Bold **Red**.

Section 110.220.275 Wood Creek Regulatory Zone.

WOOD CREEK REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		

Single Family Dwelling	A	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	S	5 units per parcel
Public Service		
Schools – Kindergarten through Secondary*	S	
Local Public Health and Safety Facilities	S	
Transit Stations and Terminals	S	
Pipelines and Power Transmission	S	
Transmission and Receiving Facilities	S	
Transportation Routes	S	
Public Utility Centers	S	
Churches	S	
Day Care Centers/Pre-Schools	S	
Recreation		
Participant Sports Facilities	S	
Day Use Areas	A	
Riding and Hiking Trails	A	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Special Cut	A	
Thinning	A	
Early Successional Stage Vegetation Management	A	
Structural and Nonstructural Fish/Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment/Management	A	
Insect and Disease Suppression	A	
Sensitive and Uncommon Plant Management	A	
Erosion Control	A	
SEZ Restoration	A	
Runoff Control	A	
WOOD CREEK REGULATORY ZONE SPECIAL AREA		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
Privately Owned Assembly and Entertainment	S	
Public Service		
Same as General List, Plus:		
Regional Public Health and Safety Facilities	S	
Cultural Facilities	S	
Government Offices	S	
Local Assembly and Entertainment	S	
Recreation		
Same as General List, Plus:		
Sport Assembly	S	
Outdoor Recreation Concessions	A	
Rural Sports	S	
Visitor Information Center	S	
Resource Management		

Same as General List		
----------------------	--	--

***On those parcels in size equal to, or greater than, three-acres.**

REQUESTED ACTION

Washoe County requests that the Regional Planning Committee hold a public hearing and consider a recommendation of approval of the proposed amendments.

CONTACT

Courtney Weiche, Senior Planner, Planning & Building Division, Community Services Dept., 328-3608, cweiche@washoecounty.gov.

Attachment C

TRPA Ordinance 2024-__

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024-__

AN AMENDMENT TO ORDINANCE NO. 2021-06 TO ADOPT
TAHOE AREA PLAN AMENDMENTS

The Governing Board of the Tahoe Regional Planning Agency (TRPA) does ordain as follows:

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2021-06 by amending the Tahoe Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tahoe Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article 6 of the Rules of Procedure. The Tahoe Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tahoe Area Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tahoe Area Plan amendments adopted hereby 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.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2021-06 is hereby amended by amending the Tahoe Area Plan as set forth in Attachment A.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted

hereby shall be liberally construed to effectuate 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 Regional Plan shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the Tahoe Area Plan shall become effective on adoption.

PASSED AND ADOPTED by the Tahoe Regional Planning Agency Governing Board at a regular meeting held on _____, 2024, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

Attachment D

Required Findings/Rationale

TRPA CODE OF ORDINANCE FINDINGS

Saint Clare's and Village Church

JANUARY 2024

Prepared for:

Saint Clare's
PO Box 308
Tahoe Vista, CA

Village Church
736 McCourry Blvd.
Incline Village, NV

Prepared by: AnnMarie Lain



5510 Longley Lane
Reno, NV 89511

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1.0 INTRODUCTION

1.1 Background

The development code amendment process provides a method of review and analysis of periodic revisions needed to establish and maintain a rational land use pattern. Revisions are an essential tool that allows jurisdictions to stay current with desirable trends in planning and development and to respond to changed conditions. This document contains required findings per Chapters 3, 4, and 13 of the TRPA Code of Ordinances (Code) for an amendment to the Tahoe Area Plan (TAP), allowing K-12 schools as a special use on parcels 3-acres or greater in the Woodcreek Regulatory Zone.

1.2 Proposed Amendment

Washoe County Development Code (WCDC) regulates allowable and permitted land uses within the unincorporated areas of Washoe County. The Washoe County Tahoe Area Plan provides the regulatory framework for development in the portion of Washoe County that is within the Tahoe Basin. The Development Code Amendment proposes to add the “Schools – kindergarten through secondary” use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe – Wood Creek Regulatory Zone.

1.2.1 Tahoe Area Plan

There are 27 regulatory zones within the Tahoe Area Plan. Individual regulatory zones identify the allowable uses and special development standards applicable to each zone. The Tahoe Regional Planning Agency Code of Ordinances defines the “schools – kindergarten through secondary” use type as “kindergarten, elementary, and secondary schools serving grades up to 12, including denominational and sectarian.” Land use classification systems classify uses based on common function, product, or compatibility characteristics to provide a basis for regulation of uses in accordance with criteria relevant to the public interest. The land use classification system for the Tahoe Area Plan identifies schools as a Public Service use type.

The purpose of the Tahoe Area Plan is to outline the existing pattern of development and provide a guide for growth. The plan guides growth by recognizing critical conservation areas, establishing existing and future land use and transportation patterns, and identifying current and future public service and facility needs.

Although the TRPA code definition of schools includes both secular and denominational schools, the Tahoe Area Plan fails to identify or address faith-based education within the community. Chapter Six: Public Services and Facilities of the Tahoe Area Plan provides the policy context for future public and quasi-public facilities; it provides basic information about existing and planned public facilities such as schools but does not provide an overview or discussion about denominational or other private schools. In addition, school use is permitted in only two of the 27 regulatory zones, in the Incline Village Commercial district permitted outright and with a special use permit in the Incline Village Residential zoning district.

1.2.2 Wood Creek Regulatory Zone

The Wood Creek Regulatory zone is generally located west of Mt. Rose Highway, South of College Drive, East of Village Blvd, and North of Tahoe Blvd. The Wood Creek Regulatory Zone is one of 16 residential regulatory zones in the plan area. These regulatory zones focus primarily on single-family dwellings but allow other use types such as multi-family and a broad scope of public service and resource management uses. The primary vision for residential regulatory zones is to maintain safe and functional residentially focused regulatory zones, with development that contributes to the desired community character.

The Wood Creek Regulatory Zone includes a Special Area with two parcels. This area was established to allow public service uses on county-owned property. Additional uses allowed with a special use permit in this area include cultural facilities (permanent public or quasi-public facilities generally of a noncommercial nature, such as art exhibitions, planetariums, botanical gardens, libraries, museums, archives, and arboretums), local assembly and entertainment, and sports assembly (commercial facilities for special events, such as

sports assembly that do not exceed a 5,000 seating capacity, such as stadiums, arenas, and field houses).

1.2.3 Proposed Amendment Location

The amendment request proposes an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek. The areas highlighted in yellow in **Appendix 1** show parcels equal to or greater than three acres in size within the Wood Creek regulatory zone. If the Development Code Amendment application is approved by Washoe County and TRPA, any applicant wishing to establish a school use within the amendment location would be required to obtain an approved special use permit. The special use permit process is a site-specific review of a use that requires special appraisal to determine if the uses have the potential to adversely affect other land uses, transportation systems, public facilities, or environmental resources in the vicinity. The special use permit process requires neighborhood notification, a neighborhood meeting, and a public hearing. The code amendment impacts the highlighted parcels owned by the Village Church, Saint Francis, Washoe County, Incline Village Improvement District. These parcels all have frontage along major corridors in the area. While the code amendment provides the acreage restriction to preserve the neighborhood character on the internal corridors of the regulatory zone, it should be noted that there are other uses and factors that can impact the character of a neighborhood, including 16 approved short term rental permits on residential lots in the Wood Creek regulatory zone and an estimated 48% vacancy rate of single-family homes in the area (American Community Survey).

2.0 TRPA CODE OF ORDINANCES FINDINGS

2.1 Chapter 3 Findings

The following finding must be made prior to amending the TAP.

2.1.1 FINDING 1

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

Response: Based on the completed Initial Environmental Checklist (IEC), no significant environmental impacts have been identified as a result of the proposed amendment. The IEC was prepared to evaluate the potential environmental impacts of the proposed amendment and tiers from or refers to specific analyses contained in the following environmental review documents:

- TRPA, Regional Plan Update EIS, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- TRPA, Tahoe Area Plan Update IEC, certified by the TRPA Governing Board in 2020.

These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an area plan level. Because the amendment is consistent with the Regional Plan, which has approved program-level environmental documents, the proposed TAP amendment is within the scope of these program-level documents.

Nothing in the IEC or proposed TAP alters the obligations of Washoe County or TRPA to implement the mitigation measures adopted as part of the RPU, as documented in the RPU EIS. Consequently, Washoe County would adhere to all applicable adopted mitigation measures required by the Regional Plan as a part of the proposed TAP amendment. Adoption of the proposed amendment would only amend the zoning requirements of the Tahoe Area Plan- Wood Creek regulatory zone concerning school use. Within this area, and

only on parcels three acres in size or more, school use would require a discretionary special use permit approval by Washoe County and TRPA. All aspects of the Tahoe Area Plan and Washoe County Development Code not specifically affected by the proposed amendment would continue to apply throughout the plan area. As such, future projects within the plan area would be required to comply with all applicable provisions of the TRPA code and Washoe County Development Code as well as any project revisions or mitigation measures required as conditions of approval for a special use permit.

2.2 Chapter 4 Findings

The following finding must be made prior to amending the TAP.

2.2.1 FINDING 1

Finding: The proposed TAP amendment is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans/plan area statements, the TRPA Code, and other TRPA plans and programs.

Response: The Regional Plan describes the needs and goals of the Region and provides statements of policy to guide decision making as it affects the Region's resources. The Regional Land Use Map identifies groupings of generalized land uses and priority redevelopment areas in the region. The TAP amendment area is classified as residential; the amendment supports the purpose of this classification which is to "identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood." The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, facilitates the adequate provision of schools, and promotes the social advantages gained from an appropriately regulated use of land.

The proposed amendment was prepared in conformance with the substantive and procedural requirements of the Regional Plan goals and policies, as implemented through TRPA Code, Chapter 13, "Area Plans." The TAP is consistent with the Tahoe Regional Plan and TRPA Code, as shown in the Area Plan Finding of Conformity Checklist and as demonstrated in the IEC.

Pursuant to TRPA Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical phenomena that relate to the status of threshold attainment or maintenance), additional factors (indirect measures of threshold status, such as funding levels for Environmental Improvement Program [EIP] projects), and interim and target dates for threshold achievement. TRPA identifies and reports on threshold compliance measures, indicators, factors, and targets in the threshold evaluation reports prepared pursuant to TRPA Code, Chapter 16, "Regional Plan and Environmental Threshold Review."

Similarly, TRPA Code Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, electrical service) identified in the environmental documentation for the Regional Plan. The amendment does not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The TAP amendment does not allocate capacity or authorize any particular development.

The TAP amendment is consistent with and will not adversely affect implementation of the

Regional Plan, including all applicable goals and policies, community plans, plan area statements, the TRPA Code, and other TRPA plans and programs.

2.0.1 FINDING 2

Finding: The proposed TAP amendment will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IEC, no significant environmental effects were identified as a result of the proposed amendment, and the IEC did not find any thresholds that would be adversely affected or exceeded. As found above, the TAP, as amended, is consistent with the Regional Plan.

Pursuant to Chapter 13 of the TRPA Code, TRPA will monitor all development projects within the TAP through quarterly and annual reports. These reports will be used to evaluate the status and trend of the thresholds every 4 years.

The amendment does not affect the cumulative accounting of units of use as no additional residential, commercial, tourist or recreation allocations are proposed or allocated as part of this TAP amendment. School uses are general public service uses that do not require allocations or otherwise affect the availability of these commodities. The amendment does not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the RPU EIS. No changes to the overall capacity are proposed in the proposed amendment.

TRPA has reviewed the proposed amendment against the 222 compliance measures and supplemental compliance measures, the 151 indicators and additional factors that measure threshold progress, and threshold target and interim attainment dates. The proposed amendment will not adversely affect applicable compliance measures, and target dates as identified in the 2015 Threshold Evaluation indicator summaries. Pursuant to Chapter 13, *Area Plans*, of the TRPA Code of Ordinances, TRPA will monitor all development projects within the Tahoe Area Plan through quarterly and annual reports. These reports will then be used to evaluate the status and trend of thresholds every four years.

Accounting for units of use, resource utilization, and threshold attainment will occur as part of the review and approval process for individual projects. The proposed amendment does not affect the amount of the remaining capacity available, as the remaining capacity for water supply sewage collection and treatment, recreation, and vehicle miles travelled have been identified and evaluated in the RPU EIS. Therefore, TRPA finds that the proposed amendment will not cause thresholds to be exceeded.

The proposed TAP amendment would not alter policies or requirements that balance short-term and long-term environmental goals. The results of the attached IEC show no changes to environmental effects when compared to the 2020 IEC completed for the Area Plan (Ascent Environmental, Inc. , 2020).

The proposed Area Plan DCA does not include any provisions or changes that would alter the SUP process to evaluate traffic at a project-level to ensure transportation, parking, and traffic generation are consistent with applicable limitations and regulations. Future projects implemented under the proposed Area Plan DCA would provide a traffic and parking plan to ensure all applicable regional and local requirements are met.

2.0.2 FINDING 3

Finding: Wherever federal, state, or local air and water quality standards apply for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of

the Tahoe Regional Planning Compact

Rationale: Based on the following: (1) TAP IEC and (2) RPU EIS adopted by the Governing Board, no applicable federal, state, or local air and water quality standard will be exceeded by adoption of the amendment. The proposed amendment does not affect or change the federal, state, or local air and water quality standards that apply to the Region. Projects developed under the TAP will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements, the Lake Tahoe Total Maximum Daily Load (TMDL), and the County's Pollutant Load Reduction Plan (PLRP). Federal, state, and local air and water quality standards remain applicable for all parcels in the TAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

2.0.1 FINDING 4

Finding: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Response: The Regional Plan authorizes the area plan process for communities and land management agencies in the Tahoe Region to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area plans, created pursuant to Chapter 13 of the TRPA Code, also allow TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an area plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

Future redevelopment projects in the TAP amendment area would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations. Therefore, implementation of the proposed amendment would not result in the reduction of environmental thresholds.

As discussed in the IEC, the TAP amendment would not alter noise policies and the adopted TRPA CNEL threshold standards, and Regional Plan noise policies would continue to be applied. The existing TAP CNEL standards are consistent with the TRPA's threshold standards; and thus, future projects under the amendment would only be approved by TRPA or Washoe County if they can demonstrate compliance with these CNEL standards.

As found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the proposed amendment interferes with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the project, will continue to achieve and maintain the thresholds.

2.0 Chapter 13 Findings

The following finding must be made prior to amending the TAP.

2.0.2 FINDING 1

Finding: The proposed TAP amendment is consistent with and furthers the goals and policies of the Regional Plan.

Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations to be responsive to the unique needs and opportunities of communities.

The proposed amendment responds to changed conditions or further studies that have occurred since the TAP was adopted by TRPA, and the requested amendment allows for a more desirable utilization of land within the regulatory zone.

The pandemic generated increased interest in innovation, both as a concept and a strategy to rethink what a school is, what it looks like, and how it operates. More, now than ever, parents are looking for options with school choice. An increase in educational options will help build more resilient communities.

The total population of Incline Village from the 2020 census is 9,462 with 17% of the population made of up persons of under 18 years. The American Community Survey, published by the US Census Bureau, helps community leaders understand the changes taking place in their communities. ACS data shows an average increase of population in Incline Village of 3.56% from 2018 to 2021. It also shows a steady increase of the population of persons 18 years and under. The 2018 ACS survey data estimates a population in Incline Village at 8,534 with 14.3% of persons 18 years and under. It is estimated that from 2018-2023 the number of persons 18 years and under increased in Incline Village by 387 persons. The proposed amendment responds to both the increase of school age children within the community as well as the post-pandemic desire for an increase in educational options.

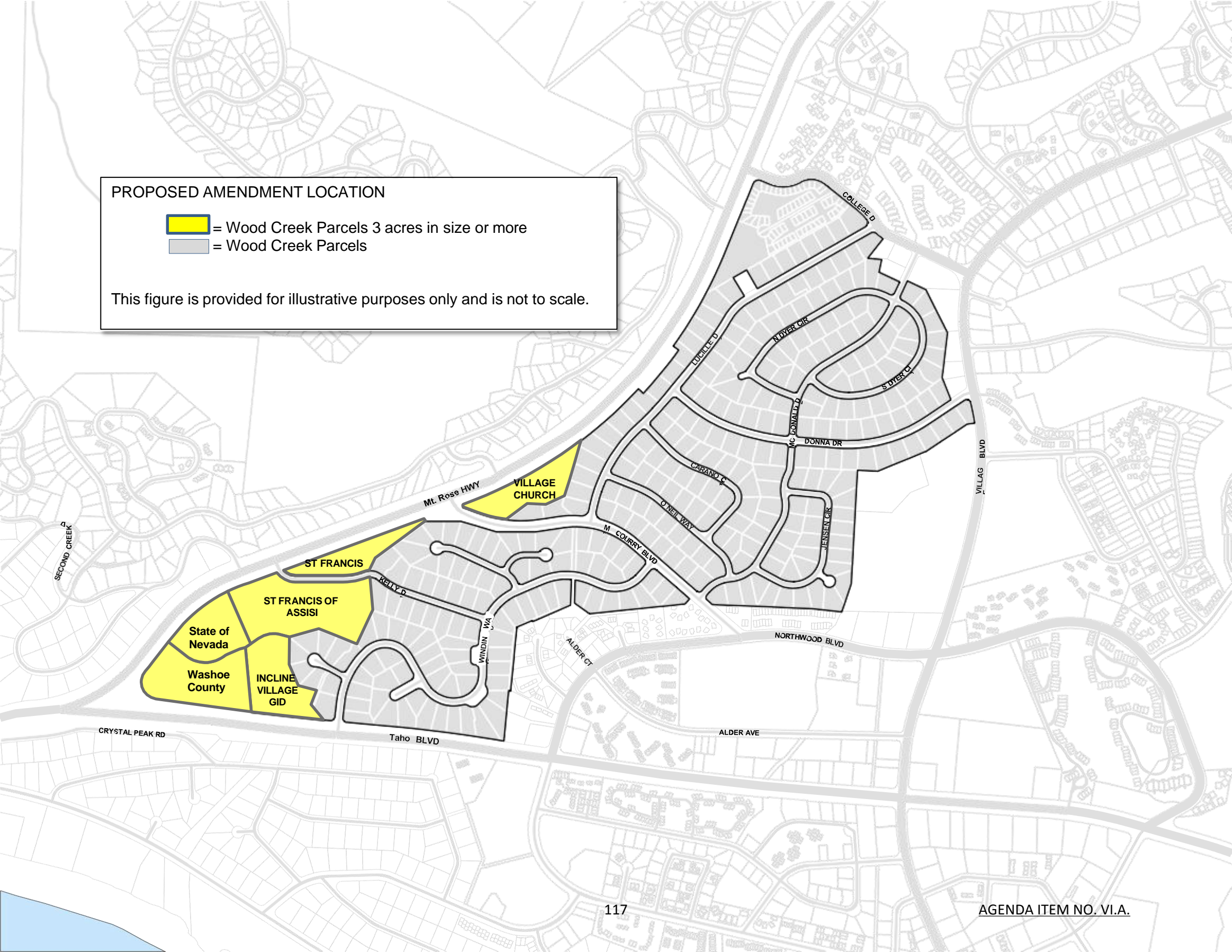
The proposed amendment is intended to facilitate the establishment schools that are not otherwise provided for within the jurisdiction. The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, facilitates the adequate provision of schools, and promotes the social advantages gained from an appropriately regulated use of land.

The proposed TAP amendment was found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Finding of Conformity Checklist (Attachment F to the staff summary), and as described in Chapter 4, Finding #1, above.

PROPOSED AMENDMENT LOCATION

-  = Wood Creek Parcels 3 acres in size or more
-  = Wood Creek Parcels

This figure is provided for illustrative purposes only and is not to scale.



