

TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING AGENCY
(TMPO)AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, April 24, 2024**, commencing **no earlier than 10:30 a.m.**, on both **Zoom** and at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV** the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

Pursuant to TRPA Rules of Procedure, 2.16 Teleconference/Video Conference Meetings and Participation, Board members may appear in person or on Zoom. Members of the public may observe the meeting and submit comments in person at the above location or on Zoom. Details will be posted on the day of the meeting with a link to Zoom.

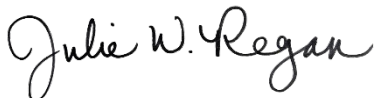
To participate in any TRPA Governing Board or Committee meetings please go to the Calendar on the <https://www.trpa.gov/> homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website. For information on how to participate by phone, please see page 4 of this Agenda.

NOTICE IS FURTHER GIVEN that on **Wednesday, April 24, 2024**, commencing at **8:30 a.m.**, at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action) (**Pages 9**); **3)** Recommend approval of March Financials (action) (**Page 69**) (*Staff: Chad Cox*); **4)** Discussion and possible recommendation for Release of City of South Lake Tahoe Mobility Mitigation Funds (\$216,481.69) and Air Quality Mitigation Funds (\$183,518.31) towards construction of Bijou Park Class 1 Bicycle Trail - Greenway Connector (action) (**Page 89**) (*Staff: Tracy Campbell*); **5)** Discussion and possible recommendation for Release of City of South Lake Tahoe Operations & Maintenance (O&M) Mitigation Funds (\$21,092.06) and Air Quality Mitigation Funds (\$54,685.35) to cover the cost of CARB compliance upgrade for Two XBroom Street Sweepers (action) (**Page 95**) (*Staff: Tracy Campbell*); **6)** Quarterly Treasurer's Report; (**Page 371**) (*Chad Cox*); **7)** Upcoming Topics (*Staff: Chad Cox*); **8)** Committee Member Comments; Chair – Laine, Vice Chair – Diss, Aguilar, Bass, Gustafson, Hill; **9)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, April 24, 2024**, commencing **8:30 a.m.**, at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Legal Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action); (**Page 13**) **3)** Resolution of Enforcement Action: Jonathan Gallegos, and Kingdom Tree Services; Unauthorized Tree Removal, 2675 Elwood Ave., South Lake Tahoe, CA, Assessor's Parcel Number (APN) 031-132-013, TRPA File No. CODE2024-0004 (action) (**Page 101**) (*Staff: Steve Sweet*); **4)** Resolution of Enforcement Action: Nader and Brigitte Panah-Izadi; Unauthorized Tree Removal, Failure to implement and maintain temporary BMPs resulting in direct discharge to the waters of Lake Tahoe, and Unauthorized Construction in the Shorezone, 255 Drum Road, El Dorado County, CA, Assessor's Parcel Number (APN) 016-300-062, TRPA Project File No. ERSP2021-0568-01 and TRPA Enforcement File No. CODE2023-0090 (action) (**Page 107**) (*Staff: Steve Sweet*); **5)** Closed Session with Counsel to Discuss Existing and Potential Litigation; **6)** Potential Direction Regarding Agenda Item No. 5 (action); **7)** Committee Member Comments; Chair – Williamson, Vice Chair – Aldean, Faustinos, Leumer, Rice; **8)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, April 24, 2024**, commencing **no earlier than 9:15 a.m.**, at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Transportation Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action) (**Pages 17**); **3)** Presentation and possible direction of the Transportation Committee Draft 2024/2025 Work Plan to include the 2050 Regional Transportation Plan update, RTP funding framework, and VMT threshold/funding milestones (action) (**Page 379**) (*Staff: Michelle Glickert*); **4)** Discussion and possible recommendation for approval of the Draft Fiscal Year 2024/25 Tahoe Metropolitan Planning Organization Transportation Planning Overall Work Program (OWP) (action); (**Page 167**) (*Staff: Michelle Glickert*); **5)** Discussion and possible recommendation for adoption of the 2024 Tahoe Metropolitan Planning Organization Public Participation Plan (action) (**Page 177**) (*Staff: Kira Richardson*); **6)** Committee Member Comments; – Chair Hill, Vice Chair – Bass, Aguilar, Hays; Hoenigman; **7)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, April 24, 2024**, commencing **no earlier than 3:00 p.m.**, (**at the conclusion of the Governing Board meeting**) at the **Tahoe Regional Planning Agency**, and on **Zoom**, the **TRPA Regional Planning Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda (action); **2)** Approval of Minutes (action) (**Page 53**); **3)** Discussion and possible recommendation for approval of the proposed Amendments to the Code of Ordinances Supporting Climate Resilience, Affordable Housing Requirements for Condominiums, and Design Standards for Mixed-Use Development (*action*) (**Page 393**) (*Staff: Jacob Stock*); **4)** Discussion and possible recommendation on the update of the threshold carrying capacities (threshold standards) for restoration of stream environment zones, SC11-SC13 (action) (**Page 463**) (*Staff: Dan Segan*); **5)** Discussion and possible recommendation on the update to the Tahoe Yellow Cress threshold standard, VP21 (action) (**Page 463**) (*Staff: Dan Segan*); **6)** Discussion and possible recommendation on the update of the Aquatic Invasive Species threshold standards, WQ9-WQ14 (action) (**Page 463**) (*Staff: Dan Segan*) **7)** Upcoming Topics (*Staff: Karen Fink*); **8)** Committee Member Comments; Chair Hoenigman, Vice Chair – Settelmeyer, Aldean, Diss, Gustafson, Leumer; **9)** Public Interest Comments



Julie W. Regan,
Executive Director

This agenda has been posted at the TRPA office and at the following locations and/or websites: Post Office, Stateline, NV, North Tahoe Event Center, Kings Beach, CA, IVGID Office, Incline Village, NV, North Lake Tahoe Chamber/Resort Association, Tahoe City, CA, and Lake Tahoe South Shore Chamber of Commerce, Stateline, NV

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|---------------------------------------|----------------------------|
| TAHOE REGIONAL PLANNING AGENCY | |
| GOVERNING BOARD | |
| Tahoe Regional Planning Agency | April 24, 2024 |
| 128 Market Street, Stateline, NV | No earlier than 10:30 a.m. |

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. 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 agenda informational items.

Accommodation: TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to participate in the meeting. Please contact Marja Ambler at (775) 589-5287 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.

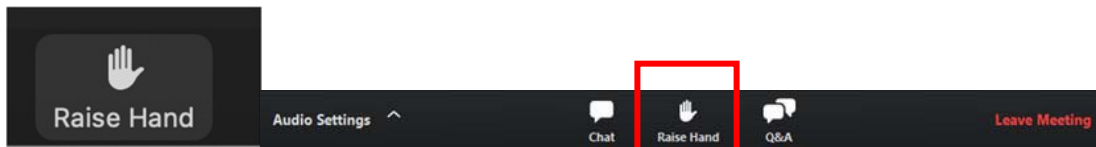
Zoom Webinar - Public Participation

To Participate Online:

1. Download the Zoom app on your computer, tablet, or smartphone.
 - The computer app can be downloaded here:
<https://us02web.zoom.us/client/latest/ZoomInstaller.exe>
 - The tablet or smartphone app can be found in the app store on your device.
2. On the day of the meeting, join from the link or phone numbers posted under the appropriate meeting date and time on the TRPA website (www.trpa.gov).
3. Ensure that you are **connected to audio** either through your computer (provided it has a microphone) or using your phone as a microphone/speaker. You can manage your audio settings in the tool bar at the bottom of the Zoom screen.



4. At the appropriate time for public comments, you will be able to “raise your hand” by clicking on the Hand icon located on the bottom of your Zoom screen **OR by dialing *9 if you are on your phone**. With your hand raised, a TRPA staff member will unmute you and indicate that you can make your comment.



To Participate on the phone:

1. Dial the call-in number posted at the calendar event for the appropriate meeting (www.trpa.gov).
2. At the appropriate time for public comments, you will be able to “raise your hand” **by dialing *9 if you are on your phone**. With your hand raised, a TRPA staff member will unmute you and indicate that you can make your comment.

If you do not have the ability or access to register for the webinar, please contact TRPA admin staff at virtualmeetinghelp@trpa.org or (775) 588-4547.

Additional Resources from Zoom:

- [Joining and Participating in a Zoom Webinar](#)
- [Joining a Zoom Webinar by Phone](#)
- [Raising Your Hand in a Webinar](#)

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES **Page 29**
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TRPA and convene as the TMPO
- VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VII. PUBLIC HEARINGS - TMPO
 - A. 2024 Active Transportation Plan **Action** **Page 181**
(Staff: Ryan Murray)

Adjourn as the TMPO and reconvene as the TRPA
- VIII. PLANNING MATTERS
 - A. South Tahoe Public Utility District, Solar Power Project, **Action** **Page 217**
1275 Meadow Crest Dr, South Lake Tahoe, California,
TRPA File Number ERSP2023-1088, Assessor’s Parcel Numbers
025-041-012, 025-051-27, 025-061-030, 025-061-031,
025-061-032, 025-061-033, 025-061-035, 025-071-022
(Staff: Paul Nielsen)
- IX. PUBLIC HEARINGS -TRPA
 - A. Amendment to the Washoe County Tahoe Area Plan **Action** **Page 263**
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
(Staff: Michelle Brown)
 - B. Resolution recognizing the environmental and community **Action** **Page 317**
benefits of supporting affordable housing for all
(Staff: Karen Fink)
 - C. Technical Clarifications to the Phase 2 Housing Ordinance **Action** **Page 319**
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 deed-restricted affordable and moderate housing
(Staff: Alyssa Bettinger)

X. REPORTS

- A. Executive Director Status Report **Informational Only**
- B. General Counsel Status Report **Informational Only**

XI. GOVERNING BOARD MEMBER REPORTS

XII. COMMITTEE REPORTS

- A. Local Government Committee **Report**
- B. Legal Committee **Report**
- C. Operations & Governance Committee **Report**
- D. Environmental Improvement Program Committee **Report**
- E. Transportation Committee **Report**
- F. Regional Planning Committee **Report**

XIII. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Governing Board on any item listed or not listed on the agenda including items on the Consent Calendar may do so at this time. TRPA encourages public comment on items on the agenda to be presented at the time those agenda items are heard. Individuals or groups commenting on items listed on the agenda will be permitted to comment either at this time or when the matter is heard, but not both. The Governing Board is prohibited by law from taking immediate action on or discussing issues raised by the public that are not listed on this agenda.

XIV. ADJOURNMENT

TRPA CONSENT CALENDAR

| Item | Action Requested |
|--|---------------------------------------|
| 1. March Financials (Staff: Chad Cox) | Action/Approval <u>Page 69</u> |
| 2. Release of City of South Lake Tahoe Mobility Mitigation Funds (\$216,481.69) and Air Quality Mitigation Funds (\$183,518.31) towards construction of Bijou Park Class 1 Bicycle Trail – Greenway Connector (Staff: Tracy Campbell) | Action/Approval <u>Page 89</u> |

- | | |
|--|--|
| 3. Release of City of South Lake Tahoe Operations & Maintenance (O&M) Mitigation Funds (\$21,092.06) and Air Quality Mitigation Funds (\$54,685.35) to cover the cost of CARB compliance upgrade for Two XBroom Street Sweepers <i>(Staff: Tracy Campbell)</i> | Action/Approval <u>Page 95</u> |
| 4. Resolution of Enforcement Action: Jonathan Gallegos, and Kingdom Tree Services; Unauthorized Tree Removal, 2675 Elwood Ave., South Lake Tahoe, CA, Assessor’s Parcel Number (APN) 031-132-013, TRPA File No. CODE2024-0004 <i>(Staff: Steve Sweet)</i> | Action/Approval <u>Page 101</u> |
| 5. Resolution of Enforcement Action: Nader and Brigitte Panah-Izadi; Unauthorized Tree Removal, Failure to implement and maintain temporary BMPs resulting in direct discharge to the waters of Lake Tahoe, and Unauthorized Construction in the Shorezone, 255 Drum Road, El Dorado County, CA, Assessor’s Parcel Number (APN) 016-300-062, TRPA Project File No. ERSP2021-0568-01 and TRPA Enforcement File No. CODE2023-0090 <i>(Staff: Steve Sweet)</i> | Action/Approval <u>Page 107</u> |
| 6. California Tahoe Emergency Services Operation Authority, Paramedic Services Building Addition and Change of Use, 3066 Lake Tahoe Boulevard, City of South Lake Tahoe, California, TRPA File Number ERSP2023-1003, Assessor’s Parcel Numbers (APN) 026-050-005 <i>(Staff: Paul Nielsen)</i> | Action/Approval <u>Page 115</u> |
| 7. APC Membership appointment for the Washoe County Lay Member, James McNamara <i>(Staff: Julie Regan)</i> | Action/Approval <u>Page 163</u> |
| 8. Authorized Personnel for Local Agency Investment Fund (LAIF) <i>(Staff: Kathy Salisbury)</i> | Action/Approval <u>Page 165</u> |

TMPO CONSENT CALENDAR

| <u>Item</u> | <u>Action Requested</u> |
|---|--|
| 1. Draft Fiscal Year 2024/25 Tahoe Metropolitan Planning Organization Transportation Planning Overall Work Program (OWP) <i>(Staff: Michelle Glickert)</i> | Action/Approval <u>Page 167</u> |
| 2. 2024 Tahoe Metropolitan Planning Organization Public Participation Plan <i>(Staff: Kira Richardson)</i> | Action/Approval <u>Page 177</u> |

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category. Four of the members of the governing body from

each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows: (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members: Chair, Cindy Gustafson, Placer County Supervisor Representative; Vice Chair, Hayley Williamson, Nevada At-Large Member; Francisco Aguilar, Nevada Secretary of State; Shelly Aldean, Carson City Supervisor Representative; Ashley Conrad-Saydah, California Governor's Appointee; Jessica Diss, Nevada Governor's Appointee; Belinda Faustinos, California Assembly Speaker's Appointee; Cody Bass, City of South Lake Tahoe Councilmember; Meghan Hays, Presidential Appointee; Alexis Hill, Washoe County Commissioner; Vince Hoenigman, California Governor's Appointee; Brooke Laine, El Dorado County Supervisor; Wesley Rice, Douglas County Commissioner; James Settelmeyer, Nevada Dept. of Conservation & Natural Resources Representative; Alexandra Leumer, California Senate Rules Committee Appointee.

TAHOE REGIONAL PLANNING AGENCY
OPERATIONS AND GOVERNANCE COMMITTEE

TRPA/Zoom Webinar

March 27, 2024

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry (for Ms. Laine) called the meeting to order at 8:38 a.m.

Members present: Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Diss, Ms. Gustafson, Mr. Ferry (for Ms. Laine)

I. APPROVAL OF AGENDA

Agenda approved.

II. APPROVAL OF MINUTES

February 28, 2024 Operations and Governance Committee Minutes

Minutes approved.

III. [Agenda Item No. 3 Recommend Approval of February Financial Statements](#)

Mr. Chris Keillor introduced the item and announced that this is his last meeting as TRPA Chief Financial Officer. He introduced Mr. Chad Cox, who will be taking over as Chief Financial and Administrative Officer for TRPA.

Referring to slide 5, Mr. Keillor provided an update on the budget status. He said that California's budget issues remain unchanged, and that all are awaiting the 'May Revise' when revenue forecasts will be revisited. On the Nevada side, Mr. Keillor noted that Nevada's biennial budget, starting July 2025, shows positive signs of job growth in light manufacturing and logistics.

Moving to slide 6, Mr. Keillor said that halfway through the fiscal year, he is becoming more concerned about planning fees which have declined. January and February are always low months, but we need to continue tracking planning fees. Mr. Keillor added that shoreline and AIS fees are in good shape for the time of year, and both will 'kick-up' as we transition to the boating season in a few months.

Mr. Keillor said that one revenue concern is related to HIT housing grants. TRPA has two HIT grants from the State of California. The larger (second) of the two grants is okay, but California has capped spending at 25% of the awarded funds for the first (smaller) grant. More than 25% of that budget has already been spent. So we have an invoice for \$60,000 that may not get reimbursed. TRPA and other agencies are continuing to work this issue at the staffing level, and all want to ensure this priority housing program gets funded.

OPERATIONS AND GOVERNANCE COMMITTEE

March 27, 2024

Mr. Keillor added that the forest service grants, where TRPA are acting on behalf of the USFS to fund approved EIP projects, are still running behind, but TRPA have just issued several contracts against those grant funds.

Moving to the revenue numbers on slide 7, Mr. Kellor said grants look low, partly due to the Forest Service grants that have just got started, and partly because we bill in arrears, so have only just started to bill for the third quarter of the fiscal year/first quarter of the year.

Committee Comments

TRPA Executive Director, Julie Regan, added that staff will be looking to California representing Governing Board members Vince Hoenigman and Ashley Conrad-Saydah for help in communicating with the Governor's Office and the Department of Finance. She added that the California Natural Resources Agency is very aware of this issue, and added that with housing being a priority, this grant is 'mission critical'. She recognized that the California budget deficit is a very severe situation across the state, and flagged that staff will likely be circling back for help to communicate the impacts to local government partners and TRPA, and to their ability to launch the next phase of work on affordable housing.

Mr. Ferry added that El Dorado County are still thrilled that the larger HIT grant is still in play for Phase 3 of affordable housing.

Public Comment

Mr. Doug Flaherty said that the PPT presentation slides were not visible on the Zoom meeting stream. (Feedback from other remote attendees advised that this was a local issue to Mr. Flaherty, and that the slides were being shown on the Zoom stream.)

Motion

Ms. Gustafson made a motion to recommend the Governing Board approve the February 2024 Financials

Ayes: Ms. Bowman, Mr. Bass, Ms. Diss, Ms. Gustafson, Mr. Ferry.

Motion passed.

VI. [Agenda Item No. 4 Release of City of South Lake Tahoe Mitigation Funds for the Purchase of Two XBroom Street Sweepers](#)

Ms. Tracy Campbell, TRPA Environmental Improvement Program, presented this request from the City of South Lake Tahoe for \$405,601.00 in Operations and Maintenance funds towards the purchase of two new XBroom street sweepers (slide 14). The new sweepers will replace two failing units, adding that the DG (decomposed granite) in our region, is very hard on these sweepers and the current units can no longer be maintained.

Street sweeping helps reduce fine sediment on roads, preventing particulates from being transported to the lake, and contributing to Total Maximum Daily Load (TMDL) load reductions.

As with all Operations and Maintenance mitigation requests, there is a requirement for matching funds from the local jurisdiction. In this instance, the City of South Lake Tahoe will meet the 1:1 match requirement with Measure S General Funds.

OPERATIONS AND GOVERNANCE COMMITTEE

March 27, 2024

Committee Comments

Committee members Mr. Ferry and Mr. Bass expressed their approval of this request. Ms. Julie Regan, TRPA Executive Director, highlighted the significance of street sweeping in reducing sediment entering Lake Tahoe. Ms. Regan also advocated that the City of South Lake Tahoe brand the street sweepers with the Environmental Improvement Program (EIP) logo to highlight their contribution to lake clarity – “Another Lake Saving Project”.

Mr. Ferry added that street sweeping has always been critically important, but as we move into this phase of the TMDL, where credits are harder to obtain, most jurisdictions are now turning to roadway operations and not just building BMPs (Best Management Practices), to obtain those credits. These sweepers are incredibly important to that effort.

Public Comment

None.

Motion

Mr. Bass made a motion to recommend the Governing Board approve the release subject to the conditions in the staff report.

Ayes: Mr. Bass, Ms. Bowman, Ms. Diss, Ms. Gustafson, Ms. Hill, Ms. Laine

Motion passed.

V. Upcoming Topics

Mr. Keillor advised that a Mitigation Fee Update and Quarterly Treasurer’s Report will be presented at the April Governing Board meeting, and that Mr. Cox will be bringing the 2025 Fiscal Year Budget for discussion and approval in the May and June meetings respectively.

VI. Committee Member Comments

TRPA Governing Board Chair, Ms. Gustafson, offered congratulations and thanks to Mr. Keillor for his incredible service to TRPA.

Ms. Diss echoed Ms. Gustafson’s comments and thanked Mr. Keillor for his many years of hard work - he will be missed.

Ms. Julie Regan, TRPA Executive Director, added that Mr. Keillor has been invaluable to the agency, who wouldn’t be where they are today – in such extraordinary fiscal shape without his efforts - clean audits, strategic thinking, and a respected fiscal agent in the Tahoe Basin for environmental restoration projects. She offered congratulations to Mr. Keillor, and welcomed Mr. Cox as his successor.

VII. Public Comments

None.

OPERATIONS AND GOVERNANCE COMMITTEE

March 27, 2024

X. Adjournment

Mr. Bass made a motion to adjourn.

Ayes: [All]

Chair Ferry (for Ms. Laine) adjourned the meeting at 9:07 a.m.

Respectfully Submitted,

Tracy Campbell

Tracy Campbell
Executive Assistant

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
LEGAL COMMITTEE

Tahoe Regional Planning Agency
Zoom

March 27, 2024

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Williamson called the meeting to order at 8:30 a.m. on March 27, 2024.

Members present: Ms. Aldean, Ms. Williamson, and Ms. Faustinos. Ms. Leumer joined at 8:32 a.m.

Members absent: Mr. Rice

I. APPROVAL OF AGENDA

Mr. Marshall stated there were no changes proposed to the agenda.

Chair Williamson deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Aldean made a motion to approve the February 28, 2024 Legal Committee meeting minutes as presented.

Motion carried by voice vote.

III. [RESOLUTION OF ENFORCEMENT ACTION: UNAUTHORIZED TREE REMOVAL, ALPINE VIEW ESTATES LLC, 6731 N. LAKE BOULEVARD, PLACER COUNTY, CA, ASSESSOR'S PARCEL NUMBER \(APN\) 117-071-053, TRPA FILE NO. ERSP2020-1404](#)

Steve Sweet, TRPA Code Compliance Program Manager, presented on behalf of the agency. The violation involved the unauthorized removal of three large trees, each over 40 inches in diameter, from the Alpine View properties. These trees were removed without the necessary approval from the Tahoe Regional Planning Agency (TRPA). Although most of the tree removal was in line with approved construction plans, the removal of these three trees was not authorized.

The TRPA determined that the removal of these trees violated certain sections of their code, which require permits for cutting live trees over 14 inches in diameter and mandate the retention of healthy trees over 30 inches in diameter unless there are no reasonable alternatives. As a result, Alpine View has accepted responsibility for the unauthorized activity and agreed to a settlement. The settlement involves paying a \$30,000 penalty to the TRPA and planting six native conifers ranging from 15 to 20 feet in height.

The presentation concluded by stating that the settlement agreement represents an appropriate response to the violation and is recommended to the governing board for approval, as it aims to

deter future violations of this kind.

Committee Member Comments and Questions

Ms. Aldean asked about the care and maintenance of the newly planted trees as part of the settlement agreement. She inquired whether there were requirements in place to ensure that the trees would be properly irrigated until they become established. Additionally, she raised a concern based on past practices, recalling a provision that required replanting trees if they died within a certain timeframe.

Mr. Sweet noted this was an oversight and that he would work with the property owner to add those requirements to the Settlement Agreement. Nick Exline, representing Alpine View Estates indicated that his client would be amenable to those additional conditions and noted that landscapers required irrigation because it's in their best interest for the trees to survive.

Ms. Faustinos asked about the location of the new trees. Mr. Sweet responded by assuring Ms. Faustinos that the trees would be located in approved areas. He mentioned that plans for the tree placement would be submitted, with assistance from Mr. Exline, who has experience in finding optimal locations for trees to provide screening benefits for future buildings. Mr. Sweet expressed confidence in their ability to work together on tree placement.

Mr. Exline added that they're working on a plan revision with the TRPA for minor elements, including incorporating the tree planting into that plan revision, which is expected to occur within the next few weeks. Mr. Exline's further highlighted that the property in question is a multi-home development situated on a large piece of land with a significant history dating back to 2009. He recalled being involved in bringing the project to the TRPA Governing Board in 2009 and subsequently working on it for many years. Mr. Exline expressed his excitement about seeing some progress, albeit slow, which he likened to glacial movement, a phenomenon consistent with the pace of developments in the Tahoe Basin.

Mr. Exline's final comments conveyed that he was representing Patrick Taylor, who wanted to express that there was no ill intent behind the unauthorized tree removal. He emphasized that there were miscommunications and inaccuracies on the plans used, particularly related to utility lines passing through the locations of the trees. Due to these misunderstandings, the assumption was made by the on-site personnel to remove the trees. However, Mr. Taylor takes full responsibility for the incident. He wanted to clarify that there was no deliberate attempt to circumvent rules but rather an error on-site. Therefore, he expressed a desire to work with Mr. Sweet, the TRPA, and the legal committee to resolve the issue promptly.

Public Comments

Ellie Waller commented as a former resident familiar with the project since 2009. She expressed satisfaction that the violation was brought forward and that the applicant agreed to replant trees at a ratio of two for one. However, she found it unacceptable to attribute some of the issue to confusion with the site plan. She expressed concern about the potential for future problems arising from misinterpretation or outdated site plans and hoped that the TRPA would take a clear stance on such issues to prevent similar occurrences in the future.

Ms. Aldean moved to recommend Governing Board approval the Settlement Agreement, as

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presented in Attachment A, with a modification to include a requirement for the replacement trees to be adequately irrigated and replaced within a specified timeframe after planting, as determined by staff.

Ayes: Ms. Aldean, Ms. Williamson, Ms. Faustinos, and Ms. Leumer

Nays: None

Motion carried.

IV. CLOSED SESSION WITH COUNSEL TO DISCUSS EXISTING AND POTENTIAL LITIGATION

TRPA General Counsel John Marshall stated there was no need to have a closed session but gave an update to the committee in Open Session on the Mountain Area Preservation Foundation litigation. Mr. Marshall reminded the Committee about the technical clarifications, as discussed in the previous meeting. These clarifications will be brought to the Advisory Planning Commission (APC) in April, specifically regarding Phase 2 housing amendments. Additionally, Mr. Marshall mentioned ongoing efforts to compile the administrative record, anticipating it to be heard by a magistrate. He mentioned an upcoming deadline in April for finalizing the administrative record. Once the administrative record is filed, it will trigger a briefing schedule according to local rules.

V. POTENTIAL DIRECTION REGARDING AGENDA ITEM NO. 4

No direction.

VI. COMMITTEE MEMBER COMMENTS

None.

VII. PUBLIC INTEREST COMMENTS

Ellie Waller expressed gratitude to everyone participating in the committee and appreciated the acknowledgment of violations being brought forward. She highlighted the importance of these instances being made public, as it sheds light on occurrences that may happen more frequently than commonly realized. Ellie also commended the public for alerting staff to such issues, recognizing the limitations staff face in monitoring every situation continuously.

VIII. ADJOURNMENT

Ms. Aldean moved to adjourn.

Meeting adjourned at 8:44 a.m.

Respectfully Submitted,



Katherine Huston
Paralegal

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording 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
TRANSPORTATION COMMITTEE

North Tahoe Event Center
Zoom

February 28, 2024

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Member Hoenigman called the meeting to order at 9:43 a.m. on February 28, 2024.

Members present: Ms. Bowman, Mr. Bass, Ms. Hays, Ms. Hill, Mr. Hoenigman.

Members absent: None.

I. APPROVAL OF AGENDA

Ms. Regan stated there were no changes to the agenda.

Member Hoenigman deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Hill made a motion to approve the December 13, 2023 Transportation Committee meeting minutes as presented.

Motion carried by voice vote. Mr. Bass abstained.

III. ELECTION OF VICE CHAIR

Ms. Hill nominated Mr. Bass to be Vice Chair of the Transportation Committee.

Public Comment

None.

Ms. Hill made the motion to elect Mr. Bass to be Vice Chair of the Transportation Committee.

Ayes: Ms. Bowman, Mr. Bass, Ms. Hays, Mr. Hoenigman.

Absent: Ms. Hill.

Motion carried.

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IV. DISCUSSION AND POSSIBLE RECOMMENDATION FOR ENDORSEMENT OF THE VISION ZERO STRATEGY

Associate Transportation Planner, Rachael Shaw, presented the Vision Zero Strategy. The Vision Zero strategy is aimed at enhancing transportation safety for all road users within the Tahoe region. Ms. Shaw emphasized the strategy's overarching goal of achieving zero fatalities and serious injuries by 2050, aligning it with existing regional transportation plans and state/federal safety objectives. She provided an overview of TRPA's role in safety and highlighted the significance of Vision Zero in addressing the region's transportation challenges. Ms. Shaw presented nine years of crash data, illustrating the human impact behind the statistics and emphasizing the need for continuous improvement. She discussed the development process of the Vision Zero strategy, including stakeholder input, crash data analysis, and equity considerations. Ms. Shaw introduced the safety countermeasure toolbox designed to assist local implementers and identified priority project locations based on crash data and community feedback. Additionally, she outlined proposed strategies for TRPA's involvement in safety promotion and highlighted engagement efforts, such as stakeholder meetings, community events, surveys, and public comment periods. Ms. Shaw concluded by emphasizing the commitment to ongoing data updates, progress reports, and integration with future regional transportation plans.

Committee Member Comments

Mr. Bass expressed appreciation for the Vision Zero strategy, acknowledging the importance of addressing safety issues despite TRPA's focus on Lake Tahoe protection. He highlighted the significance of improving safety in South Lake Tahoe, citing pedestrian fatalities as a pressing concern. Overall, he commended the efforts to enhance safety within the region.

Ms. Hill commended the team for their work on the Vision Zero strategy and expressed interest in supporting counties in applying for federal safety grants. She inquired about TRPA's role in facilitating counties' access to funding opportunities, particularly in implementing Vision Zero safety recommendations. Additionally, she mentioned pushing her county to utilize funding opportunities available through the Washoe Tahoe transportation plan. Overall, she emphasized the importance of TRPA's role as a catalyst in securing funding for counties to implement safety initiatives.

Ms. Shaw affirmed the importance of funding opportunities within the Vision Zero strategy, noting that potential state and federal grants are outlined in the strategy's appendixes. She emphasized that the strategy enables local jurisdictions, including counties and cities, to become eligible for grants such as the Safe Streets and Roads for All grants, which require a Vision Zero plan for eligibility. Additionally, Ms. Shaw highlighted that if TRPA has a Vision Zero plan in place, it allows counties and cities to apply for funding using TRPA's plan, thereby enhancing their eligibility for funding opportunities.

Ms. Hill expressed gratitude and suggested a reminder to be sent out regarding funding opportunities related to Vision Zero. She inquired about the possibility of utilizing existing resources to disseminate this information to relevant staff members involved in safety initiatives, emphasizing the importance of ensuring that all stakeholders are aware of these opportunities. Ms. Shaw confirmed staff would follow through on Ms. Hill's suggestion.

Mr. Hoenigman raised a question regarding public comments suggesting that private projects

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may not adhere to the same safety regulations as public projects. He sought clarification on the process private projects must undergo and how it aligns with safety regulations. Specifically, he singled out the mentioned discrepancy and sought to understand its integration into the broader safety framework.

Mr. Hester responded by acknowledging the need to integrate Vision Zero principles into TRPA's permitting process. He mentioned the plan to reexamine the permitting process to ensure that Vision Zero considerations are taken into account when issuing permits. This involves evaluating projects based on Vision Zero principles and making adjustments to TRPA's code where necessary to enhance safety measures. Mr. Hester emphasized the importance of this effort, citing the example of driveway design as a key area of focus. He highlighted that this initiative signifies a deliberate effort to revisit and potentially revise TRPA's approach to safety to align with Vision Zero goals. Additionally, he noted that applicants can also propose safety measures beyond those outlined in the Vision Zero toolbox.

Public Comment

Ellie Waller raised several points during her comments. First, she inquired about whether there will be a separate published implementation plan to help the public understand how the strategy translates into actionable deliverables for local jurisdictions. She also expressed concerns about user conflict and the prioritization of safety, particularly regarding slip lanes. Additionally, she suggested that Carson City should have a representative in discussions about transportation issues, citing concerns about unreported safety issues on Highway 28 and the need for broader representation. Ms. Waller emphasized the importance of addressing all types of collisions, not just fatalities, in safety statistics. Finally, she shared personal experiences highlighting the need for addressing various safety issues on roadways and encouraged others to voice their concerns about safety.

Doug Flaherty from tahoecleanair.org expressed concerns about the TRPA's approach to Vision Zero. He criticized the organization for not keeping up with the best available data and technology, particularly in addressing safety issues related to wildfires and evacuations. Mr. Flaherty suggested that the TRPA's methods are outdated and emphasized the need for a more comprehensive evaluation of roadway capacity during wildfires. He warned that failure to address these issues could result in dire consequences, including loss of funding or judicial intervention. Mr. Flaherty concluded by urging the TRPA to reconsider its approach and take decisive action to prioritize safety in the Tahoe Basin.

Gavin Feiger from the League to Save Lake Tahoe expressed support for the TRPA's transportation safety plan. He emphasized the importance of a functional and safe transportation system to achieve local and regional goals, including mode share and VMT reduction. Mr. Feiger highlighted the plan's potential to generate revenue and promote safety improvements across transportation projects. He shared personal experiences of accidents in Tahoe and commended the plan's focus on pedestrian and cyclist safety. Mr. Feiger concluded by expressing optimism about collaborative efforts to enhance transportation safety in the area.

Steve Teshara, a long-time transportation activist in the region, commended the TRPA's transportation safety plan. He highlighted its benefits, including eligibility for grant funds and opportunities to leverage work with Caltrans and other entities. Mr. Teshara provided an example of how the plan empowered the city to resist a proposed speed limit increase,

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demonstrating the leverage gained by adopting a vision zero strategy. He urged the committee to approve the plan, emphasizing its timeliness and importance.

Helen Neff from Incline Village praised Rachael Shaw and the team for their excellent transportation safety strategy, particularly highlighting the action items and follow-up methods. Ms. Neff, who was a crash victim herself, emphasized the urgent need for pedestrian safety improvements in Incline Village, citing a lack of action despite reports over the past decade. She urged continued commitment and direction from the governing board to prioritize safety and implement Vision Zero principles. Ms. Neff stressed the importance of integrating safety principles into all projects, not just transportation ones, to create safer and more sustainable communities. She warned against letting the strategy become just another report, urging active implementation to prevent future tragedies like hers.

Jason Burke, the Complete Streets Program Manager for the City of South Lake Tahoe, expressed appreciation to the TRPA staff for coordinating and integrating existing city plans and ideas into the draft TRPA Vision Zero plan. He mentioned the city's concurrent Vision Zero planning process and emphasized the importance of creating a local site-specific complementary plan aligned with the regional document. Mr. Burke highlighted that the TRPA Vision Zero plan is a required document for all local jurisdictions to be eligible for upcoming rounds of federal grant funding opportunities aimed at improving street safety. He concluded by expressing gratitude to Rachel and everyone involved for their work in the process.

Committee Member Comments

Mr. Bass inquired about the possibility of implementing pedestrian overpasses, particularly near state line by the casinos and the gondola area. He wondered if such structures had been considered. The response indicated that pedestrian overpasses and underpasses are included in the toolbox of options, considering factors like cost and crash reduction potentials. While no specific locations were identified, these structures are recommended as potential tools for improving pedestrian safety.

Julie Regan, TRPA's Executive Director, expressed appreciation for the leadership demonstrated in the transportation plan, emphasizing its critical role in coordinating with various partners and opening funding opportunities. She noted the increasing speeds on roadways, which have contributed to a rise in fatalities and injuries, making engineering solutions essential. Ms. Regan highlighted the plan's focus on addressing these realities and collaborating with partners to implement improvements at the project level. She acknowledged that transportation in Tahoe has historically been inadequate and emphasized the ongoing efforts to enhance infrastructure and transportation systems in the region. Overall, she commended the staff and partners involved in the plan's development and underscored the need for continued work to implement its strategies effectively.

Ms. Hill expressed excitement about the adoption of Vision Zero policies by TRPA, acknowledging the advocacy efforts of those who have long supported such policies in her county. She emphasized the importance of elevating these policies to the Lake Tahoe level. Ms. Hill also referenced Ms. Waller's comments regarding cell service issues and highlighted the broader significance of safety concerns, noting that any collision, whether with a tree, mailbox, or other object, indicates a problem. She referenced a transportation podcast's discussion on Vision Zero and emphasized the importance of addressing all types of collisions as societal issues. Overall, Ms. Hill conveyed enthusiasm for the implementation of Vision Zero initiatives at

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the Tahoe level.

Mr. Bass motioned to recommend endorsement of the 2024 Vision Zero strategy, including a resolution committing to a goal of zero fatalities and serious injuries by 2050, as outlined in Attachment A and Exhibit 1.

Ayes: Ms. Bowman, Mr. Bass, Ms. Hill, and Mr. Hoenigman.

Nays: None.

Motion carried.

V. DISCUSSION AND POSSIBLE RECOMMENDATION FOR ADOPTION OF THE 2023 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT NO. 7

Judy Weber, TRPA Transportation Planner, presented the 2023 Federal Transportation Improvement Program Amendment 7, seeking approval from the committee. She provided an overview of the FTIP, highlighting its purpose and the process of amending it. The amendment adds a corridor coordination project led by the Tahoe Transportation District, aimed at supporting corridor implementation efforts across multiple jurisdictions. The project is funded through the federal Surface Transportation Block Grant and will initially focus on the SR 28 corridor. The public comment period for the amendment yielded no responses. Ms. Weber outlined the approval timeline, which includes recommendation from the governing board, state approval, and final federal approval.

Mr. Bass expressed appreciation for the presentation and sought clarification regarding the approval process. He confirmed that the current presentation pertained to the 2025 F-TIP approval and inquired about the schedule for subsequent approvals, indicating an understanding that they occur every two years.

Ms. Weber clarified that the current presentation was indeed about amending the 2023 F-TIP, not the 2025 F-TIP as Mr. Bass had suggested. She explained that the process for the 2025 F-TIP would commence the following month and would involve about an 8-month development period. She anticipated returning to the board in September to seek a recommendation for approval of the 2025 F-TIP.

Mr. Bass inquired about the inclusion of State Route 89 in the future transportation plans, particularly in the 2025 F-TIP. He expressed concern about the lack of solutions for issues along Emerald Bay, despite it being one of the most visited areas. He sought clarification on the prioritization and planning process for addressing these concerns on State Route 89 in the upcoming transportation plans.

Nick Haven highlighted State Route 89 as a high priority for TRPA and its partners, including state parks, El Dorado County, and Caltrans. He mentioned ongoing efforts in advancing an environmental document for a segment of the corridor, with the completion of a corridor plan two and a half years ago. Currently, they are progressing into the environmental phase, identifying potential projects in collaboration with various agencies. Mr. Haven emphasized the need for sustained efforts to support coordination in the corridor. Regarding the 2025 F-TIP, while it's premature to determine specific projects, State Route 89 remains a priority, and efforts to finance it will likely reflect in the plan, although funding sources are yet to be determined.

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Mr. Bass expressed a preference for prioritizing State Route 89 over US 50.

Public Comment

Ellie Waller inquired about the specifics of the funding request for the proposed corridor amendment and how it would be executed. Additionally, she suggested improving public awareness of TRPA meetings by having local jurisdictions announce them and ensuring clear communication about meeting topics. She also emphasized the importance of public participation and knowing the representatives present at meetings.

Doug Flaherty of tahoe-clean-air.org emphasized the importance of environmental documents, specifically mentioning their necessity in considering evacuation capacity due to the unique circumstances of the Lake Tahoe Basin's wind and slope environment. He highlighted the need for comprehensive evacuation planning, distinct from the coordination efforts of fire and law enforcement. Mr. Flaherty urged the use of the best available data and technology for roadway capacity assessment and cautioned against overlooking the importance of addressing evacuation capacity in environmental documents.

Ms. Hill reminded the public to comment on specific items like the Federal Transportation Improvement Program, Amendment No. 7, to ensure that public concerns are appropriately considered and addressed.

Mr. Steve Teshara highlighted that the document in question is a programming document, not a project approval document. He emphasized the timeliness of the submission and thanked Ms. Weber for her service. He urged the committee to take action and recommend the document forward to keep the planning process moving.

Mr. Hoenigman made a motion to recommend the TMPO governing board to adopt Resolution 2024-___ approving Amendment Number 7 to the 2023 Federal Transportation Improvement Program as shown in Attachment A.

Ayes: Ms. Bowman, Mr. Bass, Ms. Hill, and Mr. Hoenigman.

Nays: None.

Motion carried.

VI. TRANSPORTATION COMMITTEE STRATEGY SESSION

Ms. Hill expressed excitement about the creation of the committee within TRPA, highlighting the importance of addressing transportation issues comprehensively. She emphasized the need for prioritizing projects to make roadways safer, improve public transit, and enhance access to Lake Tahoe for residents and visitors. Ms. Hill noted the recent strategy session with the TTD and the importance of clarifying roles and priorities. She acknowledged the timely nature of the discussion and expressed gratitude for the committee's formation. Finally, she handed over to Director Regan to introduce the agenda item.

Julie Regan, TRPA's Executive Director, expressed enthusiasm for the discussion and highlighted the importance of partnership and collaboration in achieving transportation goals. She

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emphasized TRPA's role as an MPO and its responsibility to reduce dependency on private automobiles, stressing the need for leadership and funding to achieve environmental standards. Ms. Regan discussed leveraging planning documents to secure funding, drawing parallels to past successes in securing federal dollars for wildfire protection plans. She outlined the committee's policy role in updating the regional transportation plan and highlighted the importance of vetting policies through the committee before presenting them to the governing board. Finally, she handed over to TRPA Staff Michelle Glickert and Nick Haven to continue the discussion.

Nick Haven provided an overview of the transportation planning program in Tahoe, illustrating the spectrum from long-range planning to project implementation. He emphasized TRPA's role in long-range planning and vision setting, as well as its coordination with partners for project implementation. Mr. Haven highlighted corridor planning and funding allocation through the Federal Transportation Improvement Program (F-TIP). He explained the interconnectedness of transportation projects and the importance of performance evaluation. Mr. Haven then handed over to Michelle Glickert to discuss upcoming planning and policy efforts.

Michelle Glickert discussed the importance of transportation planning and policy in Tahoe, emphasizing the regional vision derived from the TRPA compact, which aims to reduce reliance on automobiles. She highlighted the role of regional transportation plans in achieving this vision and outlined recent focus areas, including the Active Transportation Plan and Vision Zero strategy. Ms. Glickert emphasized the importance of public outreach and collaboration with various transit operators. She also mentioned initiatives like increasing passenger rail service and filling gaps in local agency plans. Ms. Glickert concluded by discussing future focus areas for the committee, particularly the upcoming regional transportation plan.

Nick Haven provided an overview of transportation implementation and funding efforts in the Tahoe region. He highlighted the development of a transportation action plan through bi-state consultation and the importance of the Tahoe Transportation District's regional connections plan. Mr. Haven emphasized the need for collaboration between regional and local initiatives to address transportation needs effectively. He discussed strategies for securing funding, including pursuing federal and state funding opportunities and fostering joint efforts with local partners. Haven also stressed the importance of tracking project progress and celebrating successes. He concluded by inviting feedback from the committee on areas of focus and potential improvements.

Committee Questions/Comments

Ms. Hill expressed appreciation for the detailed presentation and emphasized the complexity of addressing transportation challenges in the Tahoe region due to the involvement of various stakeholders. She highlighted the importance of unity among these stakeholders when seeking funding from federal, state, and local sources. Ms. Hill conveyed her enthusiasm for collaborating with the committee to tackle these challenges effectively and invited input from the board members.

Mr. Bass shared his experience with a transportation project involving a gondola system in South Lake Tahoe, highlighting the importance of aligning such projects with regional transportation plans (RTP) to garner support from agencies like Caltrans. He noted the relevance of the project to the compact's provision on considering light rail mass transit systems in the South Shore area. Bass expressed interest in advancing the project given its potential benefits for carbon reduction and alleviating traffic congestion, seeking guidance on how to proceed

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within the policy framework.

Nick Haven emphasized the importance of conducting feasibility studies and cost estimates for projects to be included in the Regional Transportation Plan (RTP), as required by agencies like Caltrans. While acknowledging previous support for innovation and technology in transportation, he noted that past considerations of higher-density services like light rail didn't prove feasible due to low ridership. However, he expressed openness to exploring the potential of a gondola system and suggested that conducting capacity and feasibility assessments could facilitate its inclusion in the RTP. He mentioned that while it may not immediately show up as a project, taking these initial steps would be valuable.

Mr. Bass expressed his initial surprise and encouragement upon discovering the mention of a gondola system in the Tahoe Compact's policy, suggesting that this recognition should facilitate progress in the feasibility assessment. He then shifted to discuss the importance of rail transportation, particularly for the South Shore, given its high tourism density. He advocated for including rail considerations in the region's 25-year plan, highlighting the potential for high-speed rail to connect San Francisco to the South Shore within a comparable travel time to driving. He emphasized the historical significance of rail in attracting tourists to high-altitude destinations and posed a question about how to promote the inclusion of rail in Nevada's transportation planning to benefit the South Shore.

Ms. Glickert acknowledged Vice Chair Bass's points about the importance of transit services, noting the current limitations and efforts to enhance bus services, led by Ms. Laine. She highlighted the incremental nature of progress, emphasizing the need to start with basic services and transit enhancements before moving towards larger-scale visions like a regional transportation plan. Ms. Glickert expressed optimism about the trajectory of these efforts and the potential for future discussions within the framework of the regional transportation plan.

Mr. Bass raised concerns about the exclusion of the rail line between Reno and Minden from transportation plans despite its significance for the region's goals. He questioned why other rail projects, like the proposed high-speed rail from Cheyenne, Wyoming to Fort Collins, are included on federal maps while this crucial line is not. He sought guidance on how to advocate for its inclusion in transportation plans, emphasizing its importance for regional objectives.

Mr. Haven highlighted the importance of engaging with the Nevada Department of Transportation (Nevada DOT) to advocate for the inclusion of the Reno to Minden rail line in the state rail plan. He referenced the success of previous advocacy efforts, such as with the I-80 corridor, which resulted in its inclusion in the state transportation plan with Caltrans. He suggested following a methodical planning approach, starting with building support for the concept through initiatives like Amtrak throughway buses before advancing to full rail service.

Ms. Regan emphasized the importance of elevating transportation issues to the highest levels in both states, highlighting past success through strategic engagement with transportation agencies and state leadership. She discussed the significant funding available in the regional transportation plan, including a billion dollars for unconstrained projects, which require visionary leadership to pursue. Ms. Regan mentioned past challenges with securing funding for ambitious projects like a monorail but noted the evolving technology landscape as an opportunity to reconsider such initiatives.

Ms. Hill expressed enthusiasm for Mr. Bass's suggestion, proposing to bring a feasibility study to the Tahoe Transportation District (TTD) for consideration in the next meeting and potentially

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including it in the budget for funding. She also discussed the potential for private partnerships, citing examples from Las Vegas and Los Angeles and highlighting the importance of leveraging such opportunities in Tahoe. Ms. Hill offered to communicate with the NDOT director and share updates on the progress of the proposal.

Mr. Hoenigman highlighted two key points. Firstly, he expressed interest in finding new local funding sources to replace the failed basin entry fee. He suggested incentivizing the use of transit buses over private automobiles to encourage visitors to travel to the basin without cars, potentially funding unconstrained projects. Secondly, he emphasized the need to clarify the division of labor between their committee and fire safety professionals and other agencies regarding evacuation and emergency planning, seeking to understand their role and how they can contribute to these efforts.

Ms. Regan clarified the role of their committee in evacuation and emergency planning, emphasizing that law enforcement, first responders, and the fire service are primarily responsible for evacuations during incidents. However, she noted their committee's supportive role in bringing funding to the basin for forest health projects, fuels reduction, and planning, as well as their involvement in community wildfire protection plans. Ms. Regan highlighted ongoing conversations with the fire service and law enforcement to address evacuation threats, emphasizing collaboration and support for their efforts.

Mr. Hester highlighted the priorities identified by public safety providers, including forest thinning, evacuation routes, communication facilities, and strategic wildfire planning. He noted that TRPA has been actively working on forest thinning as part of the EIP Forest Health Program and applied for a grant called Protect to address these priorities. Mr. Hester emphasized TRPA's collaboration with public safety providers and their complementary efforts to support evacuation and wildfire planning, with the acknowledgment that the public safety providers take the lead in these initiatives.

Ms. Hill expressed concern about the time spent discussing the topic, noting that the discussion had exceeded the allocated time by 40 minutes. She acknowledged that TTD had already been tasked with some of the work discussed during the last planning session. Ms. Hill sought clarification on the next steps recommended by staff or any insights needed from the board to provide direction for moving forward.

Mr. Haven outlined several key areas for future focus. He mentioned the importance of policy development, particularly regarding the active transportation plan, and emphasized the need for the governing board and committee to set a clear vision. Additionally, he highlighted the significance of being involved in the TTD regional connections strategy development and gathering input from local partners on transportation priorities. Mr. Haven also proposed exploring potential new funding streams, both at the local and federal/state levels, to support transportation initiatives. He expressed a desire for the committee to work together closely on these matters, focusing on policy development and effective implementation.

Ms. Hill inquired about the engagement with local jurisdictions regarding transportation specifics. She asked whether it was necessary for the local jurisdictions to approach the committee with specific details at this point or if such discussions were already ongoing through meetings with them.

Mr. Haven explained that the Tahoe Transportation Implementation Collaborative serves as a functional technical group comprising staff from various local jurisdictions, facilitating ongoing

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conversations. He highlighted his role in identifying topics that may warrant discussion at the committee or governing board level based on the collaborative's activities.

Ms. Hill emphasized the importance of ensuring that Eldorado and South Lake are not overlooked in the transit discussions, particularly given their individual transit initiatives. She stressed the need for their inclusion in the broader conversation, including considerations of associated costs.

Public Comment

Ellie Waller raised concerns about feasibility studies, highlighting the importance of considering infrastructure constraints. She cautioned against wasting taxpayer dollars on feasibility studies if the necessary infrastructure cannot be identified beforehand.

Ann Nichols from the North Tahoe Preservation Alliance urged transparency regarding funding sources for transportation initiatives. She emphasized the need for honesty about potential measures like a basin-wide sales tax or property liens. Ms. Nichols expressed frustration with what she perceived as secrecy and urged officials to openly communicate plans to the public. She also questioned the effectiveness of free Uber or micro-transit services and highlighted concerns about transit ridership and the allocation of funds. Ms. Nichols called for more specificity in financial disclosures and criticized the proliferation of committees and partnerships, suggesting that it obscured accountability. Finally, she emphasized the importance of informing the public about the financial implications of transportation plans and cautioned against overemphasizing tourism promotion without considering the capacity of the area to handle visitors.

Doug Flaherty from TahoeCleanAir.org expressed frustration with the TRPA's handling of agenda items, suggesting that the organization's structure forces frequent public interventions. He criticized what he perceived as evasive responses to questions about the TRPA's role in evacuation planning, stating that focusing on local law enforcement's responsibility is a diversion. Mr. Flaherty emphasized the importance of planning for evacuation capacity and implied that such analysis would reveal the limitations of growth. He suggested that recent lawsuits against the TRPA, such as the map lawsuit and those from preservation groups, would shed light on the organization's responsibilities regarding evacuation.

Elizabeth Lernhardt expressed skepticism about the Vision Zero strategy and traffic changes, stating that there is no such thing as zero risk in life. She criticized Vision Zero's goal of eliminating traffic deaths, suggesting it is an unrealistic aim promoted by organizations advocating against motor vehicle travel. Ms. Lernhardt questioned why bicyclists are unwilling to share the road and argued that the true goal of Vision Zero is to remove roads from public use. She highlighted data suggesting an increase in traffic accidents involving THC and multi-drug impairment, citing studies from various institutions. Ms. Lernhardt questioned why Vision Zero does not acknowledge or counsel against THC and multi-drug use, unlike alcohol impairment. She emphasized that there is no safe threshold for impairment from THC.

Committee Member Comments/Questions

Ms. Regan acknowledged the need to wrap up the discussion due to a crowd waiting for the board meeting. She reminded everyone to sign up for public comment for the main agenda. She

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expressed gratitude for the public comments and emphasized the importance of funding, stating that TRPA does not have taxing authority and relies on partnerships with local governments and project implementers to raise funds. Ms. Regan highlighted the transparency of the meetings in discussing funding strategies and invited any further comments from committee members.

VII. COMMITTEE MEMBER COMMENTS

None.

VIII. PUBLIC INTEREST COMMENTS

Doug Flaherty of TahoeCleanAir.org raised concerns about the East Shore Trail's impact on Lake Tahoe and Incline Village. He criticized the lack of monitoring of trail usage, suggesting that electronic devices should be installed to track the number of users, bikers, and overall activity. Flaherty highlighted issues such as trash and feces along the trail and expressed frustration with the TRPA's reluctance to gather accurate data, suggesting that it could reveal the basin's overcapacity.

Ellie Waller highlighted user conflicts on trails, using the example of bicyclists resorting to using the highway due to obstacles like strollers, dogs, and pedestrians. She emphasized the need to consider unintended consequences when designating trails for multiple user types. Ms. Waller also mentioned challenges with illegal parking and suggested that bicycle usage on the highway should be addressed as a safety issue rather than solely an enforcement matter.

Peter Fink expressed support for Vision Zero and emphasized the need for enforcement of laws related to cyclist safety, particularly the three-foot passing rule for bikes and pedestrians. He highlighted the frequent occurrence of drivers veering into bike lanes dangerously close to cyclists, attributing this to distractions like phone use while driving. Mr. Fink underscored the importance of Vision Zero in addressing these safety concerns and promoting cycling as an environmentally friendly mode of transportation. He argued that improved safety measures would encourage more people to choose biking over driving, contributing to overall environmental preservation efforts.

IX. ADJOURNMENT

Mr. Bass moved to adjourn.

Meeting adjourned at 11:39 a.m.

Respectfully Submitted,



Katherine Huston
Paralegal

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The above meeting was recorded in its entirety. Anyone wishing to listen to the recording 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

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

March 27, 2024

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chair Ms. Williamson called the meeting to order at 10:12 a.m.

Members present: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hays, Ms. Hill, Mr. Hoenigman, Mr. Ferry (for Ms. Laine), Ms. Leumer, Mr. Settelmeyer, Ms. Williamson

Members absent: Mr. Rice

II. PLEDGE OF ALLEGIANCE

Ms. Williamson led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan said there are no changes to the agenda.
Ms. Williamson deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean will provide her edits to Ms. Ambler for the January 24, 2024 minutes and Ms. Ambler will make two clerical edits to the February 28, 2024 minutes as requested by a member of the public.

Ms. Aldean moved approval of the January 24, 2024 and February 28, 2024 minutes as amended.
Motion carried.

V. TRPA CONSENT CALENDAR

1. February Financials
2. Release of City of South Lake Tahoe Operations & Maintenance (O&M) Mitigation Funds (\$405,601.00) for the Purchase of Two XBroom Street Sweepers
3. Resolution of Enforcement Action: Unauthorized Tree Removal, Alpine View Estates LLC, 6731 N. Lake Boulevard, Placer County, CA, Assessor's Parcel Number (APN) 117-071-053, TRPA File No. ERSP2020-1404
4. Appointment of Alternate to Tahoe Transportation District (TTD) Board of Directors
5. Tahoe Truckee Unified School District – North Tahoe High School Campus Modernization Improvements, 2949 Polaris Road, Tahoe City, Placer County, CA Assessor's Parcel Number

GOVERNING BOARD

March 27, 2024

(APN) 093-010-015, TRPA File Number ERSP2023-1371

6. APC Membership reappointment for the Placer County Lay Member, Kevin Drake

Ms. Williamson said two items were reviewed by the Operations and Governance Committee, one by the Legal Committee and three by no committee.

Mr. Ferry said the Operations and Governance Committee recommended approval of item numbers one and two.

Ms. Williamson said the Legal Committee recommended approval of item number three. There were two amendments recommended to the resolution of enforcement. One was to ensure that there was irrigation with the replanting of the trees and the trees stayed alive.

Board Comments & Questions

Mr. Ferry said as the chair of the Advisory Planning Commission he's thrilled to see that Mr. Drake will continue to serve as the Placer County lay member.

Public Comments & Questions

None.

Mr. Settelmeyer made a motion to approve the consent calendar

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Ferry (for Ms. Laine), Ms. Leumer, Mr. Settelmeyer, Ms. Williamson

Members absent: Ms. Hill, Mr. Rice

Motion carried.

VI. PUBLIC HEARINGS

- A. Possible findings and direction regarding Regional Plan Goals and Policies (DP-5) that guide adaptive management towards Transportation and Sustainable Communities Threshold Standard 1 (TSC1), including possible direction to amend the revenue milestone (DP-5.4.B)

Ms. Regan provided context for the presentation today. First, rewinding to the January board meeting. The board engaged in a fantastic conversation on this very topic. It was important because it allowed us to hear various points of view from all board members and staff appreciated the thoughtful and productive discussion. Last month, in her executive director's report, she provided a more elaborate update summarizing those comments.

The discussion revolved around vehicle miles traveled and the new sustainability threshold adopted by the board as part of the Regional Transportation Plan and standard setting in 2021. Following the January meeting and subsequent one-on-one meetings with board members, it's evident that everyone holds valid perspectives on this matter. We aim to respect these diverse viewpoints, recognizing that experts and policy leaders may differ on such topics.

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Staff's suggested motions for consideration today aim to harmonize these perspectives. We also express gratitude to all stakeholders engaged in this process. In the packet there is a proposal from the League to Save Lake Tahoe, among others. We've had discussions with the California Attorney General's office, representatives from the Tahoe Chamber, local small business representatives, and more. We appreciate everyone's respectful engagement in this dialogue.

She emphasized a strategic discussion point raised at the Environmental Improvement Program Committee meeting today. We deliberately highlighted our successful partnership in Tahoe in securing funding for environmental initiatives before diving into this conversation. It's crucial to showcase our proven track record of finding funding for Lake Tahoe's environment.

Our mission remains steadfast in achieving and upholding our standards through the Regional Plan. Today, we're discussing different viewpoints on how best to accomplish this goal. Our focus hasn't changed: reducing reliance on private automobiles, as outlined in the Compact. We're not changing the vision for a "Park once Tahoe" plan where visitors can park their cars and navigate Tahoe using alternative modes of transportation in concentrated town centers. However, achieving this vision has been challenging, particularly in funding mobility options like transit. Transportation, although vital, has historically received less funding within the Environmental Improvement Program. Despite not being authorized in the Lake Tahoe Restoration Act, there are opportunities at the federal and state levels to bolster transportation support.

In 2021, recognizing these challenges, they updated the approach, moving away from mere aspirational projects to actionable plans aligned with modern science and conditions on the ground. This shift was driven by discussions led by key stakeholders, emphasizing the need for tangible outcomes.

As we move forward in this discussion, it's important to maintain our commitment to implementing our goal while acknowledging differing opinions on the best approach. We believe the recommendations presented today can honor this diversity of perspectives.

TRPA staff Mr. Segan provided the presentation.

Mr. Segan will delve into the specifics of how we plan to achieve this and recommend a path forward. We're dedicated to seeing this through, recognizing the time and expertise individual board members have contributed to tackling the challenges we face in today's conditions. Since the board adopted the standard in 2021, the funding landscape has evolved significantly, which is a key aspect we'll discuss today. However, this isn't the end of the conversation. We've already scheduled further discussions at our next Transportation Committee meeting in April, recognizing the ongoing work required to launch the next Regional Transportation Plan.

Mr. Segan said the goal of the VMT Threshold Standard is to reduce driving in daily life around Tahoe. This includes making it easier to walk to the grocery store or take a bus to recreational sites. When we adopted this standard in 2021, with a 25-year timeline to achieve it, we established an adaptive management framework. Part of this framework involved reconciling differences related to milestones for funding targets and funding itself, which prompted today's discussion. After presenting it to you in January and receiving direction to revisit the framework, we've brought forward this item for further consideration.

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We examined those two individual elements of the framework on how they work together to drive progress towards our threshold standard. Today, He'll walk through each element and our progress in implementing them.

The first part of the adaptive management framework involves independent advice and technical guidance to both TRPA staff and the board. In March 2022, we convened an advisory body, with members appointed from the six jurisdictions, including Carson City, the City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, and Washoe County. Additionally, representatives from North and South Shore transit management associations, Caltrans, the Nevada Department of Transportation, the environmental community, and an at-large representative were included. Throughout 2022, this committee met multiple times to develop and approve its charter, which was brought to the board in September 2022. The charter outlines the committee's work for the upcoming year and its engagement with the board, which was approved at that time.

The next part of the independent technical advice was integrated into our reporting framework. This framework provided a mechanism to insert the advice into our existing processes. Two reports were detailed for development by the committee, along with metrics to evaluate progress towards our goal of reducing reliance on automobiles and vehicle miles traveled per capita. The reporting framework was presented to the board in March 2023, outlining three measures for transit system performance, two for bicycle and pedestrian network performance, and two for automobile framework performance. Since then, the committee has been analyzing and developing the report, due in the second quarter of this year, which will include an analysis of each metric and recommendations for overall implementation improvement.

The first of our two funding milestones is also part of the adaptive management framework. As discussed previously, the 2020 Regional Transportation Plan (RTP) forecasted a \$20 million annual funding gap starting in fiscal year 2026. Closing this gap is essential for realizing the reduction in vehicle miles traveled per person in our region. To achieve this, a proposal endorsed by the bi-state transportation consultation was needed to serve as the framework for raising funds to close the gap.

This proposal was developed with input from the Environmental Improvement, Transportation, and Public Outreach Committee with updates provided throughout its development. Finally, the proposal, known as the 7-7-7 proposal, was presented to the board.

The 7-7-7 proposal was sent to both the Nevada legislature and presented to statewide delegations at the Summit in 2022. At the June 2022 meeting, we asked the board to support this funding framework, and there were no objections.

The second funding milestone, which initiated our discussion last time, concerns the implementation of the funding strategy, scheduled to commence on December 31st, 2023. As discussed previously, the 7-7-7 framework was successfully implemented, with partners raising \$23 million, exceeding the funding target of 7-7-7 and bringing funds into the system three years ahead of the Regional Transportation Plan forecast for 2026. However, there is a need for reconciliation because of the sources that contributed to the funding within the 7-7-7 framework. The ongoing sources of funding raised were not what many originally envisioned when we wrote that funding milestone. This is a key point for our discussion, not just how much money was raised in a given year, but the different sources and our ability to maintain them going forward.

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The next part of our adaptive management framework involves milestones for progress, which can be considered the backbone of our overall implementation system. While raising money and initiating projects are important, our ultimate goal is to ensure that people are actively choosing alternatives to driving. To measure this, we established VMT per capita milestones to track our progress. These milestones assess whether people are indeed using alternatives to driving. The first milestone is due for evaluation this year. This is just a precursor of what you will see of an actual evaluation of VMT per capita within our region. This evaluation will be included in both the report from the technical advisory committee and the threshold evaluation report this year. You've already seen precursors to this in the census and overall trends data, although this isn't actual VMT per capita, but rather raw VMT data reported by the two states Departments of Transportation, to the Federal Highway Administration (FHWA) as part of the highway performance management system. The latest data available goes through to the end of 2022 and there has been an overall reduction in VMT.

The final part of our adaptive management framework involves adaptive management responses, or the actions taken if we fall short of the milestones we've established. We've discussed the milestones and the transition to a no net VMT standard of significance if the revenue milestone is not met. However, we've talked less about the different milestones we've established if we start to fall behind on our VMT targets per capita.

Our discussion today isn't about wavering on the commitment to reduce reliance on automobiles, but rather focuses on implementation strategies and the adaptive management framework to achieve our shared goal. Specifically, we're reconciling two different actions: a funding milestone established in 2021 and the funding strategy, the 7-7-7 strategy, put forward in 2022 that we're actively working under.

There are issues related to the funding strategy and management response or overall impacts. He'll touch on each and suggest the next steps if you choose to endorse the two motions within the staff summary. Regarding funding, we've had calls to review our overall approach to establish realistic milestones and continue pressure on all partners to raise sustainable funding for the transportation system. There have been questions about whether we're raising money for the right things, such as focusing on operations and maintenance for our transit system or solely on VMT-reducing elements of projects. Additionally, there's discussion around what it means for funding to be ongoing.

We have decisions to make about whether to define individual sources fitting the ongoing definition or opt for a middle ground approach, such as considering successful strategies as ongoing funds retroactively. Regarding funding, there are questions about focusing on specific projects like operations and maintenance for transit or solely VMT-reducing elements. We could engage the transportation subcommittee for further guidance on aligning milestones and funding strategies. Regarding management, discussions emerged about exemptions for public service projects and the geographic focus of triggers. There's also consideration of "no regret strategies" within land use policy to reduce VMT per capita, even without full funding. These technical implementation questions will be brought to the Transportation Committee for review. The flexibility within the committee's membership allows us to incorporate land use experts to help craft strategies and responses that best suit the region's needs. This process will involve merging the work of the Transportation Committee and the Technical Advisory Committee into a comprehensive proposal for consideration by the board. The letter from the League to Save Lake Tahoe contains a proposal that attempts to reconcile various elements, establish new milestones,

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and address the overall landscape of the region. While it may not be the final proposal, it represents the type of input and collaboration we envision as we move forward with this process.

Presentation: [Agenda-Item-No-VIA-Transportation-and-Sustainable-Communities-Threshold-Standard.pdf](#)

Board Comments & Questions:

Mr. Bass said as he's thought about in the City's "7" and the local funding source, when he thinks about the ongoing funding it is operations and maintenance that is committed to transit. He doesn't see that we're that far off of meeting \$7 million. Placer County's Transient Occupancy Tax (TOT) commitment is around \$2.2 million. The City is up to \$800,000 and Douglas County is in the \$600,000 window. Those alone are at \$3.6 million and so, we're about \$3.4 million off of reaching that \$7 million that's sustainable and committed to transit. He doesn't say that we should pull the trigger now, but that we set a goal to say that in ten months or one year figure out that \$3.4 million. Let's call it 5,000 vacation home rentals in the basin and there is no reason that we cannot tie a mitigation fee for transit to those TOT permits. For example, if it were \$1,000 per year for a mitigation fee on each VHR in the basin would be \$5 million and we're at \$8.6 million in dedicated funding. Let's not pull the trigger now, but let's not give up on the idea that we can create that funding.

The direction from this board could be to over the next year how to get that mitigation fee tied to these VHRs. He's not saying that locals still won't have a permit for VHRs as well, we do the same thing with building permits and a TRPA permit. There's no reason the same thing can't happen with the VHRs. Then we've met our goal. We know we need transit funding. He doesn't want to stop progress or pull the trigger at this point but also doesn't want to take our foot off of the gas. The VHR thing is directly tied to mitigating transit and doesn't see how you couldn't create the correlation between that mitigation fee and it directly funding transit.

Ms. Leumer asked what the board action was on the 7-7-7 formula.

Mr. Segan said the board action was brought as a discussion item and the board was asked to support 7-7-7 through a head nod and wasn't a formal vote. There were no objections to the support of 7-7-7.

Ms. Regan said at the time, we were under direction from the Nevada legislature to forward a plan that flowed out of the interim committee that ultimately then was endorsed through resolution in the Nevada State Legislature. We were vetting the Transportation Action Plan that Mr. Segan showed a slide of that had the dollars associated with the Transportation Action Plan. Staff vetted all of that at the board level and got general support in the action that Mr. Segan described.

Ms. Leumer confirmed that there was discussion only and no official action/vote was taken by the board.

Mr. Marshall said there was no official action/vote taken by the board. It was a request by the Executive Director to get a general head nod. To the degree that you want to interpret that as general support together with the fact that no one objected.

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Ms. Gustafson agreed with Mr. Bass about looking at alternative funding sources. It may vary by jurisdiction because Placer County found that the Tourism Business Improvement District (TBID) applying to recreation based activities distributes the burden on transportation more equitably and various jurisdictions might look at things differently than just vacation home rental fees. It might be a combination like we've done with the TBID which includes rentals of boats, jet skis, and bikes and other things that people are coming in through recreation traffic to use in the basin. She urged the technical review committee to look at that. In addition to the \$2.2 million of Placer County she believes we've got at least another couple of million coming in through the TBID and through special studies we're doing on transportation incentives. We need to make sure that we get the total numbers of what we're doing. Those of us in the local agencies did adopt resolutions supporting the 7-7-7 plan. She believed that most of the jurisdictions did adopt that resolution and were committed to raising the local dollars necessary to meet or exceed our share. The dilemma we've had all along is trying to identify the right sources of state and federal funding. She would like the technical review committee to also look at what is the operational deficit versus the capital because often state and federal funds are easier to raise for capital dollars. Then look at the deficit we have in operational needs to have a system that encourages people to get out of their cars.

For those of us representing the local jurisdictions, we've taken it to heart and having deadlines and targets for time reporting back is very important. It helps us in convincing our counter parts who don't represent basin interests to push for solutions. She agreed with the comments from the League to Save Lake Tahoe for having dates that are more firm for progress but isn't sure that you can realize that in six months or one year. It may take longer and would like to be more flexible on those dates. Each jurisdiction, even if the technical review committee comes up with solutions on funding suggestions that we should pursue, it's going take some time to implement those through ordinances, regulations, or other things. She wants to ensure that we don't find ourselves right back in this discussion when we're making great progress. It looks like VMT is down and we'll get the final analysis on that. We're raising more local money and getting more federal and state money and when we get on the same page, we can be successful.

She appreciated the discussion at the Environmental Improvement Program committee because it really brought it back into focus for her. We didn't do it overnight, we did it through collaboration and working hard together for long periods of time. We could charge the technical review committee with looking at these various funding sources and set milestones for continued progress.

Mr. Settelmeyer agreed with Mr. Bass and Ms. Gustafson. We have a great opportunity to increase the funds that are coming towards these projects. With that being said, we want to step on the gas but make sure we don't necessarily derail the car if we try to do a different route. There are many things we can do. We were talking about it at the Nevada Department of Conservation and Natural Resources and trying to figure out a better parking area, potentially for Spooner in order to work with Lake Link. Maybe Lake Link can help us get workers to Sand Harbor since we've had a terrible time trying to find people who want to work for \$14 an hour. We need to find better ways of transportation and to get our workers in and around the basin.

Ms. Faustinos endorsed continuing down this path of 7-7-7 and agreed with Ms. Gustafson's comments that we have to be very careful. Federal and state funds absolutely, capital costs or what we can cover with that type of funding. That does set a burden on local government but that's where operational costs will typically come from. We need to know what the boundaries

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are of all of these different funding sources and if there can be long-term solutions with state and federal funding because we have recurring appropriations for programs that have been in existence for decades. Being able to forecast that there is going to be that “sustainable” funding source through those programs is an important element. She commended staff and all the team members that have been working so diligently on this. Variances of how appropriations work at the state and federal level and even by local government is hard to predict. By history we can make some inferences and the important thing will be to have these milestones that we can check progress and don't backslide and then have to catch up with this.

Ms. Conrad-Saydah thanked the engaged members of the board and the public and others for working through all of and having meaningful conversations over many, many months. She echoed the comments that this is not an exact science and it's one that we're working on and figuring it out as economics change, tourism changes, and as demands in the area change. She appreciated that flexibility and all of us working hard together. She recognizes that our committees will continue to work at it so that annually we can meet these targets and support the needs of Tahoe. The state of California remains committed to finding this funding. We're having a lot of meetings with other agencies to try to highlight the importance of everything happening in Tahoe and bring sources of funding from a number of different agencies.

Mr. Ferry reiterated Ms. Gustafson's and Mr. Bass' comments from the locals. The idea of perhaps taxing vacation home rentals, is something we could look at. El Dorado County itself has increased Transient Occupancy Tax (TOT) appropriations towards the 7-7-7. With that flexibility the locals are committed to the dedicated funding source. But having flexibility for us to decide what our voters and board choose is going to be critical but feels that we can there.

Public Comments:

Gavin Feiger, League to Save Lake Tahoe said we've been down this road before in 2019, 2020, 2021, etc. and here we are again in 2024. You asked for a proposal, and we sent something in that we thought was pretty close to what we heard in January and then a bit last month too. It doesn't conflict with the vague staff recommendation, but instead suggests some important details. It sounds like it's still your goal from discussion we're having right now to keep the pressure on. Especially putting the pressure on decision makers outside of the basin. They have control over the funding that we need. Locally we're doing a good job bringing in funding as we've seen with the tracking. The pressure is proving effective. You're talking about these high level administrative conversations we're having when we're lobbying in Washington, DC and Sacramento the last couple weeks. If this isn't going to happen, we're not going to pay attention to it. If this could just be changed and go away, why would we spend time trying to shake the trees and look for money that everybody's looking for.

The pressure is working. There are viable identified funding sources that need pressure to get over the to get over the goal line. Locals are doing really well and love to hear these ideas. Tourism Business Improvement District (TBID) is successful. The vacation home rentals idea is pretty interesting. TRPA has a role to create consistent regulations across the lake and VHRs are probably one of the most consistent things we have right now. Without the pressure created by a deadline, state level decision makers are likely just going to listen to regions that have bigger needs, more people, and more representation, or binding requirements. We haven't had these high level discussions with the states and federal since he's been working on transportation funding for the past six to seven years. It would be inappropriate, potentially counterproductive

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to pass anything today that does not have a date and doesn't keep the pressure on. We need to preserve a deadline with repercussions. The original proposal approved in 2021 has been watered down, conflated, confused, and pushed aside. We gave a lot of concessions to the proposal we sent and at the end of the day, there has to be some kind of date with the repercussion.

Steve Teshara, Sustainable Community Advocates and in his capacity as Director of Government Relations for Tahoe Chamber. He wanted to add that the business community was on the DC trip which wasn't mentioned. Over the span of 35 years, he's been to DC 35 times. He referred to the letter that he wrote to Attorney General Bonta on behalf of business and community leaders. He's been involved at Lake Tahoe for over 40 years and from time to time the business and community leaders have been a little irritated by the actions of the Attorney General. So, we wanted to invite the Attorney General to come here personally because this is in the spirit of collaboration that we've been talking about all morning that we do. And what we hear from is the Attorney General's representatives, we don't hear from the AG himself and feels it's time that occurs.

The letter also detailed what the private and the local public sectors are doing, particularly for transit. It's probably the most accurate and up to date detail of what's happening with microtransit and in our region with the various transit services, which is a big part of the issue. From the business perspective, just like from the environmental, the Agency's, and other perspectives, transit is the key. We want to get people to be able to move around without using their private automobile, which is the fundamental principle of the Compact. The other thing that he doesn't see in the Compact is giving one state or the other more power to push the other one around. Let's have an equitable discussion between California and Nevada. VMT is complicated, is controversial up and down California and is extremely difficult to measure. What's changed at Tahoe, and there's been reference to this, is that rather than people coming to gaming or things that are involved inside of buildings, it's really about outdoor recreation. The business community has no ability to control when it's 100 degrees in Sacramento or hot in the desert and people flock to Tahoe.

We also believe in deadlines and keeping the pressure on ourselves. But we also want to make sure that everybody understands that from the local public governments and private sector, we are stepping up. We met our commitment in the first year and we intend to continue to meet our commitments. And the other partners in the 7-7-7 need to do the same. It does have something to do with operations versus capital, but we believe that we're meeting our commitment and can accelerate our commitment over the years ahead and would love to have the opportunity to meet with the Attorney General here at Tahoe and explain that to him.

Doug Flaherty, TahoeCleanair.org said you are kicking the can down the road. Adaptive management is adaptive mismanagement. TRPA has a history of adaptive mismanagement such as changing thresholds, changing timing, not holding yourselves accountable. He commented on the 7-7-7 plan in 2021 and tried to get the board to realize that those figures were already a false narrative because of the inflation that occurred at that time. By now the original figures that you've been using have probably increased by 50 percent due to inflation, yet you continue to ignore that. Somebody mentioned bringing in land use experts, what have you has been doing for 50 years? Aren't you supposed to be land use experts? Every time TRPA gets into a corner, you bring in experts on land use and planning. Somebody mentioned taxing vacation home rentals, you guys are grasping at straws. VHRs are harming the lake. That's a tax and you'll be in lawsuits

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for years over that. You've put yourselves in a corner and now have to pay the piper. You're kicking the can down the road and you all should resign because you're not looking after the lake, you're looking after your own funding. The environment hasn't been talked about here and now how do we get around the funding and some of these issues that are not accurate?

Ellie Waller thanked Mr. Settelmeyer and Mr. Bass for their suggestions. We have to take into consideration how many people are day trippers. They're not going to take a bus. Our system is not broken, it's just not fully functional and is going to take many, many, years. She drives from the Carson Valley to meetings and isn't going to be an individual that can utilize any form of public transportation to attend meetings. You have to be cautious about assessing vacation home rentals/short-term rentals because they pay fees to each local jurisdiction. Is this going to be a TRPA fee or tax and not through the local jurisdiction, so they're not getting beat up. She would like to see the letter that Mr. Teshara spoke about. This was agendized at the Tahoe Douglas Visitors Authority. He was in DC as a representative and was not held for public comment. This is an important issue addressing legislators without public input. Public input may be coming from the business community, but what about the public at large? When the 7-7-7 plan was drafted as equal splits, Carson City has really no skin in the game with some things and Douglas County is a smaller jurisdiction. These things need to be addressed before a recommendation or mandate comes through. You have to give the locals the opportunity to vet this through the public and add it to their budgets. Thank you to the League to Save Lake Tahoe for coming forward. Kicking the can down the road was resonated by Mr. Feiger of the League today and we need to have repercussions and consequences. Just kicking the can down the road is not sufficient.

Ann Nichols, North Tahoe Preservation Alliance is concerned about the confusing data. The stewardship people were saying that the traffic's down at the South Shore, but it is up 50 percent going right on State Route 28 going west. TRPA doesn't consider surrounding growth in Reno and Carson City. There's conflicting data such as population is down, but we are seeing more people in town because of COVID. Let's get some uniform data and not promote more tourism, which is what she's seeing happening. There's 20 TART Connect parked underneath the Crystal Bay Club. Is that just 20 more cars on the road now that we have a free Uber service that costs us \$6 million dollars a year and is this really helping? She wishes they'd update the data, at least Placer County tried, it's \$17 a ride. There is no cohesive plan or a holistic approach. For instance, the new project, Kings Beach redevelopment, 39 Degrees North, came forward at 75 feet in height. It has more units than the Waldorf Astoria, which will create 2,800 more trips a day. This project is probably bigger. You don't have a real plan and you're not enforcing anything. You are promoting more attractions. And there was no vote on the Tourism Business Improvement District (TBID) and the public does not understand the 7-7-7 plan. You have to educate the public about what you're intending to do.

Board Comments & Questions:

Ms. Aldean said there's no simple resolution to this and staff's proposal is a logical consequence of some unintended consequences involving the original decision made by this board with the best of intentions. The local jurisdictions have done a good job of meeting their obligations under the 7-7-7 plan. If you implement the trigger, it will punish the local governments, not the state or the federal government. We need to reanalyze this and using the Technical Advisory Committee is an excellent idea. But let's not do something again that is precipitous. She appreciated the work of the League to Save Lake Tahoe in outlining an alternative with new milestones which are important to monitor our own progress or lack of progress. A stick can be valuable, but who is it

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hurting? It's antithetical to the original plan which relies on achieving thresholds through environmental redevelopment, using the development community as a tool. She's supportive of staff's proposal today. That doesn't mean that she's diluted her personal commitment to finding a reasonable solution and identifying sources of funding that can be reliable.

We are still in progress of finding a viable solution that will meet our objectives but in a realistic way given all of the potential pitfalls having to do with the availability of funding at the state, federal, and local levels. If you overtax an activity like a vacation home rental, those VHRs may go away and you're right back to where you started. Those taxes have to be reasonable to the people who are paying them. She doesn't feel that this is ready for a decision with respect to specific milestones or dates by which certain things have to be accomplished and certain amounts of money raised. We need to step back and reanalyze this and come back with something that is flexible but also reflects our commitment as a board and a community to achieve the objectives of the Transportation Plan.

Ms. Hill doesn't feel that we are that far off from what the public wants to see. She agreed in many ways with Ms. Aldean's points. There are opportunities to raise revenue on the local level and are looking into it. She's excited that we're going to have those continued dialogues with the Transportation Committee in particular. It needs to be a public dialogue because this will be changes for people living in the basin as well as visitors to the basin. Saff's recommendation is reasonable and supports it. As long as we continue to show our commitment and that we do want to have consequences if we can't figure out the funding. She's impressed with the partners and the states for stepping up. Even the Marlette Lake interim legislative committee wants to see transportation funded.

Mr. Bass agreed that the motion or what the staff has recommended is not too far off from what is good progress but thinks that having a milestone is important. That shows if we hold the line, there will be a will to make sure that we comply with what we're saying and that is the point. He's not saying that we pull the trigger right now. Let's say that there's these few things we'd like the Transportation or technical committee to work on so that in a year finding those funding sources.

Regarding vacation home rentals, he can directly correlate that transit mitigation that needs to happen from the amount of people coming into an overnight rental. A \$1,000 per year for that business in a neighborhood has an impact on our transit. Just that one proposal would create the gap that we have. He doesn't know if that \$3.6 million is accurate, that's just what he knows about.

Ms. Gustafson said there may be more from a Tourism Business Improvement District (TBID) from Placer County. The City definitely has more. But just with the land use authority, the TRPA saying, overnight rentals are going to pay a \$1,000 annual mitigation fee, we're there. Why wouldn't we kick this out a year and we're going to get there, and we're not pulling a trigger or stopping progress, but we're also keeping our foot on the gas. He's all about the recommendations, but why wouldn't we give some direction, to make this happen so that when we set that milestone, maybe it's a year and a half, we're making it there. To him it's operations and maintenance, it is transit that we're clearly missing the gap on.

Ms. Leumer echoed Mr. Bass' comments. This was supposed to be an automatic trigger. It's important to honor the negotiations that we made with the League to Save Lake Tahoe and the

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Attorney General's office. It makes it hard for partners to negotiate in good faith if we come to an automatic trigger and then step back from it. She acknowledged all the great work that the locals have done in raising the funds. This is working, we are seeing the states step up and trying to come up with solutions. She would endorse the League's proposal to have a date to commit to. We can revisit this in the summer in terms of the report but feels that we need a date to keep the pressure on. The League is being reasonable and trying to accommodate the feedback that they've heard from the board and push this out for a year. This was on the agenda in January and am not sure why aren't considering that it is a staff proposal this time around.

Ms. Gustafson doesn't disagree with many of the comments that we've heard on both sides of this. To further Ms. Aldean's comments, what does this impact? When we say, when we pull triggers, it impacts local government, but it doesn't necessarily hurt us. It hurts their ability to achieve water quality improvements and other environmental improvements that come from the environmental redevelopment in our town centers. North Shore is quite a bit different than South Shore in many ways. We are receiving almost 80 percent of the funding that we are putting toward transportation is coming from vacation home rentals. Each jurisdiction has adopted strategies and am suggesting that we honor those and come up with a commitment like we did on how we share as locals our share of the VMT and how we achieve those goals. If we're not able to do that as a local jurisdiction then TRPA can jump in.

To date we've allowed the local jurisdictions to come up with their own formulas based on their state law and their individual circumstances to get there. If we agree with environmental redevelopment, we need to find ways to incentivize these town centers to get updated. Much of their infrastructure on the North Shore is 50 to 60 years old. Boarded up buildings and a degradation of water quality can be solved if we continue with this pressure on the locals to come up with their fair share. If the 7-7-7 model isn't the fair share, she'd like the technical review committee to look at that and recommend different percentages. She's open to additional fees for areas outside town centers or additional funding mechanisms that we need to look into. She'd like the technical review committee to get into the nuts and bolts of it to help set those timelines of what's reasonable. What's reasonable to get changes in formula funding and or allocations towards some of the big capital projects that will achieve our goals. She doesn't feel that we've kicked the can down the road. We've made incredible progress. We have more operational dollars in transportation right now than we've ever had in the Tahoe Basin in 40 years. She agreed with keeping a target out there of some sort but let's not be unrealistic.

Ms. Conrad-Saydah said deadlines are good because they hold us accountable. She's loath to remove deadlines from the work that we do. And at the same time, those deadlines do have to be aligned with our various funding calendars and opportunities to bring funding together. She's trying to thread the needle here in saying we should maintain some deadlines. We have technical committees that can give us those deadlines but does think we should hold ourselves accountable by some date certain. She's comfortable with the Transportation or technical committee being the one to hold us accountable. Again, a negotiation with the states and the work that we're currently doing right now to try to find those other funding sources along with what the locals are doing. This discussion has pushed us in the way it was supposed to and go back to find these alternative sources and accountability has made a difference and doesn't want to lose that.

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Staff Response:

Ms. Regan said Mr. Teshara's letter is posted on the website under public comments for the March 27 Governing Board meeting. As mentioned in previous meetings, whenever we're talking about funding and investments, TRPA is often in a convening and funding support role. We don't have any direct taxing authority. Everything we do is in partnership with local jurisdictions or other partners who have that taxing authority. TRPA does have mitigation fees that we collect and will talk about that in her executive director report.

The Washington DC trip had TRPA representation, the League to Save Lake Tahoe, Tahoe Fund, the Washoe Tribe Chair Smokey, the Lake Tahoe Community College, and representatives from the business community including Steve Teshara and Barton Health. The public utility districts on the North and the South Shore and the US Force Service. They saw Capitol Hill members of our congressional delegation, but also several meetings with the administration in transportation and the Forest Service. It was a wide representation and thanked Mr. Teshara for his commitment over the many decades being a great advocate for Tahoe in DC.

The Regional Transportation Plan (RTP) contains escalations for inflation in the financial analysis, the overall twenty-five-year price tag for the RTP is about \$2.5 billion dollars. In the next RTP we'll be talking about those projects and how they might change. Some costs will go up as we heard in public comment, but others will go down and some projects have changed. One example is the US 50 Highway Revitalization Project, also known as the Loop Road. That project in the RTP is \$165 to \$170 million and does not include housing relocation costs, which was well over \$100 million.

That is a segue into a common theme she's heard from you is flexibility. However the board moves forward, we need to be flexible in that we know costs are going to shift in the update of the RTP, but let's keep our foot on the pedal and not let a forcing function go to waste. Forcing mechanisms drive action and we've already seen progress so far.

In terms of the consideration for the motions, this work will move to the Transportation Committee and one of the first agenda items is to talk about dates and milestones. The board committee of transportation has work to do with the milestone and the funding and then the technical advisory committee also has a lot of work to do, connecting things with land use. There are things that we can do connecting land use policy changes to reduce the VMT per capita and those are recommendations that could flow out of that group. You'll also be hearing in our threshold evaluation report a more robust analysis of what is happening with the trend of vehicle miles traveled and the standard that we have adopted. Mr. Segan walked you through the various policies. There's more than just this trigger policy to this story. It's a complicated package that the board adopted in 2021 and we're making good on those previous policy achievements we will continue our commitment to do so.

Mr. Hester provided more detail on the land use side that Mr. Segan discussed. You already have in the budget that's been approved for this year and we're getting ready to put out a Request for Proposal Design standard for complete streets that work for walking and for stormwater. The Regional Planning Committee is having a listening session today but will be getting some proposals for mixed-use in the town centers, which is part of the land use solution that we've been talking about. And in Ms. Regan mentioned the Regional Transportation Plan/Sustainable Communities Strategy builds land use and transportation together for our requirements as a

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Metropolitan Planning Organization. There's a lot of items under way that will interface with what the technical advisory committee sees.

Board Comments & Questions

Ms. Leumer was remiss in not acknowledging what helpful partners the Attorney General's office has been. She appreciated their engagement and have been helpful for her to understand the context in the back story.

Ms. Conrad-Saydah agreed with comments by Ms. Leumer that the Attorney General's office being incredibly helpful. She agreed with Ms. Regan that we agendaize deadlines for the first transportation meeting.

Mr. Bass had a question on the mitigation fees and what Mr. Marshall's opinion is in tying that directly to transit, knowing that we don't have a taxing authority which is left to the locals. TRPA as the ultimate land use authority, could we tie an overnight rental to the mitigation and need for transit and do you see that correlation being something that we could do?

Mr. Marshall said that's something that we'd need to investigate and depends a lot on how it's structured, who it applies to, and how narrow or how broad it is. We already have mitigation fees for our mobility mitigation fee program. That would be so much on new projects but what you're talking about is on existing uses, which is something we generally don't do. It would take some further analysis to get a solid answer.

Mr. Bass said yes, if we're going to bring these back to the committees, that's great, but let's set a deadline, for example, within six months the committees are going to be back to the Governing Board with a recommendation.

Ms. Leumer said it would also be good for everyone to understand in the future if targets aren't met, if we're not making our goals, are there repercussions? What's the point of deadlines if we're not going to uphold them.

Ms. Aldean made a motion to direct the Agency to continue to support the implementation of the "7-7-7" framework while working with local, regional, state, and federal partners to refine the overall funding approach and establish appropriate milestones.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Ferry (for Ms. Laine), Mr. Settlemeyer, Ms. Williamson

Nays: Ms. Leumer

Absent: Mr. Rice

Motion carried.

Ms. Aldean made a motion to direct continued engagement with the Transportation Committee and the Transportation Performance Technical Advisory Committee and programmatic experts to adaptively manage the policy framework to address concerns raised by stakeholders and the Board, including a review of the project impact assessment process and exemption of public

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service projects. Both committees shall report back to the Governing Board with their recommendations within six months.

Board Discussion:

Ms. Faustinos asked for confirmation that this work will include assessing the projected financial obligations incurring cost escalations in the 7-7-7 formula.

Ms. Regan said that financial work will not be done in six months. It is part of the Regional Transportation Plan and will carry into 2025.

Mr. Hester said the Regional Transportation Plan has to include project list funding tools.

Ms. Leumer asked if the motion could include a date.

Mr. Marshall said the current motion has a date to report back. If that's the date, it does not have a date by which anything substantive is triggered if that's what Ms. Leumer is asking.

Ms. Leumer said yes, that's correct.

Ms. Aldean said that depends on the recommendation that comes forward from both committees. At that point when it comes back to the board within that six-month framework, included in that report will be some recommended deadlines and milestones.

Mr. Bass said one way to further that is if the Governing Board hasn't adopted the recommendations or new policy in one year, we would consider the trigger again. That gives strength to six months for the recommendations to come back gives us another six months to adopt it. And if we didn't, then the trigger would still exist.

Mr. Marshall said regarding the trigger, there's nothing in this motion that says that the conditions have been found or not found. So, it's remaining silent on whether or not that trigger conditions have occurred.

Mr. Bass said then they still exist, and should we add that in a motion that if in one year the Governing Board has not adopted these new recommendations the trigger still could be pulled because they're saying it's still there.

Mr. Marshall said the trigger is whether or not when projects come to TRPA that the standard of significance during the environmental review process is either what's currently in the Code of Ordinance or reduced to a no net VMT standard of significance. That's the consequence of not meeting the funding provision that Mr. Segan talked about. That only happens when you have a project before you or the Agency. It's kind of an abstract notion to pull a trigger or not pull the trigger. When the rubber meets the road when you push on the accelerator, is when a project decision is either before the board, staff, or the Hearings Officer. Then a decision has to be made as to what's the appropriate standard of significance. It's either going to be no net or the existing standard review for residential and tourist accommodation projects. If you want to make a finding in the abstract as whether or not the conditions have been made or not. But regardless, it will be addressed when a project that meets those conditions comes forward and is reviewed by either the Agency or the Governing Board.

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Mr. Bass said with this motion being approved, are we saying that we do not need to pull that trigger, we have met the obligations we've set forward or is it still existing?

Mr. Marshall said it still exist. We're not saying anything in particular about the conditions under which the trigger may be pulled when a project comes forward.

Mr. Bass said the with people saying we're kicking the can down the road, which does put a kind of a safeguard to say that if we're not here in a year, we are going to revisit this, and we could consider at that time that we're only going to take no net VMT projects.

Mr. Marshall said yes, you may.

Mr. Bass suggested that could be a recommendation for the motion.

Ms. Gustafson said those of them at the local jurisdiction supported the basin wide entry fee as the regional solution that would have gotten us out of this situation. Both states asked us to step down from that, which we did. And we went out and raised the local money. The reason she wants to give us adequate time and doesn't know what that date is. But she wants to see us continue with progress, is for both states to take actions that deliver the funding that they asked us to step away from and agreed to the 7-7-7 formula. She's trying to buy the state's time. That's not within our individual control, here in the basin. She urged continued collaboration as we just talked about at the Environmental Improvement Program. She doesn't mind annualized reports in which the board can take any action and make any motions they choose to do if they feel that we haven't met those standards.

She can't say how long it will take the state to adopt legislation, especially in California who has some significant revenue shortfalls. So, what can we expect from the state of California to meet their obligation? Will they have a different thought moving forward and is their legislation or funding formulas that need to be adopted at the state level. It's the same with Nevada. We need to consider what we have control of and be diligent in reporting back to the board and to our state representatives to go to work on this and find the funding necessary to meet the obligations.

Ms. Hill agreed with Ms. Gustafson. It's important that the board does not say that we're going backwards because the triggers still exist. These are going to affect all these projects moving forward. There's no change that we just heard through staff evaluation. We're not changing any policies here, correct?

Mr. Marshall said correct.

Ms. Hill said it isn't appropriate to tell the community that we're disregarding our requirement on ourselves. It still exists and it's going to affect projects. Washoe County has projects that will be coming to this board. There will be discussion and we will have to see if they meet conditions moving forward.

Ms. Aldean respectfully declined to amend her motion.

Mr. Bass said it's confusing because the last time the board met, we said we are keeping it in effect, but the motion today takes it out of effect. Is that correct? The last time we met, we said

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hold on, for 60 days there will be no new projects whatsoever. As we move forward today, we are allowing projects to be applied for that are no net VMTs. Because we're basically moving away from what we adopted in 2021 and we're saying yes, we're pulling it back to these two committees to bring back new recommendations. But we have made a move from where we were from December 31, 2023, to what we're approving today. Between that meeting and now, we said we are taking a pause, but moving from today forward, we are no longer in that pause. We are kicking what we decided in 2021 down the road and looking for new recommendations.

Mr. Marshall said there's no stay on any part of the Code of Ordinances that may be applicable to reviewing projects.

Mr. Bass said we did have that in place prior to this motion.

Mr. Marshall said we did not. It was there as a matter of fact; no projects are slated to come forward in the near future that would raise this question.

Mr. Bass said he can't support this motion because he'd like to see us keep real deadlines in place and it's hard for him to see that happening. It helps us legislatively with both states to have real deadlines.

Mr. Marshall said this motion does not change any deadline.

Mr. Bass said it also doesn't set one to say in one year if we haven't done this that we will consider going back to what we said we were going to do in 2021.

Mr. Marshall said there's not a specific deadline in the Code of Ordinances to make the finding. There's a deadline as part of the adaptive management structure, whether or not funding has been in is in place or not.

Mr. Settelmeyer said if we vote no on this motion, we will be stating that we do not want the technical advisory committee to look at these issues and determine appropriate triggers and timeframes for recommendation to the board at a later date. Some of these triggers don't appropriately hurt, per se, the bad actor or the person, or entity, state, county, city or whatever is not appropriately putting forth the money. Instead, we will potentially be just stopping environmental gains and stopping projects that are currently contributing to bad lake clarity.

Mr. Marshall said yes or no to this motion will not directly affect the criteria under which projects are reviewed. At some point a project is going to come forward that meets one of the classifications for which the trigger would have changed the standard of significance. That doesn't necessarily mean that that project can't move forward, it means it has to either have to get to the standard of no net VMT or it has to be a project.

If it's an impact, for example, it's a residential project within a town center and the impact that we're trying to mitigate is VMT and it generates additional VMT that can't be mitigated. If the project in fact is not inconsistent with achieving thresholds, which is measured by our threshold, which is VMT per capita, not just straight VMT, the board or staff can suggest that this board make conditions of overriding considerations that if, for example, there are multiple other environmental benefits and the project has exhausted it's, feasible mitigation and other alternatives then that project can be allowed to move forward. The trigger does not create a

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moratorium on projects. It creates a condition of review that has to be met. And the projects that will get cut up and probably be stopped if the trigger happens are those projects outside of town centers that create additional VMT that can't be mitigated. And that the location of the project does not promote per capita reductions in VMT.

Mr. Hoenigman said that the trigger is pulled essentially. Is that where we are today?

Mr. Marshall said no, the trigger has not been pulled. The board has not made a determination as to whether or not the conditions have been met or not met. Through these motions is choosing not to make that finding one way or the other. The finding will have to be made when a project is brought forward that has the impact that's discussed within the trigger and the standards of significance.

Mr. Settlemeyer said the motion before us is do we want the technical advisory committee to continue to look at these issues and concerns.

Mr. Marshall said correct.

Mr. Settlemeyer said if we vote no and it fails, then the technical advisory committee is not going to review this.

Ms. Regan said the Transportation Committee and its first item of business can discuss that timeline. The motion is a commitment to bring back these recommendations, which are important because they are refinements that are necessary.

Mr. Bass said it's not that he doesn't support it going back to the technical committee. He just wants to see that in one year, if we're not here as a Governing Board, we will reconsider pulling the trigger. If that's added to the motion, he can support it. He doesn't want to see us say we are not going to consider pulling that trigger. It's a political carrot that gives us what we need in both states and keeps the Governing Board on track. He'd like to see us get transit funds that are operations and maintenance that are vacation home rentals or from some other source. He's open to the time frame.

Vote on Ms. Aldean's motion made before board discussion:

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Ferry (for Ms. Laine), Mr. Settlemeyer, Ms. Williamson

Nays: Mr. Bass, Ms. Leumer

Absent: Mr. Rice

Motion carried.

VII. REPORTS

A. Executive Director Status Report

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The Summit will be held sometime during the Senate summer recess period in mid to late August. While Secretary Pete Buttigieg's current commitments may impact his availability, his presence would significantly elevate federal transportation discussions, potentially catalyzing further policy refinements. We've never had a Secretary of Transportation attend one of our summits before, but we're hopeful. This could serve as a catalyst for concluding ongoing discussions.

1) Update on the Traffic and Safety Monitoring Report for the Round Hill Pines Resort Intersection Improvement Project.

Ms. Regan said this item is related to Round Hill Pines Resort permit that was approved by the board with a permit condition to condition to come back after the project was completed with an update on safety.