Attachment E

Initial Environmental Checklist

INITIAL ENVIRONMENTAL CHECKLIST

Tahoe Area Plan Development Code Amendment

March 2024

Prepared for:

Washoe County, Nevada
Community Service Department
1001 East Ninth Street
Reno, NV 89512

Tahoe Regional Planning
Agency
PO Box 5310
Stateline, NV 89449

Prepared by:

DOWL, LLC
5510 Longley Lane
Reno, NV 8951



Draft Initial Environmental Checklist
for the
Tahoe Area Plan Development Code Amendment

Prepared for:

Washoe County, Nevada

1001 East Ninth Street, Reno, NV 89512

and

Tahoe Regional Planning Agency

PO Box 5310, Stateline, NV 89449

Prepared By:

DOWL, LLC

5510 Longley Lane, Reno, NV 89511

March 2024

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DRAFT

LIST OF ABBREVIATIONS

afy	acre feet per year
APC.....	Advisory Planning Commission
Area Plan	Washoe County Tahoe Area Plan
CFA.....	Commercial Flood Area
CNEL	Community Noise Equivalency Level
CWA.....	Clean Water Act
dbh	diameter at breast height
DCA	Development Code Amendment
IEC	Initial Environmental Checklist
IPES.....	Individual Parcel Evaluation System
IVGID	Incline Village General Improvement District
LOS.....	Level of Service
MPH.....	Miles Per Hour
MVMT	Million Vehicle Miles Traveled
NAAQS	National Ambient Air Quality Standards
NDOT.....	Nevada Department of Transportation
NEPA	National Environmental Policy Act
PAOT	People At One Time
PL.....	Public Law
PM.....	Particulate Matter
Region.....	Tahoe Region
Regional Plan.....	Lake Tahoe Regional Plan
RUUs	Residential Units of Use
SA	Special Area
SHPO.....	State Historic Preservation Officer
SQIP	Scenic Quality Improvement Program
SR 28	Nevada State Route 28
SR 431	Nevada State Route 431
SWPPP	Storm Water Pollution Prevention Plan
TAUs.....	Tourist Accommodation Units
TRPA	Tahoe Regional Planning Agency
VMT	Vehicle Miles Traveled

1.0 INTRODUCTION

1.1 Introduction and Regulatory Guidance

This Initial Environmental Checklist (IEC) pursuant to the requirements of Article VI of the Tahoe Regional Planning Agency (TRPA) Rules of Procedure (TRPA, 2012a) and Chapter 3 of the TRPA Code of Ordinances (TRPA, 2022) evaluates potential environmental effects resulting from the implementation of a Development Code Amendment (DCA) to the Tahoe Area Plan. TRPA is the lead agency pursuant to the Tahoe Regional Planning Compact (Public Law [PL] 96-551), 1980 revision, TRPA Code, and TRPA Rules of Procedure. Chapter 2.0 presents the project details, which are addressed by the DCA.

TRPA has responsibility for implementation of the Lake Tahoe Regional Plan (Regional Plan), approval of area plans, area plan amendments, and annual/quadrennial reviews of area plans to ensure that development within the geographic boundaries of an area plan meets adopted TRPA standards. Chapter 13 of the TRPA Code allows local governments to adopt a conforming area plan containing policies and development ordinances that are consistent with and that further the goals and policies of the Regional Plan. Chapter 13 also establishes the content for area plans and defines development activities that will not have a substantial effect on the physical environment of the Tahoe Region (Region), and therefore allows TRPA to delegate limited permitting authority to local governments (TRPA, 2022). The Area Plan DCA evaluated herein was prepared by Washoe County pursuant to Chapter 13 of the TRPA Code.

1.2 Purpose of this Document

This IEC evaluates the potential environmental effects associated with adoption and implementation of the proposed Washoe County Tahoe Area Plan DCA. The Tahoe Area Plan applies to a large geographical area, which includes the Wood Creek Regulatory Zone where proposed school projects are located that will require this DCA. Because this IEC addresses an Area Plan that is policy oriented, the evaluation is prepared at a programmatic level – that is, a more general evaluation of potential environmental effects addressing the entire Area Plan and not specific projects within it. Future projects that are implemented consistent with the Area Plan DCA will include more detailed information that allows TRPA to use the IEC to review and evaluate project-level potential environmental effects. Chapter 3.0 of this document addresses the IEC evaluation and discussion of potential environmental impacts of the proposed Tahoe Area Plan DCA.

DRAFT

2.0 PROJECT DESCRIPTION

2.1 Background

Washoe County and TRPA adopted the Washoe County Tahoe Area Plan (Area Plan) in 2021, which addresses a planning area encompassing the southwest portion of Washoe County known as Incline Village and Crystal Bay. The planning area size is approximately 31 square miles and is located on the east shore of Lake Tahoe (TRPA, 2021a).

There are twenty-seven (27) individual regulatory zones in the Area Plan, sixteen (16) of which are Residential Regulatory Zones. The Residential Regulatory Zone's land use category is described as, "Urban areas having the potential to provide housing for residents of the region."

To date, primary and secondary schools are not permitted in the Wood Creek Regulatory Zone under the regulations of the Area Plan. However, other similar uses are allowed with a Special Use Permit, including a broad scope of public service uses (e.g., churches, day care centers, and pre-schools). Within the Wood Creek Regulatory Zone Special Area (SA), additional public services are allowed, including regional public health and safety facilities, cultural facilities, government offices, and local assembly and entertainment. These other uses have similar effects on the community character and similar demand for services and infrastructure as would primary and secondary schools.

Washoe County is proposing a DCA to the Area Plan that would amend the plan to allow primary and secondary school uses as a Special Use on parcels in the Wood Creek Regulatory Zone that are larger than 3 acres in size.

2.2 Project Location

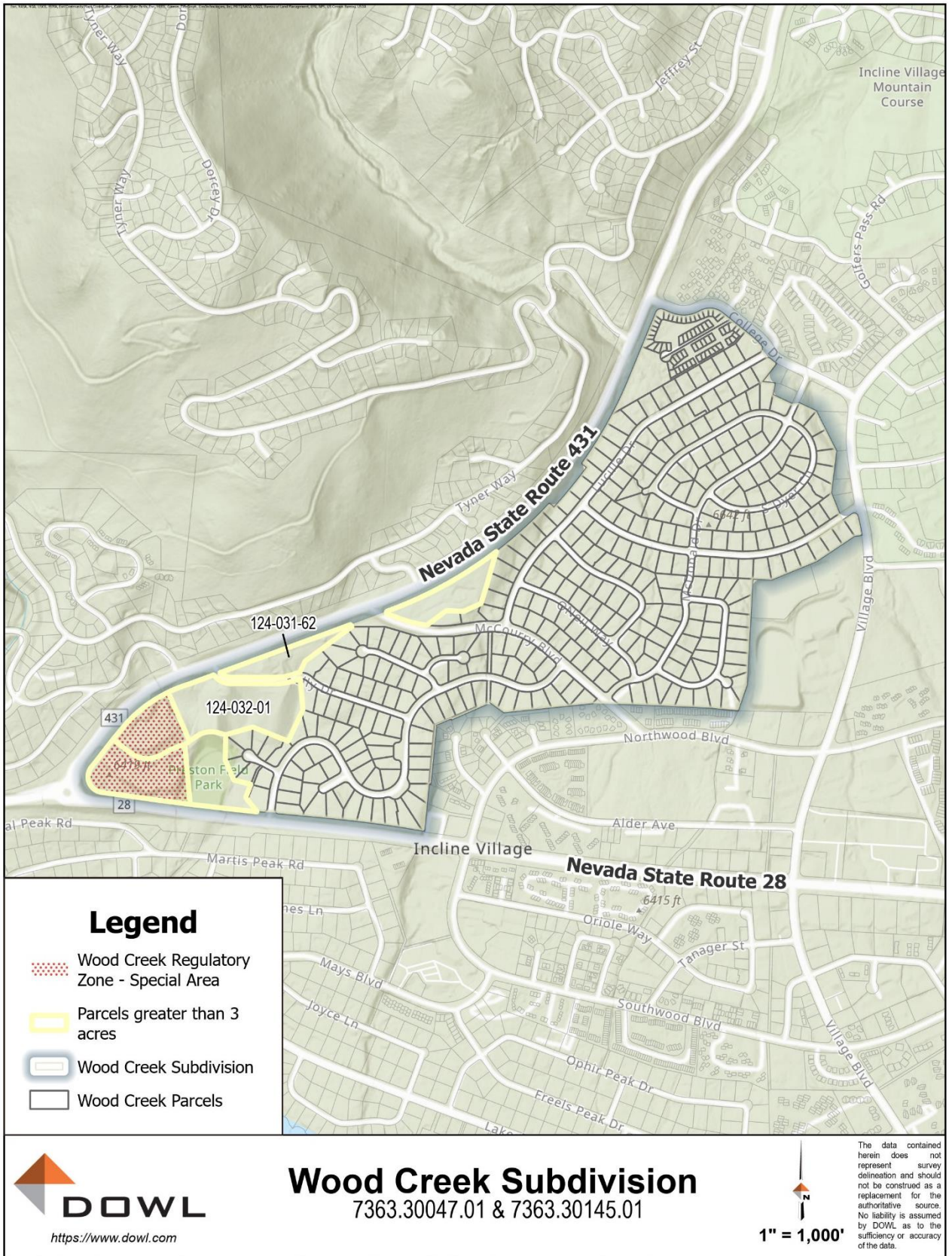
The Wood Creek Regulatory Zone is within Incline Village in Washoe County, Nevada. The Wood Creek Area is within portions of Township 16N, Range 18E. Table 1 shows the description of the location of Wood Creek Regulatory Zone.

Table 1: Project Location Description

Description	Section	Township and Range
SE $\frac{1}{4}$ SE $\frac{1}{4}$	9	T. 16N., R.18E.
S $\frac{1}{2}$ SW $\frac{1}{4}$	10	T. 16N., R.18E.
N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	15	T. 16N., R.18E.
NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and Lot 1	16	T. 16N., R.18E.

See Figure 1 for a figure identifying the parcels larger than 3 acres within The Wood Creek Regulatory Zone.

Figure 1: Parcels Greater Than 3 acres Within the Wood Creek Regulatory Zone



\\dowl.com\j\Projects\63130047-01\60GIS\Wood Creek Area\Wood Creek Area.aprx, Layout: WoodCreek - Parcels Larger Than 3 AC, Editor: EParis, Printed: 9/11/2023

2.3 Objective

Washoe County proposes a DCA to the Tahoe Area Plan to allow primary and secondary schools as a permitted use with a Special Use Permit in the Wood Creek Regulatory Zone on parcels equal to or greater than 3 acres in size.

Six (6) parcels within Wood Creek Regulatory Zone are larger than 3 acres (Table 2). Two (2) of these parcels are within the Wood Creek Regulatory Zone SA. This SA is established to allow public service uses¹ on county-owned property.

Table 2: Parcels in Wood Creek Regulatory Zone Equal to or Greater than 3 acres in Size

APN	Acreage	Land Use Code	Owner
124-031-62	3.237	400: General Commercial (retail, mixed, parking, school)	St. Francis of Assisi Real Property LLC
124-132-01	9.219	200: Residential, Single Family	St. Francis of Assisi Real Property LLC
124-032-33	5.09	190: Public Parks, vacant or improved	Incline Village General Improvement District (IVGID)
124-032-36*	6.462	400: General Commercial (retail, mixed, parking, school)	Washoe County
124-032-37*	4.361	400: General Commercial (retail, mixed, parking, school)	Nevada, State of
124-061-19	4.09	400: General Commercial (retail, mixed, parking, school)	Village Church

*Parcels within the Wood Creek Regulatory Zone SA

¹ Public Services allowed in the Wood Creek SA include Regional Public Health and Safety facilities, Cultural Facilities, Government Offices, and Local Assembly and Entertainment with a Special Use Permit.

3.0 INITIAL ENVIRONMENTAL CHECKLIST

3.1 Environmental Effects

This chapter evaluates the effects of adopting and implementing the proposed Area Plan DCA on each topic identified in the TRPA IEC. The discussion provides a determination as to the significance of the impact for a programmatic review. This IEC uses the following terminology to describe the significance of each environmental impact:

- **Beneficial:** An impact that would result in improved environmental conditions.
- **Less-than-significant:** An impact that would not result in a substantial and adverse change in the physical environment. This impact level does not require mitigation.
- **Significant:** An impact that would result in a substantial adverse change in any of the physical conditions within the Region. Potentially feasible mitigation or alternatives to the component(s) of the DCA resulting in the impact must be considered to substantially reduce significant impacts.
- **Potentially significant:** An impact that would be considered a significant impact as described above if it were to occur, however, the occurrence of the impact cannot be immediately determined or there is some uncertainty about its occurrence.

The following sections address each topic included in the IEC, including a table of environmental issues evaluated for each topic followed by a discussion of potential impacts.

3.2 Land

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
I. Land.				
Will the proposal result in:				
a) Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Changes in the undisturbed soil or native geologic substructures or grading more than 5 feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Changes in deposition or erosion of beach sand, or changes in siltation, deposition, or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.2.1 Discussion

No impact. The Area Plan DCA would not alter or revise existing regulations pertaining to land capability and the Individual Parcel Evaluation System (IPES), grading regulations, or the existing regulations related to modifications of a river, stream, or bed of a lake. Nor would the DCA alter any of the procedural or substantive project planning, design, environmental review, or permitting processes.

Any primary or secondary school use would require a Special Use Permit and would be evaluated at a project-level to ensure land coverage and uses are consistent with applicable limitations and regulations. Future projects implemented under the proposed Area Plan DCA could include grading, excavations, cut and fill, trenching, or excavating to a depth deeper than 5 feet below ground surface, all of which would alter existing topography and ground surface, or cause potential for groundwater interception or interference. All projects would continue to be evaluated on a project-specific basis consistent with TRPA environmental review requirements (TRPA Code Chapter 3) and would be required to adhere to all applicable regional and local requirements and regulations relating to grading, soil stability, and erosion. These include

adherence to Chapter 33 of the TRPA Code, which identifies various standards and regulations related to grading to protect against significant adverse effects from development (TRPA, 2022). Implementation of the proposed Area Plan DCA would not include any provisions or changes that would alter such requirements or regulations for individual future projects.

Any project that would modify the channel of a waterway and/or affect other hydrological process would also be subject to a project-level planning, design, environmental review, and permitting process. This process would include compliance with the resource management and protection provisions of TRPA Code Chapters 60 through 68; environmental review of the project consistent with Chapter 3 of the TRPA Code and the National Environmental Policy Act (NEPA), if applicable; and adherence to permit requirements including TRPA standard permit conditions and requirements of Sections 401 and 404 of the Clean Water Act (CWA) (TRPA, 2022).

Previous analyses identified that development could expose people and property to hazards resulting from seismic activity (landslides, backshore erosion, avalanches, mud slides, ground failure, liquefaction, lateral spreading, or collapse), and non-seismic geologic hazards (lateral spreading, subsidence, or collapse). However, projects under the Regional Plan are subject to site-specific environmental review, and, if appropriate, geotechnical analysis (TRPA Code Section 33.4) (TRPA, 2021b). Through this review, projects may be required to employ design standards that consider seismically active areas and determine the design, grading, and construction practices required to avoid or reduce geologic hazards. Moreover, all projects must comply with current building codes and geotechnical standards for local jurisdictions.

Therefore, impact to soil stability, soil and geologic conditions, or ground surface relief features within the plan area would be the same as previously analyzed, and there would be no impact.

3.3 Air Quality

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
II. Air Quality.				
Will the Proposal result in:				
a) Substantial air pollutant emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Increased use of diesel fuel?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.3.1 Discussion

No impact. The proposed Area Plan DCA would not modify laws or regulations pertaining to air quality, air pollution emissions, major sources of odor, GHG emissions, or the potential for development and population growth.

The proposed Area Plan DCA proposes the potential siting of new sensitive receptors (primary and secondary schools), however there are no known substantial sources of objectionable odors in the plan area. The operation of the proposed Area Plan DCA would not create objectionable odors affecting a substantial number of people, nor would the proposed Area Plan DCA result in the siting of sensitive receptors in proximity to an odor source.

The Area Plan is currently consistent with the regional GHG reduction strategies included in the Regional Plan and these elements of the Area Plan would not be affected by the DCA.

As with existing conditions, construction, and operation of future projects under the proposed Area Plan DCA could require the use of diesel fuel associated with construction equipment and ongoing vehicle use. Future projects in the plan area could result in short-term diesel exhaust emissions, including diesel particulate matter (PM), from the use of heavy-duty diesel equipment required for construction activities. However, the proposed Area Plan Amendment does not include changes in land use or design standards that would increase exposure.

Projects that could be implemented under the Area Plan DCA would continue to be subject to subsequent environmental review and permitting and would be required to comply with Chapter 65 of the TRPA Code. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe Region, including certain motor vehicles registered in the region, combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines. These provisions require that all publicly funded buildings in the plan area be designed and constructed to an industry recognized standard for sustainability and greenhouse gas reduction (TRPA, 2022).

The Lake Tahoe Air Basin is in attainment for all national ambient air quality standards (NAAQS). Implementation of the Area Plan DCA would involve development of projects that

have the potential to produce air pollutant emissions that could contribute to nonattainment during project construction and operation, as discussed below.

Construction Emissions

Development or redevelopment projects that could occur with implementation of the proposed Area Plan DCA would produce construction related air emissions. Projects implemented under the Area Plan DCA would continue to be subject to all air quality standards in the TRPA Code (TRPA, 2022).

Operational Emissions

The long-term operation of development or redevelopment that could occur with implementation of the proposed Area Plan DCA could produce operational air emissions. Operational emissions could result from mobile, area, and natural gas sources. Mobile-source emissions are associated with motor vehicle use and are affected by the amount of vehicle miles of travel (VMT) within a given area. Area-source emissions would include emissions from consumer products, landscaping and maintenance, wood-burning appliances, and snow removal equipment. Natural gas-related emissions would be associated with space and water heating.

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3.4 Water Quality

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
III. Water Quality.				
Will the proposal result in:				
a) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Alterations to the course or flow of 100-year flood waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Alteration of the direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Is the project located with 600 feet of a drinking water source?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.4.1 Discussion

No impact. The proposed Area Plan DCA would not alter regulations related to hydrology, the alternation of watercourses, stormwater, drainage, floodplains/flooding, discharge into surface waters, surface water quality, groundwater, or discharge of contaminants into groundwater. Nor would the Area Plan DCA alter land use such that permissible uses within the plan area would change the amount of surface water in any body of water or would result in a change in water use from what would be allowed under the existing Area Plan (TRPA, 2021a).

The existing Area Plan implements Regional plan standards (TRPA, 2021a). All new coverage within the plan area is required to implement stormwater BMPs as required by TRPA Code Section 60.4. Individual future projects under the amended Area Plan would continue to undergo project-level environmental review and would continue to be required to demonstrate compliance with BMP provisions, including the construction of BMPs to capture water runoff so that runoff from a 20-year, 1-hour storm can be captured on site, as applicable, and meet all other applicable water quality regulations and standards (TRPA, 2022).

All projects that are subject to floods or could modify the currents, course, or direction of water movements and/or affect other hydrologic processes in waterbodies would be subject to a project-level planning, design, environmental review, and permitting process. This process includes compliance with the resource management and protection provisions of TRPA Code Chapters 60 through 68; environmental review of the project consistent with Chapter 3 and Chapter 33 of the TRPA Code and NEPA, if applicable; and adherence to permit requirements including TRPA standard permit conditions and requirements of Sections 401 and 404 of the CWA. Additionally, TRPA code Section 35.4 prohibits additional development, grading, and filling of lands within the 100-year floodplain, except under specific circumstances. These provisions increase compliance with design and development standards related to flooding (TRPA, 2022). The DCA would not alter existing regulations, land use, or increase the potential for modifications to hydrology.

All development, redevelopment, and infrastructure improvements within the plan area would continue to be required to meet the discharge standards of the NDEP, and where applicable, comply with a Stormwater Discharge Permit. All projects that would create more than one (1) acre of disturbance are required to prepare a storm water pollution prevention plan (SWPPP). In addition, the Area Plan clarifies and makes consistent the process for reviewing proposals that have the potential to be affected by flooding or other natural hazards. These provisions increase compliance with design and development standards related to water hazards including flooding and seiche.

3.5 Vegetation

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
IV. Vegetation.				
Will the proposal result in:				
a) Removal of native vegetation more than the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Removal of any native live, dead, or dying trees 30 inches or greater in diameter at breast height (dbh) within TPA's Conservation or Recreation land use classifications?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) A change in the natural functioning of an old growth ecosystem?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.5.1 Discussion

No impact. Implementation of the proposed Area Plan DCA would not alter regulations pertaining to the preservation of native vegetation, vegetation removal, groundwater management, new vegetation, unique, rare, or endangered species of plants, the removal of stream bank/backshore vegetation, old growth ecosystem management, or the removal of native trees 30 inches or greater diameter at breast height (dbh). Nor would it allow new land uses that are more likely to require fertilizer or water, more likely to affect rare, or endangered species of plants, or be more likely to result in the cutting of trees greater than 30 inches dbh.