Ms. Friedman acknowledged that there was a slight change to the traffic data submitted after the agenda and packet were posted, resulting in a minor update to the staff report, which was submitted via errata yesterday.

Ms. Friedman provided some background and context, especially for the new board members, as it has been a while since we discussed this project. The Round Hill Pines Resort is located in Douglas County, Nevada, off Highway 50, approximately a mile from this office. It's a popular summer day-use recreation spot providing access to Lake Tahoe operated through a concessionaire on Forest Service land. The Round Hill Pines Resort Intersection Improvement Project was deemed necessary due to the unsafe conditions of the old intersection. These conditions included limited sight distance, lack of protected turning movements, steep and narrow roadways, and inadequate stormwater management practices.

The project involved relocating the entrance 0.2 miles northward to an area with improved sight distance, adding a northbound left turn lane into the resort, creating a northbound acceleration lane, and integrating stormwater management practices. Additionally, improvements were made within the Round Hill Pines Resort, such as paved parking and enhanced circulation to accommodate larger vehicles like transit. The map illustrates the project area, with the old intersection situated at the southern portion and the new intersection to the north. Adjacent to the new intersection is Sierra Sunset Lane, a private road serving three residences and associated accessory units.

During the planning phase, concerns were raised by the property owners along Sierra Sunset Lane regarding potential adverse impacts on their access due to the relocated entrance. These concerns were addressed through discussions with the project team and were a focal point during the approval process by the Governing Board in October 2021.

As part of the approval, a condition was added to the permit, requiring the Nevada Department of Transportation, TRPA, Forest Service, and the Federal Highway Administration to meet with the residents of Sierra Sunset Lane to review their safety concerns within one year after project completion. In November 2021, the project team met with the residents to further address their concerns, which had been raised at various stages of the planning process.

Now, we're here to discuss the traffic conditions within the project site. NDOT analyzed a 0.72-mile segment of Highway 50, including the project area and buffers on both sides. They examined annual average daily traffic counts and accidents before (in 2021) and after (in 2023) the project.

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Prior to the project, there were 21,100 annual average daily traffic counts, which remained relatively unchanged after the project at 29,000. This was expected given that the project did not alter site usage or increase capacity significantly. Before the project, there were four accidents (indicated by red stars on the map), whereas after the project, there were two accidents (blue stars), representing a 50 percent reduction. This reduction brings both property damage-only and injury crashes below the Nevada state average, whereas the four accidents prior to the project were above the state average for a road of this nature.

Board Comments & Questions

Ms. Aldean said as shown on the map, the accidents that occurred after these changes were not directly adjacent to the entrance to Sierra Sunset Lane, they were before and after that entrance. Those changes in configuration did not contribute adversely to the recorded number of traffic incidences.

Ms. Friedman said that is correct.

(Executive Director Report continued)

Ms. Regan said during the Environmental Improvement Program Committee meeting, we extensively discussed the Lake Tahoe Restoration Act as the federal share vehicle of the Environmental Improvement Program and the commendable efforts of Team Tahoe in the nation's capital. We have a photo of the members of that team and can add a caption with all the organizations and representatives to ensure transparency with the public.

It was a wide swath of our community. The meeting was historic in many ways because of the diversity of the Team Tahoe group. Also to have the Chairman of the Washoe Tribe of Nevada and California as a key presenter at our press conference was a significant highlight. The Washoe Tribe participated in the kickoff of the Environmental Improvement Program and is a signatory of the Memorandum of Understanding that established the Environmental Improvement Program in the late 1990s. The Chairman expressed a commitment for the tribe to remain engaged, if not more so, in future endeavors. As TRPA staff, we are pleased to collaborate with the tribe in executing the EIP and get the tribe more engaged in projects such as Meeks Bay.

It was a good opportunity for Lake Tahoe to make a splash in the Capitol, amid various competing priorities, was remarkable. We had member-level participation, including senators, house members, and their staffers, all of whom play crucial roles in matters concerning the lake. We extend our gratitude to all who supported these efforts and look forward to continued progress, particularly with the extension of the Lake Tahoe Restoration Act, which will allow us to address other vital needs in transportation, sustainable recreation, and public access.

During the during the Operations and Governance Committee meeting we discussed mitigation funds. These funds are returned to local jurisdictions to support various initiatives, such as purchasing street sweepers, building bus shelters, or contributing to environmental improvement programs to meet our environmental thresholds. One significant project discussed was the acquisition of the Motel 6 property on Highway 50, a target of the California Tahoe Conservancy for decades. With a willing seller and a coalition formed, the property was acquired for public benefit, particularly to restore the adjacent river and wetland area. This acquisition holds immense importance for water quality, public recreation, scenic resources, and habitat restoration efforts. Collaborative projects like these, involving partners from various agencies,

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are crucial steps toward improving lake clarity and habitat in the basin. This endeavor signifies our commitment to environmental stewardship and the preservation of Lake Tahoe's natural beauty for generations to come.

The California Tahoe Conservancy pulled funds from various sources, including the state of California, multiple funding sources, private contributions from philanthropy, such as the League to Save Lake Tahoe and the Tahoe Fund. TRPA also collected \$3.5 million of mitigation funds from projects over the years to support this acquisition. The Conservancy executed an impressive real estate deal, which was complex and involved managing the transition from the Motel 6 property to restoration efforts. This aligns with the goals of the regional plan, focusing on removing development from sensitive areas. While transitioning people out of the Motel 6 and demolishing the structure presents challenges, the process will be transparent moving forward. This acquisition marks significant progress toward our regional plan goals and demonstrates effective collaboration with our partners.

Looking ahead, we have exciting topics for the upcoming board retreat on May 23rd, although the location is yet to be finalized. The April agenda includes discussions on a solar project from the South Tahoe Public Utility District, the Climate Dashboard, our Active Transportation Plan, and the update of our Regional Transportation Plan. Additionally, we'll have a forest health update as we approach the upcoming wildfire season.

Ms. Regan welcomed new Chief Financial Administrative Officer, Chad Cox. Mr. Cox brings a wealth of experience from the private sector and a strong commitment to community engagement. She acknowledged Chris Keillor, who has served TRPA for 12 years as a steady leader and a respected financial manager. His dedication and professionalism have been invaluable to our agency's success and will be greatly missed. His expertise and leadership have been instrumental in advancing TRPA's mission.

Board Comments & Questions

Ms. Aldean worked with Mr. Keillor very closely over the years as a former chair of the Operations and Governance Committee. Chris' steady leadership and his unwavering commitment resulted in fiscal accuracy, which is a quality that every member of the committee appreciated.

Ms. Hill said it's been an honor to work with Mr. Keillor. He's a consummate professional and appreciated the time that he took to go to the Governor's chief of staff to support funding for TRPA this last session. Without his knowledge and background, we wouldn't have had such a successful meeting.

Ms. Williamson echoed other commenters. His complete grasp of the budgets, the numbers, and always being calm, cool, collected and professional has served this agency well.

A. General Counsel Status Report

No report.

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VIII. GOVERNING BOARD MEMBER REPORTS

Mr. Bass said there's been some comments from one of the City of South Lake Tahoe's council members about the Motel 6 project. Four of the council members highly support this project and see it as a great opportunity. They've already relocated the employees that were living at the motel.

Mr. Bass at a previous meeting he asked about agendizing a discussion around looking at the residential units of use on vacation home rentals compared to the tourist accommodations or a new TAU that would apply to those. As we're looking at funding it would be good to have both of things happening simultaneously.

Mr. Hester said staff is addressing scalable development rights which includes that as part of the Phase 3 Housing Strategic Priority.

IX. COMMITTEE REPORTS

A. Local Government Committee

No report.

B. Legal Committee

No report.

C. Operations & Governance Committee

No report.

D. Environmental Improvement Program Committee

Ms. Faustinos said the committee received an update on the Lake Tahoe Restoration Act extension. They hope to have a virtual field tour or a trip out into the field to see Environmental Improvement Program project sites at their May meeting.

E. Transportation Committee

No report.

F. Regional Planning Committee

No report.

X. PUBLIC INTEREST COMMENTS

Steve Teshara, Sustainable Community Advocates and the Tahoe Chamber provided a preview of a comment that he'll be making at the next Transportation Committee meeting. It's unfair that this trigger discussion only has a trigger on one sector. He appreciated the comment by a board member about who we are punishing and why are we punishing.

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John Messina said you do a lot of good work and it's a lot of effort but in 55 years, you've not addressed one of the most significant housing problems in the entire basin. And he's beginning to feel like your nimby's because it's right in your backyard. Douglas County used to have 50 affordable housing units for their entire county down the street, but they allowed them to go to market rate housing. Right now, there are 4,000 people living in South Lake Tahoe and working at jobs in Nevada because there is not sufficient affordable housing in Douglas County. It's displacing our workers from our city who are now asking us to build housing for them because Nevada's workers are living in our housing. You need to stop dumping the responsibility for the housing on all these little communities that aren't creating it. The large field right across from the new events center would be perfect for building large affordable or workforce housing. Instead, you're looking at all these other little towns who are putting up ugly buildings. We just put up a 428 unit housing unit in South Lake Tahoe that looks like a dump, high density slum. Nobody's doing anything about the casinos here in Douglas County.

Doug Flaherty, TahoeCleanair.org raised awareness on the part of the public regarding the East shore Corridor Plan which runs from Incline Village to Cave Rock. A slogan being created is "Keep the East Shore true, say no to Trail Two." Trail two is next segment of the Corridor Management Plan from Sand Harbor to Thunderbird. It was approved under a sham TRPA desktop environmental checklist. That checklist and the US Forest Service environmental assessment was created before we had data on the number of east shore trail users. It indicates a significant increase in VMTs from 1,000 data counts a day to 3,400 data counts a day on the East Shore trail. That trail will run along the lake in the shorezone and should be moved to the other side of the highway like the first part of the East Shore trail. To the Nevada contingent, please try to keep what was once a pristine east shore. There's a lot of new information that has surfaced since that environmental checklist was completed. He wants to make it a corner piece of TahoeCleanair.org to get that section of the trail moved to the other side of the highway.

Many of the past Advisory Planning Commission agendas have been in violation of the Nevada Open Meeting Law.

XI. ADJOURNMENT

Mr. Bass made a motion to adjourn.

Vice chair Ms. Williamson adjourned the meeting at 12:36 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

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
REGIONAL PLANNING COMMITTEE

TRPA/Zoom

March 27, 2024

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hoenigman called the meeting to order at 1:10 p.m.

Members present: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman Ms. Leumer, Mr. Settelmeyer

I. APPROVAL OF AGENDA

Mr. Hester stated there are no changes to the agenda.

Mr. Hoenigman deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Aldean moved approval of the January 24, 2024 as presented.

Motion carried by voice vote.

III. 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 (APN) 093-010-015, TRPA File Number ERSP2023-1371

Mr. Hoenigman said the committee has received a lot of public comments both for and against.

Mr. Hester said this is an amendment to allow land uses that would permit schools to use churches with a special use permit. We're not voting on specific school projects at churches; rather, this is a plan amendment. Approval of this amendment would pave the way for future projects. Currently, St. Francis of Assisi Church seeks to establish a St. Clare Montessori School. They've been granted a temporary permit expiring in September 2024. Similarly, Village Presbyterian wants to have Village Christian Academy, with an application pending. The fate of these projects' hinges on the approval of the amendment. If this passes, it will be forwarded to the Governing Board. There's been a deviation in the process sequence. This committee discussed the matter in September 2023 but couldn't present it to the Advisory Planning Commission before bringing it back here today. The next steps include an April 10th discussion at the Advisory Planning Commission and a decision by the Governing Board on April 24th. Approval today would only enable these applications to proceed, subject to obtaining a special use permit, typically that happens at the by the Hearings Officer and can be appealed to the Governing Board.

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Ms. Brown, TRPA, and Ms. Weiche, Washoe County provided the presentation.

Ms. Brown said the proposed change would permit an additional land use for kindergarten through twelfth-grade schools on sites that are 3 acres or larger, with a special use permit, in the Wood Creek regulatory zone. TRPA staff have prepared a staff report summarizing this proposed amendment, which has been determined to be in compliance with the TRPA Regional Plan and in conformance with the Code of Ordinances.

This item is scheduled to go to the Advisory Planning Commission on April 10th and then to the Governing Board on April 24th. It's important to reiterate that today's discussion is not about approving specific projects but rather a request for a zoning amendment to an area plan. However, there are currently two active temporary use permits within the Wood Creek zoning regulatory zone that would be affected by this proposed amendment. One is for the St. Clare's Montessori School located on St. Francis's Assisi's property, which is currently operating under a six-month extension expiring on September 7th, 2024. If the proposed amendment is approved, a special use permit will be required for it to continue beyond the extension.

The other active temporary use permit was granted to Village Presbyterian Church in November 2023 to establish the Village Christian Academy on their site. Again, if the proposed amendment is approved, a special use permit will also be required for the church to continue this use.

Ms. Weiche, Washoe County said the subject request involves amending the Washoe County Tahoe Area Plan, Section 110.220.275 Wood Creek Regulatory to include kindergarten through secondary school use types as permitted with a special use permit on parcels equal to or greater than 3 acres within the Wood Creek regulatory zone. This would encompass kindergarten, elementary, and secondary schools serving grades up to 12.

The Wood Creek regulatory zone is highlighted in bright green on the map, located west of Mount Rose Highway, south of College Drive, east of Village Boulevard, and north of Tahoe Boulevard. It is one of 16 residential regulatory zones within the area plan, primarily focusing on single-family dwellings but allowing for other use types such as multi-family and public service uses.

The request for the amendment follows a series of public outreach efforts and processes. A community meeting was held in June of the previous year, attended by approximately 20 individuals who expressed concerns including traffic, noise, parking, environmental impacts, fire safety, and potential negative impacts on existing public schools.

In September 2023, TRPA held a meeting where they received nearly 100 written comments, with approximately 36 in opposition and 55 in support of the amendment. The Washoe County Planning Commission held a public hearing in November 2023, where they unanimously voted to recommend approval of the development code amendment to the Washoe County Board of County Commissioners.

The proposed amendment is intended to address the needs of St. Clare's Montessori School and Village Church, which have been operating under temporary permits and seek to establish permanent locations for their schools. The amendment would require obtaining a special use permit through a site-specific review process to address potential adverse impacts on surrounding land uses, transportation systems, public facilities, and environmental resources.

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The verbatim language of the proposed amendment includes adding schools' kindergarten through secondary as permitted with a special use permit on parcels equal to or greater than 3 acres within the Wood Creek regulatory zone. This language clarifies that the special use permit process involves neighborhood notification, a neighborhood meeting, and a public hearing, both at Washoe County and TRPA.

Since June of the previous year, there have been over 200 public comments received, with a mix of support and opposition. Public concerns mainly revolve around traffic, noise, parking, environmental impacts, fire safety, and potential negative impacts on existing public schools. No concerns or comments in opposition were received from Washoe County departments or agency partners.

Presentation: [Regional-Planning-Committee-Agenda-Item-No-3-Washoe-County-Tahoe-Area-Plan-Amendment.pdf](#)

Committee Comments & Questions

Ms. Aldean said TRPA's conformity review response regarding uses in established residential areas says that the requirement is to preserve the character of established residential areas outside of centers. She understands that one of the applicants is proposing to bring in modular buildings, how does that square up with maintaining community character?

Ms. Weiche said that's the first she's heard of that and is because Washoe County doesn't have a special use permit application. The county has not had an opportunity to review design or materials or how they plan to address parking, etc. with the proposed additional use at these sites. At that time, they'll review to ensure consistency and is complementary to the existing residential environment in that regulatory zone.

Ms. Aldean said it's alleged by one of the commenters that some of these temporary buildings have already been moved on to the site with or without Washoe County's permission.

Ms. Weiche said that might be in response to the temporary use permit. It's not uncommon for schools to bring in modular style classroom units. It may be temporary solution until they have assurance that they'll have long term use. Any modular unit would have to be permitted through the county.

Ms. Aldean said that would have potential coverage implications and will this project come back to TRPA for review?

Ms. Weiche said it would be subject to a special use permit by both TRPA and Washoe County.

Ms. Brown said a lot of the comments were pertaining to the potential project that would come from this area plan amendment and today is just looking at the land use zoning amendment.

Ms. Aldean said the conformity review indicates that there is no problem with the amendment but implicates the project.

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Mr. Marshall said there is a subsequent decision making process. If it's a special use permit under TRPA rules it would have to go to the Hearings Officer. At that point, you would look at the design of the project for consistency with the character as one of the special use findings. It's those special use findings that allow you to make that finding of conformity at this amendment level because that would have to be an affirmative finding at the project level.

Ms. Aldean said only if the Hearings Officer decision is approved and appealed to the Governing Board.

Mr. Marshall said it's correct that it would go to the Governing Board.

Ms. Aldean asked if the secondary St. Clare's Tahoe facility is closing in Kings Beach.

Ms. Weiche said her understanding that where they were previously operating was on the California side and were looking for a new location.

Ms. Aldean said that could compound VMT and should have subsequent review and consideration if parents are driving their children to Incline Village from California.

Mr. Marshall said those are project level concerns and related to the findings today.

Ms. Aldean suggested that Washoe County take that into consideration as they go through their special use permit process.

Ms. Lane, DOWL represents St. Clare's and the Church on the proposed code amendment request to Washoe County. If approved, St. Clare's and Village Church will be submitting a special use application. At this time, both of those special use permit applications are to operate those schools within the existing building. If there was an expansion of the building footprint it would require an amendment to that special use permit. Although, that is not in the current plans for either of these special use permit applications. There is no modular unit on site, it is a temporary storage that has been approved on St. Clare's to house educational materials during the summer months.

Ms. Lane said there's never been two locations for the school. One was closed because the lease was not renewed. They obtained a temporary use permit and have been operating of the current location at St. Francis for the last two years. Regarding the concern that the school will increase traffic to Incline Village by serving out of town communities. That is not true. Of the 42 students enrolled in St. Clare's, 37 of them are Incline Village residents.

Public Comments:

Tim Gilbert, applicant for the Village Church said the motive in doing this is to teach children about Jesus Christ and have a relationship with him. And part of that relationship is to be good neighbors. These churches have been here a very long time and have been good neighbors. Any comments from the from the neighborhood are acted upon immediately.

Shawn Comstock, 30 year resident of the Wood Creek neighborhood on Mount Rose Highway. They've been great churches until there was more and more traffic and school noise. The neighborhood is outraged by proposed zoning changes to allow two churches within a block of

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each other on our fire evacuation road to expand their schools. One of which plans to drop the modular buildings in an already crowded parking lot. We submitted a signed petition of over 60 neighbors and are concerned about increasing noise, hazards due to illegal overflow parking, and reduced property values. She has pictures of the last two years with the four temporary permits that have been granted. Wood Creek is a neighborhood of single family residential. You don't change zoning to accommodate a few handfuls of families. No one is opposing these churches' rights to develop faith-based private schools, it's just where the location is on our fire evacuation route within a block of each other. Both schools have been operating under severely limited use of existing infrastructure. Both have been operating under ongoing temporary permits by the TRPA, which has become nightmare. They have joined forces both wanting to expand pre-K through 12 with each campus holding up to 120 students each. They've hired DOWL Engineering and have concluded this rezoning was justified as a public service and there were no adverse effects.

Developers of Incline Village had well laid out plans as to where schools would be located and sold properties based on this zoning. A recent St. Clare school update outlines plans to establish modular classrooms. In the past, assurances were made by the Catholic Church that this would not occur, that this is only going to be a temporary spot into they find a good place to expand their schools. There were six months of temporary operating permits granted by TRPA and it's been two years now. Residents complain that these churches condone illegal parking along Mount Rose Highway, Kelly Drive and McCourry Boulevard. It's only a matter of time that someone will get hurt, ran over or killed. There's also a runaway truck ramp right across the street from the church where we've had two deaths.

Will Phillips said there are no modular units being used for schooling. What the previous speaker may be referencing is some church storage. Regarding the comment about maintaining community character. These churches are at the edge of the zone near the highway and not in the neighborhood. They are part of the character of the community and are not changing or impacting the community character. He supported this permit. This is about two monolithic community issues: Religious freedom and school choice. The permits aren't going to aren't going to say religion specifically, but the impact is unmistakable. This permit is essential to preserving both for the families of Incline Village. The concerns of a handful of homeowners about their property values are valid and should be heard but there is no safety issue here. There have been children at these locations for decades. In supporting the public good where there is conflicting interest, we must look at the greatest good for the greatest number. And that is the idea that government action will never make everyone happy. But allowing for K through secondary education in the Wood Creek Regulatory Zone supports the greatest good for the greatest number of people in our community. It doesn't just add schools, it allows us to go from no options for faith based education to having the ability to educate our children. This isn't about bringing kids in from out of town, it's about supporting a community need and no one's being bussed in.

Debbie Larson, 25 year full-time resident of Incline Village. She supported the proposed amendment. Characterizing that this will suddenly pose safety dangers is an exaggeration. Approving the rezoning would not have a significant impact. St. Francis has been in the neighborhood for nearly 60 years. It is part of the existing character of the neighborhood that drew many of the residents to the neighborhood in the first place. While the parish has not always had a school, it has had religious education on site for decades involving dozens of children. In addition to religious education classes, the church has held weddings, funerals,

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concerts, and weekly masses. There's never been to her knowledge a traffic incident related to the church. And neighbor complaints have been rare except for a very vocal few. St. Clare's director said they have a fully vetted emergency operation plan that has been reviewed by local police and fire and are confident they can respond in an emergency or evacuation situation. Thirty Seven of the 42 families live in Incline Village. We already have a school zone because there was the elementary school on Southwood Boulevard.

Peter Larson, 25 years old that has lived here his entire said he's supportive of this amendment. Parking on the shoulders of Mount Rose Highway has not been any school staff or parent, it's only been members of the church. They received a noise complaint a couple of weeks ago from a Mariachi band that was playing for a funeral here. The root of this comes down to school choice. The opposition is pushing this idea that they're not against faith-based education, but just not here. If you are for school choice and faith-based education, it has to be at the church.

AnnMarie Lain, DOWL said that this proposed development code amendment is a direct response to the increased interest in private schooling and the limited regulatory zones in the Tahoe Area Plan that allow for school use. Until 2021, private school enrollment across the state of Nevada averaged at about 20,000 students. In the 2021-22 school year we saw a drastic increase of 1,466 enrolled in private schools across the state, which was a 7.6 percent increase in private school enrollment compared to the previous year. That growth repeated at approximately the same rate for the 2022-23 school year which added another 1,506 students enrolled in private schools.

The average student teacher ratio in Nevada's private schools is just under 12:1. Regarding the traffic concerns, DOWL traffic engineers prepared a trip generation review for the Wood Creek Regulatory Zone to compare expected trip generation of the K through 8 school with existing generation of a daycare center/preschool. Private school K through 8 educational facilities operate very similar to daycare centers on a daily basis. This review concluded that adding a school land use to the list of acceptable special use permit land uses would be consistent with currently allowed uses. The proposed amendment does not include any provisions or changes that would alter the special use permit process to evaluate traffic at a site and project level to ensure transportation, parking, and traffic generation consistent with the expected applicable limitations and regulations. Future projects implemented under the proposed amendment would require a traffic and parking plan to ensure all the regional and local requirements are met.

Conditions of approval for a special use permit can include restrictions on student capacity and hours of operation. The proposal would not alter requirements related to noise levels nor would it alter the community noise equivalency level standards as set forth in the existing area plan. The special use permit process would require additional review to consider the potential proposed uses to create increases in noise. The proposed amendment promotes the purpose of the Tahoe Area Plan by supporting the general welfare of the community, lessens traffic congestion by providing a mechanism to allow faith-based education to establish this within the communities that they serve and facilitates the adequate provision of schools and promotes the social advantages gained from an appropriately regulated use of land.

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Committee Comments & Questions

Ms. Weiche clarified her earlier statement about no public comments being made during the last Regional Plan Implementation Committee meeting. There were no comments in opposition and about ten comments in support.

Ms. Leumer asked for clarification that this is an amendment about zoning to allow schools and is not project specific or is not about religious choice or school choice.

Mr. Marshall said correct. There's nothing in the proposed amendment that makes a distinction between public, religious, or private schools. But you can anticipate that the two school's religious schools that are currently operating under the temporary permits would then come in and apply for permanent status under these under this change.

Ms. Aldean said for the checklist to find that the proposed amendments would not result in significant effects on the environment is correct that the amendment would not unless the amendment is acted upon through the project review process. Then our analysis may be different. There is a nexus between approving an amendment which permits a project that could have environmental impacts. Just adding these uses to this particular geographical area, does not have an environmental effect but it doesn't discount the possibility that the project itself may have environmental consequences.

Mr. Marshall said correct. As a way of determining the impact of the plan change, you must consider what projects would result from the change from the code change or the plan change because that's how you determine the impacts associated with that change. When you do that, you can reasonably assume that those projects coming forward will comply with all requirements, including the special use findings for compatibility, for example. Then you can base your determination that there's no significant effect on the conditions that the individual projects under that code section would have to meet.

Ms. Aldean said some of those environmental consequences are currently unknown because we don't understand the full scope of the project.

Mr. Marshall said you can make reasonable assumptions that those projects will comply with the rules in effect and if one of the rules is that the project won't go forward unless it's compatible with the neighborhood then you can rely on that.

Ms. Aldean 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.

Ayes: Ms. Aldean, Ms. Gustafson, Ms. Leumer, Mr. Settelmeyer, Mr. Hoenigman

Absent: Ms. Diss

Motion carried.

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Mr. Settelmeyer made 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.

Ayes: Ms. Aldean, Ms. Gustafson, Ms. Leumer, Mr. Settelmeyer, Ms. Diss, Mr. Hoenigman

Motion carried.

IV. Informational Presentation on Adaptive Improvements to the Code of Ordinances Supporting Climate Resilience, Affordable Housing Requirements for Condominiums, and Design Standards for Mixed-Use Development

Mr. Hoenigman said the committee has received written public comments for this agenda item.

Mr. Hester said this package of amendments is a potpourri of amendments that didn't rise to the level of strategic priorities but are being carried forward by staff as promised. There was an informational meeting held at the Advisory Planning Commission to gather input. After the Regional Planning Committee input today, staff will start the formal process. The committee has seen some of these items before. The affordable housing and condominiums, the 10 percent item in the mixed-use definition both came to the committee when the Tahoe Area Plan Amendment on a condominium project there. And some of the more minor climate amendments were part of a package that was approved with the process improvements for Permitting and Compliance and were presented along with these by some University of California, Davis students. These are not really new but would like input from the committee and public before staff starts the formal process.

Mr. Stock, TRPA provided the presentation.

Mr. Stock, TRPA said we're discussing adaptive management improvements to the Code of Ordinances that includes a number of topics such as implementing climate best practices into the code, updating outdoor lighting standards and reorganizing that section, establishing standards for mixed-use development and affordable housing in condominiums. You might find this familiar because these have been presented in previous sessions, last spring and last summer. Now, we have a more fleshed-out proposal with code language for review and input.

These initiatives are in response to board direction. There are two parts: One is the climate code amendments, which include dark sky preservation. The other is mixed-use and affordable housing component that arose during the Washoe Tahoe Area Plan amendment discussion last year. These efforts are aimed at adapting the Code of Ordinances to new issues and technologies as they arise.

To provide some background on the climate code amendments, these efforts trace back to the Sustainability Action Plan of 2013, which outlined numerous recommended actions. Currently, we've successfully implemented 80 percent of these actions, or they are in progress. Staff sought direction from the board to implement the remaining aspects of the plan. Staff held a workshop with the board to discuss integrating climate best practices into the code. During this session, we identified priorities such as efficient lighting standards, support for renewable energy, and infrastructure for appropriate charging facilities and large special events.

Following this prioritization session, a group of University of California, Davis graduate students joined delved deeper into the details of climate best practices in these priority areas, helping to

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develop draft code language. Additionally, they facilitated a stakeholder input process involving representatives from local government, land use professionals, nonprofits, and Liberty Utilities.

The result was a draft proposal, which was presented to the committee last June. We further refined and vetted this proposal based on feedback, engaging with members of the business and development communities to gather additional stakeholder input. Some of the recommendations from this process have already been adopted through our process improvements amendments. The remaining recommendations constitute what is being presented today.

This proposal draws from various sources, including local codes, the experience of our permitting staff and applicants, the California Green Building Code Title 24, and the Dark Sky Alliance. One item we're proposing is a transportation plan for large special events, which is already a requirement in the city of South Lake Tahoe. We aim to extend this requirement to other areas in the basin. Additionally, we're addressing electric vehicle (EV) charging, which hasn't been adequately covered in the code previously. To support appropriate EV charging, we're proposing definitions in the code and requirements for conduit, particularly on larger lots, following standards from the California Green Building Code. We're also proposing transfer allowances for the transfer of coverage to encourage distributed EV charging while allowing it as a primary use.

The proposal also includes standards for solar energy generation, aiming to streamline the process for property owners interested in installing roof-mounted solar while preserving scenic resources. This involves establishing a qualified exempt status for roof-mounted solar with specific reflectivity and color standards for scenic areas.

Moving on to outdoor lighting standards, we're proposing reorganization and new standards to preserve dark skies. This has been a longstanding priority, and we've worked closely with staff and property owners to balance dark sky preservation with property rights and ease of implementation. The proposal includes requirements for outdoor lighting to serve a functional purpose, not spill onto adjacent property, and adhere to color temperature limits. We're considering lumen limits and reducing outdoor lighting after hours on commercial properties. We also propose codifying the requirement for a lighting plan in the code.

Mixed-use standards are detailed in Attachment A of the packet. Mixed-use development is recognized as a tool for energy conservation and greenhouse gas reduction in the Regional Plan. Despite its importance, we haven't previously had specific standards for mixed use. The proposal requires nonresidential uses to be located on the ground floor frontage, promoting street activation while allowing flexibility. We encourage pedestrian access and limit vehicle access on street frontage. The proposal aligns with existing area plans and leaves room for local standards. The provided images illustrate these concepts, showing ground floor commercial uses oriented towards the street with residential uses above, as seen in other towns like Cave Junction, Oregon, demonstrating that mixed use isn't exclusive to big cities.

We've also included a proposal for affordable housing in condominiums which is in response to the board's direction following the amendment to the Washoe Tahoe Area plan. We recognized the need to mitigate the impact of new market-rate housing on our workforce housing gap.

In this draft proposal, we're suggesting that 10 percent of units in condominium subdivisions be deed-restricted affordable or moderate housing. These units can be on or off-site and can utilize

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bonus units, including all associated benefits. However, they must be new units and equivalent to 10 percent of the market-rate floor area of the condominium. Staff is not proposing an in-lieu fee in this draft, aligning with the 10 percent requirement adopted in the Washoe Tahoe Area Plan. This percentage is based on analysis by the Mountain Housing Council and Tahoe Prosperity Center, which found a gap of just over 5,000 workforce housing units for lower and moderate-income residents in the basin, roughly equivalent to 10 percent of potential units.

The 10 percent requirement is also consistent with Placer County regulations and falls within the range of the inclusionary zoning package adopted by the city of South Lake Tahoe. Staff's proposal would complement existing requirements in Placer County and the city but would apply to jurisdictions lacking equivalent programs. Moving forward, we plan to explore additional policy options for mitigating the impacts of development on affordable housing in the next phase of Tahoe living. This adaptive management cycle will continue to evolve as needed.

Presentation: [Regional-Planning-Committee-Agenda-Item-No-4-Code-of-Ordinance-Adaptive-Improvements.pdf](#)

Committee Comments & Questions

Ms. Aldean referred to page 258, Draft Mixed-Use Code Language, 36.14, Subsection B. She suggested rewording to better get at the intent. "In mixed-use developments a minimum of 60 percent of the ground floor or 60 percent of the street frontage shall accommodate pedestrian oriented non-residential uses. She's not certain why we're dabbling in depth because it depends on the user. Some small commercial users have a very shallow profile, and others require 83 to 100 feet, for example. To a certain extent that's going to be dictated by the design of the building to accommodate housing above the commercial floor. You don't want to have units that are shallow and then dead space behind those units. She'd be more comfortable if we let the developer decide based on interested users what the depth of those spaces should be. And focus on 60 percent of it being used for pedestrian oriented commercial use, 60 percent of the ground floor or 60 percent of the street frontage and allow the private sector to determine what works for them based on interested retailers.

Mr. Marshall asked staff if there is a reason why we have the depth.

Mr. Hoenigman suggested that to staff. Almost every city's code requires a minimum depth. The reason is as a developer, you'll put in almost nothing and you'll get this little sliver of retail across the front because it's one of your lowest performing assets or investments in the building. What they look for to make the community nice is to have these uses that enliven the street frontage. That's basically what they have to do in all of our mixed-use buildings in every community. It's usually better to let a developer do what they want, but a lot of times that's squeezing your retail down to almost nothing. This is just a little bit of a safeguard and could review the number.

Ms. Aldean understands the concern, but a developer doesn't want to have space that's not producing any income. She suggested that there is enough flexibility so the developer can respond to market demands.

Mr. Hoenigman suggested reviewing it and thinking about what we would like our communities to be. We have to put in a floor otherwise we will get the least that is allowable. As a developer,

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it's hard to do anything that is not required by law, unless it's profitable in retail. Right now, it's marginal in a lot of places.

Ms. Aldean said you don't want to make it even more difficult to attract tenants. We've lost a lot of major big box retailers and we're looking for community retail that will service a need for the people living in the area. A minimum average depth of 40 feet and a minimum depth of 25 feet covering a minimum of 60 percent of the ground floor is very convoluted. She'd be satisfied if you wanted to add a minimum depth of 25 feet. Sixty percent has to be nonresidential of the ground floor or the street frontage at a minimum depth of 25 feet.

Mr. Settlemeyer asked what percentage of retail space is currently vacant in Tahoe. When you look at some of the rents required for retail establishments in Tahoe to be able to meet even the property tax, let alone the mortgage brings forth the question, if you require it, will they come? He's concerned about that. Where he can see other utilizations of the land, what if someone is going to have paid parking but it's all going to be on the ground floor. Does that mean the requirement of it being retail? They're charging for parking.

Ms. Aldean said it's nonresidential and gives a broad latitude of uses. It could be retail or an office.

Mr. Stock said the proposal states that the ground floor shall include one or more permissible pedestrian oriented non-residential uses. Those can include but are not limited to retail, restaurant, personal services, office, and entertainment. Local zoning has broad latitude to decide what could be permitted in those spaces.

Mr. Settlemeyer said if you get into the discussion of retail, what about the concept of low income housing on the bottom floor? Is this an opportunity where somebody might have a concept of building higher, costly or things on the remaining floors but on the low floor create some low income housing potential. Are we limiting ourselves but not allowing that or is that not a perceivable use?

Mr. Stock said this proposal is just for projects that are permitted as mixed-use. In a situation where someone wanted to build an affordable housing development, he assumed it would be more beneficial for them to submit it as a residential affordable housing development rather than a mixed-use development. He can't think of a zone in the basin that allows mixed-use but does not allow affordable housing.

Mr. Marshall clarified Mr. Settlemeyer's question of are we limiting affordable to just upper floors or is there a reason why we might want to allow affordable residential on the bottom floor if we had mixed-use upstairs.

Mr. Hoenigman said what staff was saying was that then you wouldn't apply for a mixed-use permit, rather just apply for a residential.

Mr. Settlemeyer said for example, if you build four stories and on the fourth floor it's an elaborate restaurant that overlooked the lake that is going to make a lot of money.

Mr. Stock said staff will look at that scenario.

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Ms. Aldean referred to page 260, 39.2.5.F, Paragraph 2. "Unit" should be plural. "Subdivision of eligible structures greater than 4 should be units" Next on page 262, Draft Climate Code Language 22.7.6, Traffic Mitigation, Subparagraph B, suggested the last line say "Include plans for bike valet, shuttle services, "and" ride share drop-off locations. Page 263, Electric Vehicles, Electric vehicle supply equipment, add a comma on the second line "Grounding conductors and the electric vehicle connectors, attachments ", " plugs, personnel protection systems.

Ms. Aldean said in the presentation the dark sky lighting standards have a requirement for commercial lighting that requires commercial users reduce outdoor lighting to 50 percent or less of operational lighting levels. For commercial property owners light is a very effective crime deterrent. She suggested giving the operator the latitude to determine which lights should be reduced in lumens.

Mr. Settelmeyer appreciated Ms. Aldean's comments and are on his list of considerations as well when it comes to a deterrent. Generally, it's not the percentage of lighting, but the type of lighting. If you have appropriate warm lighting and it has appropriate directional it isn't an issue of how much light. It's the type of light. He suggested that staff review that. Regarding the potential limitation of the color of solar panels. In the Nevada legislature they had this discussion, and it was ruled illegal. Because if you are forced to go to a terracotta it takes 60 percent of the energy production. Has technology evolved since then? If you try to dictate the color, it could reduce the amount of energy produced and no longer becomes viable to do. Back in time, it was far more costly to try to and acquire terracotta.

Mr. Stock clarified that when he mentioned color, he was referring to regulating the color of the frame around the solar panel and the mounting structure in order to blend with roof material or the solar panel material. As proposed, would regulate that frame and mounting color to match and it would regulate reflectivity and set a limit of three percent in scenic areas.

Mr. Hoenigman said regarding the 60 percent frontage, it needs to be clear that it's with glass or something permeable or see through because we don't want it to be boxed off and blank walls. Maybe it's 60 percent and with 50 percent glass, for example. Mr. Stock mentioned for affordable it's not overriding other jurisdictions. Are we setting that 10 percent as a base for all jurisdictions? Do they have to meet or exceed that?

Mr. Stock said that's not what we're proposing. This would be an alternative standard for jurisdictions that don't have their own standard. For example, the city of South Lake Tahoe has a scale that ranges from 5 percent to 17 percent. Depending on the project they would be allowed to impose their requirement below 10 percent.

Mr. Hoenigman said regarding safety at night, could we address that with motion detecting lights. On sloping sites, he wants to ensure that the retail is at the exterior grade where the door is. One of his first buildings wasn't and you end up having a lot of ramps and creates a bad street environment. Is it correct that if you are redeveloping sites with affordable housing there has to be the same number of units but then we can add extra market rate, but the new units are deed restricted. If there is an existing site and it has affordable housing based on an analysis of the rents, you have to replace those units 1:1 but then you can add more market rate housing.

Mr. Stock said that section is the preservation of a de facto affordable housing section. We didn't make substantive changes to that section. The changes reflected here are adding the affordable

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housing income definition to that requirement. A change to that section would be another policy change.

Mr. Hoenigman said it's a double-edged sword. We don't want people to tear down a hundred percent, 50 unit affordable housing project and build a 50 unit market rate project with 5 affordable units. At the same time, what we see where we develop is it just means that you can never redevelop a property that has affordable housing on it. Right now, he would bias towards protecting the affordable housing units and should be replaced 1:1 and then you can add additional market rate housing. We don't want to make this so we can allow more affordable housing units to be lost through redevelopment.

Ms. Aldean said Nevada has a relocation provision that requires folks to be relocated within 50 miles of where the existing affordable housing is being demolished.

Mr. Hoenigman said overall there is still a shortage. There's no place in California, Nevada or almost the entire United States that has a surplus of affordable units. There's nowhere that the minimum wage earner can rent or buy the average unit. We've already relocated the Motel 6 people.

Ms. Aldean said that was substandard and we don't want to perpetuate the substandard housing situation.

Mr. Hoenigman said providing what we believe should be the minimum has led to a lot of the problems in our cities.

Ms. Aldean said the caveat needs to be the example cited of Motel 6. It was in the middle of a water influenced area and environmentally sensitive. It was anathema to our environmental regulations not to promote the removal of that building and the restoration of the land. She suggested that it could be a consideration within town centers. Was there public transit that serviced that site?

Mr. Hoenigman said this wouldn't apply because it's just if you were proposing to build a new building there then you would have to replace that number of affordable units 1:1 then you could add on whatever you were allowed on top.

Ms. Aldean said it would also depend on where those old units are located.

Mr. Hoenigman referenced 39.2.5.F suggested to add "town" before "center." He thinks there was a change in the presentation in that Mr. Stock had that the affordable part is developed concurrently with the market rate and in the presentation, he said the affordable must be completed before the market rate can be occupied. That's much better language. It also states that it can be a mix of affordable and moderate. He thinks 1:1 is the maximum that we'll get from this and need to ensure that is the standard that we want because a moderate is so much more affordable to build than unaffordable. If we wanted to be 10 percent affordable, we need to say 10 percent affordable because right now what we'll get is 5 and 5. The land will be based on that assumption because that's the lowest requirement. If that's not what we want, then we should change it. Also, we went through rounding language before, but we round up and 32 total units would require four affordable or moderate units. It also says that lobbies and gyms are open to

REGIONAL PLAN IMPLEMENTATION COMMITTEE

March 27, 2024

the public. We had allowed those to qualify for part of the ground floor usage in case the developer felt it didn't really make sense. He just built a building where they were required to do

the whole street frontage retail and in an unproductive retail setting. But we were allowed to put the lobby there and count it as part of that space because it still provided some activation for the street and makes for a nice street frontage. But you don't want to make that a public space, same with a gym, if that's for the residents. It could be private unless they rent a 24 Hour Fitness or something like that.

Regarding energy codes, we require solar over parking but suggest where it makes sense. A lot of these buildings will be "U" shaped with parking in the middle and they'll be partially shaded and that should be clarified. Regarding EV charging, he liked the Tesla comments. He personally thinks we should go with the CalGreen standard. It requires more wiring and probably more charging spaces but what we're doing saying 10 percent for over 40 spaces is pretty low given that California's EV sales are 25 percent already in the Bay Area is about 50 percent and it should just continue to grow. That's trying to adopt a California standard, but Consistency is good.

Mr. Stock said regarding the EV capable parking spaces, the CalGreen standard is 20 percent of parking spots in parking lots of 20 spots or greater. That's just for conduit and then can be wired and charging pillars can be put in at a later date.

Mr. Hoenigman said the CalGreen standard for running the conduit with wiring is about \$200 for each location and a location can serve two spots. And the pedestal and chargers are about \$1,000 each. If they are double, it's less to put the other charger on. For affordable projects we've already reduced the amount of parking that's required and would be very few spaces in some buildings even to have to do this for.

Ms. Leumer agreed with Mr. Hoenigman's comment about the EV chargers. We need to push the envelope here, especially with the opportunities to at least put in the wiring as you're doing the construction because it's so much more cost effective. It will also incentivize property owners to put in the charging stations if they know that the make ready wiring is already there.

V. Upcoming Topics

Mr. Hester said the adaptive management amendments you just heard will be coming back to the committee. There are also a set of threshold standards coming as well as a threshold review and update protocol. As the process of bringing some standards forward, there were some questions that came up from the Advisory Planning Commission such as how you know when it's a threshold versus a Regional Plan policy, etc. The City of South Lake Tahoe will be bringing forward some amendments to the Tourist Core Area Plan, Tahoe Valley Area Plan, and Colony Inn.

VI. Committee Member Comments:

None.

VII. Public Interest Comments:

None.

XI. ADJOURNMENT

Ms. Aldean moved to adjourn the meeting.

Mr. Hoenigman adjourned the meeting at 3:03 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

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 17, 2024
To: TRPA Governing Board
From: TRPA Staff
Subject: March Financial Statements, Fiscal Year 2024

Summary and Staff Recommendation:

We are three quarters into fiscal year 2024 (75% complete). At this point, we continue to work toward plan. Grant revenues and contract expenditures are aligned and lag, but that is normal.

Staff recommends acceptance of the March Financial Statements for Fiscal Year 2024.

Required Motion:

In order to accept the Financial Statements, the Governing Board must make the following motion based on the staff report:

- 1) A motion to accept the March 2024 Financial Statements

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

Background:

The first nine months (75%) of the fiscal year are now complete. Revenues are 59% of the annual budget, and expenditures are 51% of the budget. Grant revenues are billed in arrears, so they lag, but we are still in a positive net position excluding mitigation income and expense.

YTD Revenues and Expenses

Revenues are 59% of the budget. TRPA recognizes revenue when billed, so the states' contributions are shown in their entirety. The remaining State revenue to recognize is Tahoe Science Advisory Council (TSAC) and State of NV scanning grant cost reimbursement billings. Expenditures over the rest of the fiscal year will offset both states' revenue received up front. Current planning fees are 4 points ahead of last year at this same time but 3 points behind the three-year average and 68% of the budget. The annual inflation increase for planning fees was implemented at the end of January and we experienced an uptick in fees for the month of March. AIS fees are 65% of the budget. Shoreline fees are 63% of the budget. Grants revenues remain at 25% of the budget. The two major EIP grants from the US Forest Service totaling \$3.4M in budgeted Revenue have been slow to ramp.

Expenditures are 51% of the budget. Compensation expenses are at 69% of the annual budget, which should align with budget by the end of the fiscal year given new hires, filling the remaining two open positions, hiring seasonal staff and interns in the coming months. Contract expenses are up to 38% of the budget and will continue to close the gap in the months ahead. This is held back by the USFS grants described in the revenue section. Our debt service payment in December included both principle and capital, so it amounts to 70% of the budget. An interest payment for the balance is due in June.

Year to date we have taken in \$1.7M in mitigation fees and disbursed \$5.1M through the end of March including the \$3.7M transfer of Excess Coverage Mitigation Funds to CTC for the acquisition of the Motel 6 property. Mitigation revenues and expenses have been removed from the financial tables to clearly represent operations.

Tahoe Regional Planning Agency
Fiscal YTD March 2024

| Revenue | State & Local | Fees | Grants | Total |
|-----------------------|--------------------------|------------------|--------------------|-------------------|
| Fees for Service | 41,994 | 3,240,444 | 0 | 3,282,438 |
| Grants | 425 | 22,749 | 3,472,746 | 3,495,920 |
| State Revenue | 8,070,087 | 0 | 101,370 | 8,171,458 |
| Local Revenue | 150,000 | 0 | 0 | 150,000 |
| Rent Revenue | 0 | 261,127 | 0 | 261,127 |
| Other Revenue | 498,179 | 20,093 | 0 | 518,271 |
| TRPA Rent Revenue | 0 | 516,735 | 0 | 516,735 |
| Revenue Total | 8,760,685 | 4,061,148 | 3,574,116 | 16,395,949 |
| Expenses | | | | |
| Compensation | 3,541,410 | 1,673,280 | 952,009 | 6,166,699 |
| Contracts | 1,347,803 | 1,212,928 | 3,686,878 | 6,247,609 |
| Financing | (420) | 442,437 | 0 | 442,017 |
| Other | 599,989 | 208,478 | 88,532 | 896,999 |
| Rent | 542,331 | 15,621 | 0 | 557,951 |
| A&O/Transfers | (1,597,718) | 1,073,997 | 513,769 | (9,952) |
| Expenses Total | 4,433,395 | 4,626,741 | 5,241,188 | 14,301,324 |
| Net | 4,327,290 | (565,593) | (1,667,072) | 2,094,626 |

* Excludes mitigation funds

TRPA Balance Sheet

TRPA's Balance Sheet continues to be strong due to billing both State's contributions at the beginning of the fiscal year. Nevada's contribution was received in August and California funds were received in September. TRPA spends down the annual state funds throughout the fiscal year. Total assets decreased by \$1.7 driven cash usage by normal operating expenses. Liabilities remain unchanged.

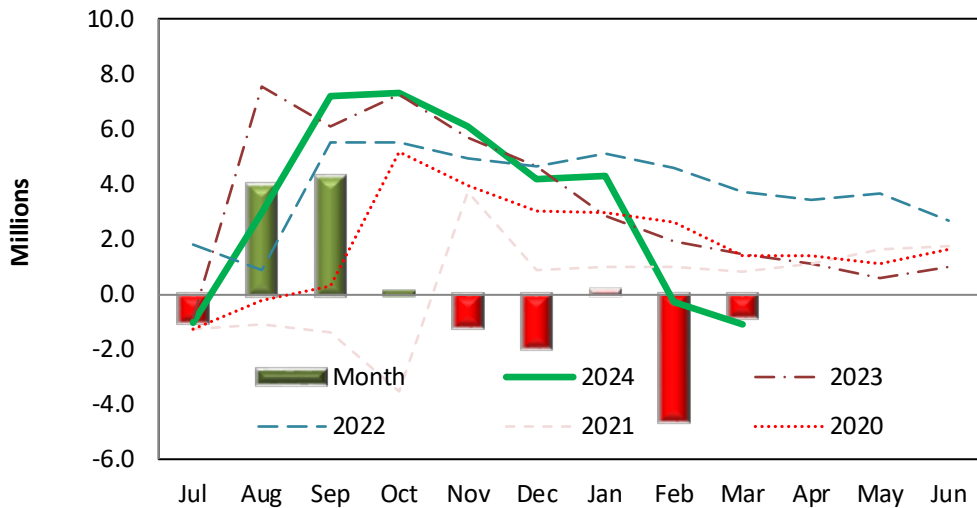
Tahoe Regional Planning Agency
Balance Sheet @3-31-24

| | TRPA | Grants | Trust | Total |
|--------------------------|-------------------|------------------|-------------------|-------------------|
| Cash & Invest | 9,463,129 | 2,010,172 | 20,493,511 | 31,966,812 |
| A/R | 81,944 | 341,179 | 0 | 423,122 |
| Current Assets | 150,258 | 0 | 0 | 150,258 |
| LT Assets | 8,009,210 | 0 | 0 | 8,009,210 |
| Total Assets | 17,704,541 | 2,351,351 | 20,493,511 | 40,549,402 |
| | | | | 0 |
| A/P | 13,616 | (4,001) | 0 | 9,615 |
| Benefits | 1,039,685 | 0 | 0 | 1,039,685 |
| Deferred Rev | 54,459 | 42,091 | 0 | 96,550 |
| Deposits | 154,072 | 2,845 | 0 | 156,917 |
| LT Debt | 7,972,000 | 0 | 0 | 7,972,000 |
| Mitigation | 0 | 0 | 1,863,418 | 1,863,418 |
| Securities | 0 | 0 | 7,526,406 | 7,526,406 |
| Total Liabilities | 9,233,832 | 40,934 | 9,389,824 | 18,664,590 |
| Net Position | 8,470,709 | 2,310,417 | 11,103,687 | 21,884,812 |

Cash Flow

Net operating cash flow was a usage of \$1.1M for the month. Cash receipts totaled \$0.9M, \$0.3M from Grant billings and the balance from planning fees. Disbursements were \$1.7 consistent with last month and within \$0.1M of the five-year average.