The natural resource protection provisions of TRPA Code Chapters 60, 61 and 62 would still apply to all future projects within the plan area. As with existing conditions, construction activities associated with implementation of future projects under the DCA could affect special-

status plant species and the presence of suitable habitat, depending on the type, timing, and specific nature of any proposed actions. However, all projects implemented under the DCA would continue to be subject to project-level environmental review and permitting. During such subsequent reviews, potential effects on plant species would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. TRPA's existing policies and code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (see TRPA Code Sections 61.3.6, 62.4, and 63.3) (TRPA, 2022). Project-level planning and environmental analysis would identify potentially significant effects, minimize, or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval.

Vegetation surrounding the construction site of any project permitted under the amendment would be required to comply with TRPA Code Section 33.6 and TRPA Standard Conditions of Approval for Grading Projects (TRPA, 2022). Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas. Furthermore, the proposed Area Plan DCA would not change land use classifications or allow new uses that would be more likely to require vegetation removal.

3.6 Wildlife

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
V. Wildlife.				
Will the proposal result in:				
a) Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians, or microfauna)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduction of the number of any unique, rare, or endangered species of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.6.1 Discussion

No impact. The proposed Area Plan DCA would not alter the regulations pertaining to the protection of animal species, special status or listed species of animals, introduction of new species migration or movement of animals, or existing fish or wildlife habitat quantity or quality.

As with existing conditions, permit applications would continue to be required to demonstrate that any proposed project would be consistent with TRPA Code provisions related to resource management, including the provisions of Chapters 62 and 63 that address protection of wildlife and fish resources. Any future projects would continue to be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. The resource management provisions contained in Chapters 60 through 68 of TRPA Code would continue to apply to future projects within the plan area (TRPA, 2022). At a project-level, potential effects on animal species would be determined based on the species’ distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. Project-level planning and environmental analysis would identify potentially significant effects, minimize/avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval.

For these reasons, adoption of the proposed Area Plan DCA would not result in a change in the diversity or distribution of species, numbers of any species or animal, reduction in the number of any unique, rare, or endangered species, of animals, or result in a barrier to the movement of animal species.

3.7 Noise

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VI. Noise.				
Will the proposal result in:				
a) Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The placement of uses that would generate an incompatible noise level near existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.7.1 Discussion

No impact. The proposed Area Plan DCA would not alter requirements related to noise levels, single-noise events, or ground vibrations. Nor would it alter the Community Noise Equivalency Level (CNEL) standards set forth in the existing Area Plan, and the plan would continue to apply them (TRPA, 2021a).

The Area Plan DCA could result in the establishment of primary and secondary school uses, however, a Special Use Permit would be required. The Special Use Permit process would establish an additional review process to consider the potential for primary and secondary school uses to create increases in noise. Further, all future projects within the plan area would be evaluated at a project level and Washoe County or TRPA would enforce all noise standards on a project-by-project basis pursuant to the noise limitations in TRPA Code Chapter 68 (TRPA, 2022).

Future construction activities that could occur under the amendment could generate varying degrees of temporary ground vibration, depending on the specific construction equipment used and activities involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of heavy-duty construction equipment, such as dozers and trucks. Blasting activities also generate elevated levels of ground vibration. Ground Vibration generated during

construction of projects could result in damage to nearby buildings and structures and/or result in a negative human response to vibration-sensitive land uses. Additionally, construction activities associated with new development and redevelopment under the amended Area Plan could include activities that involve the use of noise generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loader. Noise levels associated with these types of equipment are typically between 70 and 85 dBA L_{max} at 50 feet. In unique circumstances, specialized construction equipment (typically between 94 and 101 dBA L_{max} at 50 feet) may be required (TRPA 2012a: pages 3.6-16 and 3.6-17).

In November 2013, TRPA formalized the best construction policies by including additional noise requirements in the TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) (TRPA, 2013a) (TRPA, 2013b). These conditions require that projects utilize existing power sources instead of generators where feasible, keep engine doors closed during periods of operation, locate stationary equipment (e.g., generators or pumps) and staging areas as far as feasible from noise-sensitive receptors (e.g., residential areas), install temporary sound barriers around construction areas or stationary noise sources (e.g., pumps or generators) near noise sensitive receptors, use sonic pile driving instead of impact pile driving where feasible, and pre-drill holes to minimize impacts of pile driving.

TRPA or Washoe County would continue to evaluate individual future projects within the plan area at a project level. Through the project-level analysis, TRPA or Washoe County would evaluate project-specific noise impacts and would require compliance with all applicable noise reducing measures identified in the standard condition of approval. TRPA or Washoe County would only approve projects that can demonstrate compliance with TRPA's threshold standards (i.e., CNEL standards). The existing Area Plan CNEL standards are consistent with TRPA's threshold standards; and thus, future projects under the DCA would only be approved by TRPA or Washoe County if they can demonstrate compliance with these CNEL standards (TRPA, 2021a).

For these reasons, adoption of the proposed Area Plan DCA would not result in a change to CNEL, exposure to severe noise levels, single event noise levels, or increased ground vibration.

3.8 Light and Glare

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VII. Light and Glare.				
Will the proposal:				
a) Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create new illumination, which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Cause light from exterior sources to be cast off - site or onto public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create new sources of glare through the siting of the improvements or using reflective materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.8.1 Discussion

No impact. The proposed Area Plan DCA would not increase the potential for growth in the plan area beyond that which could occur under the existing Area Plan. As with existing conditions, future projects could result in new sources of light from exterior lighting.

The TRPA design standards for exterior lighting (TRPA Code Chapter 36) are designed to reduce light pollution and reduce the splay of light on adjoining parcels and adjacent residential uses (TRPA, 2022). The proposed Area Plan DCA would abide by the existing Area Plan Design Standards and Guidelines for the plan area which meet the requirements of the TRPA design standards (TRPA, 2021a).

The existing Area Plan design standards and guidelines incorporate protections for natural features with the goal to encourage projects to create a context-sensitive design of the built environment that reflects differences in the character of unique communities consistent with recommendations in the Scenic Quality Improvement Program (SQIP) (TRPA, 2021a). These standards reduce the potential for future projects to result in substantial light or glare, new sources of light or glare that are more substantial than other light or glare in the area, or exterior light that is cast off-site.

All future projects carried out under the amendment would be evaluated on a project-specific basis consistent with TRPA environmental review requirements (TRPA Code Chapter 3). This analysis would consider the project-specific effects on light and glare at the time that project characteristics are known. This analysis would consider the project-specific effects on light and glare at the time that project characteristics are known. This analysis would review the proposed project for consistency with applicable standards to determine if it would result in significant impacts related to light and glare. If necessary, the environmental review would require mitigation measures, such as revised lighting designs, to reduce significant impacts related to light and glare.

Because all existing lighting design standards and guidelines would remain in effect and all future projects would be evaluated considering the project-specific characteristics related to light and glare, the proposed Area Plan DCA would have no impact on light and glare conditions.

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3.9 Land Use

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VIII. Land Use.				
Will the proposal:				
a) Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.9.1 Discussion

Less than significant. The proposed Area Plan DCA would amend the existing Area Plan such that primary and secondary school uses would be permitted with a Special Use Permit within the Wood Creek Regulatory Zone. All other goals, policies, and standards in the existing Area Plan would be maintained for the plan area (TRPA, 2021a). The proposed Area Plan DCA carries forward all permissible use definitions consistent with TRPA Code Chapter 21 (TRPA, 2022). Additionally, the proposed Area Plan DCA carries forward all existing permissible uses within the current Area Plan, with the only change being primary and secondary school use on parcels greater than 3 acres within the Wood Creek Regulatory zone would be considered a Special Use. This change would not affect non-conforming uses. Impacts would be less than significant.

3.10 Natural Resources

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
IX. Natural Resources.				
Will the proposal result in:				
a) A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.10.1 Discussion

No impact. The proposed Area Plan DCA would not increase the potential for growth in the plan area beyond that which could occur under the existing Area Plan. Therefore, potential effects on natural resources, including non-renewable natural resources, would have no impact. There is a potential for increase in the use of natural resources resulting from increased development and redevelopment within the Tahoe Region; however, projects implemented under the proposed Area Plan DCA would not result in an increase in the use of natural resources beyond the levels analyzed previously and future projects would be evaluated to ensure there are not substantial project-level increases in the rate of use of natural resources.

As with existing conditions, the use of natural resources, including nonrenewable natural resources, such as construction wood, metals, or gasoline would increase incrementally as future projects are constructed under the DCA. However, the potential for growth in the plan area would be limited through limitation on development rights, such as commercial flood area (CFA), residential units of use (RUUs), and tourist accommodation units (TAUs). The proposed Area Plan DCA does not allot new uses that would require substantial amounts of non-renewable resources, such as heavy industrial or manufacturing uses. Furthermore, the existing Area Plan includes a GHG reduction strategy, which reduces the long-term use of non-renewable resources below the levels anticipated previously (TRPA, 2021a). As described above, future projects would be evaluated at a project-level to ensure they do not result in a substantial depletion of non-renewable resources. For these reasons, the proposed Area Plan DCA would not result in substantial depletion of any renewable or non-renewable natural resources.

3.11 Risk of Upset

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
X. Risk of Upset.				
Will the proposal result in:				
a) Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.11.1 Discussion

No impact. The proposed Area Plan DCA would not alter requirements related to hazardous substances, make changes to the total number of distributions of residential allocations or other development right, increase the potential for the use or transport of hazardous materials.

Construction activities related to future projects implemented under the amended Area Plan could involve the storage, use, and transport of hazardous materials. However, use of hazardous materials would be of typical projects in the Tahoe Regions and would occur in compliance with all local, state, and federal regulations. Further, the types of uses that would be permissible within the area are not of the nature that would involve storage, use, and transport of large quantities of hazardous substances that would increase the risk of incident. Primary and Secondary School Use is consistent with the types of uses already allowed under existing conditions, such that implementation of the proposed Area Plan DCA would not be expected to create a new risk of accident or upset conditions.

Most new development would be in the form of redevelopment, which would replace existing development with the new special use permitted under the amendment. Because the Area Plan Amendment would not increase development potential, it would not substantially increase congestion such that interference with emergency response or evacuation plans would occur. Because the potential development associated with the proposed Area Plan DCA would be the same as what could occur with existing conditions, potential construction effects on emergency vehicle response time, and evacuation would not change from what could occur under the development potential currently allowed by the existing Area Plan. However, future projects would be reviewed pursuant to TRPA environmental review requirements. This project-level review would evaluate the site-specific characteristics of each proposed project to determine if it would interfere with an emergency evacuation plan, then project-specific mitigation measures, such as a traffic control plan, or changes to project design or construction operations, would be required.

Because future projects would adhere to existing regulations, including various federal, state, and local regulations address the handling, transporting, and disposing of hazardous materials, and because there would be no proposed policies or changes to existing policies that would affect the transport of use of hazardous materials in the region, no impact would occur.

3.12 Population

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIV. Population				
Will the proposal result in:				
a) Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.12.1 Discussion

No impact. The proposed Area Plan DCA does not alter the location, distribution, density, growth rate, or result in the temporary/permanent displacement of residents. Growth within the plan area would continue to be limited to that which is allowed by the growth management system set forth in Chapter 50 of the TRPA Code and redirected to more appropriate locations (TRPA, 2022). The proposed amendment does not propose altering the growth management system, and therefore would have no impact on population levels and distribution. All future projects carried out under the amendment would be required to undergo project-level environmental review during which potential impacts on residences or business would be assessed and mitigated to the extent feasible. Future projects would be subject to TRPA requirements for in-kind replacement housing.

3.13 Housing

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIV. Housing a) Affect existing housing, or create a demand for additional housing?				
To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:				
a) Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.13.1 Discussion

No impact. The amount of housing in the Tahoe Region is limited by the number of available development rights and residential bonus units available through the TRPA growth management system, which would not be altered by the Area Plan DCA. New primary and secondary schools will provide school locations for students that are already living in the region, or who are anticipated within existing growth limits.

The proposed Area Plan DCA would not prohibit residential uses in any location where they are currently allowed. Future projects carried out under the amendment would be subject to TRPA requirements for in-kind replacement housing.

3.14 Transportation/Circulation

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIII. Transportation/Circulation.				
Will the proposal result in:				
a) Generation of 650 or more new average Daily VMT?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantial impact upon existing transportation systems, including highway, transit, bicycle, or pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.14.1 Discussion

No impact. The proposed Area Plan DCA would not alter any existing requirements related to parking standards. While the addition of a school may increase parking demand, all future projects would be subject to existing parking standards and would be required to provide parking plans to ensure all applicable and local requirements are met before approval. The proposed Area Plan DCA would not have a substantial impact on the existing transportation system including highway, transit, bicycle, or pedestrian facilities. There are no railways or airports located in the plan area. Any future waterborne transit would be subject to a project-level planning, design, and environmental review process. Traffic generation is not expected to increase as compared to current levels under the existing Area Plan. Traffic hazards to motor vehicles, bicyclists, or pedestrians are not expected to increase, nor will the DCA approve project-specific transportation elements that would inherently increase the potential for hazard.

The proposed Area Plan DCA would allow primary and secondary school use under a Special Use Permit on parcels larger than 3 acres in the Wood Creek Regulatory Zone. Requests would be evaluated at a project-level to ensure transportation, parking, and traffic generation are consistent with applicable limitations and regulations. Future projects implemented under the proposed Area Plan DCA would provide a traffic and parking plan to ensure all applicable regional and local requirements are met. Implementation of the proposed Area Plan DCA would not include any provisions or changes that would alter such requirements or regulations for individual future projects. For these reasons, the proposed Area Plan DCA would have no impact to parking, transportation, or traffic generation. All aspects of the Regional Plan, Area Plan, and TRPA Code would continue to apply throughout the plan area.

3.14.2 Additional Background Information

Existing Highways Within the Plan Area DCA

Two (2) major highways exist within the plan area: Nevada State Route 431 (SR 431) (commonly referred to as Mount Rose Highway), and Nevada State Route 28 (SR 28) (commonly referred to as Tahoe Boulevard). Both highways border at least one of the 6 parcels that could be affected by this DCA (Figure 1).

Nevada State Route 431 (Mount Rose Highway)

SR431, also known as Mount Rose Highway, is maintained by the Nevada Department of Transportation (NDOT) and serves as a vital link between Incline Village and Reno. Its' historical roots can be traced back to at least 1950 when it was established to provide access to the ski areas of Mount Rose. NDOT officially designated approximately 20 miles of SR431 as the Mount Rose Nevada Scenic Byway on June 27, 1996. Functionally, SR 431 is identified as an "Urban Minor Arterial" by Nevada state standards (Hemlein, 2018).

Notably, the corridor has a low injury crash rate of 0.22 crashes per million vehicle miles traveled (MVMT), as compared to the state average of 1.27 injury crashes per MVMT for the urban minor arterial functional classification (Hemlein, 2018). Within the plan area, the speed limit on SR431 ranges from 45-50 miles per hour (MPH), ensuring safe and efficient traffic flow. Additionally, there is a single escape ramp (Route Master Identification Number 11317), situated approximately 0.22 miles from the junction with SR28 (NDOT, 2023).

Nevada State Route 28 (Tahoe Boulevard)

SR28, also known as Tahoe Boulevard, is maintained by NDOT, and spans the northeastern shoreline of Lake Tahoe, connecting US Route 50 in Douglas County to California SR 28 at Crystal Bay. This scenic route has been a part of the Nevada Scenic Byway system since June 1994 and the National Scenic Byway system since September 1996. Covering an approximate distance of 16.16 miles, SR28 offers travelers a captivating journey along the tranquil shores of Lake Tahoe (NDOT, 2023).

The established speed limit on SR28 is 35 MPH, for the safety of travelers and the preservation of the natural beauty that surrounds this scenic roadway. Its history dates back to 1932 when it was originally paved, although it previously served a unique purpose within the timber industry as early as 1880. SR28 has retained the same general alignment since 1948 (SHPO, 2010).

As a two-lane corridor, SR28 provides a crucial role in providing access to the Lake Tahoe region, serving as access for over one million recreating visitors and accommodating approximately 2.6 million vehicles each year (Tahoe Transportation District, 2023).

SR431 and SR28 Future Improvement Projects

The Tahoe Area Plan (TRPA, 2021a) and Mount Rose Scenic Byway Corridor Management Plan (Washoe County, 2015) identify three (3) future improvement projects to SR431 and SR28. Information for these improvement projects is presented in **Error! Reference source not found.**

Table 3: Future Highway Improvement Projects

Project Number	Project Name	Highway	Project Description
T-5	Off-Highway Parking along Mount Rose Highway	SR431	In compliance with the Mount Rose Scenic Byway Corridor Plan, establish off-highway parking at Incline Meadows and the Incline Flume trailhead.
T-6	Mount Rose Highway Center Turn Lanes	SR431/SR28	In compliance with the Mount Rose Scenic Byway Corridor Plan, create a center turn lane along Mount Rose Highway at Country Club Drive. Investigate the possibility of additional turn lanes between County Club Drive and SR28.
T-24	Mount Rose Highway Multi-Use Path	SR431	East side of SR431 from the Incline Flume Trailhead to the northern planning area boundary.

Washoe County Level of Service

Washoe County evaluates the quality of travel on its’ roadways and intersections using Level of Service (LOS) measures. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measures like vehicle speed, density, and congestion. LOS uses a hierarchical classification of drivers’ perceptions to measure the quality of service provided by a roadway facility based on factors such as speed, travel time, maneuverability, delay, and safety. Similar to the common report card system, LOS is represented by the letters A through F (Washoe County, 2020). “A” represents the best operating conditions and “F” the worst. **Error! Reference source not found.** describes LOS characteristics.

Table 4: Level of Service Categories

LOS	Description
A	Relative free-flow. No restrictions to vehicle maneuverability or speed. Very slight delay
B	Stable flow. Some slight reduction in maneuverability and speed. Slight delay.
C	Stable flow operation. Higher volumes. More restrictions on maneuverability and speed. Acceptable delay.
D	Approaching unstable flow operation. Lines develop. Little freedom to maneuver. Tolerable delays for short periods.
E	Unstable flow or operation. Low operating speed; momentary stoppages. This condition is common in peak hours. Congestion and lengthy delays.
F	Forced flow or operation. Gridlock occurs.

The LOS standard is based upon a roadway's functional classification posted speed, amount of access, and the number of lanes provided. Intersections are designed to provide a LOS consistent with maintaining the policy LOS of the intersecting corridors.

An environmental analysis completed for the 2017 Regional Transportation Plan and included in the IEC completed in 2021 for the Tahoe Area Plan adoption, evaluated existing traffic volumes and trends including sections of SR431 and SR28. The analysis presented existing LOS, as of 2016, and projected future LOS to 2040 after completed build out of the Tahoe Region (Ascent Environmental, 2012). The SR431 and SR28 segments and corresponding analysis results addressed in the RTP analysis are as follows:

- SR28 from Red Cedar Drive to West Lakeshore Blvd (west of Incline Village) - LOS E in 2016 and 2040
- SR28 from Cal Neva Drive to Stateline Rd. (in the North Stateline Town Center) - LOS E in 2016 and 2040
- SR431 from SR28 to 2nd Creek Drive (west of Incline Village – LOS C or better in 2016 and 2040

The TRPA standards require that peak-period traffic flow not exceed LOS D on urban developed area roads such as SR431 and SR28. These vehicle LOS standards may be exceeded when provisions for multi-modal amenities and/or services (such as transit, bicycling, and walking facilities) are adequate to provide mobility for users at a level that is proportional to the project-generated traffic in relation to overall traffic conditions on affected roadways (Ascent Environmental, Inc., 2020).

The Tahoe East Shore Trail is a Class I Shared Use Path along 3 miles of SR28. Bike Lanes (Class II) are provided along SR28 within Incline Village, and sidewalks are provided in the commercial areas. SR431 is a designated bike route (class III). Public and private transportation services are also available seasonally including the Tahoe Area Regional Transportation (TART), the North Lake Tahoe Express, the East Shore Express (summer months only), skier shuttles (winter months only), and private hiking/biking shuttles. There are currently no adopted requirements or standards regarding the quality of service of other travel modes (i.e., transit, biking, or walking) that could potentially reduce the demand on the roadway system (Ascent Environmental, Inc., 2020). **Trip Generation Review for the Wood Creek Regulatory Zone**

A Trip Generation Review for the Wood Creek Regulatory Zone located in Incline Village, Nevada, completed by DOWL traffic engineers, compares the expected trip generation of a private K-8 school with existing trip generation of the special use permit land use of a Day Care Center/Pre-School in the Wood Creek Regulatory Zone. The result of the review contributes to evaluating whether a Private K-8 school can be added to the special use permit land uses allowed in the Wood Creek Regulatory Zone.

The Wood Creek Regulatory Zone currently allows the development of Day Care Center/Pre-schools within its boundaries after the submission of a special use permit and site-specific traffic study. As found in the trip generation review, Private School (K-8) educational facilities operate very similar to Day Care centers on a daily basis, with minor differences which may lead to increased traffic pressure in the morning and significantly less traffic pressure in the evening.

The trip generation review concluded adding the Private School (K-8) land use to the list of acceptable special use permit land uses would be consistent with Incline Village's desire for low-pressure land uses, which conform to the currently allowed options.

For more information on the trip generation review, see Appendix A, Wood Creek Regulatory Zone Trip Generation Review.

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3.15 Public Services

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIV. Public Services.				
Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.15.1 Discussion

Beneficial. Implementation of the proposed Area Plan DCA would not make changes to the total number of residential allocations of other development rights (e.g., CFA, TAUs) that would exceed the potential growth of what was analyzed previously. Allowing primary and secondary school use under a Special Use Permit in the Wood Creek Regulatory zone would provide a beneficial impact in an area that has a demand for schools.

The long-term growth under the proposed Area Plan DCA would be relatively small and would be no different than without the DCA. Any new construction could result in population increases that, depending upon location, could require improved or expanded facilities for fire protection, police protection, schools, recreational facilities, maintenance, or other governmental services. The construction of these governmental services could result in adverse environmental effects; however, individual projects would be required to undergo environmental review to ensure that impacts are identified and mitigated.

The limited potential growth that could occur within the plan area from the proposed Area Plan DCA would not be changed from the potential growth allowed by the existing Area Plan. Therefore, there would be no change in demand for public services.

The addition of private schools may have a minor impact on public school attendance; however, under the United States Constitution, parents have a fundamental right to direct the education of their children. In 1925 the Supreme Court recognized that “liberty”, protected by the Fourteenth Amendment, includes the right to choose a private education (U.S. Department of Education, 2000).

3.16 Energy

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VI. Energy.				
Will the proposal result in:				
a) Use of substantial amounts of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.16.1 Discussion

No impact. The proposed Area Plan DCA would not increase the potential for growth in the plan area beyond that which could occur under the existing Area Plan. Therefore, potential effects on the use of energy or fuel would not change and would be the same as those previously analyzed. As with existing conditions, energy and fuel would be consumed during the construction and operation of future projects in the plan area. However, the potential for growth in the plan area would be limited through limitation on development rights, such as CFA, RUUs, and TAUs. The proposed Area Plan DCA does not allow new uses that would require substantial amounts of energy or fuel, such as heavy industrial or manufacturing uses. While any new construction would require electric and natural gas service as part of the basic services (see TRPA Code Chapter 32), the entire area within the plan area is in proximity to existing electric and gas infrastructure (TRPA, 2022). Future projects requiring new or modified connections would be subject to the requirements and fees of the applicable utility providers.

Furthermore, the existing Area Plan includes a GHG reduction strategy (Development Code Section 110.220.415) which is anticipated to reduce the long-term use of energy and fuel (TRPA, 2021a). The proposed Area Plan DCA would not increase VMT. In addition, future projects carried out under the amendment would be evaluated at a project-level to determine if the project would use substantial amounts of fuel or energy, and mitigation measures would be required, if necessary, as a condition of approval. For these reasons, the proposed Area Plan DCA would not result in the substantial use of fuel or energy.

3.17 Utilities

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XVI. Utilities.				
Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Communication systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Solid waste and disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.17.1 Discussion

No impact. Implementation of the proposed Area Plan DCA would not change the total number of available residential allocations or other development rights (e.g., CFA, TAUs). Thus, growth would be consistent with the level of development previously analyzed. Because the proposed Area Plan DCA would not authorize or result in growth that would exceed that which could occur under existing conditions, there would be no impact to utilities.

Communication systems

Multiple telecommunication providers offer services within the plan area. The long-term growth under the proposed Area Plan DCA would be relatively small and would be the same as could occur under existing conditions. Thus, it would be unlikely to exceed the capacity of existing service providers.

Water Service

Water Service for the Plan Area is provided by IVGID. The Nevada side of the Tahoe Region has an allocation of 11,000-acre feet per year (afy) from Lake Tahoe and tributary surface waters, of which IVGID is allocated 4,272.83 afy. IVGID exercises approximately 75 percent of its water rights in any given year. As described above, the long-term growth under the proposed Area Plan Amendment would be relatively small and consistent with existing growth potential. Because the IVGID currently has excess water supply capacity and the future growth in the plan area would be limited, the proposed Area Plan DCA would not exceed the maximum permitted capacity of the service provider. Additionally, future projects in the plan area would be required under TRPA Code Section 32.4 to demonstrate sufficient supply, treatment capacity (as applicable), and conveyance capacity for clean water by the water purveyor (TRPA, 2022).

Sanitary Sewer Service

This plan area is serviced by a community sewer system that is owned and operated by IVGID. Water is treated at a primary and secondary treatment plant; from there the treated effluent is transported by pipeline out of the Basin to a 900-acre wetlands enhancement project in the Carson Valley. The community sewer system was designed and built such that it could be expanded and accommodate the communities at full build out. Because the proposed Area Plan DCA would not increase the growth potential within the plan area beyond what could already occur under the Existing Plan, it would not exceed the capacity of the sewage treatment provider (TRPA, 2021a). Additionally, future projects in the plan area would continue to be required under the TRPA Code Section 32.4 to demonstrate sufficient conveyance and treatment capacity for wastewater (TRPA, 2022).

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3.18 Human Health

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XVII. Human Health.				
Will the proposal result in:				
a) Creation of any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.18.1 Discussion

No impact. The proposed Area Plan DCA does not propose policies or changes to existing policies that would affect the transport or use of hazardous materials in the region, nor would it create a heightened risk for exposure to potential health hazards.

Effects related to wildfire hazards, flood hazards, and seismic hazards were previously analyzed. The analysis found that because future projects would be required to be consistent with the Regional Plan, requirements for fire safety as well as other applicable federal, state, regional, and local fire safety plans, and because future projects would be required to consider the fire hazards in the region and include measures to ensure that defensible space is maintained and excessive fuel is reduced, the effects of future development would be less than significant (TRPA, 2021b). Sites would be required to undergo site-specific geotechnical analysis and, if applicable, employ design standards that consider seismically active areas and comply with current building codes and local jurisdiction seismic standards.

For these reasons, the proposed Area Plan DCA would not create any health hazards.

3.19 Scenic Resources/Community Design

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XVIII. Scenic Resources/Community Design.				
Will the proposal:				
a) Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Be visible from any public recreation area or TRPA designated bicycle trail?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan or Area Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.19.1 Discussion

No impact. The Wood Creek Regulatory Zone includes areas that are visible from TRPA-designated scenic travel unit number 22 (Crystal Bay) and unit number 23(Mt. Rose Highway). The Area Plan DCA would not alter requirements related to scenic resource protection. Construction or substantial exterior modification of structures would still be subject to scenic review standards that are applied on a project-specific basis (TRPA Code Section 66.1). Any subsequent projects carried out under the amended Area Plan would be required to make project-specific findings as well as the Chapter 4 threshold findings and Chapter 37 height findings in the TRPA code (TRPA, 2022).

Consistent with the Regional Plan, the existing Area Plan allows for changes in the built environment through use of remaining allocations, use of newly authorized allocations, and implementation of design standards and guidelines and Code provisions that ultimately affect the form of new development and redevelopment. The existing Area Plan implements, and is consistent with, the provisions of the Regional Plan (such as increased density and height in community centers) intended to incentivize redevelopment, while protecting scenic resources (TRPA, 2021b). The existing Area Plan Design Standards and Guidelines are designed to guide development that would reflect the character of the area, protect viewsheds, and substantially improve the appearance of redevelopment projects (TRPA, 2021a).

Future projects within the plan area could be visible from public recreation facilities or TRPA designated bicycle trails. However, for the same reasons described above, they would not result in significant impacts to scenic resources.

The existing Area Plan implements height and design standards, and goals policies and implementation actions that are consistent with the Regional Plan and SQIP (TRPA, 2021a). The amended Area Plan would continue to implement these same standards.

All projects would continue to comply with TRPA Code provisions and the Area Plan Design Standards and Guidelines, which would result in generally improved scenic conditions in the plan area (TRPA, 2022).

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3.20 Recreation

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIX. Recreation.				
Does the proposal:				
a) Create additional demand for recreation facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create additional recreation capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have the potential to create conflicts between recreation uses, either existing or proposed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a decrease or loss of public access to any lake, waterway, or public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.20.1 Discussion

The proposed Area Plan DCA would not increase the potential for growth within the plan area beyond that which could already occur with the existing Area Plan. Nor does it authorize or approve any development, redevelopment, or recreation facility projects. The TRPA system of People At One Time (PAOT) will not be changed, and the DCA does not alter regulations related to recreation or approve changes to existing recreation facilities. As such, the demand for recreation facilities would not be affected.

Additionally, the proposed Area Plan DCA would not rezone public lands or change any existing requirements for public access to any lake, waterway, or public lands. Therefore, the proposed Area Plan DCA would not result in a decrease or loss of public access to any lake, waterway, or public land.

As with existing conditions, future projects within the plan area would continue to be reviewed through a project-level environmental review, which would assess whether the project would increase demand for recreation facilities and/or provide additional recreational capacity. If applicable, mitigation measures would be required to address significant project-level effects on recreation demand or capacity. In addition, the existing Area Plan is consistent with applicable plans that guide existing and proposed recreation uses, which would be unchanged (TRPA, 2021a).

For these reasons, the proposed Area Plan DCA would not create substantial conflicts between existing or proposed recreation uses.

3.21 Archaeological/Historical

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XX. Archaeological/Historical.				
Will the proposal result in:				
a) An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object, or building?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Is the property associated with any historically significant events and/or sites or persons?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.21.1 Discussion

No impact. The proposed Area Plan DCA would not alter any requirements related to the protection of archaeological or historic sites, structures, objects, or buildings. Nor would it alter existing state and federal protections for historic or cultural resources. Future projects could occur on properties that contain known historical resources, be associated with historically significant events or individuals, or result in adverse physical or aesthetic effects to a significant historical site, structure, object, or building. However, federal and state, regulation, and TRPA Code are in place to address protection of these resources.

The applicable TRPA protections include TRPA Code Section 33.3.7, which requires cessation of grading and consultation with government agencies whenever historical, pre-historical, or paleontological materials appearing to be 50 years or older are discovered during grading activity. TRPA Code Chapter 67 includes standards which require evaluation by a qualified archaeologist of any potential archaeological, cultural, or historical resources discovered during project construction (TRPA, 2022). TRPA also requires that projects in areas with known or newly discovered sites of cultural or historic significance include a site survey (performed by a qualified archaeologist) before TRPA approval. This standard also requires consultation with relevant Native American tribes on all site surveys to determine if tribally significant sites are present. If resources are discovered and deemed significant, then a resource protection plan is required. Such a plan shall be prepared by a qualified professional and may provide for surface or subsurface recovery of data and artifacts and recordation of structural and other data. Additionally, grading, operation of equipment, or other soil disturbance is prohibited in areas where a designated historic resource is present, or could be damaged, except in accordance with TRPA-approved resource protection plan. Finally, upon discovery of a previously unknown

site, object, district, structure, or other resource, potentially meeting criteria designating it as a historic resource TRPA shall consult with the applicable State Historic Preservation Officer (SHPO), and with the relevant Native American tribe if it is a tribal site. In addition, Native American tribes are permanent members of the TRPA Advisory Planning Commission (APC), where tribal representatives can review all projects that come before the APC. These protections would continue to apply with the amended Area Plan.

The Nevada SHPO reviews projects for potential impacts to historic properties. The Nevada SHPO keeps an inventory of the state's cultural resources to assist federal, state, and local agencies in planning projects to avoid impacts to important cultural resources; the agency also acts as a clearinghouse for nominations of sites and features to the NRHP. Additionally, the Nevada SHPO plays an advisory role to TRPA during project review of structures 50 years old or older. At the federal level, Section 106 of the National Historic Preservation Act guides cultural resources investigations by federal agencies and requires considerations of effects on properties that are listed in, or may be eligible for listing in, the NRHP.

All future projects within the plan area would be evaluated through a project-level environmental review, which would evaluate the potential for specific future projects to degrade historic, archeological, or cultural resources. If necessary, the project-level environmental review would identify mitigation measures to avoid or reduce potential conflicts.

For these reasons, the proposed Area Plan DCA would not alter existing cultural resource protection, which are sufficient to protect resources.

3.22 Findings of Significance

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XXI. Findings of Significance.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period, while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3.22.1 Discussion

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

No Impact. See the discussion in Sections 3.2 through 3.21, above, including the discussions related to vegetation, wildlife, and historic resources in sections 3.5, 3.6, and 3.21, respectively. For the reasons described in those sections, there is no impact.

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

No Impact. The proposed Area Plan DCA would not alter policies or requirements that balance short-term and long-term environmental goals. This potential effect is the same as those analyzed in the 2012 RPU EIS, and therefore this analysis tiers from and is consistent with the 2012 RPU EIS. The 2012 RPU EIS evaluated the relationship between short-term uses of the environment and the maintenance of long-term productivity on pages 5-3 through 5-5 (TRPA 2012a). This analysis found that the long-term implementation of the Regional Plan would result in future development and population growth that would have associated impacts to biological resources; traffic and circulation; air quality and climate change; noise; water quality; and public services and utilities. However, through redevelopment in urban areas and transfer of coverage and development rights from sensitive lands, the Regional Plan would refine the land use pattern of the Region in a manner intended to sustain natural resources and support social and economic health. Because the proposed Area Plan DCA would implement the Regional Plan and would not increase the potential for future growth beyond the levels anticipated in the Regional Plan, the proposed Area Plan DCA would be consistent with the analysis on pages 5-3 through 5-5 of the 2012 RPU EIS (TRPA 2012a).

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

No Impact. This potential effect is the same as those analyzed in the 2012 RPU EIS, and therefore this analysis tiers from and is consistent with the 2012 RPU EIS. The 2012 RPU EIS evaluated the cumulative impacts of long-term implementation of the Regional Plan on pages 4-1 through 4-36 (TRPA 2012a). Because the proposed Area Plan DCA would implement the Regional Plan and would not increase the potential for future growth beyond the levels anticipated in the Regional Plan, the proposed Area Plan DCA would be consistent with the cumulative analysis in the 2012 RPU EIS.

- d) Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

No Impact. See the discussion in Sections 3.2 through 3.21, above, including the discussions related to risk of upset and human health in Sections 3.11 and 3.18, respectively. For the reasons described in those sections, there is no impact.

4.0 REFERENCES

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5.0 REPORT PREPARERS

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DRAFT

Appendix A: Wood Creek Regulatory Zone Trip Generation Review

DRAFT

Attachment F
Conformity Checklist



TECHNICAL MEMORANDUM

TO: Michelle Brown, TRPA
 FROM: AnnMarie Lain, DOWL
 DATE: January 24, 2024
 PROJECT: Tahoe Area Plan Amendment

FINDING OF CONFORMITY CHECKLIST

General Information

Area Plan Information

Area Plan Name: Tahoe Area Plan
 Lead Agency: Washoe County
 Submitted to TRPA: January 24, 2024
 TRPA File No: N/A

Conformity Review

Review Stage: Final Review
 Conformity Review Date: TBD
 TRPA Reviewer: Michelle Brown

Hearing Dates

Lead Agency Approval: February 20, 2024
 APC: April 10, 2024
 RPC: March 27, 2024
 Governing Board: April 24, 2024

Characteristics

Geographic Area: Wood Creek Regulatory Zone
 Land Use Classifications: Residential
 Amendment Summary: The proposed amendments affect the TAP Appendix A (Development Code Standards), Section 110.220.275 Wood Creek Regulatory Zone Allowable Land Uses and Section 110.220.280 Wood Creek Residential Regulatory Zone Special Policies.

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Conformity Checklist		TRPA Code Section	Conformity		
			YES	NO	N/A
A. Contents of Area Plans					
1	General	13.5.1	•		
2	Relationship to Other Code Section	13.5.2	•		
B. Development and Community Design Standards					
<i>Building Height</i>					
1	Outside of Centers	13.5.3			•
2	Within Town Centers	13.5.3			•
3	Within the Regional Center	13.5.3			•
4	Within the High-Density Tourist District	13.5.3			•
<i>Density</i>					
5	Single-Family Dwellings	13.5.3			•
6	Multiple-Family Dwellings outside of Centers	13.5.3			•
7	Multiple-Family Dwelling within Centers	13.5.3			•
8	Tourist Accommodations	13.5.3			•
<i>Land Coverage</i>					
9	Land Coverage	13.5.3			•
10	Alternative Comprehensive Coverage Management	13.5.3 B.1			•
<i>Site Design</i>					
11	Site Design Standards	13.5.3			•
<i>Complete Streets</i>					
12	Complete Streets	13.5.3			•
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
1	Alternative Comprehensive Coverage Management System	13.5.3 B.1			•
2	Alternative Parking Strategies	13.5.3 B.2			•
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3 B.3			•
4	Alternative Transfer Ratios for Development Rights	13.5.3 B.4			•
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1			•
2	Urban Forestry	13.5.3.C.2			•
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			•
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E			•
G. Community Design Standards					
1	Development in All Areas	13.5.3 F.1.a			•
2	Development in Regional Center of Town Centers	13.5.3 F.1.b			•
3	Building Heights	13.5.3 F.2			•
4	Building Design	13.5.3 F.3			•
5	Landscaping	13.5.3 F.4			•
6	Lighting	13.5.3 F.5			•
7	Signing – Alternative Standards	13.5.3 F.6			•
8	Signing – General Policies	13.5.3 F.6			•
H. Modification to Town Center Boundaries					

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1	Modification to Town Center Boundaries	13.5.3 G			•
I. Conformity Review Procedures for Area Plans					
1	Initiation of Area Planning Process by Lead Agency	13.6.1			•
2	Initial Approval of Area Plan by Lead Agency	13.6.2			•
3	Review by Advisory Planning Commission	13.6.3			•
4	Approval of Area Plan by TRPA	13.6.4			•
J. Findings for Conformance with the Regional Plan					
<i>General Review Standards for All Area Plans</i>					
1	Zoning Designations	13.6.5.A.1	•		
2	Regional Plan Policies	13.6.5.A.2	•		
3	Regional Plan Land Use Map	13.6.5.A.3			•
4	Environmental Improvement Projects	13.6.5.A.4			•
5	Redevelopment	13.6.5.A.5			•
6	Established Residential Areas	13.6.5.A.6	•		
7	Stream Environment Zones	13.6.5.A.7			•
8	Alternative Transportation Facilities & Implementation	13.6.5.A.8			•
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B			•
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1			•
11	Alternative Transportation	13.6.5.C.2			•
12	Promoting Pedestrian Activity	13.6.5.C.3			•
13	Redevelopment Capacity	13.6.5.C.4			•
14	Coverage Reduction and Stormwater Management	13.6.5.C.5			•
15	Threshold Gain	13.6.5.C.6			•
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			•
17	Alternative Transportation	13.6.5.D.2			•
18	Threshold Gains	13.6.5.D.3			•
K. Area Plan Amendments					
1	Conformity Review for Amendment to an Area Plan	13.6.6	•		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			•
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B			•
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8	•		
2	Procedures for Adoption of Memorandum of Understanding	13.7			•
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			•
4	Appeal Procedure	13.9			•

Conformity Review Response

A. Contents of Area Plans

1. **General** YES NO NA

Citation 13.5.1

Requirement An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA's Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subparagraph 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

Response The TAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, Conceptual Regional Land Use Map. No modifications to boundaries are proposed.