Monthly/Cumulative Cash Flow



When reading the detailed reports (attached), be aware that fund balances may not be intuitive. Negative balances mean revenues exceeded expenses. Positive fund balance occurs when expenses exceed revenue. This reflects the formatting in our accounting system.

Contact Information:

For questions regarding this agenda item, please contact Chad Cox at (775) 589-5222 or ccox@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.

Attachment:

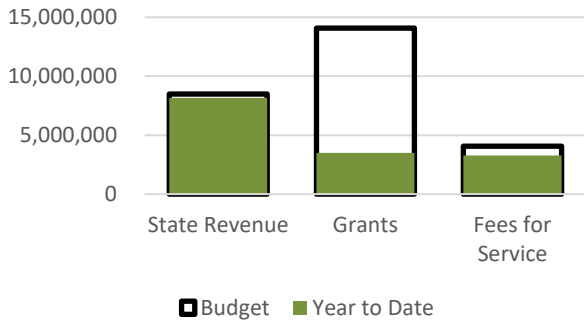
A. March Financial Statements

Attachment A

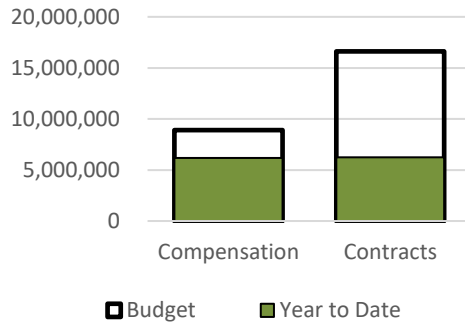
March Financial Statements

Tahoe Regional Planning Agency
Fiscal YTD March 2024

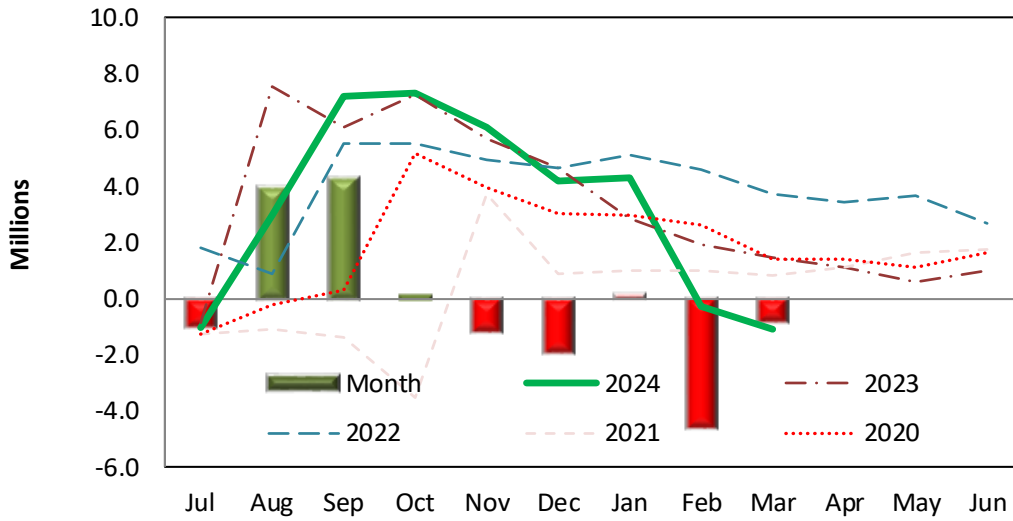
Revenue



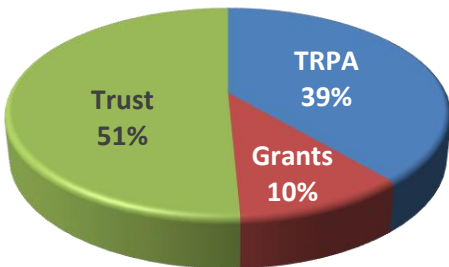
Expenditures



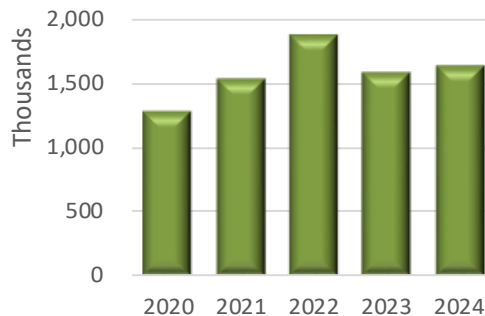
Monthly/Cumulative Cash Flow



Net Position



YTD Planning Fees



Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD March 2024

| TRPA Totals* | Ann Budget | YTD | Remaining | % Spent |
|-----------------------|-------------------|-------------------|--------------------|------------|
| Revenue | | | | |
| State Revenue | 8,479,456 | 8,171,458 | 307,998 | 96% |
| Grants | 14,069,747 | 3,495,920 | 10,573,827 | 25% |
| Fees for Service | 4,069,663 | 3,282,438 | 787,225 | 81% |
| Local Revenue | 150,000 | 150,000 | 0 | 100% |
| Rent Revenue | 329,623 | 261,127 | 68,496 | 79% |
| TRPA Rent Revenue | 688,980 | 516,735 | 172,245 | 75% |
| Other Revenue | 100,000 | 518,271 | (418,271) | 518% |
| Revenue Total | 27,887,469 | 16,395,949 | 11,491,519 | 59% |
| Expenses | | | | |
| Compensation | 8,901,175 | 6,166,699 | 2,734,476 | 69% |
| Contracts | 16,618,623 | 6,247,609 | 10,371,014 | 38% |
| Financing | 620,260 | 442,017 | 178,243 | 71% |
| Rent | 788,525 | 557,951 | 230,573 | 71% |
| Other | 1,293,388 | 896,999 | 396,389 | 69% |
| A&O/Transfers | (13,838) | (9,952) | (3,886) | 72% |
| Expenses Total | 28,208,133 | 14,301,324 | 13,906,809 | 51% |
| TRPA Net | (320,664) | 2,094,626 | (2,415,290) | |

*excluding Mitigations

| Agency Mgmt | Ann Budget | YTD | Remaining | % Spent |
|------------------------|------------------|------------------|--------------------|-------------|
| Revenue | | | | |
| Fees for Service | 0 | 41,994 | 41,994 | |
| Grants | 50,000 | 20,049 | 29,951 | 40% |
| State Revenue | 7,262,571 | 7,179,000 | 83,571 | 99% |
| Other Revenue | 100,000 | 498,179 | 398,179 | 498% |
| Local Revenue | 150,000 | 150,000 | 0 | 100% |
| Revenue Total | 7,562,571 | 7,889,221 | 326,650 | 104% |
| Expenses | | | | |
| Compensation | 2,532,724 | 1,770,266 | 762,458 | 70% |
| Contracts | 272,180 | 186,880 | 85,300 | 69% |
| Financing | 74 | 294 | 368 | -398% |
| Rent | 2,249 | 2,586 | 337 | 115% |
| Other | 270,138 | 152,299 | 117,839 | 56% |
| Expenses Total | 3,077,365 | 2,111,736 | 965,629 | 69% |
| Agency Mgmt Net | 4,485,206 | 5,777,485 | (1,292,279) | |

| Current Planning | Ann Budget | YTD | Remaining | % Spent |
|-------------------------|--------------------|------------------|------------------|----------------|
| Revenue | | | | |
| Fees for Service | 3,111,616 | 2,611,698 | 499,919 | 84% |
| Grants | 0 | 2,700 | 2,700 | |
| State Revenue | 124,000 | 124,000 | 0 | 100% |
| Other Revenue | 0 | 18,180 | 18,180 | |
| Revenue Total | 3,235,616 | 2,756,578 | 479,039 | 85% |
| Expenses | | | | |
| Compensation | 2,260,876 | 1,611,047 | 649,829 | 71% |
| Contracts | 831,825 | 793,452 | 38,373 | 95% |
| Financing | 57,611 | 38,418 | 19,192 | 67% |
| Other | 96,392 | 36,669 | 59,723 | 38% |
| A&O/Transfers | 1,230,030 | 1,035,429 | 194,601 | |
| Expenses Total | 4,476,733 | 3,515,015 | 961,718 | 79% |
| Curr Plan Net | (1,241,117) | (758,437) | (482,679) | |

| Envir. Imp. | Ann Budget | YTD | Remaining | % Spent |
|-----------------------|-------------------|------------------|------------------|----------------|
| Revenue | | | | |
| Fees for Service | 958,047 | 628,747 | 329,300 | 66% |
| Grants | 9,705,911 | 2,193,959 | 7,511,952 | 23% |
| State Revenue | 750,000 | 750,000 | 0 | 100% |
| Revenue Total | 11,413,958 | 3,572,706 | 7,841,252 | 31% |
| Expenses | | | | |
| Compensation | 1,247,248 | 984,144 | 263,105 | 79% |
| Contracts | 10,253,453 | 3,209,154 | 7,044,300 | 31% |
| Financing | 15,000 | 10,461 | 4,539 | 70% |
| Rent | 94,769 | 33,078 | 61,691 | 35% |
| Other | 180,795 | 90,402 | 90,393 | 50% |
| A&O/Transfers | 247,529 | 179,720 | 67,809 | |
| Expenses Total | 12,038,794 | 4,506,959 | 7,531,836 | 37% |
| Env Imp Net | (624,836) | (934,252) | 309,416 | |

| L RTP | Ann Budget | YTD | Remaining | % Spent |
|-----------------------|-------------------|------------------|------------------|----------------|
| Revenue | | | | |
| Grants | 3,515,979 | 788,445 | 2,727,534 | 22% |
| Fees for Service | 0 | 0 | 0 | |
| Other Revenue | 0 | 0 | 0 | |
| Revenue Total | 3,515,979 | 788,445 | 2,727,534 | 22% |
| Expenses | | | | |
| Compensation | 1,458,098 | 905,842 | 552,256 | 62% |
| Contracts | 2,305,702 | 379,496 | 1,926,206 | 16% |
| Rent | 2,527 | 0 | 2,527 | 0% |
| Other | 33,860 | 96,134 | 62,274 | 284% |
| A&O/Transfers | 512,242 | 371,762 | 140,480 | |
| Expenses Total | 4,312,428 | 1,753,233 | 2,559,195 | 41% |

| | | | |
|------------------|------------------|------------------|---------|
| L RTP Net | (796,449) | (964,788) | 168,339 |
|------------------|------------------|------------------|---------|

| R & A | Ann Budget | YTD | Remaining | % Spent |
|-----------------------|-------------------|------------------|------------------|----------------|
| Revenue | | | | |
| Grants | 797,857 | 490,766 | 307,090 | 62% |
| State Revenue | 342,885 | 118,458 | 224,427 | 35% |
| Revenue Total | 1,140,742 | 609,224 | 531,518 | 53% |
| Expenses | | | | |
| Compensation | 1,157,439 | 820,786 | 336,653 | 71% |
| Contracts | 2,328,603 | 1,064,702 | 1,263,900 | 46% |
| Other | 16,165 | 19,654 | 3,489 | 122% |
| A&O/Transfers | 2,001 | 855 | 1,146 | 43% |
| Expenses Total | 3,504,207 | 1,905,998 | 1,598,209 | 54% |

| | | | |
|----------------------|--------------------|--------------------|--------------------|
| R & A Net | (2,363,465) | (1,296,774) | (1,066,692) |
|----------------------|--------------------|--------------------|--------------------|

| | Ann Budget | YTD | Remaining | |
|---------------------------|--------------------|------------------|------------------|------------|
| Infrastructure | | | | |
| Revenue | | | | |
| Other Revenue | 0 | 1,913 | 1,913 | |
| Rent Revenue | 329,623 | 261,127 | 68,496 | 79% |
| TRPA Rent Revenue | 688,980 | 516,735 | 172,245 | 75% |
| Revenue Total | 1,018,603 | 779,775 | 238,828 | 77% |
| Expenses | | | | |
| Compensation | 101,607 | 74,614 | 26,994 | 73% |
| Contracts | 626,860 | 283,925 | 342,935 | 45% |
| Financing | 547,575 | 393,432 | 154,143 | 72% |
| Rent | 688,980 | 516,735 | 172,245 | 75% |
| Other | 555,859 | 501,843 | 54,016 | 90% |
| Expenses Total | 2,520,881 | 1,770,548 | 750,333 | 70% |
| Infrastructure Net | (1,502,279) | (990,774) | | |
| Other | | | | |
| Expenses | | | | |
| A&O/Transfers | 2,005,640 | 1,597,718 | 407,922 | 40% |
| Expenses Total | 2,005,640 | 1,597,718 | 407,922 | |

TRPA Current Planning Fees

Fiscal Year-to-Date Mitigations 2024

| | 2021 | 2022 | 2023 | 2024 | This year vs. Avg. Last 3 |
|---------------|------------------|------------------|------------------|------------------|------------------------------|
| RESIDENTIAL | 380,899 | 496,764 | 456,473 | 330,078 | (114,634) |
| OTHER_REV | 190,980 | 196,961 | 204,913 | 193,187 | (4,431) |
| SHOREZONE | 114,631 | 138,219 | 34,060 | 182,005 | 86,368 |
| REVISIONS | 64,847 | 88,628 | 87,232 | 126,991 | 46,755 |
| ALLOCATION | 74,205 | 76,803 | 68,755 | 91,636 | 18,382 |
| COMMERCL_TA | 62,905 | 121,886 | 91,039 | 90,436 | (1,508) |
| TREE_RMVL | 69,892 | 65,760 | 48,129 | 62,934 | 1,674 |
| RECR_PUBLIC | 44,517 | 62,745 | 50,683 | 61,298 | 8,650 |
| LAND_CHALL | 94,820 | 43,175 | 35,150 | 58,261 | 546 |
| GENERAL | 93,410 | 98,532 | 91,513 | 57,968 | (36,517) |
| FULL_SITE | 55,523 | 62,005 | 49,536 | 56,194 | 506 |
| SECURITIES | 28,532 | 37,518 | 52,800 | 49,405 | 9,788 |
| LAND_CAP | 15,502 | 11,639 | 15,772 | 28,305 | 14,001 |
| SOILS_HYDRO | 19,196 | 32,391 | 25,671 | 27,393 | 1,640 |
| MOORING | 21,483 | 141,219 | 56,435 | 26,314 | (46,731) |
| GRADE_EXCEPT | 21,654 | 27,582 | 21,291 | 25,291 | 1,782 |
| VB_COVERAGE | 11,280 | 8,976 | 8,309 | 17,983 | 8,462 |
| ENFORCMENT | 60,959 | 53,166 | 11,273 | 17,806 | (23,993) |
| IPES | 19,743 | 11,421 | 16,287 | 15,416 | (401) |
| LLADJ_ROW | 11,749 | 7,256 | 25,039 | 15,191 | 510 |
| VB_USE | 2,892 | 5,401 | 12,813 | 11,941 | 4,905 |
| GRADING | 9,853 | 9,071 | 8,450 | 10,650 | 1,525 |
| TRANS_DEV | 26,711 | 16,767 | 5,450 | 10,206 | (6,103) |
| QUAL_EXEMPT | 7,896 | 6,488 | 10,177 | 9,830 | 1,643 |
| STD2 | | 119 | 35,610 | 9,324 | (8,541) |
| ENVIRONMENT | | | | 8,280 | |
| PRE-APP | 3,059 | 4,370 | 10,545 | 7,795 | 1,804 |
| TEMP_USE | 1,846 | 3,854 | 5,005 | 6,546 | 2,978 |
| SUBDIV_EXIST | 981 | 6,426 | 1,119 | 4,211 | 1,369 |
| QE SHOREZONE | 5,307 | 5,741 | 3,060 | 4,035 | (668) |
| PARTIAL_SITE | 6,192 | 6,872 | 5,426 | 4,009 | (2,154) |
| CONSTR_EXT | 2,482 | 3,020 | 2,590 | 3,892 | 1,195 |
| SIGNS | 3,258 | 3,714 | 1,731 | 3,392 | 491 |
| NOTE_APPEAL | 4,990 | 3,066 | 4,393 | 3,092 | (1,058) |
| HISTORIC | 1,105 | 1,198 | 1,198 | 1,297 | 130 |
| CONVERSION | 619 | 976 | 1,047 | 1,102 | 221 |
| RES_DRIVE | 1,218 | 217 | 886 | 940 | 166 |
| LMTD_INCENT | 357 | 756 | 756 | 840 | 217 |
| SCENIC_ASSES | | 546 | | 483 | (63) |
| UNDRGRD_TANK | 1,628 | 419 | 882 | 478 | (498) |
| STD | (554) | 13,651 | 5,655 | 0 | (6,251) |
| MONITORING | 0 | (2,500) | 5,000 | 0 | (833) |
| CEP | 0 | 0 | 4,995 | 0 | (1,665) |
| Totals | 1,536,567 | 1,872,816 | 1,577,147 | 1,636,435 | (40,341) |

| | |
|-------------------------------------|--------|
| This month vs. last year | 103.8% |
| this month vs. prior 3-year average | 98.5% |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|-------------------------|--------------------|--------------------|-----------------|---------------|
| Agency Mgmt | | | | |
| GF Revenue | | | | |
| Revenue | | | | |
| Fees for Service | - | (41,994) | 41,994 | |
| State Revenue | (7,262,571) | (7,179,000) | (83,571) | 98.8% |
| Local Revenue | (150,000) | (150,000) | 0 | 100.0% |
| Other Revenue | (100,000) | (498,179) | 398,179 | 498.2% |
| Revenue Total | (7,512,571) | (7,869,172) | 356,601 | 104.7% |
| GF Revenue Total | (7,512,571) | (7,869,172) | 356,601 | 104.7% |
| Gov Board | | | | |
| Expenses | | | | |
| Contracts | - | 26,338 | (26,338) | |
| Other | 26,038 | 19,579 | 6,459 | 75.2% |
| Rent | 2,249 | 2,500 | (251) | 111.2% |
| Expenses Total | 28,287 | 48,416 | (20,129) | 171.2% |
| Gov Board Total | 28,287 | 48,416 | (20,129) | 171.2% |
| Executive | | | | |
| Expenses | | | | |
| Compensation | 913,969 | 734,454 | 179,515 | 80.4% |
| Other | 12,803 | 19,517 | (6,714) | 152.4% |
| Expenses Total | 926,773 | 753,971 | 172,802 | 81.4% |
| Executive Total | 926,773 | 753,971 | 172,802 | 81.4% |
| Legal | | | | |
| Expenses | | | | |
| Compensation | 489,553 | 251,497 | 238,057 | 51.4% |
| Contracts | 123,319 | 33,239 | 90,080 | 27.0% |
| Other | 6,920 | 7,730 | (810) | 111.7% |
| Expenses Total | 619,792 | 292,465 | 327,327 | 47.2% |
| Legal Total | 619,792 | 292,465 | 327,327 | 47.2% |
| Communications | | | | |
| Expenses | | | | |
| Compensation | 390,061 | 204,259 | 185,802 | 52.4% |
| Contracts | 30,000 | 24,400 | 5,600 | 81.3% |
| Other | 61,607 | 29,702 | 31,905 | 48.2% |
| Rent | - | 86 | (86) | |
| Expenses Total | 481,668 | 258,446 | 223,222 | 53.7% |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|-------------------------------|--------------------|--------------------|------------------|---------------|
| Communications Total | 481,668 | 258,446 | 223,222 | 53.7% |
| Finance | | | | |
| Revenue | | | | |
| Financing | (100) | (420) | 320 | 420.0% |
| Revenue Total | (100) | (420) | 320 | 420.0% |
| Expenses | | | | |
| Compensation | 461,504 | 375,579 | 85,924 | 81.4% |
| Contracts | 54,115 | 47,131 | 6,984 | 87.1% |
| Other | 3,259 | 2,825 | 434 | 86.7% |
| Expenses Total | 518,878 | 425,535 | 93,343 | 82.0% |
| Finance Total | 518,778 | 425,115 | 93,663 | 81.9% |
| HR | | | | |
| Expenses | | | | |
| Compensation | 277,636 | 204,477 | 73,159 | 73.6% |
| Contracts | 64,746 | 55,773 | 8,974 | 86.1% |
| Other | 82,592 | 34,404 | 48,189 | 41.7% |
| Expenses Total | 424,975 | 294,653 | 130,322 | 69.3% |
| HR Total | 424,975 | 294,653 | 130,322 | 69.3% |
| Agency Mgmt Total | (4,512,299) | (5,796,106) | 1,283,807 | 128.5% |
| Current Planning | | | | |
| Current Planning | | | | |
| Revenue | | | | |
| Fees for Service | (2,415,068) | (1,637,142) | (777,926) | 67.8% |
| Revenue Total | (2,415,068) | (1,637,142) | (777,926) | 67.8% |
| Expenses | | | | |
| Compensation | 1,636,795 | 1,214,840 | 421,955 | 74.2% |
| Contracts | 342,970 | 307,588 | 35,382 | 89.7% |
| Financing | 49,087 | 32,908 | 16,179 | 67.0% |
| Other | 5,485 | 5,433 | 52 | 99.1% |
| A&O/Transfers | 912,022 | 804,224 | 107,798 | 88.2% |
| Expenses Total | 2,946,358 | 2,364,994 | 581,365 | 80.3% |
| Current Planning Total | 531,290 | 727,851 | (196,561) | 137.0% |
| Current Planning Reimbursed | | | | |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|--|------------------|------------------|------------------|---------------|
| Revenue | | | | |
| Fees for Service | (200,000) | (716,364) | 516,364 | 358.2% |
| Revenue Total | (200,000) | (716,364) | 516,364 | 358.2% |
| Expenses | | | | |
| Contracts | 200,000 | 333,708 | (133,708) | 166.9% |
| Expenses Total | 200,000 | 333,708 | (133,708) | 166.9% |
| Current Planning Reimbursed Total | - | (382,656) | 382,656 | |
| Code Enforcement | | | | |
| Expenses | | | | |
| Compensation | 393,182 | 299,332 | 93,849 | 76.1% |
| Other | 7,889 | 1,648 | 6,241 | 20.9% |
| A&O/Transfers | 219,081 | 198,158 | 20,923 | 90.4% |
| Expenses Total | 620,151 | 499,138 | 121,013 | 80.5% |
| Code Enforcement Total | 620,151 | 499,138 | 121,013 | 80.5% |
| Boat Crew | | | | |
| Revenue | | | | |
| State Revenue | (124,000) | (124,000) | 0 | 100.0% |
| Revenue Total | (124,000) | (124,000) | 0 | 100.0% |
| Expenses | | | | |
| Compensation | 53,356 | 46,955 | 6,401 | 88.0% |
| Other | 50,055 | 24,904 | 25,151 | 49.8% |
| Rent | - | 2,813 | (2,813) | |
| Expenses Total | 103,411 | 74,672 | 28,739 | 72.2% |
| Boat Crew Total | (20,589) | (49,328) | 28,739 | |
| Settlements | | | | |
| Revenue | | | | |
| Fees for Service | (150,000) | 0 | (150,000) | 0.0% |
| Grants | - | (2,700) | 2,700 | |
| Revenue Total | (150,000) | (2,700) | (147,300) | 1.8% |
| Expenses | | | | |
| Contracts | 159,000 | 102,351 | 56,649 | 64.4% |
| Other | 20,600 | 0 | 20,600 | 0.0% |
| Expenses Total | 179,600 | 102,351 | 77,249 | 57.0% |
| Settlements Total | 29,600 | 99,651 | (70,051) | 336.7% |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|---|------------------|-----------------|----------------|----------------|
| Legal - Direct or Disallowed | | | | |
| Revenue | | | | |
| Fees for Service | - | (98,113) | 98,113 | |
| Revenue Total | - | (98,113) | 98,113 | |
| Expenses | | | | |
| Contracts | - | 4,120 | (4,120) | |
| Fees for Service | - | 59,355 | (59,355) | |
| Expenses Total | - | 63,474 | (63,474) | |
| Legal - Direct or Disallowed Total | - | (34,638) | 34,638 | |
| Shorezone | | | | |
| Revenue | | | | |
| Fees for Service | (346,548) | (219,433) | (127,115) | 63.3% |
| Other Revenue | - | (18,180) | 18,180 | |
| Revenue Total | (346,548) | (237,613) | (108,935) | 68.6% |
| Expenses | | | | |
| Compensation | 177,543 | 49,920 | 127,623 | 28.1% |
| Contracts | 129,855 | 45,685 | 84,169 | 35.2% |
| Financing | 8,524 | 5,510 | 3,014 | 64.6% |
| Other | 12,363 | 4,684 | 7,679 | 37.9% |
| Rent | - | 2,739 | (2,739) | |
| A&O/Transfers | 98,927 | 33,047 | 65,880 | 33.4% |
| Expenses Total | 427,212 | 141,584 | 285,627 | 33.1% |
| Shorezone Total | 80,664 | (96,028) | 176,692 | -119.0% |
| Current Planning Total | 1,241,117 | 763,990 | 477,127 | 61.6% |
| Envir. Imp. | | | | |
| Env. Improv. | | | | |
| Expenses | | | | |
| Compensation | 649,229 | 575,261 | 73,968 | 88.6% |
| Contracts | 21,855 | 11,529 | 10,325 | 52.8% |
| Other | 14,131 | 3,582 | 10,549 | 25.3% |
| Expenses Total | 685,215 | 590,372 | 94,843 | 86.2% |
| Env. Improv. Total | 685,215 | 590,372 | 94,843 | 86.2% |
| Stormwater Planning Support | | | | |
| Revenue | | | | |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|--|-----------------|----------------|------------------|---------------|
| Fees for Service | (61,100) | (49,926) | (11,174) | 81.7% |
| Revenue Total | (61,100) | (49,926) | (11,174) | 81.7% |
| Expenses | | | | |
| Compensation | - | 58,260 | (58,260) | |
| Other | 721 | 0 | 721 | 0.0% |
| A&O/Transfers | - | 38,568 | (38,568) | |
| Expenses Total | 721 | 96,829 | (96,108) | |
| Stormwater Planning Support Total | (60,379) | 46,902 | (107,281) | -77.7% |
| Lahontan Caldor Fire Monitoring | | | | |
| Revenue | | | | |
| Grants | (99,639) | (404) | (99,235) | 0.4% |
| Revenue Total | (99,639) | (404) | (99,235) | 0.4% |
| Expenses | | | | |
| Compensation | 2,305 | 483 | 1,822 | 21.0% |
| Contracts | 97,333 | 41,657 | 55,677 | 42.8% |
| A&O/Transfers | - | 0 | 0 | |
| Expenses Total | 99,639 | 42,140 | 57,499 | 42.3% |
| Lahontan Caldor Fire Monitoring Total | (0) | 41,736 | (41,736) | |
| Envir. Imp. Total | 624,836 | 679,011 | (54,175) | |
| L RTP | | | | |
| Long Range & Transp. Planning | | | | |
| Expenses | | | | |
| Compensation | 279,976 | 199,031 | 80,945 | 71.1% |
| Contracts | 328,408 | 30,500 | 297,908 | 9.3% |
| Other | 8,777 | 4,570 | 4,206 | 52.1% |
| Rent | 2,527 | 0 | 2,527 | 0.0% |
| Expenses Total | 619,687 | 234,101 | 385,586 | 37.8% |
| Long Range & Transp. Planning Total | 619,687 | 234,101 | 385,586 | 37.8% |
| TMPO | | | | |
| Expenses | | | | |
| Compensation | - | 4,695 | (4,695) | |
| Contracts | 155,729 | 6,763 | 148,966 | 4.3% |
| Other | 21,034 | 34,545 | (13,511) | 164.2% |
| Expenses Total | 176,763 | 46,003 | 130,760 | 26.0% |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|---|------------------|------------------|------------------|---------------|
| TMPO Total | 176,763 | 46,003 | 130,760 | 26.0% |
| L RTP Total | 796,450 | 280,104 | 516,346 | |
| R & A | | | | |
| Research & Analysis | | | | |
| Expenses | | | | |
| Compensation | 1,112,391 | 809,973 | 302,418 | 72.8% |
| Contracts | 1,237,942 | 343,626 | 894,316 | 27.8% |
| Other | 13,133 | 12,323 | 810 | 93.8% |
| Expenses Total | 2,363,466 | 1,165,923 | 1,197,543 | 49.3% |
| Research & Analysis Total | 2,363,466 | 1,165,923 | 1,197,543 | 49.3% |
| Nearshore Trib Monitoring (Lahontan) | | | | |
| Revenue | | | | |
| Grants | (128,223) | (145,139) | 16,916 | 113.2% |
| Revenue Total | (128,223) | (145,139) | 16,916 | 113.2% |
| Expenses | | | | |
| Compensation | 2,305 | 2,577 | (271) | 111.8% |
| Contracts | 125,918 | 127,622 | (1,704) | 101.4% |
| A&O/Transfers | - | 0 | 0 | |
| Expenses Total | 128,223 | 130,199 | (1,975) | 101.5% |
| Nearshore Trib Monitoring (Lahontan) Total | 0 | (14,940) | 14,941 | |
| Lake Tahoe West GIS Support | | | | |
| Revenue | | | | |
| State Revenue | (201,422) | (101,370) | (100,052) | 50.3% |
| Revenue Total | (201,422) | (101,370) | (100,052) | 50.3% |
| Expenses | | | | |
| Contracts | 201,422 | 94,174 | 107,248 | 46.8% |
| Other | - | 6,850 | (6,850) | |
| Expenses Total | 201,422 | 101,025 | 100,397 | 50.2% |
| Lake Tahoe West GIS Support Total | - | (345) | 345 | |
| Lahontan Lakewide Survey | | | | |
| Expenses | | | | |
| Compensation | 2,288 | 371 | 1,917 | 16.2% |
| Expenses Total | 2,288 | 371 | 1,917 | 16.2% |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|--|------------------|------------------|------------------|---------------|
| Lahontan Lakewide Survey Total | 2,288 | 371 | 1,917 | |
| Climate Impacts on Alpine Lake | | | | |
| Revenue | | | | |
| Grants | (48,000) | 0 | (48,000) | 0.0% |
| Revenue Total | (48,000) | 0 | (48,000) | 0.0% |
| Expenses | | | | |
| Contracts | 45,714 | 0 | 45,714 | 0.0% |
| A&O/Transfers | 2,286 | 0 | 2,286 | 0.0% |
| Expenses Total | 47,999 | 0 | 47,999 | 0.0% |
| Climate Impacts on Alpine Lake Total | (0) | 0 | (0) | 0.0% |
| NDEP Nearshore Algal Monitoring | | | | |
| Revenue | | | | |
| Grants | (32,000) | (19,072) | (12,928) | 59.6% |
| Revenue Total | (32,000) | (19,072) | (12,928) | 59.6% |
| Expenses | | | | |
| Contracts | 32,000 | 19,072 | 12,928 | 59.6% |
| Expenses Total | 32,000 | 19,072 | 12,928 | 59.6% |
| NDEP Nearshore Algal Monitoring Total | - | 0 | 0 | |
| R & A Total | 2,365,754 | 1,151,008 | 1,214,746 | |
| Infrastructure | | | | |
| General Services | | | | |
| Expenses | | | | |
| Compensation | 101,607 | 74,614 | 26,994 | 73.4% |
| Contracts | 30,414 | 582 | 29,832 | 1.9% |
| Other | 181,208 | 159,341 | 21,867 | 87.9% |
| Rent | 688,980 | 516,735 | 172,245 | 75.0% |
| Expenses Total | 1,002,209 | 751,271 | 250,938 | 75.0% |
| General Services Total | 1,002,209 | 751,271 | 250,938 | 75.0% |
| IT | | | | |
| Expenses | | | | |
| Contracts | 280,000 | 206,849 | 73,151 | 73.9% |
| Other | 213,586 | 237,815 | (24,229) | 111.3% |
| Expenses Total | 493,586 | 444,664 | 48,922 | 90.1% |

TRPA Detailed Financials
Fiscal YTD February 2024

| Row Labels | Ann Budget | YTD | Remaining | Percent Spent |
|-----------------------------|--------------------|--------------------|------------------|---------------|
| IT Total | 493,586 | 444,664 | 48,922 | 90.1% |
| Building | | | | |
| Revenue | | | | |
| Other Revenue | - | (1,913) | 1,913 | |
| Rent Revenue | (325,943) | (261,127) | (64,816) | 80.1% |
| TRPA Rent Revenue | (688,980) | (516,735) | (172,245) | 75.0% |
| Revenue Total | (1,014,923) | (779,775) | (235,148) | 76.8% |
| Expenses | | | | |
| Contracts | 316,447 | 76,494 | 239,953 | 24.2% |
| Financing | 547,575 | 393,432 | 154,143 | 71.8% |
| Other | 83,378 | 30,864 | 52,514 | 37.0% |
| Expenses Total | 947,400 | 500,790 | 446,609 | 52.9% |
| Building Total | (67,523) | (278,984) | 211,461 | |
| CAM | | | | |
| Revenue | | | | |
| Rent Revenue | (3,680) | 0 | (3,680) | 0.0% |
| Revenue Total | (3,680) | 0 | (3,680) | 0.0% |
| Expenses | | | | |
| Other | 77,687 | 73,823 | 3,864 | 95.0% |
| Expenses Total | 77,687 | 73,823 | 3,864 | 95.0% |
| CAM Total | 74,007 | 73,823 | 184 | 99.8% |
| Infrastructure Total | 1,502,279 | 990,774 | 511,505 | 66.0% |
| Other | | | | |
| Expenses | | | | |
| Compensation | 143,183 | 0 | 143,183 | 0.0% |
| Contracts | - | 330,000 | (330,000) | |
| Other | 140,181 | 0 | 140,181 | 0.0% |
| A&O/Transfers | (2,005,640) | (1,597,718) | (407,922) | 79.7% |
| Expenses Total | (1,722,276) | (1,267,718) | (454,558) | 73.6% |
| Other Total | (1,722,276) | (1,267,718) | (454,558) | 73.6% |
| Other Total | (1,722,276) | (1,267,718) | (454,558) | 73.6% |

STAFF REPORT

Date: April 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of City of South Lake Tahoe Mobility Mitigation Funds (\$216,481.69) and Air Quality Mitigation Funds (\$183,518.31) towards construction of Bijou Park Class 1 Bicycle Trail - Greenway Connector

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the City of South Lake Tahoe’s request, subject to the conditions cited below. The request is consistent with the Environmental Improvement Program and Regional Transportation Plan objectives, the TRPA Code of Ordinances, and the Governing Board’s policy guidelines for the release of mitigation funds.

Required Motion:

To approve the requested release, the Board must make the following motion:

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

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

| Table 1 Proposed Funding Release | | | |
|-------------------------------------|---|------|---------------------|
| EIP # | PROJECT | Fund | Amount |
| 03.02.02.0092 | Bijou Park Class 1 Bicycle Trail - Greenway Connector | MMF | \$216,481.69 |
| 03.02.02.0092 | Bijou Park Class 1 Bicycle Trail - Greenway Connector | AQ | \$183,518.31 |
| | Total Funding Requested | | \$400,000.00 |

Background:

The Greenway Connector will construct 0.6 miles of bicycle and pedestrian trail, linking the Al Tahoe Mobility Project Class 1 Bike Trail, with the California Tahoe Conservancy’s Greenway Trail Phase 1B. The planning and environmental review for this project is complete, and construction is scheduled for May-October, 2025. The trail will be entirely located within the City’s Bijou Park Property, and will provide cyclists and pedestrians with a safe and scenic commuter route from Johnson Boulevard to Bijou Park.

This is an EIP priority project to advance transportation thresholds. This project will further the goal of providing alternative modes of transportation instead of the motor vehicle, thereby reducing carbon emissions and Vehicle Miles Travelled (VMT).

The unencumbered account balance for the Operations and Maintenance fund for the City of South Lake Tahoe, as of March 27, 2024, is \$21,092.06, and the unencumbered account balance for the Air Quality fund is \$359,101.29, which is sufficient to cover this request.

Conditions:

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

1. The City shall only use the funds for the project cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA's Regional Plan.
3. The City agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.
4. The City agrees to maintain a report detailing the use and expenditure of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.
5. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.
6. The City agrees to request from TRPA a final inspection no later than 30 days after completion of the project.
7. TRPA approved EIP signage shall be used on all projects to identify TRPA as a funding source and shall include the EIP logo.
8. The City agrees to update and maintain project expenditures and applicable EIP Performance Measures achieved by this project in the EIP Tracker.

Regional Plan Compliance:

The proposed release complies with the TRPA Regional Plan and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Tracy Campbell at (775) 589-5257 or tcampbell@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.

Attachment:

- A. EIP Project Fact Sheet

Attachment A

EIP Project Fact Sheet - Bijou Park Class 1 Bicycle Trail - Greenway Connector

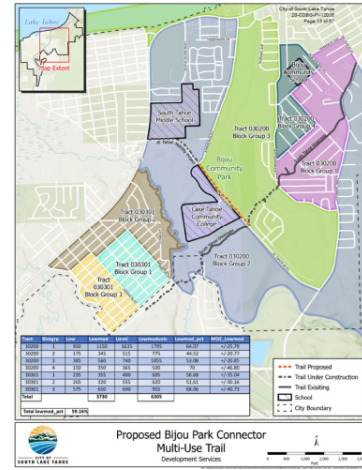


Bijou Park Class 1 Bicycle Trail - Greenway Connector

| | |
|-----------------|-----------------------------------|
| Project Number | 03.02.02.0092 |
| Action Priority | Build and Enhance Trail Networks |
| Implementers | City of South Lake Tahoe |
| Primary Contact | Jason Burke (jburke@cityofslt.us) |
| Stage | Planning/Design |
| Duration | 2021 - 2025 |

Transportation Program > Build and Enhance Trail Networks

This project proposes to construct 0.6 miles of bicycle and pedestrian trail that would link the Al Tahoe Mobility Project constructed in 2020 (Johnson Blvd & Al Tahoe Boulevard) with the CTC Greenway Trail Phase 1B (Constructed 2021). The trail would be entirely located within the City's Bijou Park Property. This project is a high priority project with the Community Mobility Group and the Measure S Joint Powers Authority Bicycle Committee.



Project location and connectivity

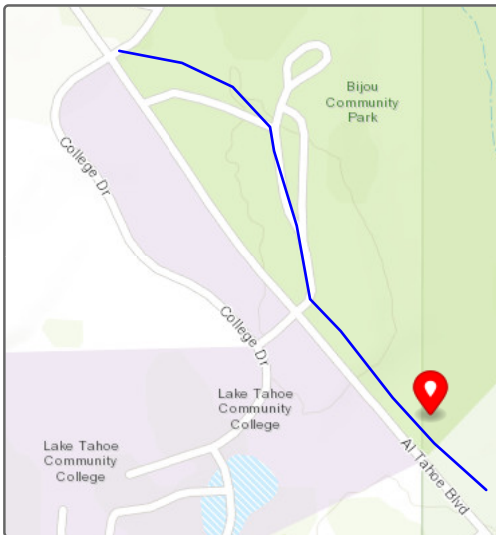
Key Accomplishments

Accomplishments to be provided upon completion of project

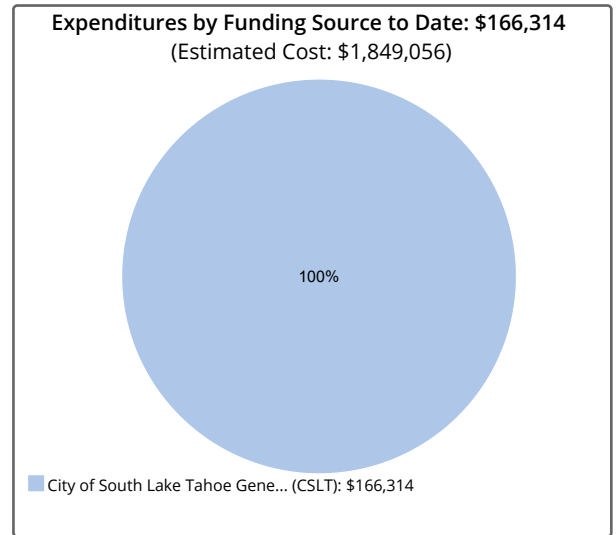
Threshold Categories

- Air Quality
- Recreation

Location



Expenditures



STAFF REPORT

Date: April 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of City of South Lake Tahoe Operations & Maintenance (O&M) Mitigation Funds (\$21,092.06) and Air Quality Mitigation Funds (\$54,685.35) to cover the cost of CARB compliance upgrade for Two XBroom Street Sweepers

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the City of South Lake Tahoe’s request, subject to the conditions cited below. The request is consistent with the Environmental Improvement Program and Regional Transportation Plan objectives, the TRPA Code of Ordinances, and the Governing Board’s policy guidelines for the release of mitigation funds.

Required Motion:

To approve the requested release, the Board must make the following motion:

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

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

| Table 1 Proposed Funding Release | | | |
|-------------------------------------|--|------|--------------------|
| EIP # | PROJECT | Fund | Amount |
| 01.01.01.0217 | 2 x XBroom Street Sweepers CARB Compliance Upgrade | O&M | \$21,092.06 |
| 01.01.01.0217 | 2 x XBroom Street Sweepers CARB Compliance Upgrade | AQ | \$54,685.35 |
| Total Funding Requested | | | \$75,777.41 |

Background:

On March 27, 2024 the TRPA Governing Board approved the release of \$405,601.00 in City of South Lake Tahoe Operations & Maintenance (O&M) Mitigation Funds towards the purchase of two new XBroom Street Sweepers. City staff have since ascertained that the original quote was for non-CARB compliant units. This request is to cover the additional cost of upgraded CARB compliant XBroom Street Sweepers, as required by California regulations.

Sweeping city streets to reduce sediment on the road surface, and prevent fine particulates from being transported to Lake Tahoe, is critical to meeting TMDL pollutant load reductions.

Funding Match:

Operations and maintenance fund releases require a 1:1 local funding match. For this request, the local match funding source is the City of South Lake Tahoe General Fund.

| City of South Lake Tahoe – Local Funding Match | | | |
|--|------------------|-------------|---------------------|
| | Mitigation Funds | Local Match | Total Budget |
| CSLT Measure S General Fund | | \$75,777.41 | \$75,777.41 |
| O&M Mitigation Funds | \$21,092.06 | | \$21,092.06 |
| Air Quality Mitigation Funds | \$54,685.35 | | \$54,685.35 |
| Total | \$75,777.41 | \$75,777.41 | \$151,554.82 |

The unencumbered account balance for the Operations and Maintenance fund for the City of South Lake Tahoe, as of March 27, 2024, is \$21,092.06, and the unencumbered account balance for the Air Quality fund is \$359,101.29, which is sufficient to cover this request.

Conditions:

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

1. The City shall only use the funds for the project cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA’s Regional Plan.
3. The City agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.
4. The City agrees to maintain a report detailing the use and expenditure of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.
5. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.
6. The City agrees to request from TRPA a final inspection no later than 30 days after completion of the project.
7. TRPA approved EIP signage shall be used on all projects to identify TRPA as a funding source and shall include the EIP logo.

8. The City agrees to update and maintain project expenditures and EIP Performance Measures achieved by this project in the EIP Tracker.

Regional Plan Compliance:

The proposed release complies with the TRPA Regional Plan and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Tracy Campbell at (775) 589-5257 or tcampbell@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.

Attachment:

- A. EIP Project Fact Sheet

Attachment A

EIP Project Fact Sheet - Purchase of two XBroom Street Sweepers



Purchase of Two XBroom Street Sweepers

| | |
|-----------------|--|
| Project Number | 01.01.01.0217 |
| Action Priority | Reduce Stormwater Pollution From: Roads and Highways, Forest Roads, Public and Privat Parcels |
| Implementers | City of South Lake Tahoe |
| Primary Contact | Stephen Anderjack (sanderjack@cityofslt.us) |
| Stage | Planning/Design |
| Duration | 2024 - 2024 |

Stormwater Management Program ➤ Reduce Stormwater Pollution From: Roads and Highways, Forest Roads, Public and Private Parcels

Purchase of two 2023 Freightliner CNG Chassis with mounted XBroom to replace two failing units. Project is requesting \$405,601 in O&M Funds. O&M Funds will be matched with \$405,601 in City of South Lake Tahoe General Funds. The cost of each unit is approximately \$405,601 which totals to \$811,202 for two units.



Proposed Sweeper

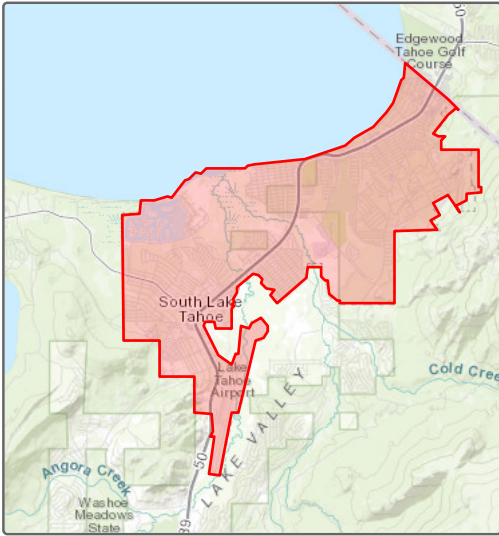
Key Accomplishments

Accomplishments to be provided upon completion of project

Threshold Categories

- Air Quality
- Water Quality

Location



Expenditures

No expenditures provided

STAFF REPORT

Date: April 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: Jonathan Gallegos and Kingdom Tree Services; Unauthorized Tree Removal, 2675 Elwood Ave., South Lake Tahoe, CA, Assessor's Parcel Number (APN) 031-132-013, TRPA File No. CODE2024-0004.

Summary and Staff Recommendation:

Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which Jonathan Gallegos ("Gallegos"), and Kingdom Tree Services ("Kingdom"), collectively referred to as the "Settling Parties", agree to pay a \$20,000 penalty to TRPA and attend the TRPA Tree Removal Seminar for the unauthorized removal of four trees over 14 inches diameter at breast height ("dbh") at the property located at 2675 Elwood Ave., South Lake Tahoe, CA, Assessor's Parcel Number (APN) 031-132-013 ("Property").

Required Motions:

To approve the proposed violation resolution, the Board must make the following motion, based on this staff summary:

A motion to approve the Settlement Agreement as shown in Attachment A.

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

Violation Description/Background:

The removal of trees larger than 14 inches dbh without authorization from TRPA is a violation of TRPA Code section 61.1.5. In February 2024, TRPA staff inspected a complaint of excessive tree cutting on the Property, which is the site of an uninhabited single-family dwelling. During this inspection, TRPA staff discovered that several trees larger than 14 inches dbh had been removed without TRPA approval. After further investigation and discussion with Gallegos, TRPA staff determined that four trees between the sizes of 19-28 inches dbh were removed without any authorization from TRPA or the City of South Lake Tahoe. The trees were removed by Kingdom, a Sacramento-based tree removal company hired by Gallegos. Gallegos explained the trees were removed because they were causing safety concerns to the structure, however TRPA staff determined the trees were not an immediate threat and the Gallegos/Kingdom activity should have been reviewed and approved prior to removal.

The Settling Parties have accepted responsibility for the unauthorized removal of the four trees and have agreed to a settlement under which they will pay a penalty of \$20,000 to TRPA. Additionally, both

Kingdom and Gallegos will attend the next TRPA Tree Removal Seminar. Staff believes the Settlement Agreement represents an appropriate response to the violation and will help deter future violations of a similar nature.

Regional Plan Compliance:

The Tahoe Regional Planning Compact Article VI (k), Compliance, provides for enforcement and substantial penalties for violations of TRPA ordinances or regulations. The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Steve Sweet, Code Compliance Program Manager, at (775) 589-5250 or ssweet@trpa.gov.

Attachments:

- A. Settlement Agreement

Attachment A

Settlement Agreement



SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Jonathan Gallegos, Kingdom Tree Services and the Tahoe Regional Planning Agency ("TRPA"). Jonathan Gallegos and Kingdom Tree Services are collectively referred to as the "Settling Parties". This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

In January 2024, The Tahoe Regional Planning Agency (TRPA) inspected the Property located at 2675 Elwood Ave., South Lake Tahoe, CA, Assessor's Parcel Numbers 031-132-013, and found that the following violations of the TRPA Code of Ordinances had occurred:

1. TRPA Code Section 2.3.2: The following activities are not subject to review and approval by TRPA, provided they do not result in the creation of additional land coverage or relocation of land coverage, comply with Sections 36.6 (Building Design Standards), 36.9 (Water Conservation Standards), 65.1 (Air Quality Control), and meet all restrictions set forth below. *Removal of trees greater than 14 inches dbh is not an exempt activity. Four (4) trees greater than 14" dbh removed without authorization.*
2. TRPA Code Section 61.1.5: The cutting, moving, removing, killing, or materially damaging of live trees, and the attachment of appurtenances to trees, shall comply with this subsection. The removal of trees 14 inches dbh or less shall be exempt from TRPA approval under subparagraph 2.3.2.M and requirements of this chapter, except as provided herein. Removal of trees greater than 14 inches dbh shall require approval by TRPA except as provided in subparagraphs 61.1.4.A.2 and 61.1.4.A.3. Removal of trees greater than six inches dbh on lakefront properties where the trees to be removed provide vegetative screening of existing structures as viewed from Lake Tahoe requires TRPA approval, except as provided in subsections 61.1.4.A.2 and 61.1.4.A.3. Permits shall be granted or denied in conformity with the provisions of this chapter. *Four (4) trees greater than 14" dbh removed without authorization.*

This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below:

In order to fully resolve the matter, the parties hereby agree as follows:

1. The Settling Parties shall pay TRPA \$20,000 within 30 days of Governing Board approval of this Settlement Agreement.
2. Jonathan Gallegos and Kingdom Tree Service will both attend the next tree removal seminar conducted by TRPA to improve their knowledge of TRPA tree permitting regulations.
3. If Settling Parties fails to comply with any of the actions required by this Settlement Agreement, the Settling Parties confess to judgment against them and in favor of TRPA in the amount of \$40,000 (payable immediately) and an injunction to enforce the terms of this Settlement Agreement. The Settling Parties also agree to pay all reasonable attorney fees and costs associated with collecting the increased settlement of \$40,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA

has provided the Settling Parties with written notice of default and notice to cure such default within ten days of the date of written notice. If the default has not been cured by that time, TRPA may file the confession of judgment.

4. Once the Settling Parties have fully complied with all of the terms herein, TRPA shall release the Settling Parties of all claims arising out of their failure to follow TRPA procedures during the activities described in this Settlement Agreement.

The Settling Parties have read this Settlement Agreement and understand all of its terms. Settling Parties have executed this Settlement Agreement after opportunity to review the terms with an attorney and acknowledges that the above-described activities constitute a violation of TRPA regulations. The Settling Parties agree to comply with all applicable TRPA requirements in the future.

Signed:



Jonathan Gallegos

4-9-24

Date



Kingdom Tree Services

April 10th 2024

Date

Julie Regan, Executive Director
Tahoe Regional Planning Agency

Date



STAFF REPORT

Date: April 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: Nader and Brigitte Panah-Izadi; Unauthorized Tree Removal, Failure to implement and maintain temporary BMPs resulting in direct discharge to the waters of Lake Tahoe, and Unauthorized Construction in the Shorezone, 255 Drum Road, El Dorado County, CA, Assessor’s Parcel Number (APN) 016-300-062, TRPA Project File No. ERSP2021-0568-01 and TRPA Enforcement File No. CODE2023-0090

Summary and Staff Recommendation:

Staff recommends that the Governing Board accept the proposed Settlement Agreement (Attachment A) in which Nader and Brigitte Panah, (together “the Settling Parties”), agree to pay a \$55,000 penalty to TRPA, obtain a permit for all revisions, and restore all disturbed areas at the property located at 255 Drum Road, El Dorado County, CA, Assessor’s Parcel Numbers 016-300-062 (“Property”).

Required Motions:

To approve the proposed violation resolution, the Board must make the following motion, based on this staff summary:

A motion to approve the Settlement Agreement as shown in Attachment A.

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

Violation Description/Background:

In December 2023, TRPA staff conducted a routine inspection of the construction project on the Property. During this inspection, TRPA staff discovered that multiple large trees had been removed without TRPA approval, and that discharges into the waters of Lake Tahoe occurred from two different areas of the Property due to failures to properly stabilize the site and maintain adequate best management practices (“BMPs”). Staff also noted unauthorized construction of new stairs in the shorezone that were not on the approved plans.

After further investigation and discussion with the Settling Parties, TRPA staff determined that several violations of the permit and Code of Ordinances occurred. Specifically, the violations TRPA identified are as follows:

1. Unauthorized disturbance of soil between October 15 and May 1, and failure to properly winterize the site, in violation of TRPA Code Section 33.3.1.A.

2. Failure to install temporary erosion controls, in violation of TRPA Code Section 33.3.1.D.1.a.
3. Failure to install temporary vegetation protection measures, in violation of TRPA Code Sections 33.3.1.D.1.b, 33.6.1, 33.6.10.A, and 33.6.10.E, resulting in material damage to vegetation and at least four trees greater than 14" diameter breast height (dbh).
4. Failure to adequately stabilize disturbed areas, in violation of TRPA Code Section 33.3.1.D.1.c.
5. Failure to remove spoil piles as required, in violation of TRPA Code Section 33.3.1.D.1.f.
6. Failure to install permanent mechanical erosion control devices, in violation of TRPA Code Section 33.3.1.D.2.a.
7. Failure to restrict parking and operation of vehicles and equipment to paved areas, in violation of TRPA Code Section 33.3.1.D.2.
8. Unauthorized and uncontrolled indirect discharges to the waters of the region of solid or liquid waste materials, including soil, silt, clay, sand, or other organic or earthen materials, in violation of TRPA Code Section 33.3.2.B.
9. Failure to minimize the area and extent of excavations to avoid unnecessary soil disturbance, in violation of TRPA Code Section 33.3.6.C.
10. Failure to exclude certain materials or equipment from protected areas, in violation of TRPA Code Sections 33.6.9.B and 33.6.10.C, resulting in material damage to soils, vegetation, and trees greater than 14" dbh.
11. Failure to properly delineate and observe limits on area of disturbance, in violation of TRPA Code Section 36.12.
12. Failure to implement and maintain adequate Best Management Practices (BMPs), in violation of TRPA Code Section 60.4.3.A.
13. Creation of unauthorized land coverage in the backshore, in violation of TRPA Code Section 80.4.3.A.
14. Unauthorized removal of three trees greater than 30" dbh, in violation of TRPA Code Sections 61.1.5.

In discussions with TRPA staff, the Settling Parties disputed their responsibility for some of the alleged violations (on grounds that their actions were justified or that some other party was responsible). TRPA staff, however, maintain that the Settling Parties are ultimately responsible as the owner and general contractor, and that the violations are factually and legally supported. Ultimately, the Settling Parties agreed to resolve the violations, including those in dispute, and elected to enter a settlement agreement. Under the Agreement, the Settling Parties will pay a penalty of \$55,000 to TRPA, obtain a permit for all revisions, restore all disturbed areas on the Property, and plant native conifers in the conservation area and shorezone. Staff believes the Settlement Agreement represents an appropriate response to the violation and will help deter future violations of a similar nature. Although the

Settlement Agreement includes notations where TRPA staff and the Settling Parties may still disagree, the statements do not alter the legally binding nature of the Agreement.

Regional Plan Compliance:

The Tahoe Regional Planning Compact Article VI (k), Compliance, provides for enforcement and substantial penalties for violations of TRPA ordinances or regulations. The proposed resolution complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Steve Sweet, Code Compliance Program Manager, at (775) 589-5250 or ssweet@trpa.gov.

Attachments:

A. Settlement Agreement

Attachment A

Settlement Agreement



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between Nader and Brigitte Panah-Izadi (“Panah”) and the Tahoe Regional Planning Agency (“TRPA”) (together, “the Settling Parties”). This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

In November and December 2023, TRPA inspected the Property located at 255 Drum Road, El Dorado County, CA, Assessor’s Parcel Numbers 016-300-062, TRPA File Number ERSP2021-0586, and found that the following violations of the TRPA Code of Ordinances have occurred (listed in no specific order):

1. Unauthorized disturbance of soil between October 15 and May 1, and failure to properly winterize the site, in violation of TRPA Code Section 33.3.1.A. Although Panah contends and TRPA does not dispute that TRPA granted Panah extensions to conduct work between October 15, 2023 and November 4, 2023, Panah acknowledges authorized work was conducted after November 4, 2023.
2. Failure to install temporary erosion controls, in violation of TRPA Code Section 33.3.1.D.1.a. Panah installed technical temporary erosion control measures by October 15, 2023, and later added more measures.
3. Failure to install temporary vegetation protection measures, in violation of TRPA Code Sections 33.3.1.D.1.b, 33.6.1, 33.6.10.A, and 33.6.10.E, resulting in material damage to vegetation and possibly four trees greater than 14” diameter breast height (dbh).
4. Failure to adequately stabilize disturbed areas, in violation of TRPA Code Section 33.3.1.D.1.c.
5. Failure to remove spoil piles as required, in violation of TRPA Code Section 33.3.1.D.1.f. Panah contends that Items 4 and 5, and TRPA does not dispute, was the result of cancelled stripping and the clean up of authorized activities due to the cease and desist order.
6. Failure to install permanent mechanical erosion control devices, in violation of TRPA Code Section 33.3.1.D.2.a.

7. Failure to restrict parking and operation of vehicles and equipment to paved areas, in violation of TRPA Code Section 33.3.1.D.2.
8. Unauthorized and uncontrolled indirect discharges to the waters of the region of solid or liquid waste materials, including soil, silt, clay, sand, or other organic or earthen materials, in violation of TRPA Code Section 33.3.2.B. Panah contends and TRPA does not dispute that the purported violation refers to run-off onto Drum Road that may have been discharged from another uphill property. Panah installed technical temporary erosion control measures by October 15, 2023, and later added more measures.
9. Failure to minimize the area and extent of excavations to avoid unnecessary soil disturbance, in violation of TRPA Code Section 33.3.6.C.
10. Failure to exclude certain materials or equipment from protected areas, in violation of TRPA Code Sections 33.6.9.B and 33.6.10.C, resulting in material damage to soils, vegetation, and trees greater than 14" dbh.
11. Failure to properly delineate and observe limits on area of disturbance, in violation of TRPA Code Section 36.12.
12. Failure to implement and maintain adequate Best Management Practices (BMPs), in violation of TRPA Code Section 60.4.3.A.
13. Creation of unauthorized land coverage in the backshore, in violation of TRPA Code Section 80.4.3.A.
14. Unauthorized removal of three trees greater than 30" dbh, in violation of TRPA Code Sections 61.1.5. Panah contends and TRPA does not dispute that the removal of at least two of the trees were because the trees were dead and posed a hazard.

Although, Panah disputes TRPA's contentions that Panah was responsible for the violations identified above, Panah desires to resolve this matter with TRPA. This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below.

In order to fully resolve the matter, the parties hereby agree as follows:

1. Panah shall pay TRPA \$55,000 within 60 days of Governing Board approval of this Settlement Agreement.
2. Panah shall restore all disturbed areas pursuant to a TRPA approved restoration plan (the "Plan"). The Plan shall be submitted within 60 days of approval of this Agreement and the work necessary to implement the Plan shall be completed prior to October 1, 2024, subject to TRPA timely review and approval of the Plan.

3. All unauthorized work shall either be permitted through a plan revision or removed and restored pursuant to the Plan unless such restoration measures were already implemented pursuant to TRPA approval. Panah shall obtain a plan revision for all unauthorized work prior to continuance of those activities.
4. As mitigation for the unauthorized tree removal, Panah shall plant three 15–20-foot trees of the same type in a similar approved location(s). Such replanting shall be completed within 6 months of approval of the Plan. The three planted trees shall be inspected after two years for survival and may not be removed without TRPA approval. If any of the trees die within the first two years, a new tree shall be planted and monitored two years after planting. Additionally, Panah shall leave as is the greater than 30” dbh Cedar tree that was topped, and the remaining trunk shall not be further removed so that the trunk can serve as wildlife habitat.
5. In the event TRPA fails to timely review and approve the Plan or the plan revision for all unauthorized work, TRPA shall agree to an extension of time so that Panah has sufficient time to complete the work required by this Settlement Agreement. As mitigation for the removal of trees that provided vegetative screening, Panah shall obtain a new scenic analysis and submit a scenic restoration plan which will include the planting of two 15–20-foot native conifers to replace the one removed without authorization. The two planted trees in the shorezone shall be inspected after two years for survival and may not be removed without TRPA approval. If any of the trees die within the first two years, a new tree shall be planted and monitored for two years after planting.
6. If Panah fails to comply with any of the actions required by this Settlement Agreement and such failure to comply is not as a result of TRPA’s failure to timely act, Panah confess to judgment against them and in favor of TRPA in the amount of \$110,00 (payable immediately) and an injunction to enforce the terms of this Settlement Agreement. Panah also agrees to pay all reasonable attorneys fees and costs associated with collecting the increased settlement of \$110,000. Notwithstanding the foregoing, the confession of judgment shall not be filed unless TRPA has provided Panah with written notice of default and notice to cure such default within ten days of the date of written notice. If the default has not been cured by that time, TRPA may file the confession of judgment.
7. Once Panah has fully complied with all of the terms herein, TRPA shall release Panah of all claims arising out of their failure to follow TRPA procedures during the activities described in this Settlement Agreement. Notwithstanding the foregoing and subject to the requirements of Paragraphs 2, 3, 4, and 5 in this section, TRPA shall acknowledge that the Property conditions have addressed TRPA’s concerns based on the work carried out to date and in compliance with this Settlement Agreement.

The Settling Parties have read this Settlement Agreement and understand all of its terms. The Settling Parties have executed this Settlement Agreement after an opportunity to review the terms with an attorney and acknowledge that the above-described activities constitute a violation of TRPA regulations. The Settling Parties agree to comply with all applicable TRPA requirements in the future.

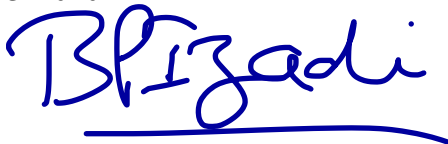
Signed:



Nader Panah

04/12/2024

Date



Bridgette Panah

04/12/2024

Date

Julie Regan, Executive Director
Tahoe Regional Planning Agency

Date



STAFF REPORT

Date: April 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: California Tahoe Emergency Services Operation Authority (CTESOA), Paramedic Services Building Addition and Change of Use, 3066 Lake Tahoe Boulevard, City of South Lake Tahoe, California, TRPA File Number ERSP2023-1003, Assessor’s Parcel Numbers (APN) 026-050-005

Summary and Staff Recommendation:

The proposed CTESOA Paramedic Services Building Addition and Change of Use Project will authorize a change in use from a Chamber of Commerce/Visitor Authority office to a paramedic facility and an addition to the existing building on property located on Lake Tahoe Boulevard in the City of South Lake Tahoe. Tahoe Regional Planning Agency (TRPA) staff recommends that the Governing Board make the required findings and approve the proposed project.

Required Motions:

In order to approve the proposed project, the Board must make the following motions, based on the staff summary and evidence in the required:

- 1) A motion to approve the required findings, including a finding of no significant effect; and
- 2) A motion to approve the proposed CTESOA Paramedic Services Building Addition and Change of Use project, subject to the conditions in the draft permit (see Attachment B).

For the motions to pass, an affirmative vote of at least five members from the State of California and at least nine members of the Board is required.

Governing Board Review:

The TRPA Code, Section 2.2.2.B.1, requires Governing Board review and approval of additions to public service facilities involving more than 3,000 square feet of building floor area.

Project Description:

The project involves a single story, 3,180 square foot addition to an existing public service that houses the California Tahoe Emergency Services Operation Authority (CTESOA) paramedic facilities. The project will also authorize a 1,000 square foot carport to cover the ambulances and a retroactive change in use from a public service office to a local public health and safety facility. The addition will create a one-story 24-foot 8 inch tall three-bay ambulance garage, administrative offices, paramedic day use rooms, conference rooms and training rooms. The project will utilize previously existing land coverage that was removed and banked within the project area.

The CTESOA has a contract with El Dorado County to provide Paramedic Services to the City of South Lake Tahoe and the portion of El Dorado County within the Tahoe Basin. The building and site is owned by El Dorado County which has approved \$4.7 million in funding for the project with construction anticipated in the Spring of 2024.

The existing building which previously housed the Chamber of Commerce and Visitor's Authority was internally renovated in 2021 to create paramedic sleeping rooms, bathrooms, and a kitchen. The renovation which changed the use to a local public health and safety facility required the submittal of a TRPA Change in Use form, which was not submitted. Therefore, this approval will retroactively authorize the change in use and require the payment of a Mobility Mitigation fee.

This project will be an important asset and improvement to public life safety facilities and the long-term goal of this project is to provide a permanent paramedic facility to serve South Lake Tahoe. The current CTESOA is operating in substandard condition and this project will greatly improve the facilities and services provided to the City of South Lake Tahoe Resident including those located in the Lake Tahoe Basing El Dorado County. The location of the facility is centrally located, which will enable the CTESOA to meet its emergency response time goals.

Site Description:

The project area includes four parcels totaling approximately 56 acres in what is known as the 56-Acre Tract which includes the City of South Lake Tahoe library, historical museum and a new Recreation and Aquatics Center which is currently under construction. The project area is centrally located on Highway 50 in the City of South Lake Tahoe with the Bijou commercial area located to the west, the City of South Lake Tahoe Campground to the north, Tahoe Middle School and a residential neighborhood to the south; and Rufus Allen Boulevard and a residential neighborhood to the east. The project area is generally flat and well vegetated with shrubs and trees of varying heights.

56-Acre Park Master Plan:

The City of South Lake Tahoe approved the 56-Acre Park Master Plan on January 18, 2022. The goals of the Master Plan focus on environmental sustainability, cultural preservation, public service, provisions for recreational/civic needs, water quality, mobility improvements, aesthetic improvements, habitat preservation, and creating meaningful facilities and public open space. The Master Plan is a comprehensive strategy for the project site, facilities, programs, and services that is responsive to the community's demographics, social background, and multigenerational recreational needs. The Master Plan will serve to guide the City in capital improvement planning, programmatic planning, maintenance and operational planning, and budgetary decision making. The paramedic facility is recognized in the Master Plan as part of the long-term vision.

Scenic Quality:

The proposed project is designed to be similar in height to other structures in the commercial area and will include a small parking area that will be located behind the structures to reduce visibility from Highway 50. The building will be set back approximately 80 feet from the edge of Highway 50 and will be separated from the highway by an existing meandering sidewalk and landscaping.

The proposed ambulance facility will be visible from Scenic Roadway Unit 35, Al Tahoe and is located within Scenic Resource Area 35-5 which is described as "Commercial and mixed use of low density with good setbacks, retention of large pine trees gives a more natural appearance. The roadway unit's threshold travel route rating is 9.5 which is not in attainment with the scenic resource threshold. The site is not located within an "Area of Concern" by the TRPA Scenic Quality Improvement Program. The

travel route is designated an urban corridor and as stated in the TRPA Code, “Urban scenic highway corridors are generally urbanized areas where man-made development is the dominant visual feature.” In “urban” scenic corridors scenic quality is maintained and enhanced by new development and redevelopment that includes buildings with updated architecture and signage, appropriate color and building materials and screening of parking lots through landscaping and site planning considerations.

The 2019 Threshold Evaluation recognized that “Redeveloped buildings near Harrison Avenue benefit man-made features score.” This project involves the remodeling of an older structure and with the 80-foot building setback, proposed color and building materials, as well as updated architecture and landscaping, the project will not adversely affect the applicable roadway unit scenic quality ratings.

Air Quality/Vehicle Miles Travelled (VMT):

The proposed project is subject to TRPA’s updated Code of Ordinances for project impact assessment (Section 65.2). The updated project assessment process replaces average daily vehicle trip ends with Vehicle Miles Travelled (VMT) to determine a project’s impact to transportation. The updated process screens projects from additional analysis depending on its location: less than 1,300 average daily VMT when a project is within, or within ½ mile of, a town or regional center; less than 715 average daily VMT in all other areas in the Region.

The proposed project will generate 158 VMT, below the screening level for its location (1,300 VMT) and therefore no mitigation is required beyond payment of the Mobility Mitigation fee which is \$3,444.40. The VMT calculation accounts for the existing trips and associated VMT from the existing public service use prior to establishment of the paramedic facility.

Regional Plan Compliance:

The project is located within the Town Center District of the Bijou AI/Tahoe Community Plan and the District’s land use designation is Public Service and Recreation. The paramedic facility is classified as a Local Public Health and Safety Facility which is allowed use in the Town Center District.

The proposed project is consistent with the Regional Plan, Public Service and Facilities Element Goal PS-1: Public services and facilities should be allowed to upgrade and expand to support existing and new development consistent with the regional plan.

Contact Information:

For questions regarding this agenda item, please contact Paul Nielsen, Special Project Manager at (530)318.6025 or pnielsen@trpa.org. 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. Required Findings/Rationale
- B. Draft Permit
- C. Site Plans & Elevations
- D. Initial Environmental Checklist
- E. V(g) Findings
- F. Letters of Support

Attachment A
Required Findings/Rationale

Required Findings/Rationale

Required Findings: The following is a list of the required findings as set forth in Chapters 3, 4, 33, 37 and 61 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 3 – Required Findings:

Based on the information submitted in the IEC, and other information know to TRPA, TRPA shall make one of the following findings and take the identified action:

- (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 the Rules of Procedure, Section 6.6;
- (b) The proposed project could have a significant effect on the environment but, due to the mitigation measures that have been added to the project, the project could have no significant effect on the environment and a finding of no significant effect shall be prepared in accordance with Rules of Procedure Section 6.7; or
- (c) The proposed project may have a significant effect on the environment and an environmental impact statement shall be pared in accordance with Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure, Article 6.

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project, with the proposed conditions in the draft permits, will not have a significant effect on the environment and a finding of no significant effect shall be prepared.

2. Chapter 4 – Required Findings:

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

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, the TRPA Code and other TRPA plans and programs.

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

TRPA staff has completed the “Article V(g) Findings” in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. The applicant also completed an IEC. No significant environmental impacts were identified, and staff has concluded that the project will not have a significant effect on the environment.

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

TRPA is requiring that all potential environmental effects of the project be mitigated through the project design, including the installation of both temporary and permanent Best Management Practices and ongoing maintenance, and payment of a \$3,444,40 Mobility Mitigation fee. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

3. Chapter 30 – Land Coverage Relocation

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

The slope, vegetation, and soil type in the area of relocation is the same. The site is classified as Land Capability Class 7 and is therefore suitable for development. The building site is identified in the recently adopted City of South Lake Tahoe 56-Acre Master Plan as suitable and appropriate for the project area.

- (b) The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3.

The area from where the land coverage will be relocated will be revegetated with landscaping consisting of vegetation from the TRPA approved species list. The design of the project and associated designated walkways will prevent future disturbance of the restored area.

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

The relocation is entirely within a Land Capability Class 7 area.

4. Chapter 50 – Allocation of Development – Additional Public Service Facility

- 1) There is a need for the project;

The ambulance facility will house emergency response equipment and personnel that will serve the local community and is centrally located in the middle of town. There is no room to house ambulances at the nearby fire stations. The paramedic facility is recognized in the 56-Acre Park Master Plan as part of its long-term vision.

- 2) The project complies with the Goals and Policies, applicable plan area statements, and Code;

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, the TRPA Code and other TRPA plans and programs.

- 3) The project is consistent with the TRPA Environmental Improvement Program.

Construction of the project will not conflict with any existing or planned EIP projects in the area and the permittee is required to pay a \$3,444,400 Mobility Mitigation Fee which will be used to help fund transportation related EIP projects in the area. The new facility will also have permanent water quality Best Management Practices installed and maintained in perpetuity.

- 4) The project meets the findings adopted pursuant to Article V(g) of the Compact as set forth in Chapter 4: Required Findings, as they are applicable to the project's service capacity;

The project is located within the Town Center District of the Bijou Al/Tahoe Community Plan and the District's land use designation is Public Service and Recreation. The paramedic facility is classified as a Local Public Health and Safety Facility which is allowed use in the Town Center District. The proposed project is consistent with the Regional Plan, Public Service and Facilities Element Goal PS-1: Public services and facilities should be allowed to upgrade and expand to support existing and new development consistent with the Regional Plan.

- 5) If the proposed project is to be located within the boundaries of a community plan area, then, to the extent possible consistent with public health and safety, the project is compatible with the applicable community plan;

The project is located within the Town Center District of the Bijou Al/Tahoe Community Plan and the District's land use designation is Public Service and Recreation. The paramedic facility is classified as a Local Public Health and Safety Facility which is allowed use in the Town Center District.

Attachment B
Draft Permit

DRAFT PERMIT

PROJECT DESCRIPTION: Paramedic Services Building Addition and Change of Use

APNs: 026-050-005

FILE No: ERSP2023-1003

PERMITTEE: California Tahoe Emergency Services Operation Authority (CTESOA)

COUNTY/LOCATION: City of South Lake Tahoe / 3066 Lake Tahoe Boulevard

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on April 24, 2024, subject to the standard conditions of approval attached hereto (Attachment Q), and the special conditions found in this permit.

This permit shall expire on April 24, 2027, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS A CITY BUILDING PERMIT. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A CITY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
- (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

Date

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

Signature of Permittee(s) _____

Date _____

PERMIT CONTINUED ON NEXT PAGE

**TRPA FILE ERSP2023-1003
APNs 026-050-005**

Excess Coverage Mitigation Fee (1): Amount \$ _____ Paid _____ Receipt No. _____
Mobility Mitigation Fee (2): Amount \$ 3,444,40 Paid _____ Receipt No. _____
Project Security Posted (3): Amount \$ _____ Type ____ Paid _____ Receipt No. _____
Project Security Admin. Fee (4): Amount \$ _____ Paid _____ Receipt No. _____

- (1) See Special Condition 3.E below.
- (2) See Special Condition 3.F below.
- (3) See Special Condition 3.G below.
- (4) See TRPA Filing Fee Schedule.

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

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

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. The project involves a single story, 3,180 square foot addition to an existing public service that houses the California Tahoe Emergency Services Operation Authority (CTESOA) paramedic facilities. The project will also authorize a 1,000 square foot carport to cover the ambulances and a retroactive change in use from a public service office to a local public health and safety facility. The addition will create a one-story 24-foot 8 inch tall three-bay ambulance garage, administrative offices, paramedic day use rooms, conference rooms and training rooms. The project will utilize previously existing land coverage that was removed and banked within the project area.
2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The final plans plan shall be revised to include:
 - (1) The permanent BMP plan shall be revised to include a slotted drain or swale located along the property line at the driveway ingress/egress to ensure runoff is directed into onsite infiltration facilities and not into the public right-of-way.
 - (2) A note indicating all existing stormwater infiltration facilities shall be cleaned and or reinstalled to maintain effectiveness.

- (3) The elevation drawings shall include a note indicating that the existing and proposed structures, including the garage roll up doors, will be painted a TRPA approved color.
- (4) Temporary erosion control BMPs for the proposed fire sprinkler service connection trench.
- B. The final plans shall demonstrate how new combustion appliances conform to the air quality standards found in Subsection 65.1.4 and other applicable provisions of the TRPA Code. TRPA emission standards shall be noted and compared to the published emissions from proposed devices such as, but not limited to, water heaters and central furnaces.
- C. The permittee shall provide evidence that all basic service requirements for minimum fire flow will be met or exceeded in accordance with Section 32.4.A., Table 32.4.2-1 of the TRPA Code and local fire code requirements. Final plans shall show approval from the applicable fire district.
- D. A BMP INSPECTION AND MAINTENANCE PLAN shall be submitted detailing necessary maintenance activity and schedules for all BMPs installed on the property, including the existing lodge. All BMPs shall be maintained subject to the INSPECTION AND MAINTENANCE PLAN approved as part of this permit. All maintenance activities shall be recorded in a corresponding maintenance log. This log shall be maintained for the life of the property and made available for inspection by TRPA staff. If this log is not complete, TRPA will assume that maintenance has not been performed and reserves the right to revoke the BMP Certificate of Completion.
- E. The affected property has 102,651 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 4 – South Stateline or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:
Estimated project construction cost multiplied by the fee percentage of .04% (as identified in Table 30.6.1-2 of Subsection 30.6.1.C.3, Chapter 30 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:
Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$8.50 for projects within Hydrologic Transfer Area 4, South Stateline. Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than \$200.00.

- F. The permittee shall submit a \$3,444.40 mobility mitigation fee.
- G. The security required under Standard Condition A.3 of Attachment Q shall be determined upon the permittee's submittal of required Best Management Practices Plan(s) and related cost estimate(s). Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

- H. The permittee shall submit a final exterior lighting plan consistent with the requirements of the TRPA Code of Ordinances.
 - I. The permittee shall submit final building color and material samples for the existing carport and the proposed addition.
 - J. The permittee shall submit final building material storage and construction equipment staging plans.
 - K. The permittee shall submit a project construction schedule.
 - L. The permittee shall submit final construction plans.
4. If a prehistoric archeological site (such as midden soils, stone tools, chipped stone, baked clay, or concentrations of shell or bone) or a historic-period archaeological site (such as structural features, concentrated deposits of bottles, or other historic refuse) is uncovered during grading or other construction activities, all ground-disturbing activity within 100 feet of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. TRPA will be notified of the potential find and a qualified archaeologist shall be retained to investigate its significance. If the find is a prehistoric archeological site, the appropriate Native American group shall be notified. Any previously undiscovered resources found during construction will be recorded on appropriate California Department of Parks and Recreation 523 forms and evaluated for significance under all applicable regulatory criteria. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource, a unique archaeological resource, or tribal cultural resource), the archaeologist shall work with the permittee to follow accepted professional standards such as further testing for evaluation or data recovery, as necessary. If artifacts are recovered from significant historic archaeological resources, they shall be housed at a qualified curation facility. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, and analyzes and interprets the results.
5. Excavations are limited to 5 feet in depth.
6. All utility connections for the proposed project shall be undergrounded.
7. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.
8. The construction of a concrete washout facility is prohibited unless approved in writing by a TRPA Environmental Specialist.
9. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation

submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

10. Any normal construction activities creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.
11. To ensure noise levels don't exceed daytime noise standards, outdoor speakers shall be tuned at combined noise levels not to exceed 70 dBA Leq.
12. The permittee is responsible for ensuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.
13. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season.
14. Grading is prohibited any time of the year during periods of precipitation and for the resulting period when the site is covered with snow, or is in a saturated, muddy, or unstable condition.
15. All Best Management Practices shall be maintained in perpetuity to ensure effectiveness which may require BMPs to be periodically reinstalled or replaced.
16. Any change to the project requires approval (except for TRPA exempt activities) of a TRPA plan revision permit prior to the changes being made to any element of the project (i.e. structural modifications, grading, BMPs, etc.). Failure to obtain prior approval for modifications may result in monetary penalties.
17. Temporary and permanent BMPs may be field-fit as appropriate by the TRPA inspector. Parking barriers may be required at the discretion of the inspector.
18. Fertilizer use shall be in accordance with the Fertilizer Management standards in TRPA Code 60.1.8.
19. Excavation equipment is limited to approved construction areas to minimize site disturbance. No grading, excavation, storage or other construction related activities shall occur outside the area of disturbance.
20. The permittee shall prepare and provide photographs to the TRPA Compliance Inspector that have been taken during construction that demonstrate any subsurface BMPs or trenching and backfilling proposed on the project have been constructed correctly (depth, fill material, etc.).
21. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board (including individual members), its Planning Commission (including individual members), its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies,

without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, administrative appeal, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over their settlement, compromise, or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

END OF PERMIT

Attachment C
[Site Plans and Elevations](#) (link)

Attachment D
Initial Environmental Checklist

INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

PROJECT INFORMATION

Project Name: California Tahoe Emergency Services Operations Authority

Project Assessor's Parcel Number (APN): 026-050-005

Project Address: 3066 Lake Tahoe Blvd

County/City: City of South Lake Tahoe \ El Dorado County

Project Description: Paramedic Service Facility Expansion.

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 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:

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 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"/> |

Discussion:

Building is currently being used as a paramedic facility. No increase in number of ambulances being utilized on site.

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 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-yearflood 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"/> |
| 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"/> |

Discussion:

No changes to the water run off/ ground water. Current site has limited water quality BMP's. The proposed project includes additional BMPs throughout the site which will improve water quality treatment on site.

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 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 majority of project is located in old building footprint. Proposed increases to the footprint of building does not affect any significant natural vegetation.

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 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"/> |

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 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"/> |

Discussion:

Site is currently paramedic facility. No change in the use or number of ambulance trips currently being used.

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 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"/> |

Discussion:

All lighting to be TRPA compliant.

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 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"/> |

Discussion:

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 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"/> |

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 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"/> |

Discussion:

Location is ideal for a paramedic facility due to its central location in town which allows for reduced emergency response rates.

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 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"/> |

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 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"/> |

Discussion:

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 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"/> |

Discussion:

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 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"/> |

Discussion:

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 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"/> |

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 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"/> |

Discussion:

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 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:

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 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 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"/> |

Discussion:

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 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"/> |

Discussion:

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 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"/> |

Discussion:

A historical determination was completed and the property was deemed to not be of a historical significance.

II. FINDINGS OF SIGNIFICANCE

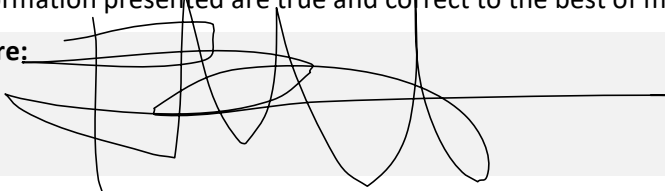
| | Yes | No | No, with mitigation | Data insufficient |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of 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 checked="" 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 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?) | <input type="checkbox"/> | <input checked="" 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 checked="" 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:



H. Brooke Martone

at CSLT

12/19/2023

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
V(g) Findings

PROJECT REVIEW CONFORMANCE CHECKLIST & V (g) FINDINGS

(Commercial/Tourist Accommodation/Public Service/Recreation/Resource Mngt.)

Project Name: Califonia Emergency Services Ambulance Facility

Project Type: Public Service

APN / Project Number: TRPA File Number ERSP2023-1002, Assessor’s Parcel Number (APN) 026-050-005

Project Review Planner: PN Date of Review: 4.12.24

NOTE: if the answer to question b. on any of the following questions is no, please provide a written justification on a separate sheet for making the findings required in subsections 4.4.1 and 4.4.2 of the code. If the answer to question b. is yes or if no answer is required, this checklist shall serve as justifications for making said findings. Any positive impacts of the project on the thresholds that have not been addressed in these questions should also be noted.

CATEGORY: AIR QUALITY

THRESHOLD: CARBON MONOXIDE (CO)

INDICATOR: (CO) 8-hr. avg. Stateline CA station

- 1. a. Does the project generate new vehicle trips? Y N
- b. If yes, is the project consistent with Subsection 65.2.4.B.1? Y N
- 2. a. Does the project create new points of vehicular access? Y N
- b. If yes, is the project consistent with Subsection 34.3.2? Y N
- 3. a. Does the project include combustion appliances? Y N
- b. If yes, is the project consistent with Subsection 65.1.4? Y N
- 4. a. Does the project include a new stationary source of CO? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

THRESHOLD: OZONE

INDICATOR: Ozone, 1-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase regional VMT? Y N
- b. If yes, is the project consistent with Subsection 65.2.4? Y N
- 2. a. Does the project include new gas/oil space/water heaters? Y N
- b. If yes, is the project consistent with Subsection 65.1.4? Y N
- 3. a. Does the project include a new stationary source of NO²? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

THRESHOLD: PARTICULATE MATTER

INDICATOR: Part. Matter, 24-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase airborne dust emissions? Y N
- b. If yes, is the project consistent with Subsection 60.4.3? Y N
- 2. a. Does the project include a new stationary source of particulate matter? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

3. a. Refer to question 1, Ozone, above.

THRESHOLD: VISIBILITY

INDICATOR: miles of visibility, veg and subregional path

1. a. Refer to questions 1-3, Particulate Matter, above.

THRESHOLD: TRAFFIC VOLUME
US 50 CORRIDOR, WINTER, 4pm-12am

INDICATOR: traffic volume, US 50 at Park Ave.
Jan.-Mar. avg., 4pm-12am

1. a. Refer to question 1, CO, above.

THRESHOLD: NO² EMISSIONS

INDICATOR: VMT

1. a. Refer to questions 1-2, VMT, below.

THRESHOLD: WOOD SMOKE

INDICATOR: number of wood heaters

1. a. Does the project include any new wood heaters? Y N
b. If yes, is the project consistent with Subsection 65.1.4.B? Y N

THRESHOLD: VMT

INDICATOR: changes in number of trips and avg. trip length

1. a. Does the project increase average trip length? Y N
b. If yes, is the project consistent with Subsection 65.2.4.B? Y N
2. a. refer to question 1, CO, above.

CATEGORY: WATER QUALITY

THRESHOLD: TURBIDITY

INDICATOR: turbidity of indicator stations

1. a. Does the project increase impervious coverage or create permanent soil disturbance? Y N
b. If yes, is the project consistent with Subsection 60.2.3? Y N
2. a. Does the project create temporary soil disturbance? Y N
b. If yes, is the project consistent with Subsection 60.4.3? Y N
3. a. Does the project require the use of fertilizer? Y N
b. If yes, is the project consistent with Subsection 60.1.8? Y N
4. a. Does the project include domestic wastewater discharge to the surface or groundwater? Y N
b. If yes, is the project consistent with Subsection 60.1.3.B? Y N
5. a. Does the project disturb or encroach on an existing SEZ? Y N
b. If yes, is the project consistent with Subsection 30.5? Y N

THRESHOLD: CLARITY, WINTER (IN LAKE)

INDICATOR: secch depth, Dec.-Mar. avg. TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: PHYTOPLANKTON PRIMARY PRODUCTIVITY (IN LAKE)

INDICATOR: phyto, primary productivity, ann. Avg., TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: DIN LOAD, SURFACE RUNOFF

INDICATOR: DIN x discharge, tributary network annual total 1

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN LOAD, GROUNDWATER

INDICATOR: DIN x discharge, grndwtr. Network, annual total

1. a. Refer to questions 2 & 3, turbidity, above.

THRESHOLD: DIN LOAD, ATMOSPHERIC

INDICATOR: NO3 + HNO, annual avg. Lake Tahoe Blvd station

1. a. Refer to question 4, turbidity, above.

THRESHOLD: NUTRIENT LOADS, GENERAL

INDICATOR: sol. P x discharge sol. Fe x

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: TOTAL N, P, Fe, (trib.) CA ONLY

INDICATOR: single reading, tributary network

1. a. Refer to questions 1, 2, 3, and 5, turbidity, above.

THRESHOLD: DIN; SOL, P, Fe, SS (trib.) NV ONLY

INDICATOR: single reading tributary network

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN, SOL, P, Fe, SS, GREASE/OIL DISCHARGED TO SURFACE WATER FROM RUNOFF

INDICATOR: single reading runoff sites

1. a. Does the project route impervious surface runoff directly into Lake Tahoe or a major tributary? Y N
- b. If yes, is the discharge structure consistent with BMP handbook? Y N
2. a. Does the project create large impervious areas (e.g. parking lots) which may serve as a source of airborne pollutants, grease or oil? Y N
- b. If yes, is the project consistent with Subsections 60.4.3, 60.4.6, 60.4.9? Y N

THRESHOLD: TOTAL N, TOTAL P, TOTAL Fe TURBIDITY, GREASE/OIL DISCHARGE TO GRDWTR FROM RUNOFF

INDICATOR: single reading runoff site

1. a. Does the project include infiltration devices to infiltrate impervious surface runoff directly underground? Y N
- b. If yes, is the project consistent with Subsection 60.4.6? Y N

CATEGORY: SOIL CONSERVATION

THRESHOLD: IMPERVIOUS COVERAGE

INDICATOR: area or coverage

1. a. Does the project include new or relocated coverage? Y N
b. If yes, is the project consistent with Subsection 30.4, 30.5, 30.6? Y N

THRESHOLD: NATURALLY-FUNCTIONING SEZ

INDICATOR: area of SEZ

1. a. Does the project disturb or encroach on a naturally-functioning SEZ? Y N
b. If yes, is the project consistent with Subsection 30.5? Y N

CATEGORY: VEGETATION

THRESHOLD: PLANT & STRUCTURAL DIVERSITY

INDICATOR: plant & structural diversity

1. a. Does the project create a change in diversity? Y N
b. If yes, does the project include vegetation management techniques to increase diversity (reveg., thinning)? Y N

THRESHOLD: MEADOW & RIPARIAN VEGETATION

INDICATOR: area of meadow & riparian veg.

1. a. Refer to question 5, turbidity, above.

THRESHOLD: DECIDUOUS RIPARIAN VEGETATION

INDICATOR: area of riparian vegetation

1. a. Refer to question 5, turbidity, above.

THRESHOLD: SHRUB ASSOCIATION

INDICATOR: area of shrub association

1. a. Does the project create an increase in the areal extent of the shrub association? Y N
b. If yes, has the additional area been calculated, and a determination been made that the total area is less than or equal to 25%? Y N

THRESHOLD: YELLOW PINE ASSOCIATION (not mature)

INDICATOR: area of yellow pine assoc.

1. a. Does the project create a change in the areal extent of the immature yellow pine association? Y N
b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: RED FIR ASSOCIATION

INDICATOR: area of red fir assoc.

1. a. Does the project create a change in the areal extent of the immature red fir association? Y N
b. If yes, has the additional are been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: FOREST OPENINGS

INDICATOR: size and location of forest openings

1. a. Does the project create new forest openings? Y N
b. If yes, is the new opening less than 8 acres? Y N

2. a. Does the project create new forest openings adjacent to other openings? Y N
- b. If yes, are the resultant adjacent openings not of the same relative age class or successional stage? Y N

THRESHOLD: UNCOMMON PLANT COMMUNITITES

INDICATOR: habitat sites

1. a. Will the project impact the habitats for the deepwater sphagnum bog, Osgood Swamp, or the Freel Peak Cushing Plant Community? Y N
- b. If yes, have modifications been included in the project to protect these plant communities? Y N

THRESHOLD: SENSITIVE VEGETATION

INDICATOR: number of habitat sites

1. a. Will the project impact the habitats of the Carex paucifructus, the Lewis pyomaea longipetala, the Draba asterophora v., or the Rorippa subumbellata? Y N
- b. If yes, have modifications been included in the project to protect these plant communities? Y N

CATEGORY: WILDLIFE

THRESHOLD: SPECIAL INTEREST SPECIES

INDICATOR: number of habitat sites

1. a. Will the project result in the loss, modification or increased disturbance of habitat site for goshawk, osprey, bald eagle, (winter and nesting), golden eagle, peregrine falcon, waterfowl, or deer, as mapped on official TRPA maps? Y N
- b. If yes, have modifications been included in the project to protect these habitat sites? Y N

CATEGORY: FISHERIES

THRESHOLD: EXCELLENT STREAM HABITAT

INDICATOR: sites of excellent stream habitat

1. a. Does the project include stream channelization, stream dredging, removal of rock or gravel from a stream, culverts, bridges, or water diversions affecting a stream identified as fish habitat? Y N
- b. If yes, have modifications been included in the project to offset impacts on stream habitat and contribute to the upgrading of stream habitat? Y N
2. a. Will the project result in siltation, urban runoff, snow disposal, or litter that may affect water quality in a stream identified as fish habitat? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

THRESHOLD: GOOD STREAM HABITAT

INDICATOR: miles of good stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: MARGIANL STREAM HABITAT

INDICATOR: miles of marginal stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: INSTREAM FLOWS

INDICATOR: increase flows

- 1. a. Does the project include new water diversions? Y N
- b. If yes, is there evidence in the record to indicate that flows will remain within adopted TRPA standards or, in the absence of adopted standards, that flows will not be diminished? Y N
- 2. a. Does the project include new coverage or disturbance that could contribute to uncontrolled runoff reaching a stream identified as fish habitat? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N
- 3. a. Refer to question 5, turbidity, above.

THRESHOLD: LAKE HABITAT

INDICATOR: area of excellent habitat

- 1. a. Does the project include development in the shorezone, removal of rock or gravel from the lake, or removal of vegetation in the shorezone? Y N
- b. If yes, is the project consistent with Chapters 80-86? Y N
- 2. a. Does the project increase the potential for siltation, runoff, or erosion entering Lake Tahoe? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

CATEGORY: NOISE

THRESHOLD: SINGLE EVENT, AIRCRAFT, DAYTIME

INDICATOR: dBA, LMAX, TRPA ref. points, 8am-8pm, single reading

- 1. a. Does the project involve the commercial or private operation of aircraft? Y N
- b. If yes, does the project comply with the Interim Service Agreement affecting aircraft operations at the South Lake Tahoe Airport, or will the project meet the TRPA noise thresholds, or is the project exempt under Code section 68.9? Y N

THRESHOLD: SINGLE EVENT, AIRCRAFT, NIGHTTIME

INDICATOR: dBA, LMAX, TRPA ref. points, 8am-8pm, single reading

- 1. a. Refer to question 1, single event, aircraft, above.

THRESHOLD: SINGLE-EVENT, BOATS

INDICATOR: dBA, LMAX, at 50 ft., single reading

- 1. a. Does the project involve a marina or boat launching facility? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, MOTOR VEHICLE LESS THAN 6,000 LBS. CVM

INDICATOR: dBA, LMAX, at 50 ft., single reading

- 1. a. Does the project include the operation of fleet vehicles or other commercial vehicles? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, MOTOR VEHICLE GREATER THAN 6,000 LBS. CVM

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Refer to question 1, single event, motor vehicle, above.

THRESHOLD: SINGLE-EVENT, MOTORCYCLE

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Does the project involve the offering of motorcycles for lease or rent or the operation of a motorcycle course? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, ORVS

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Does the project involve the offering of ORVs for rent or lease or the operation of an ORV course? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, SNOWMOBILES

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Does the project involve the offering of snowmobiles for rent or lease or the operation of a snowmobile course? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

1. a. Does the project involve the creation of a new or relocated land use? Y N
- b. If yes, is the project consistent with the applicable plan area statement? Y N
2. a. Is the project located within a transportation corridor as mapped on TRPA maps? Y N
- b. If yes, does the project include components to reduce the transmission of noise from the corridor, in accordance with the TRPA Design Review Guidelines? Y N
3. a. Does the project involve a use or activity for which TRPA has received a CNEL related noise complaint and for which TRPA has required remedial action in accordance with Chapter 68? Y N
- b. If yes, is the project consistent with the remedial action plan? Y N

CATEGORY: SCENIC RESOURCES

THRESHOLD: ROADWAY AND SHORELINE RATINGS

1. a. Is the project located within, or visible from, a roadway or shoreline unit targeted for scenic upgrading? Y N
- b. If yes, is the project consistent with the TRPA Scenic Quality Implementation Program (SQUIP)? Y N
2. a. Is the project located within, or visible from, a roadway or shoreline unit not targeted for scenic upgrading? Y N
- b. If yes, is there evidence in the record that the project will not cause a significant decrease in scenic quality, and is the project consistent with the TRPA Design Review Guidelines? Y N

CATEGORY: RECREATION

THRESHOLD: PRESERVE AND ENHANCE THE HIGH QUALITY RECREATION EXPERIENCE

INDICATOR: dispersed rec. capacity

1. a. Is the project located in a conservation or recreation plan area? Y N
b. If yes, is the project consistent with the applicable plan area statement? Y N

THRESHOLD: ESTABLISH FAIR SHARE OF CAPACITY FOR OUTDOOR RECREATION

AVAILABLE TO THE GENERAL PUBLIC

INDICATOR: PAOTs

1. a. Does the project require an allocation of PAOTs? Y N
b. If yes, is the recreational opportunity involved available to the public? Y N

CATEGORY: CODE/RULES OF PROCEDURE REQUIREMENTS

1. Does the project require Governing Board Review (Chapter 2)? Y N

5. Does the project require notice to adjacent property owners (Art. XII Rules of Procedure)? Y N

6. Is the project consistent with the following:

| | | | | | |
|----------------|----------------------------------|-----|-------------------------------------|---------------------------------------|---------------------------------------|
| Chapter 2 | (Project Review) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 6 | (Tracking-Data Sheets/Log Book) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 21 | (Permissible Uses) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 22 | (Temporary Uses) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 30 | (Coverage) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 31 | (Density) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 32 | (Basic Service) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.3 | (Grading) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.4 | (Special Reports) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.5 | (Construction Schedule) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.6 | (Vegetation Protection) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 34 | (Driveways) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 34 | (Parking) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 35 | (Natural Hazards-Floodplain) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 36 | (Design Standards) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 37 | (Height) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 38 | (Signs) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 50 | (Allocations) | N/A | <input type="checkbox"/> | Y <input type="checkbox"/> | N <input checked="" type="checkbox"/> |
| Chapter 51 | (Transfers) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 52 | (Bonus Units-MFD only) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 53 | (IPES) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 60 | (BMP's) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 60.1 | (Water Quality) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 60.2 | (Water Quality Mitigation) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 61.1 | (Tree Removal) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 61.3.6 | (Sensitive Plants/Fire Hazard) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 61.4 | (Revegetation) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 62 | (Wildlife) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 63 | (Fish) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 65.1 | (Air Quality) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 65.2 | (Traffic/Air Quality Mitigation) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 67 | (Historic Resource) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |

Attachment F
Letters of Support



County of El Dorado

Chief Administrative Office

330 Fair Lane
Placerville, CA 95667-4197

Tiffany Schmid
Chief Administrative Officer

Phone (530) 626-5530

February 27, 2024

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
PO Box 5310
Stateline, NV 89449

Chair Gustafson,

I am writing to express my support for the planned remodel of the California Tahoe Emergency Services Operations Authority at 3066 Lake Tahoe Blvd in South Lake Tahoe. The current location serves as a crucial hub for emergency medical services in the southern area of the Lake Tahoe Basin, and the proposed remodel will further enhance the Authority's ability to respond promptly to medical emergencies.