The proposed amendments make changes only to permissible uses of the Wood Creek Regulatory Zone in Appendix A of the TAP.

2. **Relationship to Other Sections of the Code** YES NO NA

Citation 13.5.2

Requirement This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

Response Under the proposed amendment, development and design standards comply with those prescribed in the Code. The only difference is that primary and secondary school use will be permitted with a special use permit, limited to parcels 3 acres in size are more within the Wood Creek Regulatory Zone.

J. Findings for Conformance with the Regional Plan

1. Zoning Designations YES NO NA

Citation 13.6.5.A.1

Requirement Identify all zoning designations, allowed land uses, and development standards throughout the plan area;

Response Section 110.220.275 in Appendix A to the TAP is being amended to add primary and secondary schools as a permissible use with a special use permit, limited to parcels 3 acres in size are more within the Wood Creek Regulatory Zone. No changes to existing zoning designation or development standards are proposed.

2. Regional Plan Policies YES NO NA

Citation 13.6.5.A.2

Requirement Be consistent with all applicable Regional Plan Policies, including but not limited to the regional growth management system, development allocations and coverage requirements;

Response The Tahoe Area Plan contains goals and policies that are in alignment with Regional Plan policies. Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations to be responsive to the unique needs and opportunities of communities.

The proposed amendment is intended to facilitate the establishment of primary and secondary schools that are not otherwise provided for within the jurisdiction. The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, facilitates the adequate provision of schools, and promotes the social advantages gained from an appropriately regulated use of land.

6. Established Residential Areas YES NO NA

Citation 13.6.5.A.6

Requirement Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas;

Response The Wood Creek Regulatory Zone is one of 16 residential regulatory zones in the plan area. These regulatory zones focus primarily on single-family dwellings but allow other use types such as multi-family and a

TECHNICAL MEMORANDUM

broad scope of public service and resource management uses. The primary vision for residential regulatory zones is to maintain safe and functional residentially focused regulatory zones, with development that contributes to the desired community character.

The amendment request proposes an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek Regulatory Zone. Any applicant wishing to establish a school use within the amendment location would be required to obtain an approved special use permit. The special use permit process is a site-specific review of a use that requires special appraisal to determine if the uses have the potential to adversely affect other land uses, transportation systems, public facilities, or environmental resources in the vicinity. The special use permit process requires neighborhood notification, a neighborhood meeting, and a public hearing.

K. Area Plan Amendments

1. Conformity Review for Amendment to an Area Plan YES NO NA

Citation 13.6.6

Requirement Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan

Response The proposed amendments to the TAP are narrow in focus and have been reviewed by staff for conformity with the Regional Plan. The APC's and Governing Board's review will be limited to determining the conformity of the specific amendments.

L. Administration

1. Effect of Finding of Conformance of Area Plan YES NO NA

Citation 13.6.8

Requirement By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Response The Governing Board found the TAP to be in conformance with the Regional Plan on May 26, 2021. The proposed amendment will be reviewed by the Governing Board prior to going into effect.

Attachment G
Compliance Measures

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed Amendment makes no changes to the Tahoe Area Plan's (TAP) BMP requirements and implementation programs. Proposed development within the TAP's Wood Creek Regulatory Zone must comply with existing BMP requirements.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendment makes no changes to the TAP's policies regarding implementation of the CIP.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendment does not change excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed. (Lot and block subdivisions will still be prohibited.)
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	Y	The TAP was developed to meet the requirements of Chapter 13, Area Plans, and to implement the 2012 Regional Plan. This amendment will allow school use with a special use permit in the Wood Creek Regulatory Zone on parcels 3 acres in size or greater. This will likely expand school options to serve the communities they serve and could increase the likelihood of achieving walkable, bikeable communities.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	The TAP maintains the existing Growth Management regulations, Chapters 50 through 53, of the TRPA Code. No changes are proposed with the amendment.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The TAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendment.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The amendment does not change the Goals and Policies from the Land Use Element or Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapters 30 and 61	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The TAP Amendment will not alter existing restrictions on SEZ encroachment or vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The TAP benefits the EIP's SEZ restoration program through policies and provisions for the protection and restoration of SEZs No changes are proposed with the amendment.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the TAP. No changes are proposed.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The TAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The TAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TAP incorporates the RPU's restrictions on the rate and amount of additional development. The amendment does not change density standards.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The TAP does not increase funding for EIP erosion and runoff control projects but may help to accelerate implementation. No changes are proposed with the amendment.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The TAP does not alter the artificial wetlands/runoff treatment program. No changes are proposed in the amendment.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The TAP maintains the RPU's incentives for property owners to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. No changes are proposed with the amendment.
23	Improved mass transportation	WQ, Trans, Noise	N	The TAP facilitates development of an integrated multi-modal transportation system that largely relies on increased transit service serving designated mobility hubs. The amendment makes no changes.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The TAP encourages redevelopment within a Town Center and within close proximity to services and transit. The amendment will further this goal by expanding options for schools to service the communities they serve. See response to Compliance Measure 9.	
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No changes are being proposed that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.	
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N		
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N		
28	Effluent limitations	WQ, Soils/SEZ	N		
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N		
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N		
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N		
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ	N		
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N		The TAP did not change BMP requirements. See response to Compliance Measures 1 through 4. No changes are proposed with the amendment.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N		

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
35	BMP implementation program-- roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program-- outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program-- livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program-- pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	The amendment will not alter the effectiveness of compliance measures relating to timber harvesting or outdoor recreation.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	
41	Land use planning and controls-- ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The TAP did not expand ORV use, and no changes are proposed.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	The existing TRPA Code provisions remain in effect, and no changes are proposed with the amendment.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The existing Code provisions related to the Shorezone remain in effect, and no changes are proposed that would impact Compliance Measures 43 through 50. There is no shorezone within the affected Wood Creek Regulatory Zone
44	BMP implementation program-- shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	The TAP did not alter the list of exempt activities. No changes are proposed.
WATER QUALITY/SEZ - SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendment does not include any provisions that would impact Compliance Measures 52 though 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The TAP does not impact any transit services, bikeways, or pedestrian facilities.
64	Demand Responsive Transit	Trans	N	
65	Seasonal Transit Services	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The TAP amendment will not impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ, Trans	N	The TRPA Code provisions related to Compliance Measures 77 through 78 remain in effect, and no changes are proposed with the amendment.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	No changes are proposed to the Code's provisions related to established vehicle emission limitations.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No changes are proposed.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No changes are proposed.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The TAP amendment does not make any changes that would impact parking standards, parking management, parking fees or facilities, traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. The proposed amendment will not impact trip generation or VMT as the trip rates for school use and day-care/child care uses are the same. Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate additional demand for waterborne transit services
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	

AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
98	Demand Responsive Transit - North Shore	Trans	N	No changes to existing air quality or transportation policies, programs or services are proposed or anticipated to occur with the TAP amendment.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities-- South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities-- North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements-- South Shore	Trans, Scenic	N	
115	Intersection improvements-- North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The TAP did not alter the provisions of Chapter 33, and no changes are proposed with the amendment.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The TAP did not alter the provisions of Chapter 61, and no changes are proposed with the amendment.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The TAP, as amended, will be consistent with Chapter 5 of the TRPA Code. TRPA shall remain responsible for preparing Remedial Action Plans, in coordination with Washoe County.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See responses to Compliance Measures 43 through 50
136	Project Review	WQ, Veg	N	An MOU between TRPA and Washoe County has not been adopted. Until such time as an MOU delegating certain permitting activities to Washoe County is adopted by both agencies, TRPA will continue to review projects within the Washoe County portion of the Basin as required by the Regional Plan.
137	Compliance inspections	Veg	N	The proposed amendment will not alter this.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See responses to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No changes are proposed.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No changes are proposed.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No changes are proposed.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	No changes are proposed.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No changes are proposed.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No changes are proposed.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No changes are proposed.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No changes are proposed.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No changes are proposed.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measures 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No changes are proposed.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The TAP does not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	No changes are proposed.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	No changes are proposed.
Compliance M	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
167	Fish habitat study	Fish	N	No changes are proposed.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No changes are proposed.
170	Compliance inspection	Fish	N	No changes are proposed.
171	Public Education Program	Wildlife, Fish	N	The TAP does not make any changes to the county's education and outreach efforts. No changes are proposed with the amendment.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	No changes are proposed.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	No changes are proposed.
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	No changes are proposed.
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	No changes are proposed.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9.
178	Vehicle trip reduction programs	Trans, Noise	N	The TAP should reduce VMT via installation of pedestrian and bike paths, improving public transit and creating walkable/bikeable communities. No changes are proposed, although the amendment may accelerate achievement of walkable/bikeable communities by expanding schools to establish in the communities they serve.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
179	Transportation corridor design criteria	Trans, Noise	N	The TAP incorporates criteria from the corridor plans for State Route 28 and Mount Rose Highway by reference. No changes are proposed with the amendment.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	No changes are proposed.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified.
184	Transportation corridor compliance program	Trans, Noise	N	No changes are proposed.
185	Exemptions to noise limitations	Noise	N	No changes are proposed.
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	No changes are proposed.
187	Personal watercraft noise controls	Wildlife, Noise	N	No changes are proposed.
NOISE - SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TAP amendment.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	The TRPA, in coordination with Washoe County, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The TAP amendment is not altering provisions regarding public outdoor recreation in sensitive lands.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
193	Hiking and riding facilities	Rec	N	No changes are proposed with the amendment.
194	Scenic quality of recreation facilities	Rec, Scenic	N	All proposals for new recreation facilities within the TAP will have to meet Scenic Quality standards. No changes are proposed.
195	Density standards	Rec	N	No changes to density standards are proposed.
196	Bonus incentive program	Rec	N	The TAP Amendment does not alter existing bonus unit incentives.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TAP, as amended.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	No changes are proposed.
199	Annual user surveys	Rec	N	No changes are proposed.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	No changes are proposed.
201	Establish fair share resource capacity estimates	Rec	N	The TAP does not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling. No changes are proposed with the amendment.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See responses to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	No changes to the adopted height standards are proposed.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	No changes are proposed.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	No changes are proposed.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	No changes are proposed.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	No changes are proposed.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See responses to Compliance Measures 43 through 50. No shorezone is located in Wood Creek Regulatory Zone.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	N/A. No lakes are located in the Wood Creek Regulatory Zone.
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	No changes are proposed.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See responses to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	No changes are proposed.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	See response to Compliance Measure 194.
218	Project Review Information Packet	Scenic	N	See response to Compliance Measure 194.
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	See response to Compliance Measure 194.
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	The TAP includes a future action for the establishment of assessment districts or another financing mechanism to support undergrounding of utilities. No changes are proposed with the amendment
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the TAP amendment.
222	Integrate project identified in SQIP	Scenic	N	No changes are proposed.

STAFF REPORT

Date: April 3, 2024

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Updates to Environmental Threshold Carrying Capacities (Threshold Standards)

Summary and Staff Recommendation

The Advisory Planning Commission (APC) heard an informational item about proposed revisions to threshold standards in three focus areas; 1) Stream Environment Zone (SEZ) restoration, 2) Aquatic Invasive Species control, and 3) Tahoe Yellow Cress conservation at its October 2023 meeting. The APC requested that the Threshold Update Initiative Stakeholders Working Group (TUISWG) consider questions related to the proposed modification of the Aquatic Invasive Species that arose during the APC discussion. The TUISWG provided directions related to the APC-identified issues in February of 2024. In consultation with partners, staff have integrated the TUISWG direction and bring forward revised standards for APC review. Staff recommends that the APC recommend that the Governing Board revise the threshold standards as presented in attachment B.

Required Motions:

In order to recommend approval of the requested action, the APC must make the following motions based on the staff summary:

- 1) A motion to recommend approval of the required findings (Attachment B) including a finding of no significant effect.
- 2) A motion to recommend adoption of Ordinance 2024-___, amending Ordinance 2019-02 (Attachment A), updates to the threshold standards for 1) Stream Environment Zone (SEZ) restoration, 2) Aquatic Invasive Species control, and 3) Tahoe Yellow Cress conservation.

In order for the motion(s) to pass, a majority of the APC quorum present is required.

Threshold Update Initiative Stakeholder Working Group Recommendation

The TUISWG recommended the adoption of the proposed threshold standards as presented in Attachment A on February 14, 2024. A summary of their discussion and recommendations is included in the background section of the staff summary below.

Background

TRPA operates under the authority of the states of California and Nevada and the federal government through the Bi-State Compact, which was ratified by Congress and signed by the President of the United States. The revised Bi-State Compact, signed nearly forty years ago, wrote “the waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region (96th Congress 1980)” To ensure the natural beauty and economic productivity of the region would persist for generations to come, the Bi-State Compact directs TRPA to establish “environmental threshold carrying capacities,” defined as “an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region.” These environmental threshold standards establish goals for environmental quality and express the shared aspiration for environmental restoration of the Tahoe Region. The standards shape the goals and policies of the Regional Plan and guide millions of dollars of public and private investment in the basin through the Environmental Improvement Program (EIP). The initial threshold standards set the course for the Region 40 years ago but were never intended to be immutable. The multi-disciplinary team that authored the 1981 threshold study report outlined specific triggers for standard review, and set the expectation that the standards would be reassessed at least every five years, and wrote: “environmental thresholds are not static standards that once in place remain forever” (TRPA 1982a).

Proposed changes to the threshold standards were developed using the guidelines proposed by the Tahoe Science Advisory Council (Science Council) and direction from the Threshold Update Initiative Stakeholders Working Group appointed by the TRPA Governing Board and chaired by the Advisory Planning Commission (APC). The specific changes being presented to the APC were prepared in conjunction with the EIP working groups focused on each subject matter: Tahoe Watershed Improvement Group for SEZ, Tahoe Yellow Cress Adaptive Management Working Group for Tahoe Yellow Cress, and the Aquatic Invasive Species Coordinating Committee for Aquatic Invasive Species.

At the February 14, 2024 meeting, the Threshold Update Initiative Stakeholder Working Group considered the proposed threshold standards and the issues identified by the APC. The APC raised multiple questions related to the AIS thresholds and asked that the questions be considered by the TUISWG.

The first question raised in the discussion at APC related to the recommendation to establish two threshold standards related to the aquatic invasive plants, but not for other AIS. Further discussion teased out two subparts to the question, first why recommend standards for some AIS but not others? And second what happens to the AIS for which no threshold standard has been recommended?

The question is a derivative of a question the TUISWG and the Science Council have spent considerable time on in the past. The rationale for recommending and adopting standards for aquatic invasive plants, but not yet for other AIS is rooted in the Bi-State Compact definition and requirements for threshold standards, and the guidance of the Science Council for implementing best practices in the adoption of

the threshold standards. Building off that framework, staff recommended and TUISWG concurred that the goals (e.g., New Zealand mudsnails, Asian Clams) for which we are not yet ready to establish a threshold standard should be considered for goals and policies within the Regional Plan.

The second question the APC referred to the TUWISG related to the proposed target date for attainment of the AIS threshold standard in the Tahoe Keys. The TUISWG suggested that in the absence of plan to attain the desired end state it is appropriate to adopt a threshold standard without a specified attainment date. In accordance with that direction, the date has been removed from the proposed standard. The TUISWG also asked that standard attainment be assessed on as average abundance, and that the baseline year against which progress will be assessed be clearly defined in the standard. With the support of the AISCC the proposed modifications are now included in the proposal.

A summary of the proposed changes is included below. The text of the proposed standards is included in attachment A and additional detail on the proposals is available in the online resources identified below.

Stream Environment Zone (SEZ) restoration

The proposed update to the SEZ restoration renews the partnership's long-term commitment to restoring the resilience of SEZ, by establishing a new target for SEZ restoration. The proposed standard utilizes the SEZ condition index which integrates both size and condition, addressing the deficiency in the current standards' sole focus on area of SEZ.

Proposed Standard:

Enhance the quality and function of meadows and wetlands from 79% to 88% of the regional possible SEZ condition index score.

Aquatic Invasive Species Control

The proposed modifications to the AIS control threshold standards replace six aspirational statements with two quantifiable goals. The first standard establishes a goal of no active plant infestations outside the Tahoe Keys, and the second establishes the goal of minimum of a 75% reduction in annual average abundance of invasive aquatic plants within the Tahoe Keys.

Proposed Standards:

1. No active aquatic invasive plant infestations in Lake Tahoe, adjacent wetlands, and tributaries, not including the Tahoe Keys.
2. Reduce average AIS plant abundance in the Tahoe Keys by a minimum of 75% from the 2021 baseline year.

Tahoe Yellow Cress

The proposed modifications to the Tahoe yellow cress threshold standard incorporate the last thirty years of Tahoe yellow cress science and recognize the influence of lake level on the number of observed

population sites. The proposed standard aligns the threshold standard with the Tahoe yellow cress species conservation strategy.

Proposed Standard:

Maintain at least the number of occupied *Rorippa subumbellata* survey sites for each lake level as established in the Table below:

Lake Level (feet of elevation)	Occupied survey sites
Low (<6,225)	35
Transition (6,225- 6,227)	26
High (>6,227)	20

Additional detail on the proposals can be found in the attached memos from the individual working groups to the Tahoe Interagency Executive Steering Committee (TIE-SC). The attached memos will be presented to the TIE at the November 2023 meeting.

Review and Update Protocol

The APC also had several fundamental questions about the proposed updates including the distinction between Threshold Standards and Regional Plan goals and policies, when a threshold and/or an alternative (e.g., a Regional Plan goal or policy, standard in the Code of Ordinances, etc.) amendment is appropriate, and related questions. The APC asked that the proposal and these questions be referred to the Threshold Update Initiative Stakeholders Working Group (TUISWG) appointed by the Governing Board and delegated to the APC to lead. At their February 2024 meeting the TUISWG recommended approval of the proposed threshold standard updates above and suggested establishing a more formal protocol for review and update of threshold standards. Staff will be seeking input and developing a proposal to implement this component of the TUISWG recommendation.

Public Comment

To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Contact Information

For questions regarding this item, please contact Dan Segan, Chief Science and Policy Advisor, at dsegan@trpa.gov, (775) 589-5233.

Attachments:

- A. TRPA Adopting Ordinance
Exhibit 1: Proposed new threshold standards
- B. Environmental Findings and Findings of No Significant Effect (FONSE)
- C. TRPA Initial Environmental Checklist

Online resources:

- A. [Threshold Update Initiative Stakeholders Working Group February 14, 2024 Draft Meeting Summary](#)
- B. [Staff Summary – Threshold Update Initiative Stakeholders Working Group Meeting February 14, 2024](#)
- C. [Staff Summary – Advisory Planning Commission October 11, 2023 - Threshold Standard Update](#)

Attachment A

TRPA Adopting Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024 – XX

AN ORDINANCE AMENDING ORDINANCE 2019-03, AS AMENDED,
TO AMEND THE THRESHOLD STANDARDS

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.0 **Findings**

- 1.10 The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set environmental threshold carrying capacities (“threshold standards”) for the Tahoe Region.

- 1.15 The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules, and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.

- 1.20 Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.

- 1.25 In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances (“Code”).

- 1.30 In April 2019, the TRPA Governing Board adopted Ordinance 2019-03, superseding portions of Ordinance 87-9 by collocating the environmental threshold standards with the Regional Plan Goals and Policies.

- 1.35 It is necessary and desirable to amend the environmental threshold standards to reflect the best available science and guidance from the Tahoe Science Advisory Council.

- 1.40 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact. TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.

- 1.45 The proposed amendments to the threshold standards were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tahoe Basin Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.

- 1.50 The Advisory Planning Commission (APC) and the Governing Board have each

conducted a noticed public hearing on the proposed amendments to the threshold standards. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.

1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 **Amendment of the TRPA Regional Plan Goals and Policies**

2.10 Ordinance 2019-03, as previously amended, is hereby amended as shown in Exhibit 1.

Section 3.0 **Interpretation and Severability**

3.10 The provisions of this ordinance amending the TRPA 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 Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.0 **Effective Date**

4.10 This ordinance shall be effective after its adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on May 22, 2024 by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

Exhibit 1

Proposed Environmental Threshold Carrying Capacities

THRESHOLD STANDARDS

Threshold standards establish the Environmental Improvement Program partners' shared goals for restoration and maintenance of the qualities of the Tahoe Region.

The adopted current threshold standards are stated below. The agency will maintain and update online inventories of the administrative status and disposition of each threshold standard.

WATER QUALITY

DEEP WATER (PELAGIC) LAKE TAHOE

NUMERICAL STANDARDS

- WQ1) The annual average deep water transparency as measured by Secchi disk shall not be decreased below 29.7 meters (97.4 feet), the average levels recorded between 1967 and 1971 by the University of California, Davis.
- WQ2) Maintain annual mean phytoplankton primary productivity at or below 52gmC/m²/yr.

LITTORAL LAKE TAHOE

NUMERICAL STANDARDS

- WQ3) Attain turbidity values not to exceed three NTU.
- WQ4) Turbidity shall not exceed one NTU in shallow waters of the Lake not directly influenced by stream discharges.
- WQ5) Attain 1967-71 mean values for phytoplankton primary productivity in the littoral zone.
- WQ6) Attain 1967-71 mean values for periphyton biomass in the littoral zone.

MANAGEMENT STANDARD

- WQ7) Support actions to reduce the extent and distribution of excessive periphyton (attached) algae in the nearshore (littoral zone) of Lake Tahoe.

AQUATIC INVASIVE SPECIES

MANAGEMENT STANDARDS

- WQ8) Prevent the introduction of new aquatic invasive species into the region's waters.
- ~~WQ9) Reduce the abundance of known aquatic invasive species.~~
- ~~WQ10) Reduce the distribution of known aquatic invasive species.~~
- ~~WQ11) Abate harmful ecological impacts resulting from aquatic invasive species.~~
- ~~WQ12) Abate harmful economic impacts resulting from aquatic invasive species.~~
- ~~WQ13) Abate harmful social impacts resulting from aquatic invasive species.~~
- ~~WQ14) Abate harmful public health impacts resulting from aquatic invasive species.~~
- WQ9) No active aquatic invasive plant infestations in Lake Tahoe, adjacent wetlands, and tributaries, not including the Tahoe Keys

[WQ10\) -Reduce average aquatic invasive plant abundance in the Tahoe Keys by a minimum of 75% from the 2020 baseline year.](#)

TRIBUTARIES

NUMERICAL STANDARDS

- WQ15) Attain applicable state standards for concentrations of dissolved inorganic nitrogen.
- WQ16) Attain applicable state standards for concentrations of dissolved phosphorus.
- WQ17) Attain applicable state standards for dissolved iron.
- WQ18) Attain a 90 percentile value for suspended sediment concentration of 60 mg/1.

SURFACE RUNOFF

NUMERICAL STANDARDS

- WQ19) Achieve a 90 percentile concentration value for dissolved inorganic nitrogen of 0.5 mg/1 in surface runoff directly discharged to a surface water body in the Basin.
- WQ20) Achieve a 90 percentile concentration value for dissolved phosphorus of 0.1 mg/1 in surface runoff directly discharged to a surface water body in the Basin.
- WQ21) Achieve a 90 percentile concentration value for dissolved iron of 0.5 mg/1 in surface runoff directly discharged to a surface water body in the Basin.
- WQ22) Achieve a 90 percentile concentration value for suspended sediment of 250 mg/1 in surface runoff directly discharged to a surface water body in the Basin.

GROUNDWATER

MANAGEMENT STANDARDS

- WQ23 - WQ32) Surface runoff infiltration into the groundwater shall comply with the uniform Regional Runoff Quality Guidelines as set forth in Table 4-12 of the Draft Environmental Threshold Carrying Capacity Study Report, May, 1982. Where there is a direct and immediate hydraulic connection between ground and surface waters, discharges to groundwater shall meet the guidelines for surface discharges, and the Uniform Regional Runoff Quality Guide lines shall be amended accordingly.¹

OTHER LAKES

NUMERICAL STANDARD

- WQ33) Attain existing water quality standards.

LOAD REDUCTIONS

MANAGEMENT STANDARDS

- WQ34) Reduce fine sediment particle (inorganic particle size < 16 micrometers in diameter) load to achieve long-term pelagic water quality standards (WQ1 and WQ2).
- WQ35) Reduce total annual phosphorus load to achieve long-term pelagic water quality standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ36) Reduce total annual nitrogen load to achieve long-term pelagic water quality standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ37) Decrease total annual suspended sediment load to achieve littoral turbidity standards (WQ3 and WQ4).

¹ See attachment A

- WQ38) Reduce the loading of dissolved phosphorus to achieve pelagic water standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ39) Reduce the loading of iron to achieve pelagic water standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ40) Reduce the loading of other algal nutrients to achieve pelagic water standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ41) The most stringent of the three dissolved inorganic nitrogen load reduction targets shall apply:
 - i. Reduce dissolved inorganic nitrogen loads to pelagic and littoral Lake Tahoe from²:
 - a) surface runoff by approximately 50 percent of the 1973-81 annual average,
 - b) groundwater approximately 30 percent of the 1973-81 annual average, and
 - c) atmospheric sources approximately 20 percent of the 1973-81 annual average.
 - ii. Reduce dissolved inorganic nitrogen loading to Lake Tahoe from all sources by 25 percent of the 1973-81 annual average.
 - iii. To achieve littoral water quality standards (WQ5 and WQ6).

SOIL CONSERVATION

IMPERVIOUS COVER

MANAGEMENT STANDARDS

SC1-SC9) Impervious cover shall comply with the Land-Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide For Planning, Bailey, 1974³.

STREAM ENVIRONMENT ZONES

NUMERICAL STANDARDS

SC10) Preserve existing naturally functioning SEZ lands in their natural hydrologic condition.

SC11) Enhance the quality and function of meadows and wetlands from 79% to 88% of the regional possible SEZ condition index score. ~~Restore all disturbed SEZ lands in undeveloped, unsubdivided lands.~~

~~SC12) Restore 25 percent of the SEZ lands that have been identified as disturbed, developed or subdivided.~~

~~SC13) Attain a 5 percent total increase in the area of naturally functioning SEZ lands.~~

AIR QUALITY

CARBON MONOXIDE

NUMERICAL STANDARD

² This threshold relies on predicted reductions in pollutant loadings from out-of-basin sources as part of the total pollutant loading reduction necessary to attain environmental standards, even though the Agency has no direct control over out-of-basin sources. The cooperation of the states of California and Nevada will be required to control sources of air pollution which contribute nitrogen loadings to the Lake Tahoe Region

³ See attachment B

- AQ1) Maintain carbon monoxide concentrations at or below 6 parts per million (7 mg/m³) averaged over 8 hours.

MANAGEMENT STANDARD

- AQ2) Reduce traffic volumes on the U.S. 50 Corridor by 7 percent during the winter from the 1981 base year between 4:00 p.m. and 12:00 midnight, provided that those traffic volumes shall be amended as necessary to meet the respective state standards.

OZONE

NUMERICAL STANDARDS

- AQ3) Maintain ozone concentrations at or below 0.08 parts per million averaged over 1 hour.
AQ4) Maintain oxides of nitrogen (NO_x) emissions at or below the 1981 level.

REGIONAL VISIBILITY⁴

NUMERICAL STANDARDS

- AQ5) Achieve an extinction coefficient of 25 Mm⁻¹ at least 50 percent of the time as calculated from aerosol species concentrations measured at the Bliss State Park monitoring site (visual range of 156 kilometers, 97 miles).
AQ6) Achieve an extinction coefficient of 34 Mm⁻¹ at least 90 percent of the time as calculated from aerosol species concentrations measured at the Bliss State Park monitoring site (visual range of 115 kilometers, 71 miles).

SUBREGIONAL VISIBILITY⁵

NUMERICAL STANDARDS

- AQ7) Achieve an extinction coefficient of 50 Mm⁻¹ at least 50 percent of the time as calculated from aerosol species concentrations measured at the South Lake Tahoe monitoring site (visual range of 78 kilometers, 48 miles).
AQ8) Achieve an extinction coefficient of 125 Mm⁻¹ at least 90 percent of the time as calculated from aerosol species concentrations measured at the South Lake Tahoe monitoring site (visual range of 31 kilometers, 19 miles).

RESPIRABLE AND FINE PARTICULATE MATTER

NUMERICAL STANDARDS

- AQ9) Particulate Matter₁₀ 24-hour Standard: Maintain Particulate Matter₁₀ at or below 50µg/m³ measured over a 24-hour period in the portion of the Region within California, and maintain Particulate Matter₁₀ at or below 150 µg/m³ measured over a 24-hour period in the portion of the Region within Nevada. Particulate Matter₁₀ measurements shall be made using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.
AQ10) Particulate Matter₁₀ Annual Arithmetic Average - Maintain Particulate Matter₁₀ at or below annual arithmetic average of 20µg/m³ in the portion of the Region within California, and maintain Particulate Matter₁₀ at or below annual arithmetic average of 50µg/m³ in the

⁴ Amended 03/22/00. Calculations will be made on three year running periods. Beginning with the existing 1991-93 monitoring data as the performance standards to be met or exceeded.

⁵ Amended 03/22/00. Calculations will be made on three year running periods. Beginning with the existing 1991-93 monitoring data as the performance standards to be met or exceeded.

portion of the Region within Nevada. Particulate Matter₁₀ measurements shall be made using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.

AQ11) Particulate Matter_{2.5} 24-hour Standard - Maintain Particulate Matter_{2.5} at or below 35µg/m³ measured over a 24-hour period using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.

AQ12) Particulate Matter_{2.5} Annual Arithmetic Average - Maintain Particulate Matter_{2.5} at or below annual arithmetic average of 12µg/m³ in the portion of the Region within California and maintain Particulate Matter_{2.5} at or below annual arithmetic average of 15µg/m³ in the portion of the Region within Nevada. Particulate Matter_{2.5} measurements shall be made using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.

NITRATE DEPOSITION

MANAGEMENT STANDARDS

AQ13) Reduce the transport of nitrates into the Basin and reduce oxides of nitrogen (NOx) produced in the Basin consistent with the water quality thresholds.

TRANSPORTATION AND SUSTAINABLE COMMUNITIES

TSC1) Reduce Annual Daily Average VMT Per Capita by 6.8% from 12.48, the 2018 baseline, to 11.63 in 2045.

VEGETATION PRESERVATION

COMMON VEGETATION

MANAGEMENT STANDARDS

VP1) A non-degradation standard shall apply to native deciduous trees, wetlands, and meadows to preserve plant communities and significant wildlife habitat, while providing for opportunities to increase the acreage of such riparian associations to be consistent with the SEZ threshold.

VP2) Increase plant and structural diversity of forest communities through appropriate management practices as measured by diversity indices of species richness, relative abundance, and pattern.

VP3) Maintain the existing species richness of the Basin by providing for the perpetuation of the following plant associations:

Yellow Pine Forest: Jeffrey pine, White fir, Incense cedar, Sugar pine.

Red Fir Forest: Red fir, Jeffrey pine, Lodgepole pine, Western white pine, Mountain hemlock, Western juniper.

Subalpine Forest: Whitebark pine, Mountain hemlock, Mountain mahogany.

Shrub Association: Greenleaf and Pinemat manzanita, Tobacco brush, Sierra chinquapin, Huckleberry oak, Mountain whitethorn.

Sagebrush Scrub Vegetation: Basin sagebrush, Bitterbrush, Douglas chaenactis.
 Deciduous Riparian: Quaking aspen, Mountain alder, Black cotton-wood, Willow.
 Meadow Associations (Wet and Dry Meadow): Mountain squirrel tail, Alpine gentian,
 Whorled penstemon, Asters, Fescues, Mountain brome, Corn lilies, Mountain bentgrass,
 Hairgrass, Marsh marigold, Elephant heads, Tinker's penney, Mountain Timothy, Sedges,
 Rushes, Buttercups.
 Wetland Associations (Marsh Vegetation): Pond lilies, Buckbean, Mare's tail, Pondweed,
 Common bladderwort, Bottle sedge, Common spikerush.
 Cushion Plant Association (Alpine Scrub): Alpine phlox, Dwarf ragwort, Draba.

- VP4) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain at least four percent meadow and wetland vegetation.
- VP5) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain at least four percent deciduous riparian vegetation.
- VP6) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain no more than 25 percent dominant shrub association vegetation.
- VP7) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain 15-25 percent of the Yellow Pine Forest in seral stages other than mature.
- VP8) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain 15-25 percent of the Red Fir Forest in seral stages other than mature.
- VP9) Pattern - Provide for the proper juxtaposition of vegetation communities and age classes by;
 1. Limiting acreage size of new forest openings to no more than eight acres
- VP10) Pattern –Provide for the proper juxtaposition of vegetation communities and age classes by;
 2. Adjacent openings shall not be of the same relative age class or successional stage to avoid uniformity in stand composition and age.
- VP11) Native vegetation shall be maintained at a maximum level to be consistent with the limits defined in the Land-Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide For Planning, Bailey, 1974⁶, for allowable impervious cover and permanent site disturbance.

LATE SERAL AND OLD GROWTH FOREST ECOSYSTEMS⁷

NUMERICAL STANDARDS

- VP12) Attain and maintain a minimum percentage of 55 percent by area of forested lands within the Tahoe Region in a late seral or old growth condition, and distributed across elevation zones. Standards VP 13, VP14, and VP15 must be attained to achieve this threshold.
- VP13) 61 percent of the Subalpine zone (greater than 8,500 feet elevation) must be in a late seral or old growth condition. The Subalpine zone will contribute 5 percent (7,600 acres) of forested lands towards VP13.
- VP14) 60 percent of the Upper Montane zone (between 7,000 and 8,500 feet elevation) must be in a late seral or old growth condition. The Upper Montane zone will contribute 30 percent (45,900 acres) of forested lands towards VP13.

⁶ See attachment B

⁷ For standards VP13 - VP16: Forested lands within TRPA designated urban areas are excluded in the calculation for threshold attainment. Areas of the montane zone within 1,250 feet of urban areas may be included in the calculation for threshold attainment if the area is actively being managed for late seral and old growth conditions and has been mapped by TRPA. A maximum value of 40 percent of the lands within 1,250 feet of urban areas may be included in the calculation.

VP15) 48 percent of the Montane zone (lower than 7,000 feet elevation) must be in a late seral or old growth condition; the Montane zone will contribute 20 percent (30,600 acres) of forested lands towards VP13.

UNCOMMON PLANT COMMUNITIES

NUMERICAL STANDARDS

VP16-VP17) Provide for the non-degradation of the natural qualities of any plant community that is uncommon to the Basin or of exceptional scientific, ecological, or scenic value. This threshold shall apply but not be limited to:

- VP16) The deep-water plants of Lake Tahoe.
- VP17) The Freel Peak Cushion Plant community.

SENSITIVE PLANTS

NUMERICAL STANDARDS

Maintain a minimum number of population sites for each of five sensitive plant species.

- VP18) Maintain a minimum of 2 *Lewisia pygmaea longipetala* population sites.
- VP19) Maintain a minimum of 2 *Draba asterophora v. macrocarpa* population sites.
- VP20) Maintain a minimum of 5 *Draba asterophora v. asterophora macrocarpa* population sites.
- VP21) Maintain at least the number of occupied *Rorippa subumbellata* survey sites for each lake level as established in the Table below:

<u>Lake Level (feet of elevation)</u>	<u>Occupied survey sites</u>
<u>Low (<6,225)</u>	<u>35</u>
<u>Transition (6,225- 6,227)</u>	<u>26</u>
<u>High (>6,227)</u>	<u>20</u>

- VP22) Maintain a minimum of 7 *Arabis rigidissima v. demote* population sites.

WILDLIFE

SPECIAL INTEREST SPECIES

NUMERICAL STANDARDS

Provide a minimum number of population sites and disturbance zones for the following species:

Population sites:

- W1) Provide a minimum of 12 Goshawk population sites.
- W2) Provide a minimum of 4 Osprey population sites.
- W3) Provide a minimum of 2 Bald Eagle (Winter) population sites.
- W4) Provide a minimum of 1 Bald Eagle (Nesting) population sites.
- W5) Provide a minimum of 4 Golden Eagle population sites.
- W6) Provide a minimum of 2 Peregrine population sites.
- W7) Provide a minimum of 18 Waterfowl population sites.

Disturbance Zones:

- W8) Provide disturbance zones in the most suitable 500 acres surrounding nest site including a 0.25 mile buffer centered on nest sites, and influence zones in 3.5 mi for Goshawk.
- W9) Provide 0.25 mi disturbance zones and 0.6 mi influence zones for Osprey.
- W10) Provide disturbance zones in mapped areas and influence zones in mapped areas for Bald Eagle (Winter).
- W11) Provide 0.5 mi disturbance zones and variable influence zones for Bald Eagle (Nesting).
- W12) Provide 0.25 mi disturbance zones and 9.0 mi influence zones for Golden Eagle.
- W13) Provide 0.25 mi disturbance zones and 7.6 mi influence zones for Peregrine.
- W14) Provide disturbance zones in mapped areas and influence zones in mapped areas for Waterfowl.
- W15) Provide disturbance zones in meadows and influence zones in mapped areas for Deer.

FISHERIES

STREAM HABITAT

NUMERICAL STANDARDS

- F1 -F3) As indicated by the Stream Habitat Quality GIS data, amended May 1997, based upon the re-rated stream scores set forth in Appendix C-1 of the 1996 Evaluation Report, maintain:
- F1) 75 miles of excellent stream habitat.
 - F2) 105 miles of good stream habitat.
 - F3) 38 miles of marginal stream habitat.

INSTREAM FLOWS

MANAGEMENT STANDARD

- F4) Until instream flow standards are established in the Regional Plan to protect fishery values, a non-degradation standard shall apply to instream flows.

LAKE HABITAT

MANAGEMENT STANDARD

- F7) A non-degradation standard shall apply to fish habitat in Lake Tahoe. Achieve the equivalent of 5,948 total acres of excellent habitat as indicated by the Prime Fish Habitat GIS Layer as may be amended based on best available science.

NOISE

SINGLE NOISE EVENTS

NUMERICAL STANDARDS

The following maximum noise levels are allowed. All values are in decibels.

Aircraft measured 6,500 m-start of takeoff roll 2,000 m-runway threshold approach:

- N1) 80 dBA - between the hours of 8am and 8pm⁸

⁸ The single event noise standard of 80 dBA L_{max} for aircraft departures at Lake Tahoe Airport shall be effective immediately. The single event noise standard of 80 dBA L_{max} for aircraft arrivals at Lake Tahoe Airport is not to be effective until ten years after the adoption of an airport master plan by TRPA. The schedule for phasing in the 80

N2) 77.1 dBA - between the hours of 8pm and 8am

Watercraft:

N3) Pass-By Test - 82 L_{max} -measured 50ft from engine at 3,000rpm.

N4) Shoreline test - 75 L_{max} - measured with microphone 5 ft. above water, 2 ft., above curve of shore, dock or platform. Watercraft in Lake, no minimum distance.

N5) Stationary Test - 88 dBA L_{max} for boats manufactured before January 1, 1993; Microphone 3.3 feet from exhaust outlet - 5 feet above water.

N6) Stationary Test - 90 dBA L_{max} for boats manufactured after January 1, 1993; Microphone 3.3 feet from exhaust outlet - 5 feet above water.

Motor Vehicles Less Than 6,000 GVW:

N7) 76 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft

N8) 82 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Motor Vehicles Greater Than 6,000 GVW:

N9) 82 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

N10) 86 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Motorcycles:

N11) 77 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

N12) 86 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Off-Road Vehicles:

N13) 72 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

N14) 86 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Snowmobiles:

N15) 82 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

CUMULATIVE NOISE EVENTS

NUMERICAL STANDARDS

Background noise levels shall not exceed the following levels:

N16) 55 dBA CNEL (Average Noise Level) in the High Density Residential Areas Land Use Category.

N17) 50 dBA CNEL (Average Noise Level) in the Low Density Residential Areas Land Use Category.

N18) 60 dBA CNEL (Average Noise Level) in the Hotel/Motel Areas Land Use Category.

N19) 60 dBA CNEL (Average Noise Level) in the Commercial Areas Land Use Category.

N20) 65 dBA CNEL (Average Noise Level) in the Industrial Areas Land Use Category.

N21) 55 dBA CNEL (Average Noise Level) in the Urban Outdoor Recreation Areas Land Use Category.