It is paramount for emergency services providers to operate efficiently and effectively. To that end, El Dorado County has leased the current ambulance operations headquarters to the California Tahoe Emergency Services Operations Authority at the rate of \$1 per year and has invested \$4.7 million in the renovation of the building to ensure that the residents and visitors in South Lake Tahoe will continue to receive timely and life-saving care.

Sincerely,

Tiffany Schmid
Chief Administrative Officer

c: El Dorado County Board of Supervisors
Tahoe Regional Planning Agency Governing Board
Julie Regan, TRPA Executive Director
Ryan Wagoner, Cal Tahoe EMS Executive Director
Marja Ambler, TRPA Clerk to the Board



South Lake Tahoe Police Department



February 22, 2024

TO: TRPA Governing Board

FR: Chief David Stevenson
South Lake Tahoe Police Department
1352 Johnson Blvd
South Lake Tahoe, CA 96150

RE: Cal Tahoe JPA Remodel Project Approval

Dear TRPA Governing Board,

I am writing this letter in support of the Cal Tahoe JPA remodel project located at 3066 Lake Tahoe Blvd. The location is near the center of the City and has direct access to Lake Tahoe Blvd. This location is ideal for Cal Tahoe JPA response to medical emergencies in their service area. The building needs this remodel for Cal Tahoe JPA employees to provide continued quality EMS services to our community. I support this project and strongly encourage your support and approval.

Respectfully,


Chief David Stevenson



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.gov

STAFF REPORT

Date: April 17, 2024
To: TRPA Governing Board
From: TRPA Staff
Subject: APC Membership Appointment

Summary and Staff Recommendation:

Staff recommends Governing Board approve a two-year appointment for the Advisory Planning Commission (APC) Washoe County lay member James McNamara.

Required Motion:

In order to approve the proposed APC appointment, the Board must make the following motion, based on the staff report:

- 1) A motion to appoint to the Advisory Planning Commission lay member James McNamara to a two-year term.

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

Background:

The Tahoe Regional Planning Compact provides for a two-year term for appointments to the APC, which may be renewed. The Washoe County Board of Commissioners endorsed James McNamara as its lay member and forwarded their recommendations to TRPA for action.

Contact Information:

For questions regarding this agenda item, please contact Julie Regan, Executive Director at (775) 589-5237 or jregan@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.

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2024-

RESOLUTION AUTHORIZING INVESTMENT OF MONIES
IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, The Local Agency Investment Fund is established in the California State Treasury under California Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the Governing Board of the Tahoe Regional Planning Agency hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the Agency;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency hereby authorizes the deposit and withdrawal of Agency monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein.

BE IT FURTHER RESOLVED, as follows: Section 1. The following Agency officers holding the title(s) specified hereinbelow or their successors in office are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

Chad Cox, Chief Financial & Administrative Officer
Kathy Salisbury, Finance Director
Vacant - Controller

Section 2. This resolution shall remain in full force and effect until rescinded by the Governing Board by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this ____ day of _____, 2024, by the following vote:

Ayes:
Nays:
Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

STAFF REPORT

Date: April 17, 2024
To: TMPO Governing Board
From: TRPA Transportation Planning Staff
Subject: Approval of TMPO Lake Tahoe Transportation Planning Overall Work Program FY25

Summary and Staff Recommendation:

Staff recommends the Tahoe Metropolitan Planning Organization (TMPO) Board adopt the attached TMPO Resolution 2024 -__ approving the Fiscal Year 2025 Overall Work Program (OWP).

Tahoe Transportation Commission Recommendation:

On April 3, 2024, the Tahoe Transportation Commission (TTC) conducted a public hearing, provided comments on the draft Fiscal Year 2025 (FY25) Tahoe Regional Planning Agency (TRPA)/ Tahoe Metropolitan Planning Organization (TMPO) Transportation Planning Overall Work Program (OWP) and recommended approval to the TMPO Governing Board.

Required Motion:

In order to adopt the attached resolution approving the proposed OWP, the Board must make the following motion, based on the staff report.

- 1) A motion to adopt TMPO Resolution 2024 -__ (Attachment A) to approve the FY 2025 OWP (Exhibit 1, thereto).

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

Project Description/Background:

Federal regulations (Title 23, Sec. 450.314) require each Metropolitan Planning Organization (MPO) to prepare an annual program of work that identifies transportation planning priorities to be carried out by the MPO during the 2025 fiscal year (July 1, 2024-June 30, 2025). The detailed description of the transportation planning activities in the OWP provides direction for the expenditure of various Federal and State transportation planning funds. The primary revenue sources for OWP planning and administration is provided by the Federal Highways Administration and the Federal Transit Administration. These funds are awarded to TRPA acting as the designated MPO to fulfill core planning activities required by Title 23 Section 450 of the US Code of Federal Regulations. The OWP also forms the basis for inclusion of the transportation planning functions of the agency into the overall TRPA annual work plan and budget.

Highlights of the coming year include:

- Unmet Transit Needs Report & Rider Surveys
- Proposed Updates to Regional Transportation Plan Goals and Policies
- Complete Streets Standards for Town Centers
- 2024 Biennial Regional Transportation Plan/Sustainable Communities Performance Report
- Update and Maintenance of 2025 Regional Transportation Improvement Program
- Updated Intelligent Transportation System Report incorporating Transportation System Management Operations
- Draft 2050 Regional Transportation Plan/Sustainable Communities Strategy

A summary of the FY25 OWP briefly describing the individual work elements and overall budget is in attachment B.

Discussion:

TRPA staff prepared the initial draft FY25 OWP and started the required 30-day public comment period March 8, 2024. Comments on the draft document were requested by and heard at the TTC public hearing on April 3, 2024. All comments received have been considered and incorporated in the Final Draft FY25 OWP. Comments consisted of refinements to budget estimates and sources, and clarification on staff and direct costs. The final document will be presented to the Transportation Committee of the TMPO Governing Board for recommendation of approval at the April 24, 2024, meeting. The Final Draft FY25 OWP is available on the TRPA Transportation Program web page at <http://www.trpa.gov/transportation/> and under Work Program near the bottom of the home page.

Contact Information:

For questions regarding this agenda item, please contact Michelle Glickert, Transportation Planning Program Manager, at (775) 589-5204 or mglickert@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. TMPO Adopting Resolution 2024 - __
Exhibit 1: [Final Draft TMPO FY 2025 Overall Work Program](#)
- B. Executive Summary TMPO FY25 Transportation Planning Overall Work Program

Attachment A
TMPO Adopting Resolution 2024 - ___ for 2025 OWP

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2024-__

ADOPTION OF THE TMPO 2025 TRANSPORTATION OVERALL WORK PROGRAM

WHEREAS, the Tahoe Metropolitan Planning Organization (TMPO) has been designated by the Governors of California and Nevada for the preparation of transportation plans and programs under Title 23, CFR 450; and

WHEREAS, each MPO is required to adopt an Overall Work Program (OWP), also referred to as the Unified Planning Work Program (UPWP), describing the planning priorities facing the Region and the planning activities anticipated for the Region over the next year; and

WHEREAS, staff have prepared an OWP that describes the anticipated revenues and expenditures and planning activities and products for transportation and air quality planning purposes over the next year; and

WHEREAS, the Federal Highway Administration, the Federal Transit Administration, Caltrans and the Nevada Department of Transportation have reviewed and commented upon a draft version of the 2025 OWP; and

WHEREAS, the Tahoe Transportation Commission has conducted public meetings at which the 2025 OWP was an officially noticed item that was discussed and was recommended for approval; and

WHEREAS, staff is requesting that the TMPO Governing Board adopt a final 2025 OWP for submittal to state and federal agencies for approval, and authorize staff to take actions necessary for this approval; and

WHEREAS, the TMPO certifies that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of the federal statutes listed on the MPO Planning Process Certification and Federal Transit Administration certifications included in the 2025 OWP document.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Metropolitan Planning Organization approves the 2025 Tahoe Basin Transportation Overall Work Program, appended hereto as Exhibit 1.

PASSED AND ADOPTED by the Governing Board of the Tahoe Metropolitan Planning Organization at its regular meeting held on April 24, 2024, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Metropolitan Planning Organization
Governing Board

Attachment A
Exhibit 1

[Final Draft TMPO FY 2024 Overall Work Program \(Link\)](#)

Attachment B
Executive Summary TMPO FY25 Transportation Planning Overall Work Program

Lake Tahoe Transportation Planning Draft Overall Work Program - FY 2024/25

April 2024

OWP Executive Summary

Introduction

The Overall Work Program (OWP) defines the continuing, comprehensive, and coordinated regional transportation planning process for the Lake Tahoe Basin. It establishes transportation, air quality, and other regional planning objectives and associated funding for Fiscal Year 2024/25. The OWP also serves as a management tool for the Tahoe Regional Planning Agency (TRPA), serving as the Tahoe Metropolitan Planning Organization (TMPO), through the identification of work elements containing tasks and products to be provided during the year, including Federal and State mandated transportation planning requirements and other regional transportation planning activities.

Work Elements

The OWP is organized by *functional areas* and **work elements (WE)** combining similar activities, and products in one place. Below is a list of the work elements with a brief description of each and budgets which include staff time and direct costs for contracts and purchases:

Outreach and Administration

WE 101 – Overall Work Program Administration - \$153,721

This work element contains the administrative activities to support the Lake Tahoe transportation program, including budgets, work program development and tracking, and professional staff development. Staff time is 90% of the WE budget.

WE 102 – Transportation Development Act - \$55,735

The Transportation Development Act (TDA) is a major source of regional transit operating funding from California. This work element outlines the administration and management of the TDA funding coming into the Lake Tahoe Region including the annual Unmet Transit Needs Report and an audit of the TDA administration. Staff time is 87% of the WE budget.

WE 103 – Public Outreach and Coordination - \$297,927

Public outreach and collaboration with partners are key to TRPA's success. This work element includes activities to support a transparent, educational, and effective regional transportation planning process as the Tahoe Metropolitan Planning Organization. The element also includes specific public outreach and agency collaboration efforts which will focus on the development of the 2025 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS) and will include the TMPO board, TRPA Transportation Committee and Tahoe Transportation Commission, tribal government consultation, and environmental justice activities. Staff time is 80% of the WE budget.

Regional Intermodal Planning

WE 104.1 – Regional Transportation Plan Maintenance & Coordination - \$454,434

This sub work element contains a variety of transportation planning activities that focus on the maintenance of the 2020 RTP/SCS and development of the 2025 RTP/SCS. Development of the RTP/SCS will include analysis of travel patterns, transportation improvement strategies, developing a project list and financial element for the plan, environmental analysis and gathering feedback from the public and stakeholders. Work with the Tahoe Transportation Implementation Collaborative and the TRPA Transportation Committee as the steering Committee for the RTP/SCS via regular check-ins is included. Staff time is 56% of the WE budget.

WE 104.2 – Complete Streets, Modal Planning and Programs - \$269,242

This work element contains a variety of transportation planning activities, it includes the execution of programs including transportation demand management, complete streets and corridor planning, transit planning support including updates to the Tahoe Transportation District and Placer County Truckee Tahoe Area Regional Transportation Short Range Transit Plans, and development of new regional transit services, policies and goals for the RTP. Staff time is 70% of the WE budget.

WE 105 – Transportation Data Management and Forecasting - \$330,592

This work element includes regional transportation data collection and modeling efforts to support transportation data needs of staff, partners, and the public. This element also includes maintenance and updates as needed to the TRPA travel demand model and various transportation data sets for the 2025 RTP/SCS and to address TRPA, Federal, and State requirements. These activities are coordinated by the TRPA Research and Analysis Program. Staff time is 53% of the WE budget.

Tracking and Financial Management

WE 106 – Project Tracking and Financial Management - \$302,104

This work element supports the financial management activities related to federal and state funded transportation projects in the Region. Tracking of new federal funding sources and support to local implementation partners. This element includes the required administration of transportation funding allocated by the TMPO, and the updates and maintenance of the Federal Transportation Improvement Program, and maintenance of the 2024 Regional Transportation Improvement Program. Staff time is 100% of the WE budget.

Regional Coordination

WE 107 – Performance-Based Planning - \$80,692

This work element supports the continual development of TMPO’s performance-based planning framework that directly supports monitoring the performance of the RTP/SCS Strategy and new goals and policies of the Regional Plan. Refinements will be made to the biennial RTP/SCS Transportation Performance Report as needed and integrated with TRPA’s performance management system, including the development, tracking, and reporting on TRPA, State, and Federal transportation performance measures. Staff time is 100% of the WE budget.

WE 108 – Sustainable Communities Planning No staff time is built into this WE.

WE 108.6 \$112,647

This sub work element highlights the development of a final 2024 Electric Vehicle Readiness Plan, gathering travel behavior data and evaluating parking management programs to support the 2025 RTP/SCS.

WE 108.7 \$184,966

This sub work element highlights evaluations of transportation technology to optimize mobility and reliability to help address congestion during high visitation periods and disasters in preparation for larger system management and operations plan.

WE 108.8 \$184,966

This sub work element is needed to complete the system management and operations plan building from 108.7 that will be folded into the 2025 RTP/SCS.

Contact: Michelle Glickert,
Principal Transportation Planner,
Transportation Planning Program Manager,
775-589-5204 mglickert@trpa.gov

STAFF REPORT

Date: April 17, 2024
To: TMPO Governing Board
From: TRPA/TMPO Staff
Subject: Adoption of the 2024 Public Participation Plan for TMPO Planning and Programming Actions

Summary and Staff Recommendation:

Staff recommends that the Tahoe Metropolitan Planning Organization (TMPO) Governing Board adopt the 2024 Public Participation Plan.

Required Motions:

In order to adopt the Public Participation Plan, the Board must make the following motion, based on the staff report:

- 1) A motion to adopt the final Public Participation Plan.

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

Tahoe Transportation Commission Recommendation:

On April 3, 2024, the Tahoe Transportation Commission (TTC) recommended TMPO approval of the 2024 Public Participation Plan.

Project Description/Background:

TRPA, serving as the metropolitan planning organization (MPO) for the Lake Tahoe Region, has updated its Public Participation Plan to ensure public involvement and opportunities for engagement are the foundation of the transportation planning processes. Per Title 23, CFR Part 450.316, MPOs must develop and use a public participation plan that defines a protocol for providing opportunities for all parties to comment and be involved in the transportation planning process. The plan outlines strategies for continuing, comprehensive, and coordinated transportation planning processes that considers all transportation modes, provides a forum for public input, and supports social and economic vitality. The Public Participation Plan must be updated and adopted prior to development of the Regional Transportation Plan (RTP).

The updated Public Participation Plan includes new equity-based engagement policies that were endorsed by the TRPA Governing Board through the Transportation Equity Study in 2023. The new policies provide guidance to improve TRPA's public outreach and engagement with a focus on targeting efforts towards underrepresented and underserved populations while ensuring community engagement processes are not burdensome. The new policies also set standards for TRPA and agencies receiving

TRANSPORTATION COMMITTEE
AGENDA ITEM NO. 5 & TMPO
CONSENT CALENDAR ITEM NO. 2

funds through the MPO to commit to allocating a minimum of 30 percent of all outreach efforts to socio-economically disadvantaged populations and Community Priority Zones.

In addition to the new policies, the 2024 Public Participation Plan summarizes outreach efforts conducted by TRPA staff in 2020, 2021, 2022, and 2023, including an assessment of performance measures and targets set in the 2019 Public Participation Plan. As TRPA moves to a greater focus on quality engagement over quantity, including allocating more resources towards place-based engagement, bilingual engagement, and reaching transportation disadvantaged populations, the updated Public Participation Plan shifts away from target setting. TRPA will continue to track outreach activities and will summarize outreach achievements on the following metrics in future updates of the plan:

- **Metric 1:** Total number of public participants reached through proactive outreach.
- **Metric 2:** Total number of public participants reached through quantitative methods.
- **Metric 3:** Distribution of public participants who are full-time residents, seasonal residents, visitors, and commuters.
- **Metric 4:** Total number of primarily Spanish-speaking residents reached through proactive and quantitative outreach methods.
- **Metric 5:** Distribution of outreach activities targeted towards identified transportation disadvantaged populations or within Community Priority Zones.
 - **Target:** Ensure that a minimum of 30% of outreach activities are targeted towards transportation disadvantaged populations or Community Priority Zones.
- **Metric 6:** Distribution of in-person, virtual, and hybrid engagement activities.

Tracking these metrics will enable TRPA to assess yearly outreach tactics and adjust accordingly to best meet the needs of Lake Tahoe’s communities.

The 2024 Public Participation Plan is available for review at: <https://www.trpa.gov/wp-content/uploads/2024-Public-Participation-Plan-FINAL-April-2024.pdf>

Public Comment:

The draft Public Participation Plan was released on February 20, 2024 for a 45-day public comment period that closed on April 5, 2024. A public hearing was held at the Tahoe Transportation Commission Board (TTC) on April 3, 2024.

TRPA received only one comment on the draft Public Participation Plan, which encouraged additional focused outreach in Incline Village and suggested staff track the distribution of outreach events around the Lake. TRPA’s outreach tracking will include location tracking moving forward so that staff may ensure outreach activities are equitably distributed around the region.

Regional Plan Compliance:

The 2024 Public Participation 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 plan also supports the objectives of the Regional Transportation Plan and associated goals and policies.

TRANSPORTATION COMMITTEE
AGENDA ITEM NO. 5 & TMPO
CONSENT CALENDAR ITEM NO. 2

Contact Information:

For questions regarding this agenda item, please contact Kira Richardson at (775) 589-5236 or krichardson@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.

STAFF REPORT

Date: April 17, 2024
To: TMPO Governing Board
From: TRPA Transportation Planning Staff
Subject: TMPO Approval of the TRPA 2024 Active Transportation Plan

Summary and Staff Recommendation:

Staff recommends the Tahoe Metropolitan Planning Organization Board adopt the attached TMPO Resolution 2023 - __ approving the TRPA 2024 Active Transportation Plan (ATP, or “the plan”).

Advisory Planning Commission Recommendation:

On April 10, 2023, the Advisory Planning Commission (APC) conducted a public hearing on the draft ATP and unanimously recommended approval to the TMPO Governing Board.

Required Motion:

To adopt the attached resolution approving the ATP, the TMPO Board must make the following motion, based on the staff report.

- 1) A motion to adopt a finding of no significant effect as set forth in Attachment D and TMPO Resolution 2023 - __ (Attachment A) to approve the TRPA 2024 Active Transportation Plan.

For the motion to pass, an affirmative vote of four Board members from each state is required.

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 new 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, and comprehensive data analyses. 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) analyses, 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, bicycle lanes, bicycle 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 improved. 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

Staff also presented and received feedback on the draft ATP to various regional agencies, associations, boards committees, commissions, and other stakeholder groups. These groups include but are not limited to Truckee North Tahoe Transportation Management Associations, Joint Powers Authority Bicycle Advisory Committee, Nevada Bicycle and Pedestrian Advisory Board, South Shore Transportation Management Association, Access Tahoe (disability rights organization). Staff also secured a recommendation of TMPO approval from the TRPA Advisory Planning Commission.

The draft ATP was released for public comment on Tuesday, February 27th and closed Sunday, March 24th. Comments were incorporated and the final plan can be found at www.trpa.gov/atp. Emailed comments on the draft 2024 ATP as well as list of edits made to the draft plan can be found in the link and bulleted list located in Attachment B.

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.

Environmental Review

Staff prepared a TRPA Initial Environmental Checklist to evaluate the potential environmental impacts of the ATP. The checklist and determination of no significant effect is included in Attachment D.

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. TMPO Resolution 2024 – Adopting the 2024 Active Transportation Plan.
- B. Record of comments received (found at <https://www.trpa.gov/wp-content/uploads/Combined-ATP-Public-Comment.pdf>), and list of edits made to the draft plan.
- C. TRPA 2024 Active Transportation Plan (found at www.trpa.gov/atp).
- D. Initial Environmental Checklist

Attachment A
TMPO Resolution 2024 – Adopting the 2024 Active Transportation Plan

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2024 –

ADOPTION OF THE 2024 ACTIVE TRANSPORTATION PLAN

WHEREAS, the Tahoe Basin was designated a Metropolitan Planning Organization in 1999 by the Governors of California and Nevada under authorization provided in the Transportation Equity Act for the 21st Century (TEA-21); and

WHEREAS, the current federal transportation bill, the Infrastructure Investment and Jobs Act (IIJA) requires that active transportation modes, like biking and walking be given due consideration in transportation planning process of Metropolitan Planning Organizations; and

WHEREAS, the Tahoe Metropolitan Planning Organization (TMPO) is responsible for fulfilling metropolitan transportation planning requirements under 23 CFR Part 450; and

WHEREAS, the TMPO has updated the 2018 Linking Tahoe: Active Transportation Plan, now titled 2024 Active Transportation Plan, for the Tahoe Basin in support of Federal, State, Regional and local goals and in coordination with the Federal Highway Administration, the State of California and the State of Nevada local agencies and other partners; and

WHEREAS, the updated plan underwent an in-depth public outreach process in accordance with the TMPO Public Participation Plan; and

WHEREAS, the routes, alignments and classifications contained in this plan are conceptual in nature, are not intended to be specific project locations, and the maps contained therein are for illustrative purposes only; and

WHEREAS, the TMPO prepared an Initial Environmental Checklist and determined the plan would have no significant environmental effects; and

WHEREAS, subsequent project development actions to implement the proposed projects within the plan must undergo all necessary environmental review and complete applicable TRPA, federal, state, county, and local project review procedures.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Metropolitan Planning Organization adopts the 2024 Active Transportation Plan; and

BE IT FURTHER RESOLVED that the Governing Board of the Tahoe Metropolitan Planning Organization delegates authority for approval of technical updates to the 2024 Active Transportation Plan to the TRPA Executive Director; and

PASSED and ADOPTED by the Governing Board of the Tahoe Metropolitan Planning Organization at its regular meeting held on April 24, 2024, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
TMPO Governing Board

Attachment B

Record of comments received (found at <https://www.trpa.gov/wp-content/uploads/Combined-ATP-Public-Comment.pdf>), and list of edits made to the draft plan.

Attachment B

Link to comments submitted on the draft TRPA 2024 Active Transportation Plan:
<https://www.trpa.gov/wp-content/uploads/Combined-ATP-Public-Comment.pdf>

Edits made to the draft plan:

- Plan-wide:
 - Textual edits for grammar, accuracy, and clarity.
- Preface:
 - Added glossary term for “ADA” (The American with Disabilities Act).
- Chapter 1:
 - Added maintenance as a Tahoe Transportation District (TTD) responsibility (pg. 1-11, table 1-1).
- Chapter 2:
 - Included Nevada regarding law noting automobiles’ responsibility to yield to pedestrians (pg. 2-4).
 - Inserted map links for Bicycle Level of Traffic Stress and Pedestrian Experience Index Maps (Figures 2-2, 2-4, 2-5, and 2-6).
 - Included mention of support for “leading pedestrian intervals” and “median refuge islands” (pg. 2-26).
 - Inclusion of more detailed description of disabled transportation users needs (pg. 2-29).
- Chapter 3:
 - Deleted “action” columns from policy matrix table (remnant from previous plan, multiple pages)
 - Added sentence to Policy 2.1 discouraging use of active transportation facilities for snow storage (pg. 3-3).
 - Added date highlighting when the Transportation Performance Report will be completed and available for review (pg. 3-7).
 - Corrected Appendix letter (pg. 3-3).
 - Added inclusion of flashing stop signs at Ski Run Blvd and Tamarack Ave (pg. 3-12).
- Chapter 4
 - More detailed description of what is meant by the “complete streets” project category designation (pg. 4-2).
 - Added context for how project priority tiers were devised (pg.4-2).
 - Added link to Federal Highway Administration website on road reconfigurations (pg. 4-9).
 - Added focus of stateline-to-stateline bikeway from Zephyr Cove to Round Hill Pines (pg. 4-9).

- Chapter 5
 - Removal of mention of “Nevada Moves Day” programming (programming is not implemented in Tahoe, pg. 5-2).

- Plan-wide map and priority project edits:
 - Added Class 1 facility along Spruce Ave to Blackwood Rd.
 - Added Spruce Ave as a Class 3 bicycle boulevard.
 - Added complete streets project along Ski Run Blvd (Pioneer Trail to Needle Peak Rd to Wildwood Ave).
 - Added pedestrian and bicycle facility along Tamarack Ave from Blackwood Rd. to Ski Run Blvd.
 - Added sidewalks from Wildwood Ave from Pioneer Trail to U.S. 50.
 - Updated Dennis Machida Greenway Phase 1c implementing agency to City of South Lake Tahoe from California Tahoe Conservancy.
 - Added Van Sickle Bi-State Park Phase 3 shared-use trails.
 - Added Dennis Machida Memorial Greenway Phase 3.
 - Added Link Road to Sussex Avenue trail.
 - Updated segments, project name, and cost estimate for Tahoe Transportation District’s Sand Harbor to Spooner Class 1 trail project.
 - Aligned City of South Lake Tahoe proposed projects with the Tahoe Valley Area Plan.
 - Moved Clement St proposed bike route to Julie Lane.
 - Extend Barton Ave proposed bike route.
 - Add 5th street as proposed bike route.
 - Added proposed sidewalk along South Lake Pkwy.
 - Adjusted Herbert Ave complete streets to tier 2 priority.
 - Removed proposed class 3 along Barbara Ave.
 - Added proposed sidewalks along Dolly Varden Ave and Deer St in Kings Beach.
 - Removed Alta Mira public access project.
 - Bicycle Level of Traffic Stress (BLTS) edits:
 - U.S. 50 at Al Tahoe Blvd - continued BLTS 4 designation
 - Added Viking Way as BLTS 3
 - Pedestrian Experience Index (PEI) edits:
 - Lower PEI along south side of Lake Pkwy where there is no existing sidewalk facility.
 - Increase Class 1 along Sierra Blvd to 45% index.
 - Increase Class 1 Greenway segment (at Sierra Blvd) to 35% index.

Attachment C
TRPA 2024 Active Transportation Plan (found at www.trpa.gov/atp).

Attachment D
Initial Environmental Checklist

**INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

Project Name: 2024 Active Transportation Plan

APN/Project Location: The Lake Tahoe Region

County/City: El Dorado, Placer, Washoe, Douglas, Carson City, City of South Lake Tahoe

Project Description:

The *2024 Active Transportation Plan (ATP, the plan)* presents a guide for planning, designing, constructing, and maintaining a regional active transportation network that includes international best practice infrastructure recommendations, support facilities, and awareness programs. The infrastructure network includes on and off-street bike facilities such as protected bicycle lanes, designated bicycle routes, and intersection designs that promote safe and convenient travel for bicycling, walking, and rolling. The network also includes off-street, shared-use paths, footbridges, and sidewalks that help connect users to destinations that the roadway does not typically carry them. This plan outlines goals, policies, and actions that support implementation of high priority projects and guides long-term policies and planning that will transform Tahoe’s transportation system. To support this process, the plan includes analysis of existing conditions via an updated “Bicycle Level of Traffic Stress” (BLTS) and “Pedestrian Experience Index” (PEI) analyses, provides data for future projects, and outlines tiers of project priorities. To help ensure feasible implementation, the plan identifies potential funding sources and recommended designs to encourage consistent and safe access for our most vulnerable roadway users.

The ATP recommends active transportation projects including bike lanes, sidewalks, bike routes, and shared use paths. The complete list of projects can be found in Appendix F of the ATP. Most of the Class I shared use path projects, and complete streets projects are identified in the Lake Tahoe Environmental Improvement Program as regionally significant and included in the 2020 Regional Transportation Plan (2020 RTP). The Tahoe Metropolitan Planning Organization (TMPO)/Tahoe Regional Planning Agency (TRPA) adopted the 2020 RTP and a finding of no significant environmental effect on April 28, 2021. Exactly which projects identified in an ATP will be implemented is speculative as funding is limited.

The following new projects for the 2024 ATP represent a total of 11.56 miles of new sidewalks, shared use paths, or bike lanes that were not evaluated in the 2020 RTP environmental analysis:

| Project | Implementer | Miles |
|---|---|--------------|
| Lake Tahoe Boulevard Bike Lanes | El Dorado County | 1.6 |
| US Hwy 50 Complete Streets Improvements | California Department of Transportation | 1.6 |
| B Street Overpass | California Department of Transportation | 0.12 |
| Viking Road Bike Path | City of South Lake Tahoe | 0.28 |
| Washington Avenue Complete Streets | City of South Lake Tahoe | 0.19 |
| SR 28 Class I Country Club to Glen | Washoe County | 0.26 |
| SR 28 Class 1 Country Club to Sweetwater | Washoe County | 0.67 |
| Dolly Varden/Deer St. Sidewalks | Placer County | 0.31 |
| Fox and Spreckle Complete Streets | Placer County | 1.16 |
| Stateline to Kings Beach Sidewalks | California Department of Transportation | 0.8 |
| Lake Forest Road Complete Streets | Placer County | 0.9 |
| Elks Point Road Bike Lane Extension | Douglas County | 0.09 |
| Lake Parkway South Sidewalks | City of South Lake Tahoe | 0.22 |
| Van Sickle Phase III Shared Use Trails | California Tahoe Conservancy | 0.44 |
| Complete streets from Pioneer Trail to Heavenly | City of South Lake Tahoe | 0.9 |
| Herbert Ave Complete Streets | City of South Lake Tahoe | 0.51 |
| Herbert Ave Sidewalks | City of South Lake Tahoe | 0.47 |
| Link Road to Sussex Ave | California Tahoe Conservancy | 0.16 |
| Spruce Class 1 Connector Bridge | U.S. Forest Service | 0.08 |
| Tamarack Ave Sidewalks | City of South Lake Tahoe | 0.48 |
| Wildwood Ave Sidewalks | City of South Lake Tahoe | 0.32 |
| Total New Projects | | 11.56 |

Adoption of ATPs is exempt from environmental documentation requirements under the California Environmental Quality Act (CEQA) because active transportation policies and projects are (1) environmentally beneficial by encouraging and promoting non-auto dependent travel, and (2) will undergo rigorous site-specific environmental review. The TRPA/TMPO prepares this IEC for the 2024 ATP to examine any potential cumulative impacts from policies or potentially funded projects listed above.

I. Environmental Impacts

1. Land

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

Transportation projects included in the 2024 ATP would involve construction, disturbance of soils, and in some instances, changes to topography. Projects involving roadway improvements, sidewalks, and shared use paths must be designed to meet both TRPA and local standards to reduce or avoid impacts to land. Design and mitigation measures to protect soils, reduce erosion, avoid impacts to SEZ, and reduce risk of hazards would be required based on the site-specific conditions of individual projects.

All projects implemented under the 2024 ATP must comply with the land coverage standards and limitations set forth in Chapter 30 of the TRPA Code of Ordinances. Chapter 53 of the TRPA Code establishes the IPES and related procedures, in accordance with the 1987 Regional Plan. In accordance with Chapter 53, vacant residential parcels within the Plan Area are evaluated, assigned a numerical IPES score, and ranked within each local jurisdiction from most suitable to least suitable for development.

Chapter 60 of the TRPA Code sets forth requirements for installation of BMPs for the protection or restoration of water quality and attainment of minimum discharge standards. Projects are required to comply with temporary and permanent BMP programs as a condition of approval. Chapter 33 of the TRPA Code describes the various standards

and regulations that protect the environment against significant adverse effects from excavation, filling, and clearing, due to such conditions as exposed soils, unstable earthworks, or groundwater interference.

The effects of individual projects in specific locations will be evaluated by the local jurisdiction and by TRPA through subsequent environmental analysis. Projects must be designed or mitigated to ensure soil disturbance, erosion, or exposure to other geologic hazards does not occur.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact to land.

2. Air Quality

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"/> |

Discussion

The ATP would implement VMT-reducing projects and design features for the transportation network that would reduce associated air pollutant emissions by facilitating the use of active transportation. The construction and operation of projects would comply with federal and state regulations, the TRPA Code of Ordinances, and other applicable rules including the TRPA's Best Construction Practices Policy. Impacts related to odors, diesel fuel, and climate would be reduced by implementing the projects and programs included in the ATP.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact to air quality.

3. Water Quality

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-yearflood 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"/> |
| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Implementation of the ATP would help the Lake Tahoe Region meet the Total Maximum Daily Load Program (TMDL) requirements by incorporating water quality improvements in projects. Since roadway runoff from the urban uplands and atmospheric nitrogen deposition from vehicle emissions are major contributors to pollutant loading, the ATP has an important role to play in achieving the TMDL. Active transportation projects proposed under the ATP including the South Tahoe Greenway include water quality enhancements such as improving existing drainage systems to spread, treat, infiltrate, and retain flows from roadways, commercial areas, and other high priority or urbanized areas. Additionally, several shared use and complete streets projects include source control, conveyance,

and treatment facilities for stormwater runoff as well as improvements to address urban stormwater quality and flooding.

All projects under the ATP must comply with Chapter 60 of the TRPA Code of Ordinances which includes discharge limits for surface runoff and discharge to groundwater (Table 3.8-3 of the TRPA Code) snow removal and disposal requirements and required installation and maintenance of BMPs. In accordance with Chapter 60 and TRPA's BMP Handbook, temporary BMPs are required on construction sites and should be maintained throughout the construction period. Permanent BMPs are required for new and existing development and infrastructure. Infiltration facilities must be designed to accommodate a 20-year one-hour storm, per the BMP Handbook. Drainage conveyances through a parcel must be designed for at least a 10- year, 24-hour storm. Conveyances through an SEZ must be designed for a minimum 50-year storm.

Floodplain management under Chapter 35 requires that TRPA review development in 100-year floodplains, as defined by the Federal Emergency Management Agency or where TRPA has reason to believe that a flood hazard may exist. The TRPA Code prohibits development, grading, or filling of lands within 100-year floodplains with certain exceptions, including specific public outdoor recreation facilities, public health or safety facilities, access to buildable sites across a floodplain, and erosion control projects or water quality control facilities when it can be proven there are no viable alternatives, and all potential impacts can be minimized.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact to water quality.

4. Vegetation

| 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" 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

Some of the active transportation projects included in the ATP would introduce new construction and ground disturbance to previously undisturbed or vegetated areas and thus have the potential to impact biological resources. The design and development of these projects would require site specific environmental analysis conducted by the local jurisdictions, USFS or Caltrans. Projects would also be subject to local jurisdiction biological resources standards including tree protection ordinances as well as state and federal regulations.

All projects would be required to comply with Chapter 61 of the TRPA Code of Ordinances which includes specific standards regarding vegetation, wildlife, and fisheries. Chapter 61, Vegetation and Forest Health, Section 61.3, Vegetation Protection and Management, provides for the protection of stream environmental zone (SEZ) vegetation, other common vegetation, uncommon vegetation, and sensitive plants in SEZs.

Tree removal is subject to review and approval by TRPA. Provisions for tree removal are provided in the following chapters and sections of Chapter 61, Vegetation and Forest Health; Section 61.1, Tree Removal; Section 61.3.6, Sensitive and Uncommon Plant Protection and Fire Hazard Reduction; Section 61.4, Revegetation; Chapter 36, Design Standards; Chapter 33, Grading and Construction; and Section 33.6, Vegetation Protection During Construction.

Chapter 62 of the TRPA Code sets standards for preserving and managing wildlife habitats, with special emphasis on protecting or increasing habitats of special significance, such as deciduous trees, wetlands, meadows, and riparian areas. Specific habitats that are protected include riparian areas, wetlands, and SEZs; wildlife movement and migration corridors; important habitat for any species of concern; critical habitat necessary for the survival of any species; nesting habitat for raptors and waterfowl; fawning habitat for deer; and snags and coarse woody debris. In addition, TRPA special-interest species (also referred to as “threshold species”), which are locally important because of rarity or other public interest, and species listed under the federal Endangered Species Act (ESA) or California ESA are protected from habitat disturbance by conflicting land uses.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact to vegetation.

5. Wildlife

| 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"/> |

Discussion

Project-level planning and environmental analysis for individual projects would identify potentially significant effects to special-status wildlife species, minimize or avoid impacts to their habitats through the design process, and require mitigation for any significant effects as a condition of approval. As such, substantial and adverse impacts to the diversity or distribution of species would remain less than significant. In addition, individual projects would be required to complete project specific environmental review and comply with local jurisdictional standards, which would further reduce impacts. No new significant impacts or substantially more severe impacts would occur.

The overall land use pattern and amount of new development proposed under the ATP would not create barriers to wildlife movement; however individual projects, based on location, could have the potential to affect wildlife movement. In areas of known wildlife corridors, projects would be designed to incorporate passage over, under, or through a facility such as a shared use path or bridge to ensure wildlife passage is not impeded.

TRPA's existing policies and Code provisions address potential impacts to fisheries and aquatic habitats through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid those impacts through the design process, and require compensatory or other mitigation for any significant effects on fish habitat as a condition of project approval. Specifically, provisions of the TRPA Code of Ordinances require protecting prime and other fish habitat and require mitigation to avoid significant impacts to fisheries.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact to wildlife.

6. Noise

| 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"/> |

Discussion

The ATP includes several new trail and bike path projects as well as complete streets projects to improve bike lanes, and pedestrian crossings in urbanized areas. Bike and pedestrian-related uses would not generate a significant amount of noise, as conversational noise is not excessive and is generally characteristic of the existing noise environment in urban areas and along roadways.

These uses would not generate a significant amount of noise, as conversational noise is typically measured at a range of 60 to 65 dBA at 5 feet (Federal Transit Administration 2018). Noise levels typically attenuate at a rate of about 6 dBA per doubling of distance and conversational noise would range from approximately 28 dBA to 33 dBA at 100 feet. Projects would not typically be located within 100 feet of noise-sensitive receivers. Noise attenuation from existing structures and topography would further ensure that conversational noise is reduced to a level that would be imperceptible to nearby receivers.

Projects would be subject to the noise standards specific to each plan area, as required in Chapter 11.6 of the TRPA Code of Ordinances.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact related to noise.

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 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"/> |

Discussion

Active transportation projects could introduce new sources of light, including sidewalk and trail lighting. Existing outdoor lighting standards described in the TRPA Code Section 36.8 and other local night sky policies would govern new development. Similarly, new projects listed in the ATP would adhere to the lighting standards to reduce impacts that may adversely affect nighttime views.

Glare occurs when the sun reflects off light-colored surfaces, windows, and the windshields of parked cars. Adherence to the limited color palette prescribed in the TRPA Design Standards would ensure that light-colored surfaces and unshielded glass would not occur, thus preventing glare. It is possible that components of new facilities would have reflective materials as part of their designs. This could include wayfinding and interpretive signage, windows, and building or structure siding and roof materials. These components would be subject to the TRPA and local jurisdictional design guidelines that include using materials that appear natural and blend with the landscape.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact related to light and glare.

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 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"/> |

Discussion

The active transportation projects include sidewalks, bike lanes, and shared use paths that are consistent with land use designations and identified as appropriate in their respective plan areas. Prior to permitting transportation projects that involve land use changes, local jurisdictions will have the opportunity for discretionary review of site-specific design and could develop mitigation to ensure no conflict occurs with other land use plans.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a significant impact to land use.

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 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"/> |

Discussion

Proposed projects included in the ATP include active transportation projects, implementation of complete streets and operations and maintenance projects that improve mobility throughout the Plan Area. The scale of the active transportation infrastructure is not such that substantial amounts of non-renewable natural resources would be utilized or affected. Therefore, the ATP would not result in significant impacts related to natural resources.

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 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"/> |

Discussion

Construction of transportation facilities could result in transport of hazardous materials or temporarily expose people and the environment to hazardous conditions.

All transport of hazardous materials would be required to comply with existing laws and regulations, such as the federal Resource Conservation and Recovery Act (RCRA) and the state Hazardous Waste Control Act and California Vehicle Code. In California, transportation of hazardous materials on roadways is regulated by the California Highway Patrol and Caltrans, and the use of these materials is regulated by the California Department of Toxic Substances Control (DTSC). In Nevada, the transportation of hazardous materials on area roadways is regulated by the Nevada Highway Patrol. The use of these materials in Nevada is regulated by Nev-OSHA, and Nevada's Hazardous Waste Management Program regulations. This would ensure that the transport of hazardous materials and the release of hazardous materials would be adequately controlled. In addition, individual projects would be required to complete project specific environmental review and comply with local jurisdictional standards, which would further reduce impacts.

Improving the active transportation network would also provide alternative travel modes and decrease demand on the roadway network, hence improving the ability to evacuate. Class I trails and bridges also are recommended to be designed to accommodate emergency vehicles, providing alternative routes during an emergency.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in a risk of upset.

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 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"/> |

Discussion

Active transportation projects would be located adjacent to, along existing roadway networks or designed to connect existing communities. The ATP would not affect population growth or displace residents, therefore there would be no significant impact.

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 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"/> |

Discussion

Active transportation projects would be located along existing roadway networks or designed to connect existing communities, serving new and existing residential areas. The ATP would not affect housing, therefore there would be no significant impact.

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 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"/> |

Discussion

The implementation of Active Transportation Projects and programs encourage use of non-auto travel that can reduce vehicle miles traveled, demand for auto parking, and alleviate congestion on roadways. These projects are designed to distribute travel and circulation more efficiently and decrease hazards to bicyclists, pedestrians, and vehicles.

Most pedestrian facilities, including sidewalks, shared-use paths, and crossings, are concentrated around urban and tourist-centered areas in the region. The ATP would improve bicycle and pedestrian facilities consistent with the 2020 Regional Plan. In recreation corridors throughout the region, the 2020 RTP proposes public transit that connects to shared use paths and recreation destinations.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in significant impacts to transportation.

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 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"/> |

Discussion

Proposed policies and projects in the ATP are intended to improve public facilities such as roads and connections between currently separated recreation facilities and public areas such as schools, trails, parks, beaches. Active transportation projects often include new and renovated stormwater systems, as well as maintenance. These projects would contribute to improved public services. Proposed safety improvements to transportation systems infrastructure would facilitate police and fire protection services.

Construction or roadway maintenance could temporarily affect response times or other performance objectives, but scheduling would be coordinated with local agencies and require traffic control plans.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in significant impacts to public services.

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 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"/> |

Discussion:

Active transportation projects would require energy use during construction including bikeway improvements, new bike trails, new pedestrian paths and sidewalks, and new traffic signage. These projects and programs facilitate the use of alternative modes of transportation, reducing dependence on the automobile, and reducing the demand for fuel and energy. Therefore, the ATP would not have a significant impact related to energy.

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 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"/> |

Discussion

Active transportation projects are predominantly located along existing roadway networks or designed to connect existing communities and recreation facilities. Site specific storm water drainage systems would be included in the construction of road and trail projects, if needed.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in significant impacts related to utilities.

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 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

Construction of active transportation projects could result in transport of hazardous materials or temporarily expose people and the environment to hazardous conditions. Once implemented, these projects are designed to improve safety and decrease hazards to human health.

Given the project specific design and permitting requirements, including subsequent environmental analysis, the ATP would not result in significant impacts to human health.

18. Scenic Resources / Community Design

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 checked="" 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 checked="" 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 checked="" 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"/> |

Discussion

All projects included in the ATP must comply with the Design Review Guidelines in Chapter 36 of the TRPA Code of Ordinances, which includes specific standards for site design, building design, landscaping, and lighting. Chapter 37 of the Code also establishes height standards to ensure visually compatible development. Chapter 66, Scenic Quality, contains specific standards for roadway travel units, scenic highway corridors, and scenic viewpoints. TRPA's Scenic Quality Improvement Program (SQIP) contains recommendations for scenic improvements in specific locations based on the current scenic attainment score. TRPA and implementing project partners would consult the SQIP when designing transportation projects that are in the areas identified for improvements. Typical scenic

improvement recommendations include undergrounding utilities, vegetation screening, and use of natural building materials.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in significant impacts to scenic resources and community design.

19. Recreation

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"/> |

Discussion

The ATP includes new projects that would increase accessibility to existing recreational facilities by improving the conditions and connectivity of the transportation system. These recreation and transportation connections are developed through the corridor planning framework. Proposed projects are intended to enhance and improve already existing transportation and mobility systems in the Plan Area, primarily through additional connection points and improvements to roadway conditions and safety features. Even with increased numbers of visitors, it is assumed that the increased number of facilities (i.e., trails) would meet increased demand as that demand would be distributed across the existing and new recreation spots, including dispersed, developed, and urban facilities. Thus, the new projects are unlikely to increase demand in the Plan Area in a way that cannot be accommodated by existing and new recreational facilities. Through implementation of corridor planning and transit service, vehicle use is discouraged in favor of alternative modes of transportation that have more ability to manage visitation to spread it over time to reduce peak demand for those recreation demands, accommodating the same visitation in a less impactful manner.

Furthermore, the proposed project would augment the existing recreation facilities, dispersing visitors and shifting visitor travel to other modes, not increase travel. The ATP encourages complete streets where bike lanes are enhanced adjacent to class I paths, providing more capacity on the class I path for walking or slower moving activities, improving safety for all.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in significant impacts to recreation.

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 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 type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" 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"/> |

Discussion

Active transportation projects must comply with Chapter 67 of the TRPA Code of Ordinances which includes specific standards to protect significant cultural, historical, archaeological, and paleontological resources. Regulations include protection of such resources in project areas in which they are known or suspected. Chapter 67 also provides for consultation with state historical agencies and the Washoe Tribe. Additionally, Standard 33.3.7 in Chapter 33 (Grading and Construction, Section 33.3, Grading Standards) addresses discovery of historical resources. Projects would also be subject to local jurisdiction cultural resource protection standards as well as state and federal regulations.

The 2024 ATP includes a limited number of projects constituting 11.56 miles dispersed throughout the region, that were not previously assessed. These projects would be subject to site specific design and permitting, including subsequent environmental analysis. Therefore, the ATP would not result in significant impacts to scenic resources.

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 checked="" 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 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?) | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion

The 2020 RTP/SCS contains policies, programs, and projects that would result in long-term environmental benefits and protection of environmental resources in the Plan Area. As discussed throughout this document, projects may result in different site-specific impacts that could require implementation of mitigation measures to ensure protection of the environment.



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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:

Rebecca Cremeen

Digitally signed by Rebecca Cremeen
DN: cn=Rebecca Cremeen, o=TRPA, ou,
email=rcremeen@trpa.org, c=US
Date: 2024.04.16 10:33:58 -07'00'

at

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

Date _____

Title of Evaluator



STAFF REPORT

Date: April 17, 2024

To: TRPA Governing Board

From: TRPA Staff

Subject: South Tahoe Public Utility District, Solar Power Project, 1275 Meadow Crest Dr, South Lake Tahoe, California, TRPA File Number ERSP2023-1088, Assessor’s Parcel Numbers (APNs) 025-041-012, 025-051-27, 025-061-030, 025-061-031, 025-061-032, 025-061-033, 025-061-035, 025-071-022

Summary and Staff Recommendation

The South Tahoe Public Utility District (STPUD) Solar Power Project is a new 1,339 kW DC ground-mount accessory photovoltaic power system proposed for use by the existing Wastewater Treatment Plant (WWTP). Tahoe Regional Planning Agency (TRPA) staff recommends that the Governing Board make the required findings and approve the proposed project.

Required Motions

In order to approve the proposed project, the Board must make the following motions, based on the staff summary and evidence in the record:

- 1) A motion to approve the required findings, including a finding of no significant effect; and
- 2) A motion to approve the proposed STPUD Solar Power Project, subject to the conditions in the draft permit (see Attachment B).

For the motions to pass, an affirmative vote of at least five members from the State of California and at least nine members of the Board is required.

Governing Board Review

The TRPA Code, Section 2.2.2.D.1, requires Governing Board review and approval of new public service facilities involving more than 3,500 square feet of land coverage. The TRPA Code, Section 2.2.2.A.1, also requires Governing Board review and approval of substantial tree removal plans.

Project Description

On October 20, 2022, the South Tahoe Public Utility District Board of Directors held a public hearing and unanimously voted to enter into a Power Purchase Agreement with Staten Solar for a solar project at the WWTP. The 1339 kW ground mounted solar facility will offset about 32 percent of the current energy demand at the treatment plant. The solar array is accessory to the primary public service wastewater treatment use since the array is designed to generate power for the WWTP. Staten Solar will fund, build, own, and maintain the solar array, and the STPUD will purchase the power produced at a lower price than Liberty currently charges.

The proposed solar facility is located about 450 feet east of the existing WWTP within previously undeveloped portions of STPUD property. The solar power facility consists of a 3.31 acre secured fenced

area containing the solar arrays. At the southwest end of the solar field, small concrete pads will be constructed to support a transformer, concentration panel and switchgear required to transmit power generated by the solar field to the existing electrical service connection.