N22) 50 dBA CNEL (Average Noise Level) in the Rural Outdoor Recreation Areas Land Use Category.

dBa arrival standard shall be based on a review and consideration of the relevant factors, including best available technology and environmental concerns, and shall maximize the reduction in noise impacts caused by aircraft arrivals while allowing for the continuation of general aviation and commercial service. The beginning arrival standard shall not exceed 84 dBA for general aviation and commuter aircraft, and 86 dBA for transport category aircraft.

- N23) 45 dBA CNEL (Average Noise Level) in the Wilderness and Roadless Areas Land Use Category.
- N24) 45 dBA CNEL (Average Noise Level) in the Critical Wildlife Habitat Areas Land Use Category.

RECREATION

POLICY STATEMENTS

- R1) It shall be the policy of the TRPA Governing Body in development of the Regional Plan to preserve and enhance the high quality recreational experience including preservation of high-quality undeveloped shorezone and other natural areas. In developing the Regional Plan, the staff and Governing Body shall consider provisions for additional access, where lawful and feasible, to the shorezone and high quality undeveloped areas for low density recreational uses.
- R2) It shall be the policy of the TRPA Governing Body in development of the Regional Plan to establish and ensure a fair share of the total Basin capacity for outdoor recreation is available to the general public.

SCENIC RESOURCES

ROADWAY AND SHORELINE UNITS

NUMERICAL STANDARDS

SR1-SR4) Maintain or improve the numerical rating assigned each unit, including the scenic quality rating of the individual resources within each unit, as recorded in the Scenic Resources Inventory and shown in:

- SR1) Table 13-3 of the Draft Study Report⁹.
- SR2) Table 13-5 of the Draft Study Report¹⁰.
- SR3) Table 13-8 of the Draft Study Report¹¹.
- SR4) Table 13-9 of the Draft Study Report¹².

SR5-SR8) Maintain the 1982 ratings for all roadway and shoreline units as shown in:

- SR5) Table 13-6 of the Draft Study Report¹³.
- SR6) Table 13-7 of the Draft Study Report¹⁴.
- SR7) Restore scenic quality in roadway units rated 15 or below.
- SR8) Restore scenic quality in shoreline units rated 7 or below.

OTHER AREAS

NUMERICAL STANDARD

- SR9) Maintain or improve the numerical rating assigned to each identified scenic resource, including individual subcomponent numerical ratings, for views from bike paths and other

⁹ See attachment C

¹⁰ See attachment D

¹¹ See attachment E

¹² See attachment F

¹³ See attachment G

¹⁴ See attachment H

recreation areas open to the general public as recorded in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

BUILT ENVIRONMENT

POLICY STATEMENT

- SR10) It shall be the policy of the TRPA Governing Body in development of the Regional Plan, in cooperation with local jurisdictions, to insure the height, bulk, texture, form, materials, colors, lighting, signing and other design elements of new, remodeled and redeveloped buildings be compatible with the natural, scenic, and recreational values of the region.

Attachment B

Environmental Findings and Findings of No Significant Effect (FONSE)

**Required Findings & Finding of No Significant Effect
for the adoption of four new environmental threshold carrying capacities
(threshold standards) and the removal of nine threshold standards**

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Threshold Standards and TRPA Regional Plan Goals and Policies.

TRPA Code of Ordinances Section 3.3: Determination of need to prepare Environmental Impact Statement

Finding: TRPA finds that the amendments to the threshold standards and Regional Plan will not have a significant effect on the environment.

Rationale: TRPA staff prepared an Initial Environmental Checklist (IEC) pursuant to Article VI of TRPA Rules of Procedure and Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances to evaluate potential environmental effects of the proposed action as presented seen in Attachment C. Based on the information contained within the IEC, the proposed amendments would not have a significant effect on the environment and TRPA staff prepared a finding of no significant effect in accordance to TRPA's Rules of Procedure Section 6.6 and Code of Ordinance Section 3.3.2.

TRPA Code of Ordinances Section 4.4: Threshold Related Findings

Finding: The project (ordinance) 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 are consistent with and will not adversely affect the Regional Plan, including all applicable Goals and Policies (as discussed below), plan area statements and local planning areas, the Code and other TRPA plans and programs.

Finding: The project will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: The proposed amendments will not cause the environmental threshold carrying capacities to be exceeded. The Regional Plan Environmental Impact Statement prepared in 2012 for an amendment of the Regional Plan analyzed full development build out potential within the Tahoe

Region. The findings for adoption of the 2012 Regional Plan demonstrated that implementation of the Regional Plan would not cause Environmental Threshold Carrying Capacities to be exceeded. The updating of the standards in three categories to reflect current science and best practice will not alter the policies or implementation of the Regional Plan.

Finding: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: The proposed amendments will not affect any state, federal, or local standards. The amendments increase clarity and transparency in reporting on threshold standard progress.

TRPA Code of Ordinances Section 4.5: Findings Necessary to Amend the Regional Plan, Including Goals and Policies and Plan Area Statements and Maps

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

Rationale: The proposed amendments do not alter the substance of the Regional Plan.



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STATEMENT OF NO SIGNIFICANT EFFECT

- Project Description:** The adoption of four new environmental threshold carrying capacities (threshold standards) and the removal of nine threshold standards.
- Staff Analysis:** In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.
- Determination:** Based on the Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

A handwritten signature in black ink, appearing to be 'J. A.', written over a horizontal line.

TRPA Executive Director/Designee

April 2, 2024

Date

Attachment C

TRPA Initial Environmental Checklist

TRPA INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

Project Name:

Updates to the Environmental Threshold Carrying Capacities (threshold standards) for 1) Stream Environment Zone (SEZ) restoration, 2) Aquatic Invasive Species control, and 3) Tahoe Yellow Cress conservation.

Expanded Initial Environmental Checklist:

This document serves as the TRPA Initial Environmental Checklist for the amendments, with an expanded analysis to include the California Environmental Quality Act (CEQA) Initial Study Checklist. While not required for TRPA action, the expanded analysis and information will support CEQA lead agencies with their own future environmental review of the amendments.

Project Location:

The Tahoe Region is within the planning area jurisdiction of the Tahoe Regional Planning Agency.

Project Need:

TRPA operates under the authority of the states of California and Nevada and the federal government through the Bi-State Compact, which was ratified by Congress and signed by the President of the United States. The revised Bi-State Compact, signed nearly forty years ago, wrote “the waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region (96th Congress 1980)” To ensure the natural beauty and economic productivity of the region would persist for generations to come, the Bi-State Compact directs TRPA to establish “environmental threshold carrying capacities,” defined as “an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region.”

These environmental threshold standards establish goals for environmental quality and express the shared aspiration for environmental restoration of the Tahoe Region. The standards shape the goals and policies of the Regional Plan and guide millions of dollars of public and private investment in the basin through the Environmental Improvement Program (EIP). The first set of threshold standards was adopted in 1982, The initial threshold standards set the course for the Region 40 years ago but were never intended to be immutable. The multi-disciplinary team that authored the 1981 threshold study report outlined specific triggers for standard review, and set the expectation that the standards would be reassessed at least every five years, and wrote: “environmental thresholds are not static standards that once in place remain forever” (TRPA 1982a).

There is a broad bi-state consensus and support for updating the Thresholds and monitoring systems. In 2015 the TRPA Governing Board identified the review and updating of the threshold standards as one of seven strategic initiatives for the agency. The goal of the initiative is to ensure a representative, relevant, and scientifically rigorous set of threshold standards, supported by a cost-efficient and feasible monitoring and evaluation plan, and the development of a robust and repeatable process for review of standards in the future.

Project Description:

The proposed changes to the threshold standards were developed using the guidelines proposed by the Tahoe Science Advisory Council and direction from the Threshold Update Initiative Stakeholders Working Group appointed

by the TRPA Governing Board and chaired by the Advisory Planning Commission (APC). The proposed updates were prepared in conjunction with the EIP working groups focused on each subject matter: Tahoe Watershed Improvement Group for SEZ, Tahoe Yellow Cress Adaptive Management Working Group for Tahoe Yellow Cress, and the Aquatic Invasive Species Coordinating Committee for Aquatic Invasive Species.

Tiering and References to Other Documents:

This Initial Environmental Checklist (IEC) tiers from the 2012 Regional Plan Update (RPU) Environmental Impact Statement (EIS). This document can be accessed at: <https://www.trpa.gov/regional-plan/2012-regional-plan-update/>.

The following questionnaire has been completed based on evidence submitted with the application. For the TRPA Initial Environmental Checklist, all "Yes" and "No, With Mitigation" answers require written discussion. For the CEQA Initial Study checklist, all "Less Than Significant (LTS) with Mitigation" and "Less than Significant (LTS)" answers require written discussion. Written discussion is also provided by some "No" and "No Impact" answers where needed to support the conclusion. (Again, the CEQA checklist is complete here only as a future aid to California jurisdictions subsequent actions.)

For information on the status of TRPA environmental thresholds (<https://thresholds.laketahoeinfo.org>) click on the links below to the Threshold Dashboard.

I. Environmental Impacts

1. Land (TRPA Checklist Questions)

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed modification to the SEZ restoration standard utilizes the SEZ condition index which integrates both size and condition, addressing the deficiency in the current standards' sole focus on area of SEZ. By accounting for the benefits of functional enhancement of SEZ that are not considered “restoration” provides additional incentives to implement enhancement projects.

Geology/Soils (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: (CEQA VIIa) i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in substantial soil erosion or the loss of topsoil? (CEQA VIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (CEQA VIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (CEQA VIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (CEQA VIIe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (CEQA VIIf)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed modifications to the threshold standards establish specific and measurable targets and align the standards with the latest science. No modifications to the Regional Plan are required to promote attainment of the standards.

2. Air Quality (TRPA Checklist Questions)

Current and historic status of air quality standards can be found at the links below:

- [Carbon Monoxide \(CO\)](#)
- [Nitrate Deposition](#)
- [Ozone \(O3\)](#)
- [Regional Visibility](#)
- [Respirable and Fine Particulate Matter](#)
- [Sub-Regional Visibility](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Substantial air pollutant emissions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The creation of objectionable odors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Increased use of diesel fuel?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Air Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (CEQA IIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standards? (CEQA IIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Expose sensitive receptors to substantial pollutant concentrations? (CEQA IIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in other emissions, such as objectionable odors, adversely affecting a substantial number of people? (CEQA IIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Greenhouse Gas Emissions (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
5. Greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (CEQA VIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Greenhouse Gas Emissions (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
6. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (CEQA VIIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed modifications do not include modification of the air quality standards.

3. Water Quality (TRPA Checklist Questions)

Current and historic status of water quality standards can be found at the links below:

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Alterations to the course or flow of 100-year flood waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Alteration of the direction or rate of flow of ground water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Water Quality (TRPA Checklist Questions)

Current and historic status of water quality standards can be found at the links below:

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Is the project located within 600 feet of a drinking water source?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Hydrology/Water Quality (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (CEQA Xa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (CEQA Xb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (CEQA Xc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Result in substantial erosion or siltation on- or off-site;				
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv) Impede or redirect flood flows?				
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (CEQA Xd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (CEQA Xe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed modifications to the threshold standards establish specific and measurable targets and align the standards with the latest science. No modifications to the Regional Plan are required to promote attainment of the standards.

4. Vegetation (TRPA Checklist Questions)

Current and historic status of vegetation preservation standards can be found at the links below:

- [Common Vegetation](#)
- [Late Seral/Old Growth Ecosystems](#)
- [Sensitive Plants](#)
- [Uncommon Plant Communities](#)

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. A change in the natural functioning of an old growth ecosystem?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed modifications to the threshold standards establish specific and measurable targets and align the standards with the latest science. No modifications to the Regional Plan are required to promote attainment of the standards.

5. Wildlife (TRPA Checklist Questions)

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

Current and historic status of the fisheries standards can be found at the links below:

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Reduction of the number of any unique, rare or endangered species of animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Biological Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (CEQA IVa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (CEQA IVb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (CEQA IVc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (CEQA IVd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (CEQA IVe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Biological Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (CEQA IVf)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed modification to the SEZ restoration standard utilizes the SEZ condition index which integrates both size and condition, addressing the deficiency in the current standards' sole focus on area of SEZ. The proposed modification to the AIS threshold standards provide measurable targets for removal of invasive plants from the Lake. Better accounting for the benefits of enhancement of SEZ and removal of invasive plants provides additional incentives to implement enhancement projects.

6. Noise (TRPA Checklist Questions)

Current and historic status of the noise standards can be found at the links below:

- [Cumulative Noise Events](#)
- [Single Noise Events](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Noise (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Noise (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
general plan or noise ordinance, or other applicable local, state, or federal standards? (CEQA XIIIa)				
2. Generation of excessive groundborne vibration or groundborne noise levels? (CEQA XIIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels? (CEQA XIIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed modifications do not include modification of the air quality standards.

7. Light and Glare (TRPA Checklist Questions)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Cause light from exterior sources to be cast off -site or onto public lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Aesthetics – Light and Glare (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (CEQA Id)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed modifications will not impact light or glare in the region.

8. Land Use (TRPA Checklist Questions)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Land Use/Planning (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Physically divide an established community? (CEQA XIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (CEQA XIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards.

9. Natural Resources (TRPA Checklist Questions)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mineral Resources (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (CEQA XIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (CEQA XIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards.

10. Risk of Upset (TRPA Checklist Questions)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Hazards & Hazardous Materials (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (CEQA IXa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (CEQA IXb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (CEQA IXc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (CEQA IXd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (CEQA IXe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (CEQA VIII f)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (CEQA IXg)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Wildfire (CEQA Checklist Questions)

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
8. Substantially impair an adopted emergency response plan or emergency evacuation plan? (CEQA XXa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (CEQA XXb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (CEQA XXc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (CEQA XXd)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards, so there is no expected impact on the risk of upset in the region.

11. Population (TRPA Checklist Questions)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Population (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (CEQA XIVa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. Housing (TRPA Checklist Questions)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Affect existing housing, or create a demand for additional housing? <i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i>				
1. Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Housing (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (CEQA XIVb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards, so there is no expected impact on housing.

13. Transportation / Circulation (TRPA Checklist Questions)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Generation of 650 or more new average daily Vehicle Miles Travelled?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Transportation (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (CEQA XVIIa)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) VMT Threshold – Land Use Projects? (CEQA XVIIb)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (CEQA XVIIc)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in inadequate emergency access? (CEQA XVIIId)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

No modifications to the land use in the Regional Plan or Transportation Policy in the Regional Transportation Plan are required to promote attainment of the standards, so there is no expected impact on transportation in the region.

14. Public Services (TRPA Checklist Questions)

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

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other governmental services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Services (CEQA Checklist Questions)

Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: (CEQA XVa)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|-----------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 2. Police protection? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Schools? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Parks? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Other public facilities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards, so there is no expected impact on public services.

15. Energy (TRPA Checklist Questions)

Will the proposal result in:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Energy (CEQA Checklist Questions)

- | | Potentially Significant | LTS with Mitigation | LTS Impact | No Impact |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (CEQA VIa) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (CEQA VIb) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards, so there is no expected impact on energy.

16. Utilities (TRPA Checklist Questions)

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

- | | Yes | No | No, with mitigation | Data insufficient |
|---------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Power or natural gas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Communication systems? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Storm water drainage? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Solid waste and disposal? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Utilities/Service Systems (CEQA Checklist Questions)

- | | Potentially Significant | LTS with Mitigation | LTS Impact | No Impact |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects? (CEQA XIXa) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Have sufficient water supplies available to serve the and reasonably foreseeable future development during normal, dry, and multiple dry years? (CEQA XIXb) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments? (CEQA XIXc) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (CEQA XIXd) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (CEQA XIXe) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

No modifications to the land use in the Regional Plan are required to promote attainment of the standards, so there is no expected impact on utilities.

17. Human Health (TRPA Checklist Questions)

Will the proposal result in:

- | | Yes | No | No, with mitigation | Data insufficient |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The proposed threshold standard for removal of the invasive plants could have a beneficial impact on water quality with potential beneficial impacts on human health.

18. Scenic Resources/Community Design (TRPA Checklist Questions)

Current and historic status of the scenic resources standards can be found at the links below:

- [Built Environment](#)
- [Other Areas](#)
- [Roadway and Shoreline Units](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Be visible from any public recreation area or TRPA designated bicycle trail?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Aesthetics (CEQA Checklist Questions)

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (CEQA Ia)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (CEQA Ib)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (CEQA Ic)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed modifications do not include modification of the scenic standards.

Aesthetics (CEQA Checklist Questions)

19. Recreation (TRPA Checklist Questions)

Current and historic status of the recreation standards can be found at the links below:

- [Fair Share Distribution of Recreation Capacity](#)
- [Quality of Recreation Experience and Access to Recreational Opportunities](#)

Will the proposal:

- | | Yes | No | No, with mitigation | Data insufficient |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Create additional demand for recreation facilities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Create additional recreation capacity? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Have the potential to create conflicts between recreation uses, either existing or proposed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Result in a decrease or loss of public access to any lake, waterway, or public lands? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Recreation (CEQA Checklist Questions)

- | | Potentially Significant | LTS with Mitigation | LTS Impact | No Impact |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (CEQA XVIa) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (CEQA XVIb) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The proposed modifications do not include modification of the recreation standards.

20. Archaeological / Historical (TRPA Checklist Questions)

Will the proposal result in:

- | | Yes | No | No, with mitigation | Data insufficient |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Is the property associated with any historically significant events and/or sites or persons? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Tribal Cultural Resources (CEQA Checklist Questions)

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | Potentially Significant | LTS with Mitigation | LTS Impact | No Impact |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| 1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? (CEQA XVIIIa.i) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (CEQA XVIIIa.ii) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Cultural Resources (CEQA Checklist Questions)

- | | Potentially Significant | LTS with Mitigation | LTS Impact | No Impact |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (CEQA Va) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (CEQA Vb) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5. Disturb any human remains, including those interred outside of formal cemeteries? (CEQA Vc) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The proposed modifications do not include modification of cultural resources.

21. Agriculture and Forestry Resources (CEQA Checklist Questions)

Would the Project:

	Potentially Significant	LTS with Mitigation	LTS Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use? (CEQA IIa)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (CEQA IIb)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g), timberland (as defined by Public Resource Code section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (CEQA IIc)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Result in the loss of forest land or conversion of forest land to non-forest use? (CEQA II d)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (CEQA IIe)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The proposed modifications will not agriculture and forestry resources in the region.

22. Cumulative/Synergistic Impacts

The proposed amendments do not include any changes to regional growth restrictions. The changes are designed to promote additional restoration work in the region.

23. Findings of Significance


	Yes	No	No, with mitigation	Data insufficient
f. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)
- d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

The changes are designed to promote additional restoration work in the region.

DECLARATION:

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

Signature:  _____

Dan Segan at Tahoe Regional Planning Agency

4/1/24

Person preparing application

County

Date

Applicant Written Comments: (Attach additional sheets if necessary)

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure YES NO
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures. YES NO
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. YES NO



Signature of Evaluator

Dan Segan, Chief Science and Policy Advisor

Title of Evaluator

Date 4/1/24

STAFF REPORT

Date: April 3, 2024

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Proposed technical clarifications to the Phase 2 Housing Amendments in the Code of Ordinances

Summary and Staff Recommendation:

Staff recommends that the Advisory Planning Commission (APC) recommend Governing Board adoption of the proposed Code amendments, which are technical clarifications to the Phase 2 Housing Amendments the Governing Board adopted last December. The technical clarifications confirm the water quality requirements for deed-restricted workforce housing incentives, and the availability of bonus units the agency holds in reserve for affordable, moderate income, and achievable workforce housing types.

Required Motions:

To recommend approval of the requested action, the APC must make the following motions, based on this staff summary and the evidence in the record:

1. A motion to recommend approval of the Required Findings as described in Attachment C, including a Finding of No Significant Effect, for adoption of the Code of Ordinance amendments as described in the staff summary; and
2. A motion to recommend adoption of Ordinance 2024-_____, amending Ordinance 87-9, as previously amended, to amend the Code of Ordinances as shown in Attachment B.

Project Description/Background:

In December 2023, the TRPA Governing Board approved the Phase 2 Housing Amendments, a set of targeted changes to Lake Tahoe zoning regulations to incentivize deed-restricted affordable and workforce housing through more flexible development standards (i.e. height, coverage, density, and parking), while also benefiting water quality and reducing traffic and vehicle use. The Regional Plan and Code amendments took effect on February 11, 2024. Staff now recommend the technical clarifications to ensure the Phase 2 Housing Amendments fully align with the Governing Board's intent, specifically with regard to water quality requirements for land coverage incentives, and the availability of bonus units for different types of affordable and workforce housing.

TRPA staff recommends the following amendments be made to the Code of Ordinances:

1. Technical clarifications to Code Sections 30.4.2.B.5.a and 30.4.2.B.6.a, making clear that

participation in a stormwater collection and treatment system is a prerequisite for land coverage incentives, regardless of whether such a system is available for the project area. See Attachment B. The edit confirms that projects must be served by a stormwater collection and treatment system to qualify for incentives, thereby tying the Phase 2 Housing amendments to tangible water quality improvements.

2. Technical clarifications to Code Section 52.3.1 to fully align the Code’s allocation of available residential bonus units with the Governing Board’s intent. Prior to the Phase 2 Housing Amendments, Code Section 52.3.1 reserved 50% of the residential bonus units for affordable housing, and the other 50% for moderate income or achievable housing. In adopting the Phase 2 Housing Amendments, the Governing Board expressed a specific intent to limit achievable housing to 25% of the bonus units. The motion approved at the Board’s hearing included Code language setting the bonus unit allocation for achievable housing at 25% and leaving affordable and moderate-income housing to draw from the remaining 75%. Although moderate income projects typically arise less often, the resulting Code language suggested the potential for moderate income projects to access a larger share of bonus units previously reserved exclusively for affordable projects. Staff believe the Board did not intend to eliminate the percentage of bonus units reserved exclusively for affordable housing. Accordingly, the proposed technical clarifications would confirm the availability of residential bonus units as follows:

- 50% reserved exclusively for affordable housing;
- 25% available for affordable or moderate income housing;
- 25% available for affordable, moderate income, or achievable housing.

See Attachment B. The technical changes do not alter substantive provisions of the Code or result in any substantive change to the Code. The changes merely provide clarifications to align the Phase 2 Housing Amendments with the Board’s intent.

Environmental Review:

The Code amendments have been reviewed in an Initial Environmental Checklist (IEC) pursuant to Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The IEC found that the proposed amendments would not result in significant effects on the environment (see Attachment D).

Contact Information:

For questions regarding this agenda item, please contact Alyssa Bettinger, Senior Planner, at (775) 589-5301 or abettinger@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting

Attachments:

- A. Adopting Ordinance 2024-__
- B. Proposed Technical Amendments to the Code of Ordinances
- C. Required Findings/Rationale
- D. Initial Environmental Checklist (IEC)
- E. Compliance Measures Checklist

Attachment A
Adopting Ordinance 2024-__

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024-___

AN ORDINANCE AMENDING ORDINANCE 87-9, AS AMENDED, TO
AMEND TRPA'S CODE OF ORDINANCES AND OTHER MATTERS RELATED
THERE TO

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

Section 1.0 Findings

- 1.10 The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set forth environmental threshold carrying capacities ("threshold standards") for the Tahoe Region.
- 1.15 The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.
- 1.20 The Compact further requires that the Regional Plan attain and maintain federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.
- 1.25 Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
- 1.30 In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances ("Code").
- 1.40 TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.
- 1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 Amendment of the TRPA Code of Ordinances

- 2.10 Ordinance 87-9, as previously amended, is hereby amended as shown in Attachment B.

Section 3.0 Interpretation and Severability

3.10 The provisions of this ordinance adopted hereby shall be liberally construed to effectuate their purpose. If any section, clause, provision, or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. For this purpose, the provisions of this ordinance are hereby declared respectively severable.

Section 4.0 **Effective Date**

4.10 This ordinance shall be effective 60 days after adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held _____ by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

Attachment B

Proposed Technical Amendments to the Code of Ordinances

Attachment B: Proposed Code Amendment Language

30.4.2.B.5 Affordable, Moderate, and Achievable Housing outside Centers

The maximum land coverage allowed on a parcel for multi-residential developments, mixed-use developments with a residential component as described in subsection 36.13, or accessory dwelling units, provided they are 100 percent deed-restricted affordable, moderate, or achievable and utilize bonus units, shall be limited to 70 percent of the project area that is located within Land Capability Districts 4 through 7, subject to the following standards:

- a. All runoff from the project area must be treated by a stormwater collection and treatment system ~~if a system is available for the project area~~. The stormwater collection and treatment system must meet applicable TRPA requirements; ~~and~~ a county or city, a utility, a community service or improvement district, or similar public entity with a sustainable funding source must assume perpetual responsibility for operation and maintenance; and the system must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located), as required to be included as a component of the TMDL pollutant load reduction measures credited to the entity or entities where the system is located; or
- b. To transfer in coverage above the base allowable coverage, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.
- c. The project is exempt from the density maximums per section 31.4.1.A and subject to the parking standards specified in Section 34.4.1, unless an area plan specifies alternative standards per Section 13.5.3.I.C.1.
- d. The additional coverage for accessory dwelling units is limited to 1,200 square feet or 70 percent of the project area, whichever is less, that is located within Land Capability Districts 4 through 7 or on parcels that are buildable based on their IPES score. Additional land coverage shall be used only for the accessory dwelling unit, and includes decks and walkways associated with the accessory dwelling unit. This coverage shall not be used for parking.

30.4.2.B.6 Stormwater Collection and Treatment Systems for Affordable, Moderate, and Achievable Housing

Multi-residential developments, mixed-use developments with a residential component, as described in subsection 36.13, or accessory dwelling units, provided the units are 100 percent deed-restricted affordable, moderate, and achievable, utilize bonus units and are located in Land Capability Districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70 percent in centers, subject to the following standards:

- a. All runoff from the project area must be treated by a stormwater collection and treatment system ~~if a system is available for the project area~~. The stormwater collection and treatment system must meet applicable TRPA requirements; ~~and~~ a county or city, a utility, a community service or improvement district, or similar public entity with a sustainable funding source must assume perpetual responsibility for operation and maintenance; and

the system must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located), as required to be included as a component of the TMDL pollutant load reduction measures credited to the entity or entities where the system is located.

- b. To transfer in coverage above 70 percent, the project shall not construct any parking spaces above the parking minimums set by local or state standards, except when required to meet Americans with Disabilities Act requirements or to provide parking for bicycles.
- c. The project is exempt from the density maximums per section 31.4.1.A and the parking minimums per Section 34.4.1, unless an area plan specifies alternative standards per Section 13.5.3.I.C.1.

52.3.1. Assignment of Bonus Units

A maximum of 1,400 residential bonus units may be approved by TRPA pursuant to this section. Residential bonus units may be made available to affordable, moderate, and achievable-income single and multi-family housing projects subject to the criteria in subsection 52.3.4 below. ~~Eight hundred and forty three~~Five-hundred sixty-two (562) (843) of the 1,124, or ~~three quarters~~one half, of the remaining as of December 24, 2018, residential bonus units from the TRPA pool, whichever is less, shall be used for affordable ~~or moderate-income~~ housing units; ~~the remaining~~ 281, or one quarter of the remaining, residential bonus units from the TRPA pool, whichever is less, shall be used for affordable or moderate income housing units; and 281, or one quarter of the remaining residential bonus units from the TRPA pool, whichever is less, may be used for affordable, moderate-income, or achievable housing units.

Attachment C

Required Findings/Rationale

ATTACHMENT B
REQUIRED FINDINGS / RATIONALE

TRPA Code of Ordinances Section 3.3—Determination of Need to Prepare an Environmental Impact Statement

Finding: TRPA finds the proposed Code amendments will not have a significant effect on the environment.

Rationale: An Initial Environmental Checklist (IEC) was prepared to evaluate the effects of the proposed amendments to the Code of Ordinances (see Attachment B). The IEC found that the proposed Code amendments would not have a significant effect on the environment.

The proposed amendments are consistent with the Goals and Policies of the Regional Plan and will better implement the Phase 2 Housing Amendments. The amendments are not anticipated to result in significant environmental effects. As demonstrated in the accompanying findings, amendments to Chapter 30 and Chapter 52 will not result in a significant impact on the environment or cause the environmental threshold carrying capacities to be exceeded.

TRPA Code of Ordinances Section 4.4—Threshold-Related Findings

1. Finding: The amendments to the Code of Ordinances are 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 code amendments will not have significant environmental impacts and will improve TRPA's ability to implement the Phase 2 Housing Amendments. The Code amendments are consistent with the Regional Plan Goals and Policies and all implementing elements of the Regional Plan.

2. Finding: The proposed amendments will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: The proposed amendments are consistent with the threshold attainment strategies in the Regional Plan. As demonstrated in the findings, these amendments will not cause the environmental threshold carrying capacities to be exceeded.

3. Finding: Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: The proposed amendments do not exceed any state, federal, or local standards.

TRPA Code of Ordinances Section 4.6—findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.

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 thresholds.

Rationale: As discussed in Sections 4.4 and 4.5 above, the Regional Plan and all of its elements, as amended, achieves and maintains thresholds. The proposed amendments will support and improve implementation of the Phase 2 Housing Amendments and better implement the Goals and Policies of the Regional Plan.

Attachment D

Initial Environmental Checklist (IEC)



**TAHOE
REGIONAL
PLANNING
AGENCY**

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***INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT***

Project Name:

APN/Project Location:

County/City:

Project Description:



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The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information and reference the question number and letter. If more space is required for additional information, please attached separate sheets and reference the question number and letter.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

I. Environmental Impacts

1. Land

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



2. Air Quality

Current and historic status of air quality standards can be found at the links below:

- [Carbon Monoxide \(CO\)](#)
- [Nitrate Deposition](#)
- [Ozone \(O3\)](#)
- [Regional Visibility](#)
- [Respirable and Fine Particulate Matter](#)
- [Sub-Regional Visibility](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Substantial air pollutant emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Increased use of diesel fuel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



3. Water Quality

Current and historic status of water quality standards can be found at the links below:

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Alterations to the course or flow of 100-year flood waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Alteration of the direction or rate of flow of ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Is the project located within 600 feet of a drinking water source?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



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4. Vegetation

Current and historic status of vegetation preservation standards can be found at the links below:

- [Common Vegetation](#)
- [Late Seral/Old Growth Ecosystems](#)
- [Sensitive Plants](#)
- [Uncommon Plant Communities](#)

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. A change in the natural functioning of an old growth ecosystem?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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5. Wildlife

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

Current and historic status of the fisheries standards can be found at the links below:

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Reduction of the number of any unique, rare or endangered species of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

6. Noise

Current and historic status of the noise standards can be found at the links below:

- [Cumulative Noise Events](#)
- [Single Noise Events](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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7. Light and Glare

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Cause light from exterior sources to be cast off -site or onto public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

8. Land Use

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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9. Natural Resources

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

10. Risk of Upset

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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11. Population

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

12. Housing

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Affect existing housing, or create a demand for additional housing?				
<i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i>				
1. Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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13. Transportation / Circulation

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Generation of 650 or more new average daily Vehicle Miles Travelled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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14. Public Services

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

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



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 128 Market Street
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15. Energy

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Use of substantial amounts of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

16. Utilities

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

	Yes	No	No, with mitigation	Data insufficient
a. Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Communication systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Solid waste and disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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17. Human Health

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Creation of any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

18. Scenic Resources / Community Design

Current and historic status of the scenic resources standards can be found at the links below:

- [Built Environment](#)
- [Other Areas](#)
- [Roadway and Shoreline Units](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Be visible from any public recreation area or TRPA designated bicycle trail?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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19. Recreation

Current and historic status of the recreation standards can be found at the links below:

- [Fair Share Distribution of Recreation Capacity](#)
- [Quality of Recreation Experience and Access to Recreational Opportunities](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Create additional demand for recreation facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create additional recreation capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have the potential to create conflicts between recreation uses, either existing or proposed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in a decrease or loss of public access to any lake, waterway, or public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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20. Archaeological / Historical

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is the property associated with any historically significant events and/or sites or persons?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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21. Findings of Significance

	Yes	No	No, with mitigation	Data insufficient
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

III. DECLARATION:

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

Signature:

at

Person preparing application

County

Date

Applicant Written Comments: (Attach additional sheets if necessary)

IV. DETERMINATION:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure YES NO
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures. YES NO
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. YES NO

Signature of Evaluator

Date _____

Title of Evaluator

Attachment E

Compliance Measures Checklist

Exhibit 2 - COMPLIANCE MEASURES PHASE 2 HOUSING AMENDMENTS

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed amendments make no changes to BMP requirements and implementation programs. The amendments clarify water quality protections that were intended with the Phase 2 Housing Amendments ensuring that stormwater is treated through area-wide stormwater treatment systems.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvements Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendments make no changes to policies that would impact the Capital Improvement Program for Erosion and Runoff Control.
6	Excess land coverage mitigation program: <i>Code of Ordinances</i> Chapter 30	WQ, Soils/SEZ	N	The proposed amendments do not change excess mitigation requirements.
7	Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	New subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. There is no change to limitations on new subdivisions.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	N	The proposed amendments do not impact Chapters 11, 12, 13, 14, and 21.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	TRPA's residential growth management provisions and Individual Parcel Evaluation System (IPES) will remain in effect and unchanged.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The proposed amendments do not change land coverage policies.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The proposed amendments do not change transfer of development policies.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances Chapters 30 and 61</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments will not alter existing restrictions on SEZ encroachment and vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61.
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The amendments do not change policies and provisions that require the protection and restoration of SEZs.
15	SEZ setbacks: <i>Code of Ordinances Chapter 53</i>	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, Individual Parcel Evaluation System, Section 53.9, will not be altered by the amendments.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The amendments will not modify the Resource Management and Protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will stay in effect.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The amendments do not change the rate of allocation distribution or add any new development potential.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	The proposed amendments do not change BMP implementation/enforcement.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The amendments clarify Code language that allows project applicants to have higher coverage in exchange for financial contributions to construct a new area-wide stormwater treatment system or participate in an existing area-wide stormwater treatment system.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	There are no changes to the artificial wetlands/runoff treatment program proposed.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The amendments do not affect existing provisions regarding the transfer of development from SEZs.
23	Improved mass transportation	WQ, Trans, Noise	N	The amendments do not impact mass transportation.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	N	The proposed amendments do not impact redevelopment and redirection of land use.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not alter existing TRPA Code of Ordinance provisions concerning combustion heaters, stationary source controls, sewage transport, treatment, or release, garbage or hazardous materials and waste.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
28	Effluent limitations	WQ, Soils/SEZ	N	
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	The amendments will not change BMP requirements.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	There are no changes to allowable timber harvesting requirements or permissibility as part of the amendments.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	There are no changes to outdoor recreation requirements or permissibility as part of this proposal.
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	There are no changes to off-road vehicle use as part of this proposal.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	No changes to coverage regulations or regulations related to encroachment into sensitive areas are included in the amendments.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	No changes are being proposed that would modify existing code provisions related to the shorezone or impact these compliance measures.
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	The amendments do not alter the list of exempt activities.
WATER QUALITY/SEZ – SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The amendments do not include any provisions that would impact Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore	Trans, Rec	N	The amendments do not make any changes to air quality or transportation policies or regulations.
63	Fixed Route Transit - North Shore: TART	Trans, Rec	N	
64	Demand Responsive Transit - South Shore	Trans	N	
65	Seasonal Trolley Services - North and South Shores: South Shore TMA and Truckee-North Tahoe TMA	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans	N	
68	Ski shuttle services	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities: South Y Transit Center	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to wood or gas heater controls, or stationary source controls.
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The amendments do not include any provisions that would impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The amendments do not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations (State/Federal)	WQ, AQ	N	The amendments do not include any provisions related to vehicle emission limitations established by the State/Federal Government.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	The amendments do not make any changes to open burning controls.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	The amendments do not make any changes to the employer-based trip reduction programs or vehicle rental programs described in Chapter 65.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The amendments do not make any changes to parking measures.
85	Parking Management Areas	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
86	Parking Fees	Trans	N	The amendments do not make any changes that would impact traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola.
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	
AIR QUALITY/TRANSPORTATION – SUPPLEMENTAL				
98	Demand Responsive Transit - North Shore	Trans	N	See response to Compliance Measures 23, 62 through 97, and 1-4 (Road improvements, BMPs).
99	Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities--South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities--North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements--South Shore	Trans, Scenic	N	
115	Intersection improvements--North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The amendments will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The amendments do not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of the Code.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The amendments do not alter remedial action plan requirements.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See response to Compliance Measures 43 through 50.
136	Project Review	WQ, Veg	N	The amendments do not make any changes to the project review process or compliance inspections.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See response to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	The proposed amendments do not change land coverage policies.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	The amendments are consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	The amendments do not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	The amendments do not impact efforts to conserve the Tahoe Yellow Cress.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	The amendments will not impact efforts to control or eliminate noxious weeks.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
VEGETATION – SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	See response to Compliance Measures 16 and 17 and 43 through 50.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	See response to Compliance Measures 16 and 17.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The amendments do not include any changes to the Stream Restoration Program.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	The amendments do not include any changes to existing BMP and revegetation requirements.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	The amendments do not include any changes to OHV limitations.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measure 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	See response to Compliance Measures 16 and 17.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The amendments do not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measure 14.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	See response to Compliance Measures 16 and 17.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	
166	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	See response to Compliance Measures 16 and 17.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are not being modified.
170	Compliance inspection	Fish	N	The amendments are not modifying existing compliance or inspection programs or provisions.
171	Public Education Program	Wildlife, Fish	N	The amendments do not make any changes to education and outreach efforts for wildlife and fish.
NOISE - IN PLACE				

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
172	Airport noise enforcement program	Wildlife, Fish	N	The amendments are not modifying existing enforcement programs.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	The amendments are not modifying existing ORV or snowmobile conditions.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9. There are no changes to allowed uses.
178	Vehicle trip reduction programs	Trans, Noise	N	The amendments do not make any changes to vehicle trip reduction programs. Developments may provide trip reduction strategies as part of the project in order to reduce the demand for parking.
179	Transportation corridor design criteria	Trans, Noise	N	The amendments do not make any changes to transportation corridor design criteria.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	The amendments are not modifying loudspeaker restrictions.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified by the amendments.
184	Transportation corridor compliance program	Trans, Noise	N	None of these compliance measures will be modified with the proposal.
185	Exemptions to noise limitations	Noise	N	

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	
187	Personal watercraft noise controls	Wildlife, Noise	N	
NOISE – SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of this set of amendments.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measures 10 and 18. There are no changes to the allocation of development.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	No changes to master plans requirements are included as part of this amendment.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The amendments are not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	The amendments are not altering where hiking and riding facilities are permissible. See also Compliance Measure 40.
194	Scenic quality of recreation facilities	Rec, Scenic	N	The amendments do not include any changes to provisions related to scenic quality of recreation facilities.
195	Density standards	Rec	Y	The amendments do not change density standards.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
196	Bonus incentive program	Rec	N	The amendments do not change the amount of bonus units available or where they can be distributed. The amendments respond to direction from the Governing Board during the December 2023 hearing on the Phase 2 Housing Amendments and do not result in any substantive change to the code.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	The amendments do not affect required findings.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	The amendments will not impact the Lake Tahoe Recreation Sign Guidelines.
199	Annual user surveys	Rec	N	The amendments will not affect user surveys.
RECREATION – SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	The amendments do not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan.
201	Establish fairshare resource capacity estimates	Rec	N	The amendments do not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See response to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	The proposed amendments do not change land coverage policies.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	The amendments do not change height standards.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	See response to compliance measure 84-87.

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	The amendments do not make changes to design standards and guidelines relating to signage.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	See response to Compliance Measures 16 and 17.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	The amendments do not change design standards.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See response to Compliance Measures 43 through 50.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See response to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	The amendments do not make any changes to the Design Review Guidelines. Projects will continue to be subject to the Design Review Guidelines during application review.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	The amendments do not conflict with the SQIP and are not anticipated to impact scenic ratings. The recommendations could improve scenic quality ratings as new projects undergoing redevelopment along scenic resource areas will provide an opportunity to improve scenic quality ratings.
218	Project Review Information Packet	Scenic	N	
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	N/A

ID	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
SCENIC – SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed.
222	Integrate project identified in SQIP	Scenic	N	The amendment does not include projects identified in the SQIP.