An approximately 1,770 foot long trench will be used to bury the wiring needed to connect the solar field to the WWTP. Additional minor tree removal to facilitate the trenching may be required depending on the final approved trench location. Access will be provided by a 457 foot long by 20 foot wide driveway from the STPUD WWTP internal perimeter road.

The solar arrays will be constructed using large ground screws and racks that connect the solar panels to the foundation screws. Following tree and stump removal no additional site grading will be required.

The 19 rows of solar arrays are proposed in an east-west orientation and include eleven rows of arrays approximately 236 feet long, seven arrays approximately 270 feet long, and one array approximately 205 feet long. The arrays include photovoltaic panels with a 15 foot 7 ½-inch wide surface plane oriented to the south at 25 degrees from horizontal. The array structures are four feet off the ground on the low side and approximately 10 feet 7 ½-inches off the ground on the high side. Four inches of wood mulch will stabilize soil within the fenced area. No new lighting is proposed.

To maintain solar access for the panels, additional tree removal is proposed to extend 100 feet from the fence line to the west, east and south of the solar field. This additional tree removal area totals 3.51 acres. The extent of clearing within the 100 foot additional area is limited by TRPA Code of Ordinances Section 61.1.4.C and the conditions of approval for this project. Small trees and restored native vegetation will be maintained up to 18-degree vertical angle from the base of the solar collectors. A timber harvest plan has been approved, consistent with California's (CalFire) Forest Practice Act.

The existing treatment plant is verified with 668,439 square feet of Class 6 coverage and 20,993 of Class 1b coverage. The proposed solar power project will add 42,913 square feet of Class 6 coverage and 9,088 square feet of Class 4 coverage; resulting in 734,449 square feet of total coverage in the project area. Following completion of the project, 320,490 square feet of coverage will be available for future use or transfer.

Site Description: The project site is located in the City of South Lake Tahoe between the wastewater treatment plant to the west, Heavenly Creek to the south, Al Tahoe Boulevard to the east, and Lake Tahoe Community College and Community Ballfields to the north.

The site is within STPUD's existing multi-parcel project area for land coverage. The project area includes 8 contiguous parcels with a total area of 4,968,454 square feet (114.06 acres) that are deed restricted and considered one project area. The WWTP occupies about 20 acres on the west side of the project area. The proposed solar power project would expand the developed area eastward onto mostly Class 6 and some Class 4 land.

The solar power project is located near the center of the project area and is surrounded by small hills and conifer forest on all sides. The woodland is a mid-successional forest stand consisting primarily of Jeffrey Pine. Air photos from 1969 show the site of the proposed solar array cleared of vegetation. According to STPUD, the site was used as a dispersal area for treated effluent at that time. Since then, the forest was mechanically thinned for fuels management in 2020. The project will require the removal of up to 131 trees over 14 inches in diameter, including 23 trees over 30 inches dbh.

The project will not be visible from a TRPA scenic roadway or shoreline unit. Al Tahoe Blvd and the adjoining Scenic Bicycle Segment are separated from the solar project site by about 600 feet and Pioneer Trail is about 1/3 of a mile away. The Heavenly Creek SEZ is also separated by about 600 feet. The South Tahoe Greenway trail and Community Ballfields are separated by about 1,000 feet. The project area has a BMP Certificate (#15880).

Sustainability Action Plan / Climate Action Plan:

The WWTP is a significant energy user, with just under 6,000,000 kWh of annual electricity use. The solar project will generate a minimum of approximately 1,925,050 kWh in year one of service, equating to 32 percent of total use.

Providing clean energy for public service facilities such as the WWTP is a goal of local and regional agencies including the TRPA, City of South Lake Tahoe and the STPUD. The proposed project is consistent with the TRPA Sustainability Action Plan; and will advance TRPA's goals for greenhouse gas reduction and increasing renewable energy generation in the region. Electricity consumption is identified as the region's largest source of greenhouse gas emissions.

TRPA is also working on ordinance updates to support renewable energy production and use. This project is consistent with the draft ordinance proposal.

The City of South Lake Tahoe has ambitious sustainability goals and has passed resolutions to transition to 100% renewable electricity by 2030, and reduce greenhouse gas emissions by 59.2% from the 2018 inventory level by 2030. The South Lake Tahoe City Manager, Joseph D Irvin, sent a letter of support for the proposed project (Attachment F).

In 2018, the City was approached by the Solar Energy and Economic Development (SEED) Fund team to participate in the newest round of the program's regional, collaborative solar procurement project. Headed by Optony USA and Strategic Energy Innovations, the SEED Fund gives public agencies in the same region the opportunity to work together on procuring solar for their facilities. The City recognized this unique opportunity, and on May 7, 2019, City Council voted unanimously to sign on as the Lead Agency for the SEED Fund Sierra Nevada project. The solar project stemmed from working with the SEED Fund to develop a list of potential solar projects in the Lake Tahoe region during the summer of 2020. It is the first of these projects to go to construction and will be the largest solar array in the Tahoe Basin.

The solar array is projected to offset 568 metric tons of CO₂e annually based on Liberty Energy's power blend. This is based on the output from ClearPath, a program and data set that is used by the City of South Lake Tahoe and STPUD to calculate their greenhouse gas (GHG) emissions as part of their Climate Action Plans.

For comparison, the US Environmental Protection Agency estimates annual carbon sequestration from an average American forest at 0.86 metric tons CO₂e/acre, or about 6 metric tons CO₂e for the solar project site. Using these estimates, tree removal offsets about 1 percent of the project's GHG emission reduction.

The proposed project is consistent with the City of South Lake Tahoe Climate Action Plan; and will advance strategies for Renewable Energy and Zero Net Energy:

Strategy 10: Renewable Energy (RE) – Increase Renewable Energy and Storage throughout the Community.

RE-1 Transition City to 100% renewable electricity by 2030.

Strategy 11: Zero Net Energy Standards (ZNE) – Reduce Energy Consumption, Improve Efficiency, and Install Renewable Energy in New Construction

ZNE-2 Pursue zero net energy and deep retrofit projects.

- *Work with the City’s largest energy users, such as South Tahoe Public Utility District and ski resorts, to transition toward using renewable energy sources.*

Community Plan and Plan Area Statement:

The existing WWTP is located in the Bijou/Al Tahoe Community Plan. The solar power expansion area is located in Bijou Meadows Plan Area Statement (PAS 101). Bijou Meadows is a recreational plan area. The WWTP is classified as a public utility center and is allowed as a special use in both local plans.

Special Policy 4 in the Bijou Meadows PAS applies to the project: *Developed facilities adjacent to the stream environment zone should be screened from views originating from within the stream environment zone.*

The proposed solar power site is well screened from the Heavenly Creek SEZ with about 600 feet of forested separation and an intervening hill. There should be no significant visual impact from the SEZ.

Scenic Quality:

The project is not visible from Pioneer Trail or any other scenic roadway or scenic shoreline unit.

The bike trail along Al Tahoe Blvd is a TRPA designated Scenic Bikeway Segment. The proposed solar power site is well screened from the Scenic Bikeway Segment along Al Tahoe Blvd with about 600 feet of forested separation and an intervening hill to the east of the project site. Foreground views from the Scenic Bikeway Segment would not be affected. Background views of the solar facility will be mostly screened by the hillside and forest. The solar facility may be visible through the trees when viewed from the northeast, but natural forest screening is substantial and panel orientation will prevent direct glare. No lights are planned for the solar power area and revegetation of the cleared area with lower height vegetation will enhance screening over time.

The Community Ballfields Project and South Tahoe Greenway Trail are not designated scenic resources, but are frequently used. Natural forest screening from the ballfields and greenway trail is similar to screening from the Scenic Bikeway Segment along Al Tahoe Blvd. As viewed from the numerous pullouts along Highway 50 on Echo summit there is a topographic rise between the airport and Pioneer Trail that will block views of the solar panels.

Given the site selection, topography, and natural forest surroundings, the project will not cause a decrease in scenic ratings from any Scenic Resource area and should not require additional landscape screening.

Tree Removal Plan:

Tree removal is proposed on 6.83 acres for the solar array fenced area, including a 100-foot buffer on the south, east and west sides. The access road totals an additional 11,016 square feet. The site is characterized by an early to mid-successional forest stand consisting primarily of Jeffrey Pine forest. The site was mechanically thinned for fuels management in 2020.

131 trees greater than 14 inches in diameter are proposed to be removed, including 23 trees over 30 inches in diameter.

The TRPA Code of Ordinances, subsection 61.1.4.C establishes standards governing “Tree Removal for Solar Access”.

Removal of healthy trees to maximize efficiency of solar energy systems may be permitted according to the standards and limitations below.

1. *TRPA may approve the removal of healthy trees provided TRPA finds that the trees unreasonably impede the operation of a solar energy system and that the solar energy system is properly located so as to minimize the need for tree removal.*
2. *The number of healthy trees that may be removed for the system's operation shall be the minimum necessary.*
3. *The only trees that shall be considered for removal for an active or passive solar energy system are those that lie generally south of the proposed solar collector and are in the sun's path between an 18° vertical angle measured from the base of the solar collector and a 70° vertical angle from the same base measurement. Trees on adjacent properties may be removed provided a contractual agreement to allow for such removal is signed by the affected parties. Tree removal may be conditioned upon replacement elsewhere on the property.*

Site selection options for a solar power facility at the WWTP are limited by existing development and TRPA environmental standards. The existing developed area is insufficient for the addition of a solar power facility of this size. An alternative project that would place solar panels on existing rooftops and new carport structures was evaluated, but structural limitations of the buildings, underground conflicts for power conduit, and cost of new carports made this alternative project infeasible.

Areas to the east and northeast of WWTP are most suitable for expansion of development to serve public utility needs. An area extending about 800 feet east of the WWTP was significantly cleared in the last 50 years and continues to have less tree cover than the rest of the project area. The project proposes to site the solar array about 450-750 feet east of the WWTP to be located within the partly cleared area, while allowing space for future plant expansion onto the intervening land. The solar site has good sun exposure, but retains natural forest screening from surrounding areas. It is located in a bowl with small hills providing screening from public areas to the north, east and south.

Areas to the south and further east transition to Class 4 then to Class 1b land. Development in those areas would require greater tree removal and would be less consistent with biologic and scenic protections in the TRPA Code and Plan Area Statement. Areas further north also have thicker tree cover and greater public visibility.

The proposal to clear all trees within an additional 100 feet to the west, south and east will be limited by conditions for the final plans to address the tree removal standards/findings. Trees will only be removed consistent with the conditions of approval to ensure all trees removed would unreasonably impede operations, that tree removal is the minimum necessary, and that the trees to be cut meet the dimensional and solar angle criteria in subsection 3. As conditioned, the 100-foot clearing area is expected to be maintained with smaller trees up to 36.5 feet in height retained towards the edges of the cleared area and native shrubs and grasses closer to the solar arrays.

With conditions, tree removal can be found to be the minimum necessary and consistent with the dimensional requirements.

Land Coverage: The project area includes eight contiguous parcels with a total area of 4,968,454 square feet (114.06 acres). The site has 1,054,939 square feet of allowable coverage and 682,468 square feet of existing verified coverage.

The existing treatment plant is verified with 668,439 square feet of Class 6 coverage and 20,993 of Class 1b coverage, both of which are more than the allowable coverage for those districts. Therefore, the project will require the transfer of coverage into the project area.

The affected property has 50,603 square feet of excess coverage (Class 1b and 6), with 38,149 square feet of remaining unmitigated. Excess coverage mitigation is required with the project.

Water Quality and Snow Removal/Storage: The facility has a BMP certificate, last issued in 2013. The site is high capability and well separated from surface waters and SEZs. Water Quality Best Management Practices (BMPs), consistent with TRPA standards, will be constructed to provide on-site stormwater conveyance, treatment and infiltration. The access road will be paved with standard infiltration basins and/or trenches. The solar panels will use a distributed infiltration system with wood mulch distributed over well-draining native soil.

The project will adhere to a snow removal plan for the solar array area that protects native soil by only removing snow to a minimum depth of 1 foot and armoring native soil with 4 inches of wood mulch in the snow removal area.

To avoid soil compaction and disturbance, post-construction vehicle travel within the solar array fencing will be limited to emergencies, necessary repairs when the ground is dry, and winter travel when there is a 12 inch minimum snow depth.

Defensible Space and Very High Fire Hazard Severity Zone:

The proposed project is in a Very High Fire Hazard Severity Zone, as determined by the California Department of Forestry and Fire Protection. The materials proposed are non-combustible and the project is compliant with the local fire code.

Regional Plan Compliance:

The proposed project is consistent with the Regional Plan; and will advance goals and policies of the Conservation/Energy Subelement:

GOAL E-1 PROMOTE ENERGY CONSERVATION PROGRAMS AND DEVELOPMENT OF ALTERNATIVE ENERGY SOURCES TO LESSEN DEPENDENCE ON SCARCE AND HIGH-COST ENERGY SUPPLIES.

POLICY E-1.2. DEVELOPMENT OF ALTERNATIVE ENERGY SOURCES SHOULD BE ENCOURAGED WHEN SUCH DEVELOPMENT IS BOTH TECHNOLOGICALLY AND ENVIRONMENTALLY FEASIBLE. A variety of techniques for providing alternative energy sources are both technologically and economically feasible. Environmentally acceptable techniques are encouraged.

Other Agency Reviews:

The timber harvest plan has been approved by the California Department of Forestry and Fire Protection (THP No. 4-23-00105-ELD and Timberland Conversion permit No. 675). The project will require Stormwater Pollution Prevention Plan (SWPPP) from Lahontan. The project will also require final building permits from the City of South Lake Tahoe.

Contact Information:

This memorandum was jointly prepared by TRPA outsource review consultant Arlo Stockham, AICP (Stockham Consulting) and TRPA Special Projects Manager, Paul Nielsen. For questions regarding this agenda item, please contact Paul Nielsen, Special Project Manager at (530) 318-6025 or pnielsen@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. Required Findings/Rationale
- B. Draft Permit
- C. Site Plans & Elevations
- D. [Initial Environmental Checklist](#) (link)
- E. V(g) Findings
- F. Letters of Support

Attachment A
Required Findings/Rationale

Attachment A
Required Findings/Rationale

Required Findings: The following is a list of the required findings as set forth in Chapters 3, 4, 30 and 61 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 3 – Required Findings:

Based on the information submitted in the IEC, and other information know to TRPA, TRPA shall make one of the following findings and take the identified action:

- (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 the Rules of Procedure, Section 6.6;
- (b) The proposed project could have a significant effect on the environment but, due to the mitigation measures that have been added to the project, the project could have no significant effect on the environment and a finding of no significant effect shall be prepared in accordance with Rules of Procedure Section 6.7; or
- (c) The proposed project may have a significant effect on the environment and an environmental impact statement shall be pared in accordance with Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure, Article 6.

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project, with the proposed conditions in the draft permits, will not have a significant effect on the environment and a finding of no significant effect shall be prepared.

2. Chapter 4 – Required Findings:

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

Based on the information provided in this staff report, the project application, the Initial Environmental Checklist (IEC), and Article V(g) Findings Checklist, there is sufficient evidence demonstrating that the proposed project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, the TRPA Code and other TRPA plans and programs.

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

TRPA staff has completed the “Article V(g) Findings” in accordance with Chapter 4, Subsection 4.3 of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. The applicant also completed an IEC. No significant environmental impacts were identified, and staff has concluded that the project will not have a significant effect on the environment.

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

TRPA is requiring that all potential environmental effects of the project be mitigated through the project design, including the installation of both temporary and permanent Best Management Practices and ongoing maintenance, and payment of water quality and excess coverage mitigation fees. The project is also required to comply with all City of South Lake Tahoe and Lahontan Regional Water Quality Control Board requirements. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

3. Chapter 30 – Land Coverage Transfer

30.4.2 Transferred Land Coverage Requirement for Linear Public Facilities and Public Health and Safety Facilities

The maximum land coverage for linear public facilities is limited to the minimum amount needed to achieve their public purpose, except as provided for non-motorized public trails in subsection 30.4.6.D.3. Such transfer may be permitted, provided TRPA makes the following findings:

- (a) The project complies with required findings for additional public service facilities if required pursuant to Section 50.8.

The project is not an additional public service facility.

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

The solar project has been designed to reduce the minimize the physical amount of land coverage needed while maximizing the solar output. To produce the desired amount of clean energy (i.e., 1,339 kW DC Ground Mount Photovoltaic System), a solar system consisting of 2250 modules and 3.3 acres is required. STPUD has adequate base allowable land coverage available within the project area to accommodate the solar facility, but it is located within land capability district 4 to the east and south of the proposed project site. Moving the location of the proposed solar facility to the class 4 lands would eliminate the need to transfer land coverage for the public health and safety facility. However, siting the solar facility completely within land capability class 4 lands is not desirable compared to the current site that straddles the class 4/6 boundary for the following reasons:

- it would place the solar facility within more sensitive lands on slopes of up to 15 percent rather than the current site at 6 percent,
- it would be farther away from the existing WWTP facilities thereby impacting a larger area of previously undisturbed lands,

- it would require a longer access roadway and place solar panels on steeper slopes.
- it would place the solar panels closer to sensitive land uses (e.g., Al Tahoe bike trail and residential homes) and sensitive resources (e.g., Heavenly Valley creek) thereby reducing the amount of forested buffer between the solar facilities and offsite uses.
- the number of panels may need to be increased to equal the same amount of power.
- the design of the footings/foundation may need to be re-evaluated based on the slope of the hillside to orient the panels properly.

Because it is not a reasonable or feasible alternative to site the solar facility in the land capability class 4 lands and because the base allowable land coverage for land capability district 4 may not be used within the less-sensitive land capability 6 district lands within the project area, STPUD proposes to transfer land coverage into the project area. Under the proposed transfer, STPUD would send the land coverage required for Class 6 (42,913 square feet) to a state or local agency partner from STPUD's pool of base allowable Class 4 land coverage. At the same time, STPUD would receive from that partner 42,913 square feet of allowable Class 4, 5, or 6 land coverage for use in the Class 6 portion of the project area.

This land coverage transfer is preferable to the use of TRPA Code Section 30.4.1.C.3.c(ii) (e.g., Option 2) to calculate base allowable land coverage for the project area. Use of Option 2 would calculate base allowable land coverage using 20 percent (the amount allowable within land capability district 4) for all high capability lands (including class 6 which allows 30 percent cover) within the project area. This method would allow the solar facilities to be constructed in the current location and within base allowable land coverage limits as calculated under Option 2. However, use of Option 2 would result in the forfeiture of approximately 210,000 square feet of base allowable land coverage otherwise available in land capability district 4 under Code Option 1.

The District is mandated by the Federal Clean Water Act and the Porter-Cologne Act of 1969 to maintain and operate water and wastewater systems, including a wastewater treatment and export system at the Project Area, in perpetuity for the benefit of the south shore community. Given the unknown requirements for facility improvements or expansions that may be necessary in the future to fulfill STPUD's regulatory obligations both within and/or outside of the WWTP project area, it would not be feasible for STPUD to utilize Option 2 to determine base allowable land coverage. Using Option 2 may provide sufficient base allowable land coverage for the solar array project area, but it would lead to greater expense for STPUD and environmental risk for the community if and when that base allowable land coverage is needed in the future for mandated Public Health and Safety facilities.

In summary, given the unknown specifications for regulatory compliance for wastewater and associated facility improvements that will be needed in the future, STPUD is unable to predict with any certainty that the base allowable class 4 land coverage within the District's WWTP project area will not be needed for District facilities at some time in the future.

- (c) The project, because of its unusual configuration or service requirement, requires special consideration; and

The solar power system is proposed at the STPUD WWTP project area so that it may efficiently offset existing use of grid power with clean energy for operation of the WWTP. Annually, the

WWTP's power consumption is approximately 6M kWh. The solar array is contractually obligated to produce 1,925,050 kWh in Year 1 of the agreement with the solar power partner (e.g., approximately 32 percent of the WWTP annual consumption). STPUD cannot consider an alternate offsite location for the solar array, because of restrictions from the power utility; the Project Area is the only location that can be considered for this project. STPUD considered a rooftop project alternative at the WWTP, but cost and physical constraints made it infeasible. The most suitable site is located on class 6 land. Special consideration is warranted for the associated coverage transfer because this is a public facility with important water quality obligations under federal law and recalculating allowable coverage under the Option 2 method would adversely impact STPUD's ability to construct water and wastewater improvements in the future.

Providing clean energy for public services facilities such as the WWTP is a goal of local and regional agencies including the City of South Lake Tahoe and District, evidenced by both agencies participation in the Solar Energy and Economic Development Fund (SEED Fund), the City Council's 100 percent clean energy resolution, and TRPA's upcoming code amendments to address climate goals. In 2018, the City was approached by the SEED Fund team to participate in the newest round of the program's regional, collaborative solar procurement project. Headed by Optony USA and Strategic Energy Innovations, the SEED Fund gives public agencies in the same region the opportunity to work together on procuring solar for their facilities. The City recognized this unique opportunity, and on May 7, 2019, City Council voted unanimously to sign on as the Lead Agency for the SEED Fund Sierra Nevada project. STPUD's solar project stemmed from working with the SEED Fund to develop a list of potential solar projects in the Lake Tahoe region during the summer of 2020. It is the first of these projects to go to construction and will be the largest solar array in the Tahoe Basin

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

STPUD's WWTP serves the entire south shore community on the California side, from Emerald Bay to Stateline and south to Christmas Valley.

4. Chapter 30 – Land Coverage Relocation

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

6,964 square feet of banked Class 6 land coverage is proposed to be used on Class 6 land. The slope, vegetation, and soil type in the area of relocation is the same. The site is classified as Land Capability Class 6 and is therefore suitable for development.

- (b) The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3.

The area from where the land coverage was removed and banked has already been revegetated.

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

The relocation is entirely within a Land Capability Class 6 area.

5. Chapter 61: Vegetation and Forest Health

- (a) Tree Removal: Before tree-related projects and activities are approved by TRPA, TRPA shall find, based on a report from a qualified forester, that the project or activity is consistent with this chapter and the Code. TRPA may delegate permit issuance to a federal, state, or other qualified agency through a memorandum of understanding.

The State-approved timber harvest plan was prepared by a registered forester and approved by the California Department of Forestry. With conditions, the project is consistent with the TRPA Code of Ordinances including Chapter 61 standards for tree removal, vegetation protection, and revegetation. See additional information in the Tree Removal section of the staff report.

- (b) Tree Removal for Solar Access: Removal of healthy trees to maximize efficiency of solar energy systems may be permitted according to the standards below.
- a. TRPA may approve the removal of healthy trees provided TRPA finds that the trees unreasonably impede the operation of a solar energy system and that the solar energy system is properly located so as to minimize the need for tree removal.
- b. The number of healthy trees that may be removed for the system's operation shall be the minimum necessary.
- c. The only trees that shall be considered for removal for an active or passive solar energy system are those that lie generally south of the proposed solar collector and are in the sun's path between an 18° vertical angle measured from the base of the solar collector and a 70° vertical angle from the same base measurement. Trees on adjacent properties may be removed provided a contractual agreement to allow for such removal is signed by the affected parties. Tree removal may be conditioned upon replacement elsewhere on the property.

As described in the Tree Removal section of the staff report, the site selected is the most suitable for a larger-scale solar power project and minimizes the need for tree removal.

Trees within the solar array fenced area are incompatible with power generation and will be entirely removed.

For tree removal in the additional 100-foot area to the west, south and east, the applicant provided comparative PV system analyses with and without the additional tree removal. Without tree removal in the 100-foot area, near shading would increase from 1.89 percent to 8.41 percent and performance of the solar array would be reduced by 5.4 percent. This would significantly impede operation of the solar energy system.

Tree removal in the additional 100-foot area will be limited by conditions of approval to ensure all trees removed would unreasonably impede operations, that tree removal is the minimum necessary, and that the trees to be cut meet the dimensional and solar angle criteria in subsection 3.

Attachment B
Draft Permit

Attachment B
DRAFT PERMIT

PROJECT DESCRIPTION: South Tahoe Public Utility District, Solar Power Project

APN: 025-041-012, 025-051-027, 025-061-030, 025-061-031, 025-061-032, 025-061-033, 025-061-035, 025-071-022

PERMITTEE(S): South Tahoe Public Utility District

FILE #: ERSP2023-1088

COUNTY/ADDRESS: City of South Lake Tahoe / 1275 Meadow Crest Drive

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on April 24, 2024, subject to the standard conditions of approval attached hereto (Attachment Q), and the special conditions found in this permit.

This permit shall expire on April 24, 2027, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

- NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:(1)TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;
 - (3) THE PERMITTEE OBTAINS A CITY BUILDING PERMIT. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A CITY BUILDING PERMIT. THE CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
 - (4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

Date

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

Signature of Permittee(s) _____ Date _____

PERMIT CONTINUED ON NEXT PAGE

TRPA FILE ERSP2023-1088

**APNs 025-041-012, 025-051-027, 025-061-030, 025-061-031, 025-061-032, 025-061-033, 025-061-035,
025-071-022**

Water Quality Mitigation Fee (1): Amount \$83,713 Paid ____ Receipt No. ____
Excess Coverage Mitigation Fee (2): Amount \$ ____ Paid ____ Receipt No. ____
Security Posted (3): Amount \$10,000.00 Type ____ Paid ____ Receipt No. ____
Security Administrative Fee (4): Amount \$ ____ Paid ____ Receipt No. ____

Notes:

- (1) See Special Condition 3.G below.
- (2) See Special Condition 3.H below.
- (3) See Special Condition 3.I below.
- (4) See TRPA Filing Fee Schedule.

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

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

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit authorizes the construction of a 1339 kW ground mounted solar power system to offset electricity demand at South Lake Tahoe Public Utility District (STPUD) Waste Water Treatment Plant (WWTP). The project includes 19 rows of solar arrays with an east-west orientation and lengths ranging from 205 feet to 270 feet. The arrays, designed to be four feet off the ground on the low side and approximately 10.5 feet above ground on the high side, will be enclosed within fencing with a total area of approximately 144,370 square feet (3.31 acres). At the southwest end of the solar field, small concrete pads will be constructed to support a transformer, concentration panel and switchgear. Additional trees will be cleared within a 100 foot area to the west, south, and east of the solar arrays (3.51 acres). The extent of clearing within the 100 foot additional area is limited by TRPA Code of Ordinances Section 61.1.4.C and the conditions of approval for this project. The solar arrays will be accessed with a 20-foot paved and gated roadway extending approximately 457 feet eastward from the WWTP. An approximately 1,770 foot long trench will be used for subsurface electrical connections between the solar arrays and the WWTP. Approximately 700 linear feet of the trench is located outside of the existing WWTP and area cleared of trees for the solar field.

The project will add 42,913 square feet of Class 6 coverage including 6,964 square feet of banked coverage and 35,949 square feet of new Class 6 coverage to be transferred into the project area or recalculated in accordance with Condition 3.E. 9,088 square feet of new Class 4 coverage will also be added. The project will result in 734,449 square feet of total coverage in the project area, with 320,490 square feet of coverage available for future use or transfer. Upon completion of the project and passing a TRPA final inspection, the parcel's BMP Certificate will be reissued.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The site plans shall be revised to include:
 - 1) Update parcel information to identify all APNs within the project area.
 - 2) Update coverage statistics to address transferred coverage and allowed use of transferred coverage on Class 6 land; or the alternative project area recalculation consistent with Condition 3.E below.
 - 3) Update coverage calculations to identify excess coverage in Class 6 and Class 1b. Include total, mitigated, and remaining.
 - 4) Paving of the proposed gravel access road.
 - 5) A note and on-site sign indicating: "Motor vehicles are not permitted within the solar array fenced area except for emergency response, necessary repairs when the ground is dry, and winter travel when there is a 12-inch minimum compacted snow depth, such that ground disturbance and compaction will not occur."
 - 6) Identify color of the perimeter fence. The fence shall be a dark brown or black to blend with the surrounding area.
 - 7) Identify final trench routing location for the utility conduit and any proposed tree removal. For the trench routing, trees over 14 inches in diameter shall not be removed within Class 1b(SEZ) areas and trees over 30 inches shall not be removed on high capability land.
 - B. The BMP plan shall be revised to include:
 - 1) Calculations demonstrating that the proposed infiltration areas are sized accordingly for the slope and soil type of the property and will capture and infiltrate a 20 year/1 hour storm event.
 - 2) Use standard infiltration basins and/or trenches to infiltrate access road runoff. Provide a detail drawing.
 - 3) Vegetation protective fencing around the entire construction site. The fencing shall be no more than 12 feet from the access drive or northern perimeter fence. Fencing may

extend to the edge of the 100 feet additional tree removal area on the north, east, and south. Trees located within the construction area that are to be retained shall be individually protected by fencing or other means as necessary.

- 4) Temporary erosion control structures located downslope of the proposed construction areas. Please Note: Straw bales are no longer acceptable for temporary erosion control or mulch material in the Lake Tahoe Basin. The use of straw has contributed to the spread of noxious weeds throughout the basin. The use of alternatives to straw bales, such as pine needle bales, filter fabric, coir logs and pine needle or wood mulches for erosion control purposes is required.
 - 5) A note indicating: "4 inch deep layer of wood mulch will be maintained within the solar array fenced area.
 - 6) A note indicating: "Dust control measures shall be in place during construction. Broadcast mulch shall not be permitted as a dust control measure within 35 feet of structures."
 - 7) A note indicating: "All areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices and Living with Fire, Lake Tahoe Basin, Second Edition."
 - 8) Indicate staging area for construction equipment and materials to be located within the construction site boundary fencing.
- C. The final plans shall include a detailed tree removal and revegetation plan based on a survey of tree heights demonstrating that all trees to be removed within 100 feet of the solar array fenced boundary address the standards in TRPA Code of Ordinances subsection 61.1.4.C "Tree Removal for Solar Access". Trees that do not project above an 18 degree vertical angle from a solar panel and other trees that do not unreasonably impede operations shall be maintained. Include a note indicating: "All areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices and Living with Fire, Lake Tahoe Basin, Second Edition."
- D. The project will adhere to a snow removal plan for the solar array area that protects native soil from disturbance and compaction. The final plans shall include an updated snow removal plan limiting snow removal to times when there is a minimum compacted snow depth of 1 foot. Snow removal may not create soil disturbance or compaction and shall not occur when the ground is wet or exposed. Snow removal instruction signage shall be posted on-site and 1-foot heights shall be marked on the fencing and solar array support posts.
- E. The permittee shall transfer 35,949 square feet of Class 1, 2, 3, 4, 5 or 6 coverage to the project area Class 6 lands. Note that all coverage transfers must be in compliance with Chapter 30 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure. In the event the permittee is unable to transfer coverage, allowed coverage shall be recalculated consistent with TRPA Code of Ordinances subsection 30.4.1.C.3.c.ii "Option 2".

- F. A BMP INSPECTION AND MAINTENANCE PLAN shall be submitted detailing necessary maintenance activity and schedules for all BMPs installed on the property. All BMPs shall be maintained subject to the INSPECTION AND MAINTENANCE PLAN approved as part of this permit. All maintenance activities shall be recorded in a corresponding maintenance log. This log shall be maintained for the life of the property and made available for inspection by TRPA staff. If this log is not complete, TRPA will assume that maintenance has not been performed and reserves the right to revoke the BMP Certificate of Completion.
- G. A water quality mitigation fee of \$83,713 shall be paid to TRPA. This fee is based on the creation of 45,007 square feet of land coverage at a rate of \$1.86/square foot. The previously verified coverage amount is 689,432 square feet and the base allowable coverage is 1,054,939 square feet.
- H. The affected property has 38,149 square feet of remaining excess land coverage (Class 1b and 6). This amount reflects the most recent excess coverage mitigation fee payment of \$646 on August 18, 2022, required per TRPA File ERSP2021-0197 which mitigated 69 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 4 – South Stateline or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of .0325% (as identified in Table 30.6.1-2 of Subsection 30.6.1.C.3, Chapter 30 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$8.50 for projects within Hydrologic Transfer Area 4, South Stateline. Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than \$200.00.

- I. The security required under Standard Condition I.B of Attachment Q shall be \$10,000.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and the required security administration fee. Security shall not be released until the project is complete and additional BMPs in the Boneyard are installed.
 - J. The permittee shall submit a project construction schedule.
 - K. The permittee shall submit an electronic version of the final plan set for electronic stamping
4. If a prehistoric archeological site (such as midden soils, stone tools, chipped stone, baked clay, or concentrations of shell or bone) or a historic-period archaeological site (such as structural features, concentrated deposits of bottles, or other historic refuse) is uncovered during grading

or other construction activities, all ground-disturbing activity within 100 feet of the discovery shall be halted until a qualified archaeologist can assess the significance of the find. The City will be notified of the potential find and a qualified archaeologist shall be retained to investigate its significance. If the find is a prehistoric archeological site, the appropriate Native American group shall be notified. Any previously undiscovered resources found during construction will be recorded on appropriate California Department of Parks and Recreation 523 forms and evaluated for significance under all applicable regulatory criteria. If the archaeologist determines that the find does not meet the CRHR standards of significance for cultural resources, construction may proceed. If the find is determined to be significant by the qualified archaeologist (i.e., because the find is determined to constitute either an historical resource, a unique archaeological resource, or tribal cultural resource), the archaeologist shall work with the City to follow accepted professional standards such as further testing for evaluation or data recovery, as necessary. If artifacts are recovered from significant historic archaeological resources, they shall be housed at a qualified curation facility. The results of the identification, evaluation, and/or data recovery program for any unanticipated discoveries shall be presented in a professional-quality report that details all methods and findings, evaluates the nature and significance of the resources, and analyzes and interprets the results.

5. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.
6. The construction of a concrete washout facility is prohibited unless approved in writing by a TRPA Environmental Specialist.
7. Any normal construction activities creating noise in excess to the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.
8. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.
9. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season.
10. Grading is prohibited any time of the year during periods of precipitation and for the resulting period when the site is covered with snow, or is in a saturated, muddy, or unstable condition.
11. All Best Management Practices shall be maintained in perpetuity to ensure effectiveness which may require BMPs to be periodically reinstalled or replaced.
12. Any change to the project requires approval (except for TRPA exempt activities) of a TRPA plan revision permit prior to the changes being made to any element of the project (i.e. structural modifications, grading, BMPs, etc.). Failure to obtain prior approval for modifications may result in monetary penalties.
13. Temporary and permanent BMPs may be field-fit as appropriate by the TRPA inspector. Parking barriers may be required at discretion of the inspector.

14. Excavation equipment is limited to approved construction areas to minimize site disturbance. No grading, excavation, storage or other construction related activities shall occur outside the area of disturbance.
15. The permittee shall prepare and provide photographs to the TRPA Compliance Inspector that have been taken during construction that demonstrate any subsurface BMPs or trenching and backfilling proposed on the project have been constructed correctly (depth, fill material, etc.).
16. This approval is based on the permittee's representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.
17. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board (including individual members), its Planning Commission (including individual members), its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, administrative appeal, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

Included within the Permittee's indemnity obligation set forth herein, the Permittee agrees to pay all fees of TRPA's attorneys and all other costs and expenses of defenses as they are incurred, including reimbursement of TRPA as necessary for any and all costs and/or fees incurred by TRPA for actions arising directly or indirectly from issuance or implementation of this permit. TRPA will have the sole and exclusive control (including the right to be represented by attorneys of TRPA's choosing) over the defense of any claims against TRPA and over their settlement, compromise, or other disposition. Permittee shall also pay all costs, including attorneys' fees, incurred by TRPA to enforce this indemnification agreement. If any judgment is rendered against TRPA in any action subject to this indemnification, the Permittee shall, at its expense, satisfy and discharge the same.

END OF PERMIT

Attachment C
[Site Plans & Elevations](#) (link)

Attachment D
[Initial Environmental Checklist](#) (link)

Attachment E
V(g) Findings

PROJECT REVIEW CONFORMANCE CHECKLIST & V (g) FINDINGS

(Commercial/Tourist Accommodation/Public Service/Recreation/Resource Mngt.)

Project Name: STPUD Solar Power Project

Project Type: Public Service

APN / Project Number: 025-061-032 et al (8 parcels) / ERSP2023-1088

Project Review Planner: Arlo Stockham / Paul Nielsen Date of Review: 3/19/2024 - 4/24/2024

NOTE: if the answer to question b. on any of the following questions is no, please provide a written justification on a separate sheet for making the findings required in subsections 4.4.1 and 4.4.2 of the code. If the answer to question b. is yes or if no answer is required, this checklist shall serve as justifications for making said findings. Any positive impacts of the project on the thresholds that have not been addressed in these questions should also be noted.

CATEGORY: AIR QUALITY

THRESHOLD: CARBON MONOXIDE (CO)

INDICATOR: (CO) 8-hr. avg. Stateline CA station

- 1. a. Does the project generate new vehicle trips? Y N
- b. If yes, is the project consistent with Subsection 65.2.4.B.1? Y N
- 2. a. Does the project create new points of vehicular access? Y N
- b. If yes, is the project consistent with Subsection 34.3.2? Y N
- 3. a. Does the project include combustion appliances? Y N
- b. If yes, is the project consistent with Subsection 65.1.4? Y N
- 4. a. Does the project include a new stationary source of CO? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

THRESHOLD: OZONE

INDICATOR: Ozone, 1-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase regional VMT? Y N
- b. If yes, is the project consistent with Subsection 65.2.4? Y N
- 2. a. Does the project include new gas/oil space/water heaters? Y N
- b. If yes, is the project consistent with Subsection 65.1.4? Y N
- 3. a. Does the project include a new stationary source of NO²? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

THRESHOLD: PARTICULATE MATTER

INDICATOR: Part. Matter, 24-hr. avg. Lk. Tahoe Blvd station

- 1. a. Does the project increase airborne dust emissions? Y N
- b. If yes, is the project consistent with Subsection 60.4.3? Y N
- 2. a. Does the project include a new stationary source of particulate matter? Y N
- b. If yes, is the project consistent with Subsection 65.1.6? Y N

3. a. Refer to question 1, Ozone, above.

THRESHOLD: VISIBILITY

INDICATOR: miles of visibility, veg and subregional path

1. a. Refer to questions 1-3, Particulate Matter, above.

THRESHOLD: TRAFFIC VOLUME
US 50 CORRIDOR, WINTER, 4pm-12am

INDICATOR: traffic volume, US 50 at Park Ave.
Jan.-Mar. avg., 4pm-12am

1. a. Refer to question 1, CO, above.

THRESHOLD: NO² EMISSIONS

INDICATOR: VMT

1. a. Refer to questions 1-2, VMT, below.

THRESHOLD: WOOD SMOKE

INDICATOR: number of wood heaters

1. a. Does the project include any new wood heaters? Y N
b. If yes, is the project consistent with Subsection 65.1.4.B? Y N

THRESHOLD: VMT

INDICATOR: changes in number of trips and avg. trip length

1. a. Does the project increase average trip length? Y N
b. If yes, is the project consistent with Subsection 65.2.4.B? Y N
2. a. refer to question 1, CO, above.

CATEGORY: WATER QUALITY

THRESHOLD: TURBIDITY

INDICATOR: turbidity of indicator stations

1. a. Does the project increase impervious coverage or create permanent soil disturbance? Y N
b. If yes, is the project consistent with Subsection 60.2.3? Y N
2. a. Does the project create temporary soil disturbance? Y N
b. If yes, is the project consistent with Subsection 60.4.3? Y N
3. a. Does the project require the use of fertilizer? Y N
b. If yes, is the project consistent with Subsection 60.1.8? Y N
4. a. Does the project include domestic wastewater discharge to the surface or groundwater? Y N
b. If yes, is the project consistent with Subsection 60.1.3.B? Y N
5. a. Does the project disturb or encroach on an existing SEZ? Y N
b. If yes, is the project consistent with Subsection 30.5? Y N

THRESHOLD: CLARITY, WINTER (IN LAKE)

INDICATOR: secch depth, Dec.-Mar. avg. TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: PHYTOPLANKTON PRIMARY PRODUCTIVITY (IN LAKE)

INDICATOR: phyto, primary productivity, ann. Avg., TRG index station

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: DIN LOAD, SURFACE RUNOFF

INDICATOR: DIN x discharge, tributary network annual total 1

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN LOAD, GROUNDWATER

INDICATOR: DIN x discharge, grndwtr. Network, annual total

1. a. Refer to questions 2 & 3, turbidity, above.

THRESHOLD: DIN LOAD, ATMOSPHERIC

INDICATOR: NO3 + HNO, annual avg. Lake Tahoe Blvd station

1. a. Refer to question 4, turbidity, above.

THRESHOLD: NUTRIENT LOADS, GENERAL

INDICATOR: sol. P x discharge sol. Fe x

1. a. Refer to questions 1-5, turbidity, above.

THRESHOLD: TOTAL N, P, Fe, (trib.) CA ONLY

INDICATOR: single reading, tributary network

1. a. Refer to questions 1, 2, 3, and 5, turbidity, above.

THRESHOLD: DIN; SOL, P, Fe, SS (trib.) NV ONLY

INDICATOR: single reading tributary network

1. a. Refer to questions 1, 2, 3 and 5, turbidity, above.

THRESHOLD: DIN, SOL, P, Fe, SS, GREASE/OIL DISCHARGED TO SURFACE WATER FROM RUNOFF

INDICATOR: single reading runoff sites

1. a. Does the project route impervious surface runoff directly into Lake Tahoe or a major tributary? Y N
- b. If yes, is the discharge structure consistent with BMP handbook? Y N
2. a. Does the project create large impervious areas (e.g. parking lots) which may serve as a source of airborne pollutants, grease or oil? Y N
- b. If yes, is the project consistent with Subsections 60.4.3, 60.4.6, 60.4.9? Y N

THRESHOLD: TOTAL N, TOTAL P, TOTAL Fe TURBIDITY, GREASE/OIL DISCHARGE TO GRDWTR FROM RUNOFF

INDICATOR: single reading runoff site

1. a. Does the project include infiltration devices to infiltrate impervious surface runoff directly underground? Y N
- b. If yes, is the project consistent with Subsection 60.4.6? Y N

CATEGORY: SOIL CONSERVATION

THRESHOLD: IMPERVIOUS COVERAGE

INDICATOR: area or coverage

1. a. Does the project include new or relocated coverage? Y N
b. If yes, is the project consistent with Subsection 30.4, 30.5, 30.6? Y N

THRESHOLD: NATURALLY-FUNCTIONING SEZ

INDICATOR: area of SEZ

1. a. Does the project disturb or encroach on a naturally-functioning SEZ? Y N
b. If yes, is the project consistent with Subsection 30.5? Y N

CATEGORY: VEGETATION

THRESHOLD: PLANT & STRUCTURAL DIVERSITY

INDICATOR: plant & structural diversity

1. a. Does the project create a change in diversity? Y N
b. If yes, does the project include vegetation management techniques to increase diversity (reveg., thinning)? Y N

THRESHOLD: MEADOW & RIPARIAN VEGETATION

INDICATOR: area of meadow & riparian veg.

1. a. Refer to question 5, turbidity, above.

THRESHOLD: DECIDUOUS RIPARIAN VEGETATION

INDICATOR: area of riparian vegetation

1. a. Refer to question 5, turbidity, above.

THRESHOLD: SHRUB ASSOCIATION

INDICATOR: area of shrub association

1. a. Does the project create an increase in the areal extent of the shrub association? Y N
b. If yes, has the additional area been calculated, and a determination been made that the total area is less than or equal to 25%? Y N

THRESHOLD: YELLOW PINE ASSOCIATION (not mature)

INDICATOR: area of yellow pine assoc.

1. a. Does the project create a change in the areal extent of the immature yellow pine association? Y N
b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: RED FIR ASSOCIATION

INDICATOR: area of red fir assoc.

1. a. Does the project create a change in the areal extent of the immature red fir association? Y N
b. If yes, has the additional are been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: FOREST OPENINGS

INDICATOR: size and location of forest openings

1. a. Does the project create new forest openings? Y N
b. If yes, is the new opening less than 8 acres? Y N

2. a. Does the project create new forest openings adjacent to other openings? Y N
- b. If yes, are the resultant adjacent openings not of the same relative age class or successional stage? Y N

THRESHOLD: UNCOMMON PLANT COMMUNITITES

INDICATOR: habitat sites

1. a. Will the project impact the habitats for the deepwater sphagnum bog, Osgood Swamp, or the Freel Peak Cushing Plant Community? Y N
- b. If yes, have modifications been included in the project to protect these plant communities? Y N

THRESHOLD: SENSITIVE VEGETATION

INDICATOR: number of habitat sites

1. a. Will the project impact the habitats of the Carex paucifructus, the Lewis pyomaea longipetala, the Draba asterophora v., or the Rorippa subumbellata? Y N
- b. If yes, have modifications been included in the project to protect these plant communities? Y N

CATEGORY: WILDLIFE

THRESHOLD: SPECIAL INTEREST SPECIES

INDICATOR: number of habitat sites

1. a. Will the project result in the loss, modification or increased disturbance of habitat site for goshawk, osprey, bald eagle, (winter and nesting), golden eagle, peregrine falcon, waterfowl, or deer, as mapped on official TRPA maps? Y N
- b. If yes, have modifications been included in the project to protect these habitat sites? Y N

CATEGORY: FISHERIES

THRESHOLD: EXCELLENT STREAM HABITAT

INDICATOR: sites of excellent stream habitat

1. a. Does the project include stream channelization, stream dredging, removal of rock or gravel from a stream, culverts, bridges, or water diversions affecting a stream identified as fish habitat? Y N
- b. If yes, have modifications been included in the project to offset impacts on stream habitat and contribute to the upgrading of stream habitat? Y N
2. a. Will the project result in siltation, urban runoff, snow disposal, or litter that may affect water quality in a stream identified as fish habitat? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

THRESHOLD: GOOD STREAM HABITAT

INDICATOR: miles of good stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: MARGIANL STREAM HABITAT

INDICATOR: miles of marginal stream habitat

1. a. Refer to questions 1 and 2, above.

THRESHOLD: INSTREAM FLOWS

INDICATOR: increase flows

- 1. a. Does the project include new water diversions? Y N
- b. If yes, is there evidence in the record to indicate that flows will remain within adopted TRPA standards or, in the absence of adopted standards, that flows will not be diminished? Y N
- 2. a. Does the project include new coverage or disturbance that could contribute to uncontrolled runoff reaching a stream identified as fish habitat? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N
- 3. a. Refer to question 5, turbidity, above.

THRESHOLD: LAKE HABITAT

INDICATOR: area of excellent habitat

- 1. a. Does the project include development in the shorezone, removal of rock or gravel from the lake, or removal of vegetation in the shorezone? Y N
- b. If yes, is the project consistent with Chapters 80-86? Y N
- 2. a. Does the project increase the potential for siltation, runoff, or erosion entering Lake Tahoe? Y N
- b. If yes, is the project consistent with Subsections 60.4.3 and 60.4.6? Y N

CATEGORY: NOISE

THRESHOLD: SINGLE EVENT, AIRCRAFT, DAYTIME

INDICATOR: dBA, LMAX, TRPA ref. points, 8am-8pm, single reading

- 1. a. Does the project involve the commercial or private operation of aircraft? Y N
- b. If yes, does the project comply with the Interim Service Agreement affecting aircraft operations at the South Lake Tahoe Airport, or will the project meet the TRPA noise thresholds, or is the project exempt under Code section 68.9? Y N

THRESHOLD: SINGLE EVENT, AIRCRAFT, NIGHTTIME

INDICATOR: dBA, LMAX, TRPA ref. points, 8am-8pm, single reading

- 1. a. Refer to question 1, single event, aircraft, above.

THRESHOLD: SINGLE-EVENT, BOATS

INDICATOR: dBA, LMAX, at 50 ft., single reading

- 1. a. Does the project involve a marina or boat launching facility? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, MOTOR VEHICLE LESS THAN 6,000 LBS. CVM

INDICATOR: dBA, LMAX, at 50 ft., single reading

- 1. a. Does the project include the operation of fleet vehicles or other commercial vehicles? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, MOTOR VEHICLE GREATER THAN 6,000 LBS. CVM

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Refer to question 1, single event, motor vehicle, above.

THRESHOLD: SINGLE-EVENT, MOTORCYCLE

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Does the project involve the offering of motorcycles for lease or rent or the operation of a motorcycle course? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, ORVS

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Does the project involve the offering of ORVs for rent or lease or the operation of an ORV course? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: SINGLE-EVENT, SNOWMOBILES

INDICATOR: dBA, LMAX, at 50 ft., single reading

1. a. Does the project involve the offering of snowmobiles for rent or lease or the operation of a snowmobile course? Y N
- b. If yes, is the project consistent with Subsection 68.3? Y N

THRESHOLD: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

1. a. Does the project involve the creation of a new or relocated land use? Y N
- b. If yes, is the project consistent with the applicable plan area statement? Y N
2. a. Is the project located within a transportation corridor as mapped on TRPA maps? Y N
- b. If yes, does the project include components to reduce the transmission of noise from the corridor, in accordance with the TRPA Design Review Guidelines? Y N
3. a. Does the project involve a use or activity for which TRPA has received a CNEL related noise complaint and for which TRPA has required remedial action in accordance with Chapter 68? Y N
- b. If yes, is the project consistent with the remedial action plan? Y N

CATEGORY: SCENIC RESOURCES

THRESHOLD: ROADWAY AND SHORELINE RATINGS

1. a. Is the project located within, or visible from, a roadway or shoreline unit targeted for scenic upgrading? Y N
- b. If yes, is the project consistent with the TRPA Scenic Quality Implementation Program (SQUIP)? Y N
2. a. Is the project located within, or visible from, a roadway or shoreline unit not targeted for scenic upgrading? Y N
- b. If yes, is there evidence in the record that the project will not cause a significant decrease in scenic quality, and is the project consistent with the TRPA Design Review Guidelines? Y N

CATEGORY: RECREATION

THRESHOLD: PRESERVE AND ENHANCE THE HIGH QUALITY RECREATION EXPERIENCE

INDICATOR: dispersed rec. capacity

- 1. a. Is the project located in a conservation or recreation plan area? Y N
- b. If yes, is the project consistent with the applicable plan area statement? Y N

THRESHOLD: ESTABLISH FAIR SHARE OF CAPACITY FOR OUTDOOR RECREATION

AVAILABLE TO THE GENERAL PUBLIC

INDICATOR: PAOTs

- 1. a. Does the project require an allocation of PAOTs? Y N
- b. If yes, is the recreational opportunity involved available to the public? Y N

CATEGORY: CODE/RULES OF PROCEDURE REQUIREMENTS

1. Does the project require Governing Board Review (Chapter 2)? Y N

5. Does the project require notice to adjacent property owners (Art. XII Rules of Procedure)? Y N

6. Is the project consistent with the following:

| | | | | | |
|----------------|----------------------------------|-----|-------------------------------------|---------------------------------------|----------------------------|
| Chapter 2 | (Project Review) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 6 | (Tracking-Data Sheets/Log Book) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 21 | (Permissible Uses) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 22 | (Temporary Uses) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 30 | (Coverage) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 31 | (Density) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 32 | (Basic Service) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.3 | (Grading) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.4 | (Special Reports) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.5 | (Construction Schedule) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 33.6 | (Vegetation Protection) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 34 | (Driveways) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 34 | (Parking) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 35 | (Natural Hazards-Floodplain) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 36 | (Design Standards) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 37 | (Height) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 38 | (Signs) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 50 | (Allocations) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 51 | (Transfers) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 52 | (Bonus Units-MFD only) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 53 | (IPES) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 60 | (BMP's) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 60.1 | (Water Quality) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 60.2 | (Water Quality Mitigation) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 61.1 | (Tree Removal) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 61.3.6 | (Sensitive Plants/Fire Hazard) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 61.4 | (Revegetation) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 62 | (Wildlife) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 63 | (Fish) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 65.1 | (Air Quality) | N/A | <input type="checkbox"/> | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 65.2 | (Traffic/Air Quality Mitigation) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| Chapter 67 | (Historic Resource) | N/A | <input checked="" type="checkbox"/> | Y <input type="checkbox"/> | N <input type="checkbox"/> |

Attachment F
Letters of Support



Office of the City Manager
City of South Lake Tahoe

Joseph Irvin, City Manager
jirvin@cityofslt.us
(530) 542-6043

1901 Lisa Maloff Way
South Lake Tahoe, CA 96150
www.cityofslt.us

March 11, 2024

Cindy Gustafson, Chair
Tahoe Regional Planning Agency Governing Board
PO Box 5310
Stateline, NV 89449

Subject: Letter of Support for STPUD Solar Project

Dear Chair Gustafson,

The City of South Lake Tahoe would like to express our support for South Lake Public Utility District's 1 MW solar project.

California and the City of South Lake Tahoe have ambitious climate pollution reduction goals. The City passed Resolution 2022-088 Establishing a Science-Based Greenhouse Gas Reduction Target for 2030, which set a target to reduce greenhouse gas emissions by 59.2% from the 2018 inventory level by 2030. It will take a citywide commitment to greenhouse gas emissions reductions in order to achieve that ambitious goal. As a significant energy user in the City limits, South Lake Public Utility District is doing their part to address the emissions footprint by implementing this solar project which will offset significant carbon.

The City recognizes the environmental and fiscal leadership shown by STPUD. This project is sited away from any designated scenic corridors and in a place where scenic issues are not a concern. It thoughtfully takes into account ratepayer impacts and saves money. The City sees this project as necessary toward addressing the carbon emissions of our residents and visitors and appreciates the financial stewardship to bring reasonably priced carbon-free energy to power the pumps. This is a great deal for ratepayers as well as a great win for air quality.

Sincerely,

 3/11/2024

Joseph D. Irvin, ICMA-CM
City Manager, South Lake Tahoe, CA
jirvin@cityofslt.us

From: Dave Norton <norton@hpfa.cloud>
Sent: 4/10/2024 2:40:39 PM
To: Public Comment <PublicComment@trpa.gov>; Paul Nielsen <pnielsen@trpa.gov>; Shelly Thomsen <sthomsen@stpud.us>
Subject: Proposed STPUD solar farm

I understand that TRPA will be discussing plans for STPUD's proposed solar farm at the upcoming meeting and is looking for community feedback.

I can't think of better projects for the Tahoe Basin than infrastructure projects that lessen our community's climate impact. The proposed solar farm to generate power for STPUD to help partially offset their power usage seems to be an ideal match for the type of climate impact reducing projects TRPA seeks out and supports. Solar generation works quite well in Tahoe, even with our snow. The bright sunshine and generally lower humidity after storms is usually sufficient to clear panels of snow load within a day or two of a storm. Snow tends to slide part way down the panel just due to gravity, and the resulting exposed part of the panel is sufficient enough to heat and melt enough snow right on the surface for the remaining snow to slide off. Because of this, the solar farm will be producing more power than one might expect in an area that gets as much snow as we can get. Our famous blue skies and sunshine for the rest of the year provide ideal power generating conditions. It's a shame that there aren't more solar installations in the basin. As this project demonstrates success, it will hopefully inspire other organizations, businesses, and homeowners to also install solar.

Using the power of the sun, instead of the energy in fossil fuels, will help to preserve our lake and our lands. Panels now are engineered with an expected lifetime of at least 25 years, and often last much longer than that. An investment in solar now will provide several decades of renewable power to help meet the needs of our community. I hope that TRPA will fully embrace the efforts of STPUD to become a greener organization and help us to keep Tahoe blue.

Dave Norton
South Lake Tahoe

From: David Gabriel <contact@david-gabriel.com>

Sent: 4/9/2024 3:37:04 PM

Subject: Solar STPUD 1MW Project

Hello All,

It is with great pleasure and enthusiasm that I write you to endorse the Solar Project which has the potential to deliver 1MW of power to STPUD. This project has the potential to reduce carbon emissions, protecting the only planet we are capable of living on. If that's not reason enough, it will show clearly the ability and intention of the local leadership to contribute to our South Lake Tahoe Climate Action Plan (CAP).

As an electrical engineer and energy professional with over 10 years of experience in power electronics, I can say with full confidence that this project is the right time, place and people to make a difference in our community. This is a common sense, positive transformation of our energy infrastructure with real impact on our climate and local economic. This is an opportunity you MUST take now, to leave the world a better place. Please do not prevent this project, which represents a hope in our ambitious, yet practical energy goals for South Lake Tahoe. Let's get on the right side of history!

Best Regards,
David Gabriel

From: Luke Scheidler <l_scheid@yahoo.com>
Sent: 4/4/2024 4:39:48 PM
To: Public Comment <PublicComment@trpa.gov>; Paul Nielsen <pnielsen@trpa.gov>; Shelly Thomsen <sthomsen@stpud.us>
Subject: South Lake 100% Supports STPUD Solar

Dear TRPA Governing Board Members:

At the April 24th, 2024 TRPA Governing Board meeting the South Tahoe Public Utility District (STPUD) 1MW solar array project will be voted on. On behalf of the South Lake Tahoe Community I would like to voice my overwhelming support for this solar project. STPUD is the largest energy user on the South Shore and the solar project will generate 1/3rd of STPUD's wastewater treatment plant energy needs. TRPA understands the significant challenges climate change poses to the Tahoe Community and the STPUD solar project is the most significant carbon reducing project in the Tahoe Basin. TRPA is actively working toward code amendments, planning solutions and tracking mechanisms to track our community progress in addressing climate change. The STPUD solar project will not have any negative scenic impacts and is a huge advancement toward the City of South Lake Tahoe's 100% renewable goals and championed by the local community with unanimous votes of approval from the STPUD Board and City of South Lake Tahoe Planning Commission. The local South Lake Tahoe community has continually voiced its support for STPUD solar through local elections, the STPUD solar approval process and establishment of the 100% renewable commitment.

In addition to the significant environmental benefits, STUPD solar offers plant functionality and operations benefits that both cut cost and improve plant resilience. This resilience will allow water to flow during critical community health and safety events like the Caldor Fire and the blizzards of 2023. The STPUD solar project provides both mitigation and adaptation benefits to addressing the issue of climate change.

The South Lake Tahoe community has worked tirelessly toward the STUPD solar effort. We greatly appreciate a vote of YES as we continue to fight climate change as a Community.

Sincerely,

Luke Scheidler

From: Meredith Anderson <manderson@alumni.scu.edu>
Sent: 4/6/2024 1:49:06 PM
To: Public Comment <PublicComment@trpa.gov>; Paul Nielsen <pnielsen@trpa.gov>; Shelly Thomsen <sthomsen@stpud.us>
Subject: South Lake 100% Supports STPUD Solar

Dear TRPA Governing Board Member:

At the April 24th, 2024 TRPA Governing Board meeting the South Tahoe Public Utility District (STPUD) 1MW solar array project will be voted on. On behalf of the South Lake Tahoe Community, I would like to voice my overwhelming support for this solar project. STPUD is the largest energy user on the South Shore and the solar project will generate 1/3 of STPUD's wastewater treatment plant energy needs. TRPA understands the significant challenges climate change poses to the Tahoe community, and the STPUD solar project is the most significant carbon-reducing project in the Tahoe Basin. TRPA is actively working toward code amendments, planning solutions and tracking mechanisms to track our community progress in addressing climate change. The STPUD solar project will not have any negative scenic impacts and is a huge advancement toward the City of South Lake Tahoe's 100% renewable goals and championed by the local community with unanimous votes of approval from the STPUD Board and City of South Lake Tahoe Planning Commission. The local South Lake Tahoe community has continually voiced its support for STPUD solar through local elections, the STPUD solar approval process and establishment of the 100% renewable commitment.

In addition to the significant environmental benefits, the STPUD solar offers plant functionality and operations benefits that both cut cost and improve plant resilience. This resilience will allow water to flow during critical community health and safety events like the Caldor Fire and the blizzards of 2023. The STPUD solar project provides both mitigation and adaptation benefits to addressing the issue of climate change.

The South Lake Tahoe community has worked tirelessly toward the STPUD solar effort. We greatly appreciate a vote of YES as we continue to fight climate change as a community.

Sincerely,
Meredith Anderson, South Lake Tahoe Resident

--
Meredith Anderson
manderson@alumni.scu.edu
630-915-1167 | South Lake Tahoe, CA

From: Kevin Price <price.kevin.k@gmail.com>
Sent: 4/1/2024 6:42:14 PM
To: Paul Nielsen <pnielsen@trpa.gov>
Subject: South Lake and Meyers 100% Supports STPUD Solar

Dear Paul Nielsen,

At the April 24th, 2024 TRPA Governing Board meeting the South Tahoe Public Utility District (STPUD) 1MW solar array project will be voted on, and you should vote yes. This is the right decision, as we need to offset carbon ASAP. We have seen extreme weather over the past few years that has put our communities at risk. The future will include great challenges, and if we don't start now, who knows what will happen.

In this instance, South Lake Tahoe can take a concrete step towards a safe -- and fun -- future. The local South Lake Tahoe community has continually voiced its support for STPUD solar through local elections, the STPUD solar approval process and establishment of the 100% renewable commitment.

We greatly appreciate a vote of YES as we continue to fight climate change as a Community.

Sincerely,
Kevin Price

From: maddy sides <sidesm123@gmail.com>
Sent: 4/1/2024 6:12:33 PM
To: Paul Nielsen <pnielsen@trpa.gov>
Subject: South Lake residents 100% Support STPUD Solar

Dear TRPA Governing Board Member,

At the April 24th, 2024 TRPA Governing Board meeting the South Tahoe Public Utility District (STPUD) 1MW solar array project will be voted on. On behalf of the South Lake Tahoe Community, and as a 4-year resident in the city of South Lake Tahoe, I would like to voice my overwhelming support for this solar project. As you may know, STPUD is the single largest energy user on the South Shore and the solar project will generate 1/3rd of STPUD's wastewater treatment plant energy needs.

I am a sustainability professional and have worked on emissions reduction efforts for private sector companies as well as the National Park Service. Onsite, resilient, clean energy generation to support essential infrastructure like STPUD is a no-brainer. I support this project because the STPUD solar project will not have any negative scenic impacts and is a huge advancement toward the City of South Lake Tahoe's 100% renewable goals and championed by the local community with unanimous votes of approval from the STPUD Board and City of South Lake Tahoe Planning Commission.

I know that the South Lake Tahoe community has continually voiced its support for STPUD solar through local elections, the STPUD solar approval process and establishment of the 100% renewable commitment.

In addition to the significant environmental benefits, STPUD solar offers plant functionality and operations benefits that both cut cost and improve plant resilience. This resilience will allow water to flow during critical community health and safety events like the Caldor Fire and the blizzards of 2023. The STPUD solar project provides both mitigation and adaptation benefits to addressing the issue of climate change, which is an essential forward-looking strategy for communities like ours.

The South Lake Tahoe community has worked tirelessly toward the STPUD solar effort. We greatly appreciate a vote of YES as we continue to fight climate change as a Community.

Sincerely,

Madeline Sides
City of South Lake Tahoe Resident

From: Jenny Hatch <jenny@sierranevadaalliance.org>
Sent: 4/8/2024 8:09:48 PM
To: Public Comment <PublicComment@trpa.gov>
Cc: Paul Nielsen <pnielsen@trpa.gov>; Shelly Thomsen <sthomsen@stpud.us>;
Subject: South Tahoe Public Utility District 1MW Solar Project - TRPA Governing Board Approval

Dear TRPA Governing Board Member:

At the April 24th, 2024 TRPA Governing Board meeting the South Tahoe Public Utility District (STPUD) 1MW solar array project will be voted on. On behalf of the Sierra Nevada Alliance (and our extended conservation community of over 40 Member Groups across the Sierra Nevada). We would like to voice our overwhelming support for this solar project. STPUD is the largest energy user on the South Shore and the solar project will generate 1/3rd of STPUD's wastewater treatment plant energy needs. TRPA understands the significant challenges climate change poses to the Tahoe Community and the STPUD solar project is the most significant carbon reducing project in the Tahoe Basin. TRPA is actively working toward code amendments, planning solutions and tracking mechanisms to track our community progress in addressing climate change. The STPUD solar project will not have any negative scenic impacts and is a huge advancement toward the City of South Lake Tahoe's 100% renewable goals (of which the Alliance led and helped pass). The local South Lake Tahoe community has continually voiced its support for STPUD solar through local elections, the STPUD solar approval process and establishment of the 100% renewable commitment.

In addition to the significant environmental benefits, STPUD solar offers plant functionality and operations benefits that both cut cost and improve plant resilience. This resilience will allow water to flow during critical community health and safety events like the Caldor Fire and the blizzards of 2023. The STPUD solar project provides both mitigation and adaptation benefits to addressing the issue of climate change. This project will help set the stage for other utilities to be modeled after this initiative and create collaborative communities working towards a more resilient Sierra Nevada region.

The South Lake Tahoe community has worked tirelessly toward the STPUD solar effort. We greatly appreciate a vote of YES as we continue to fight climate change as a Community.

Sincerely,

Jenny Hatch



Jenny Hatch
Executive Director
(530) 542-4546 x 704
sierranevadaalliance.org
PO Box 7989, South Lake Tahoe, CA 96150

[Book a Time on My Calendar](#)

From: BOB NIEDERMEIER <robmeiers@aol.com>
Sent: 4/8/2024 10:04:45 AM
To: Paul Nielsen <pnielsen@trpa.gov>
Subject: STPUD 1MW Solar Array

Dear Paul:

We were excited to learn that the STPUD's 1MW solar array project will be voted on at the April 24th, 2024 TRPA meeting. This project is a major step in our community's efforts to address climate change by reducing carbon emissions. It shows that public entities are serious about the South Shore achieving its 100% renewable goals. This project has our complete support and we hope it will have your support as well. Thank you,

Robert Niedermeier
Cynthia Archer
1203 OMalley Dr
So Lake Tahoe, CA

From: Patricia Sussman <pahsussman@gmail.com>
Sent: 4/4/2024 4:45:19 PM
To: Public Comment <PublicComment@trpa.gov>; Paul Nielsen <pnielsen@trpa.gov>; Shelly Thomsen <sthomsen@stpud.us>
Subject: STPUD solar project - best project in the basin

Dear TRPA Governing Board Member:

I'm glad for the opportunity to voice my support for this important project. So many planning documents in the basin highlight the importance and need to address climate change, and to build resilience in the face of climate change... and this is a real project that directly responds to meeting the crisis. It's been inspiring to me, and hopefully to many people and agencies, to watch STPUD develop and then design this project that will generate significant local power in our community and improve the operational resilience of some of our most critical infrastructure. It cannot be implemented soon enough. Thank you for your Yes vote!

Sincerely,

Patricia Sussman

3501 Rancho Circle, South Lake Tahoe, CA 96150

From: Lindsey Fransen <lindseyfransen@gmail.com>
Sent: 4/5/2024 8:46:29 PM
To: Public Comment <PublicComment@trpa.gov>; Paul Nielsen <pnielsen@trpa.gov>; Shelly Thomsen <sthomsen@stpud.us>
Subject: Support for STPUD solar project

Dear TRPA Governing Board Member:

I am writing to express my strong support for the South Tahoe Public Utility District (STPUD) 1MW solar array project. I am very excited to see STPUD following through and doing their part to achieve the City's 100% renewable energy goals.

I am especially thrilled to see that there is virtually no downside to this project - the financing arrangements ensure that utility bills won't go up, and (even though I personally *like* the sight of solar panels) the project team has thought through issues like snow and views. As a tree-hugger, I am not even bothered that some trees will need to be cut, given the emissions reductions their removal will facilitate, and the fact that many forested areas need to be thinned. I am also pleased to see that this project will provide resilience, powering operations when grid power may be unavailable (such as during fires and blizzards).

It makes me proud to be part of a community that acknowledges the risk that climate change presents to all of us - and especially to this special place with its critical snowpack and vulnerable forests - and takes steps to do something about it. As a parent, this project - along with other forward-looking projects like the expansion of bike trails to help cut down on vehicle traffic - gives me hope that we can collectively take the necessary action to reduce our emissions and be part of the solution.

The South Lake Tahoe community has worked tirelessly toward the STUPD solar effort. We greatly appreciate a vote of YES as we continue to fight climate change as a Community.

Sincerely,
Lindsey Fransen

Paul Nielsen

From: Jackson Realo <jtrealo@gmail.com>
Sent: Tuesday, April 2, 2024 10:13 AM
To: Public Comment; Paul Nielsen; Shelly Thomsen
Subject: South Lake 100% Supports STPUD Solar

Dear TRPA Governing Board Member:

At the April 24th, 2024 TRPA Governing Board meeting the South Tahoe Public Utility District (STPUD) 1MW solar array project will be voted on. On behalf of the South Lake Tahoe Community, I would like to voice my overwhelming support for this solar project. STPUD is the largest energy user on the South Shore and the solar project will generate 1/3rd of STPUD's wastewater treatment plant energy needs. TRPA understands the significant challenges climate change poses to the Tahoe Community and the STPUD solar project is the most significant carbon-reducing project in the Tahoe Basin to date. TRPA is actively working toward code amendments, planning solutions and tracking mechanisms to track our community's progress in addressing climate change. The STPUD solar project will not have any negative scenic impacts and is a huge advancement toward the City of South Lake Tahoe's 100% renewable goals and championed by the local community with unanimous votes of approval from the STPUD Board and City of South Lake Tahoe Planning Commission. The local South Lake Tahoe community has continually voiced its support for STPUD solar through local elections, the STPUD solar approval process and the establishment of the 100% renewable commitment.

In addition to the significant environmental benefits, STUPD solar offers plant functionality and operations benefits that both cut costs and improve plant resilience. This resilience will allow water to flow during critical community health and safety events like the Caldor Fire and the blizzards of 2023. The STPUD solar project provides both mitigation and adaptation benefits to addressing the issue of climate change.

The South Lake Tahoe community has worked tirelessly toward the STUPD solar effort. We greatly appreciate a vote of YES as we continue to fight climate change as a Community.

Sincerely,

Jackson Realo
South Lake Tahoe 100% Renewable Committee Member



STAFF REPORT

Date: April 17, 2024

To: Governing Board (GB)

From: TRPA Staff

Subject: Amendment to the Washoe County 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 Washoe County 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 on February 20, 2024. The TRPA Regional Planning Committee (RPC) on March 27, 2024, and the TRPA Advisory Planning Commission (APC) on April 10, 2024, recommended Governing Board (GB) approval of the proposed amendment. Staff seeks GB discussion and consideration of approval of the proposed area plan amendment.

Required Motions:

In order to adopt the proposed amendment to the Washoe County Tahoe Area Plan, the Board must make the following motion(s):

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

An affirmative vote of at least four members of each State is required for these motions 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 Wood Creek 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 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 eighth 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 on February 20, 2024 and applied this change to the Washoe County Code. A copy of the adopted County Ordinance with proposed plan language is included as Attachment A to this packet. Staff seeks Governing Board discussion and possible approval of the proposed area plan amendment.

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:

Washoe County submitted a Regional Plan Conformance Review Checklist (Attachment F) and determined that the proposed amendment is in conformance with the Regional Plan. The APC and the RPC reviewed the proposed amendment, and both recommended approval by the Governing Board.

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](#) (link)
- 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

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),

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

Washoe County Tahoe Area Plan Amendment

JANUARY 2024

Prepared for:
Washoe County
1001 E. Ninth St.
Reno, NV 89512

Tahoe Regional Planning Agency
128 Market St.
Stateline, NV 89410

Prepared by: AnnMarie Lain



5510 Longley Lane
Reno, NV 89511

Reviewed and Approved by:
Michelle Brown, TRPA
Associated Planner

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APPENDICES

- Appendix 1 Proposed Amendment Location
- Appendix 2 Traffic Generation Review
- Appendix 3 Draft Initial Environmental

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.

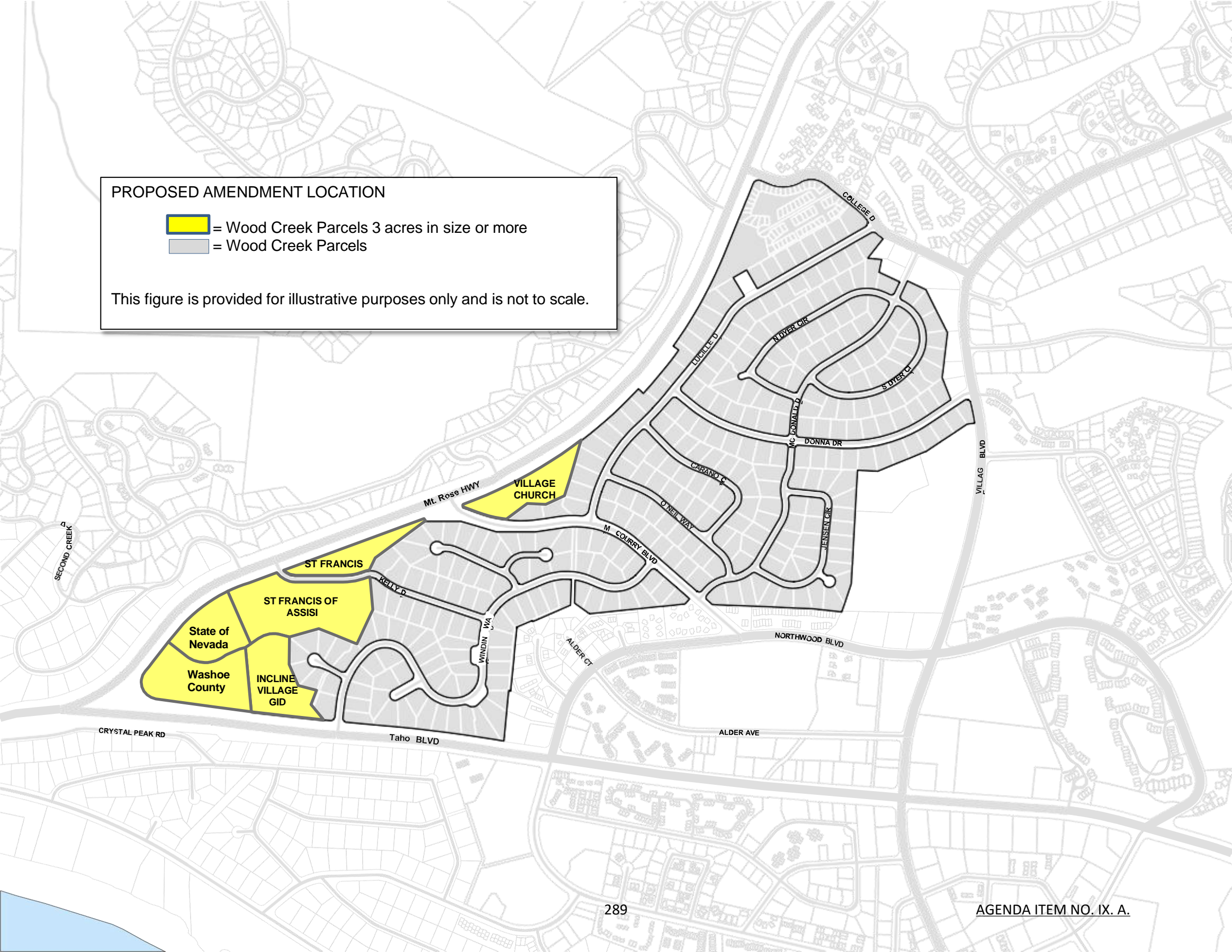
The proposed amendment is intended to facilitate the establishment schools that are not otherwise provided for within the jurisdiction. The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, 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](#) (link)

Attachment F
Conformity Checklist

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.

| 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 | | | | | |

| | | | | | |
|---|--|------------|---|--|---|
| 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

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 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 | |
| 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 | |
| 85 | Parking Management Areas | 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 |
| 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. |

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2024–

RESOLUTION RECOGNIZING THE ENVIRONMENTAL AND COMMUNITY BENEFITS OF SUPPORTING
AFFORDABLE HOUSING

WHEREAS, the severe decline of affordable housing options in the Lake Tahoe Region is affecting environmental quality and the vibrancy of communities; and

WHEREAS, safe, thriving communities help provide the infrastructure, workforce, investment, and advocacy needed to ensure Lake Tahoe’s built environment supports a sustainable natural environment; and

WHEREAS, the Goals and Policies of the Regional Plan call for promoting housing opportunities for full-time and seasonal residents as well as workers employed within the region; and to regularly evaluate housing needs in the region and update policies and ordinances to achieve state, local, and regional housing goals; and

WHEREAS, the Tahoe Regional Planning Agency Governing Board has directed the agency to complete the Tahoe Living: Housing and Community Revitalization Initiative to address the shortage of affordable and workforce housing identified in the 2012 Lake Tahoe Regional Plan and in regional housing needs assessments, to drive advanced stormwater treatment, and reduction of vehicle miles traveled; and

WHEREAS, a compact development footprint with a mix of uses close to transit and services supports regional water quality, air quality, transportation, and other goals; and

WHEREAS, such workforce housing reform is one of the most impactful tools available to reduce vehicle miles traveled; and

WHEREAS, safe, equitable, and affordable housing options are a priority for the states of California and Nevada and local jurisdictions; and

WHEREAS, previous initiatives by both the TRPA and partners have resulted in significant progress in addressing housing challenges through projects and programs of all types, including, but not limited to:

- Current construction of the collaborative Sugar Pine Village project to bring 248 units of deed-restricted affordable housing in South Lake Tahoe within walking distance to transit, shopping, and a school; and
- Ongoing construction of the 100-bed Lake Tahoe Community College low-income student housing project on its campus in South Lake Tahoe where trails, services, and an electrified transit mobility hub serve thousands of students, faculty, staff, and the broader community; and
- Construction and development of accessory dwelling units by residential property owners, with 34 permits issued region-wide since the Tahoe Regional Planning Agency Governing Board approved new accessory dwelling unit incentives in 2020; and
- Completion of over 150 units of low- or very low-income affordable rental housing since 2012, including on five sites in Kings Beach by Kings Beach Housing/Domus Management Company

and conversion of motels to housing by the Tahoe Coalition for the Homeless and AMI Housing; and

- More than 100 households finding long-term housing through local jurisdictions’ “Lease to Locals” programs providing financial incentives for property owners to rent their homes to local workers; and
- Seven households finding long-term housing through Placer County’s Workforce Preservation Program, which provides grant disbursements in exchange for a workforce deed-restriction on a purchased or newly constructed property; and
- New regional and local legislation that incentivizes housing through a range of strategies, including City of South Lake Tahoe’s new inclusionary zoning, zoning and parking incentives for affordable and workforce housing, new ADU incentives, and faster permitting times and processes for deed-restricted housing, including through the 2024 update of the Placer County Tahoe Basin Area Plan; and
- The update of regional housing needs assessments and action plans, new data tracking, and new programs to facilitate workforce housing by partner organizations such as the Mountain Housing Council, Tahoe Prosperity Center, Tahoe Truckee Workforce Housing Agency, Saint Joseph Community Land Trust, the “Housing Hub,” and Tahoe Regional Planning Agency initiatives; and
- Acknowledgement by the Washoe County Board of Commissioners of the 2023 Washoe Tahoe Housing Partnership’s Housing Roadmap, which lays the groundwork for a range of housing strategies in the Tahoe portion of Washoe County; and
- The launch of a community engagement process for the Tahoe El Dorado Area Plan, which will include housing, water quality, transportation and other strategies for the Tahoe portion of El Dorado County; and
- The pending update of the South Shore Area Plan in Douglas County, which includes incentives for deed-restricted housing.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency is committed to protecting the environment, supporting our communities, and making housing more affordable.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this ____ day of _____, 2024, by the following vote:

Ayes:
Nays:
Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

STAFF REPORT

Date: April 17, 2024

To: Governing Board

From: TRPA Staff

Subject: Proposed technical clarifications to the Phase 2 Housing Amendments in the Code of Ordinances

Summary and Staff Recommendation:

Staff recommends the Tahoe Metropolitan

Summary and Staff Recommendation:

TRPA staff and 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 Governing Board must make the following motions, based on this staff summary and the evidence in the record. An affirmative vote of at least four members of each State is required for these motions to pass.

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.

Advisory Planning Commission (APC) Direction:

At the April 10, 2024, meeting, the APC recommended adoption of the Code of Ordinances amendments to the Governing Board.

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)

**INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

Project Name:

APN/Project Location:

County/City:

Project Description:

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.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Unstable soil conditions during or after completion of the proposal? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. The continuation of or increase in wind or water erosion of soils, either on or off the site? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments will not impact land or soils.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Deterioration of ambient (existing) air quality? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. The creation of objectionable odors? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Increased use of diesel fuel? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments will not impact air quality.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Alterations to the course or flow of 100-year flood waters? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Change in the amount of surface water in any water body? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Alteration of the direction or rate of flow of ground water? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| h. Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| k. Is the project located within 600 feet of a drinking water source? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments would utilize area-wide stormwater systems to treat runoff from deed restricted developments. To overcome some of the site-specific challenges of capturing and infiltrating stormwater onsite through BMPs, the 2012 Regional Plan EIS identified a benefit to water quality with the expansion of area-wides.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Reduction of the numbers of any unique, rare, or endangered species of plants? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| h. A change in the natural functioning of an old growth ecosystem? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments do not include any changes which would impact vegetative resources.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Reduction of the number of any unique, rare or endangered species of animals? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Deterioration of existing fish or wildlife habitat quantity or quality? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments will not impact wildlife species or habitat.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Exposure of people to severe noise levels? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Exposure of existing structures to levels of ground vibration that could result in structural damage? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments will not impact noise levels.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Cause light from exterior sources to be cast off -site or onto public lands? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Create new sources of glare through the siting of the improvements or through the use of reflective materials? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments will not contribute to lighting or glare.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Expand or intensify an existing non-conforming use? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendments will not impact land use.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Substantial depletion of any non-renewable natural resource? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not impact natural resources.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Involve possible interference with an emergency evacuation plan? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not impact emergency evacuation or involve a risk of explosion or releasing hazardous materials.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Include or result in the temporary or permanent displacement of residents? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not impact the human population of the region or displace residents.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The original intent of the Phase 2 Housing Amendments provided additional flexibility with development standards to build deed restricted affordable, moderate, and achievable housing. The proposed amendments themselves will not impact housing in the region.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Changes to existing parking facilities, or demand for new parking? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Alterations to waterborne, rail or air traffic? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not impact transportation systems or vehicle miles traveled.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Police protection? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Schools? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Parks or other recreational facilities? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Maintenance of public facilities, including roads? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Other governmental services? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not impact public facilities.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion:

The proposed amendment will not result in increased energy use or demand.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Communication systems? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Storm water drainage? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| f. Solid waste and disposal? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not result in the need for any new or altered utility systems.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Exposure of people to potential health hazards? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not create any health hazard or expose people to potential hazard.

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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Be visible from any public recreation area or TRPA designated bicycle trail? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment not impact scenic resources or community design.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| b. Create additional recreation capacity? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Have the potential to create conflicts between recreation uses, either existing or proposed? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Result in a decrease or loss of public access to any lake, waterway, or public lands? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will authorize existing buoy fields and will not result in any new impacts to recreation facilities, access or capacity.



Mail
 PO Box 5310
 Stateline, NV 89449-5310

Location
 128 Market Street
 Stateline, NV 89449

Contact
 Phone: 775-588-4547
 Fax: 775-588-4527
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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| c. Is the property associated with any historically significant events and/or sites or persons? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will not impact historic or archeological resources.



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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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| 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="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly? | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Discussion

The proposed amendment will have no significant impact.

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:

Alyssa Bettinger

Digitally signed by Alyssa Bettinger
DN: cn=Alyssa Bettinger, o=TRPA, ou,
email=abettinger@trpa.org, c=US
Date: 2024.04.01 12:33:46 -07'00'

Alyssa Bettinger

at Douglas County

04/01/2024

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

Alyssa Bettinger

Digitally signed by Alyssa Bettinger
DN: cn=Alyssa Bettinger, o=TRPA, ou,
email=abettinger@trpa.org, c=US
Date: 2024.04.01 12:32:59 -07'00'

Date 04/01/2024

Signature of Evaluator

Senior Planner

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. |



STAFF REPORT

Date: April 17, 2024
To: TRPA Operations Committee
From: TRPA Staff
Subject: Quarterly Treasurer’s Report

Summary and Staff Recommendation:

The government bond market has leveled off since the December Treasurer’s report. The Fed has projected it will cut rates by 75 basis points in 2024, but timing of the cut is still unknown. Treasuries for less than one year are in the 5.3% range and this has shifted downward between 1 and 12 basis points since the beginning of the year. 1-year and 2-year treasuries have increased 28 and 40 basis points respectively since the beginning of 2024 but still show a negative yield curve. Longer term 10-year bonds are running around 4.4% as of April 8th.

We continue to stay short term with 60% of our investments in liquid pools (LAIF/LGIP/MM Funds), 75% of our investments mature in less than 1 year, 18% in the 1 to 3-year category, and 7% over 3 years.

We transferred \$2.0M from the LAIF pool in March to cover operating cash flow usage, which is normal for this time of year.

The attachment shows our investments broken down by investment type and maturity. It also lists each individual investment in the Principal Group Investment Pool. I have also included comparable returns.

This item is for informational purposes and no action is required.

Investments:

TRPA Investments total \$29.4, down from \$30.3M last month and \$31.9M on December 31st. We transferred \$2.0 to our checking account in March anticipating normal operating expenses. This balance will continue to drop over the fiscal year as we spend down State funds.

Most of our investments, 60%, are in investment pools. This number has decreased since the beginning of the fiscal year as we’ve drawn down state funds utilizing LAIF for cash management. 32% is in Treasuries, rated AAA by Moody’s. 8% or \$2.4M of the investments are rated commercial securities.

Last month we had one treasury mature and two new corporate security purchases. Four Treasuries will mature in April, May and June. There were no rating changes this month. The maturity of the pool increased from 18.6 months to 20.6 months. We have 7% of the pool in securities that mature in more than three years. As a reminder, the bulk of the investments in the principal pool are mitigation funds and securities held for other parties. This cash is not available for TRPA use.

Please see the attachment for a breakout of the investments. All securities in the portfolio meet the rating and term requirements of our Investment Policy. All securities are at least A- (S&P) or A3 (Moody's). We have one with an S&P of A- rating.

The current breakdown by maturity and type is:

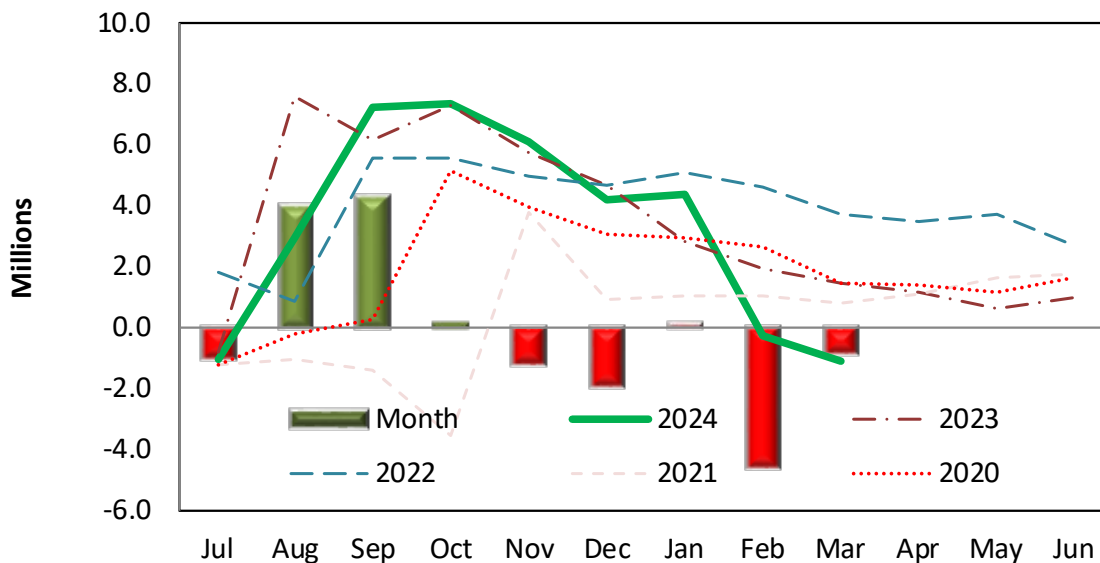
| | BELOW 1 | 1 TO 3 | 3 TO 5 | Total | % of Pool | Policy |
|--------------------------|------------|-----------|-----------|------------|-----------|----------|
| CA State Investment Pool | 15,743,934 | | | 15,743,934 | 54% | No Limit |
| NV State Investment Pool | 1,230,069 | | | 1,230,069 | 4% | No Limit |
| Treasuries | 3,516,898 | 4,436,316 | 1,456,368 | 9,409,582 | 32% | < 75 % |
| Corporate | 939,519 | 750,113 | 690,015 | 2,379,646 | 8% | < 20% |
| Money Market Fund | 600,385 | | | 600,385 | 2% | < 20% |
| Totals | 22,030,804 | 5,186,429 | 2,146,382 | 29,363,615 | 100% | |
| % of Pool | 75% | 18% | 7% | | | |

| | N/A | AAA | AA3 | A1 | A2 | A3 | Total |
|--------------------------|------------|-----------|---------|-----------|---------|---------|------------|
| CA State Investment Pool | 15,743,934 | | | | | | 15,743,934 |
| NV State Investment Pool | 1,230,069 | | | | | | 1,230,069 |
| Treasuries | 795,418 | 8,614,164 | - | - | - | - | 9,409,582 |
| Corporate | - | - | 250,395 | 1,689,994 | 189,752 | 249,505 | 2,379,646 |
| Money Market Fund | 600,385 | | | | | | 600,385 |
| Totals | 18,369,806 | 8,614,164 | 250,395 | 1,689,994 | 189,752 | 249,505 | 29,363,615 |
| % of Pool | 63% | 29% | 1% | 6% | 1% | 1% | |

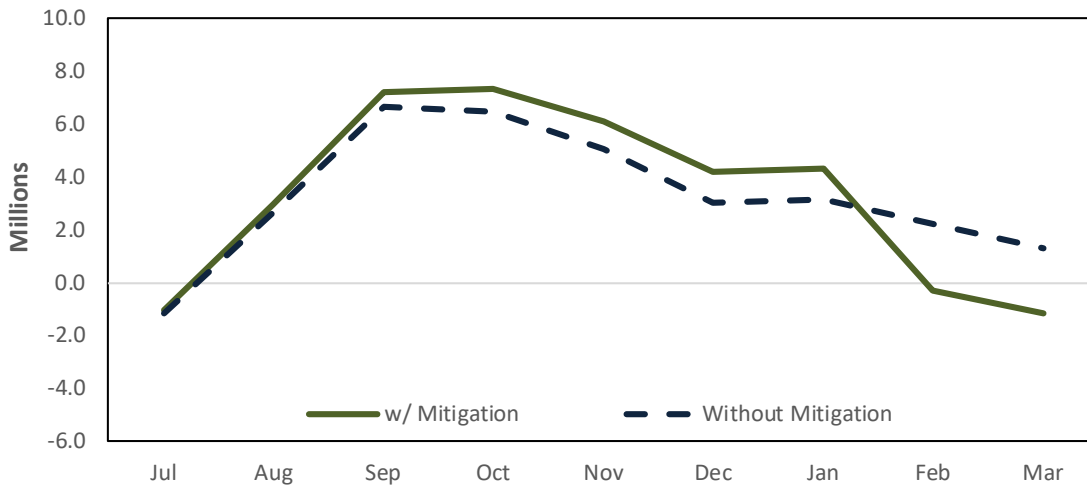
Cash Flow

Cash flow was negative \$1.8M for the Quarter excluding mitigation covered in prior treasurer's report. This is normal as we spend down State allocations. Total receipts for the quarter were \$3.6M. Disbursements were \$5.3M excluding mitigation. All expenditures were within budget. The graphs below show cash flow with and without mitigation funds.

Monthly/Cumulative Cash Flow



Cash Flow with and w/out Mitigation Funds



For questions regarding this agenda item, please contact Chad Cox, Chief Finance & Administrative Officer, at (775) 589-5222 or ccox@trpa.gov.

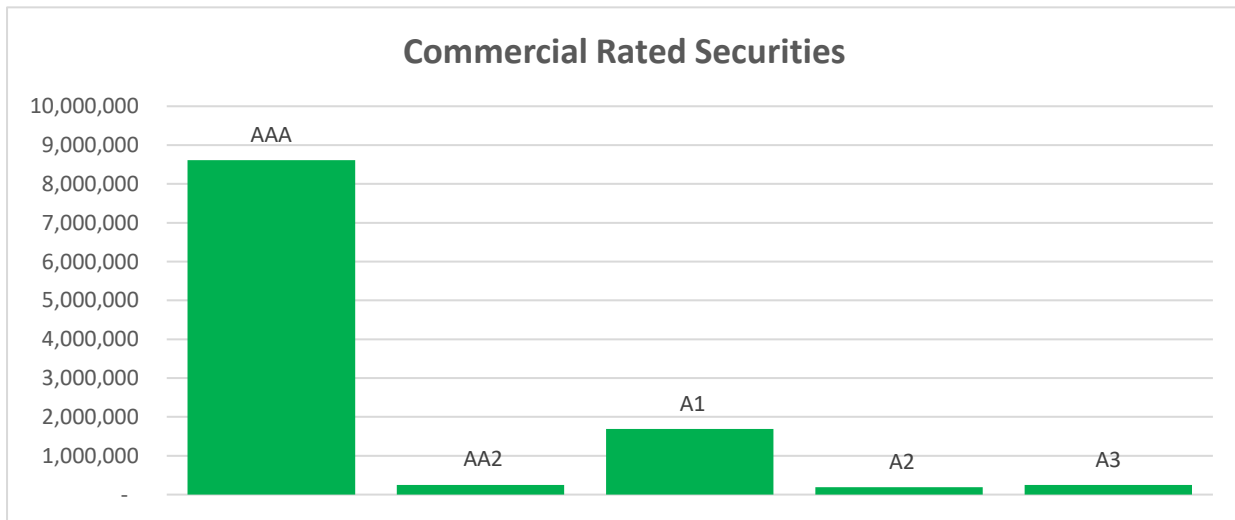
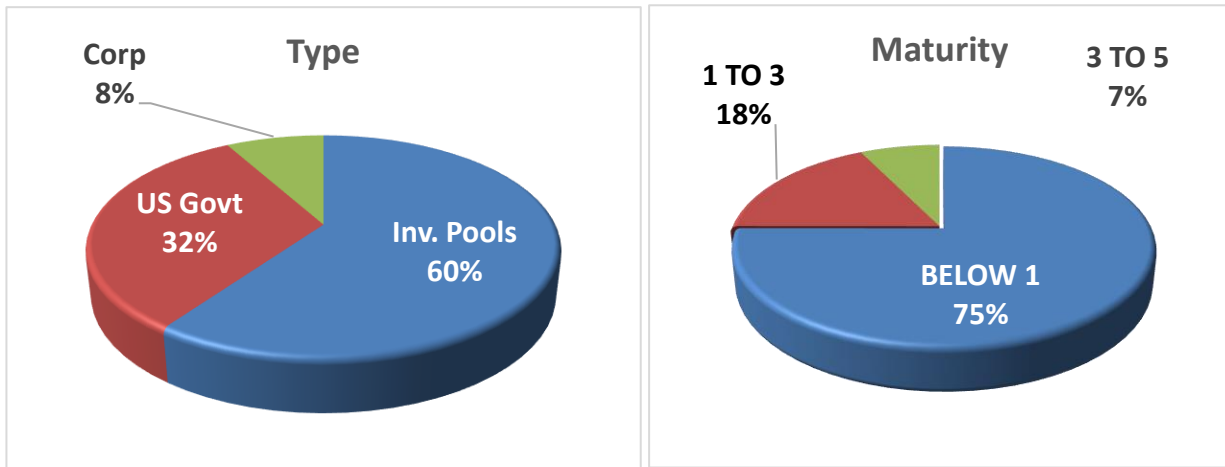
To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachment:

- A. Quarterly Treasurer's Report

Attachment A
Quarterly Treasurer's Report

TRPA Quarterly Treasurer's Report
As of 3/31/24



| Security | Yields | | |
|-----------------|--------|----------|-----------|
| | Return | Date | Basis |
| 1 Month Bill | 5.38% | 4/1/23 | Spot Rate |
| 3 Month Bill | 5.23% | 4/1/23 | Spot Rate |
| 6 Month Bill | 5.13% | 4/1/23 | Spot Rate |
| 1 Year Note | 5.07% | 4/1/23 | Spot Rate |
| 2 Year Note | 4.72% | 4/1/23 | Spot Rate |
| MMKT | 0.48% | 4/5/23 | Spot Rate |
| Principle Group | 3.47% | 4/1/23 | Annual |
| LAIF | 3.84% | 9/30/23 | November |
| LGIP | 5.04% | 11/30/22 | December |

Securities Held by TRPA

As of 3/31/2024

| Investment | Market Value | Unrealized Gain(Loss) |
|---------------------|---------------------|----------------------------------|
| US TREASURY NOTE | 476,230 | (6,524) |
| US TREASURY NOTE | 200,000 | 5,688 |
| US TREASURY NOTE | 298,959 | 3,084 |
| US TREASURY NOTE | 297,465 | 7,977 |
| US TREASURY NOTE | 495,535 | 9,617 |
| US TREASURY NOTE | 484,680 | 1,535 |
| U.S. TREASURY NOTES | 298,470 | (1,600) |
| U.S. TREASURY NOTES | 238,068 | 4,943 |
| U.S. TREASURY NOTES | 245,958 | 420 |
| U.S. TREASURY NOTES | 242,510 | 733 |
| U.S. TREASURY NOTES | 253,603 | 5,712 |
| U.S. TREASURY NOTES | 99,769 | 93 |
| U.S. TREASURY NOTES | 297,663 | 6,171 |
| U.S. TREASURY NOTES | 247,890 | 3,251 |
| U.S. TREASURY NOTES | 298,497 | (448) |
| U.S. TREASURY NOTES | 497,970 | (311) |
| U.S. TREASURY NOTES | 494,355 | (5,040) |
| U.S. TREASURY NOTES | 292,782 | 2,262 |
| U.S. TREASURY NOTES | 97,582 | (2,156) |
| U.S. TREASURY NOTES | 243,945 | 1,689 |
| U.S. TREASURY NOTES | 292,968 | (3,059) |
| U.S. TREASURY NOTES | 244,308 | (1,825) |
| U.S. TREASURY NOTES | 294,399 | 422 |
| U.S. TREASURY NOTES | 495,880 | (1,542) |
| U.S. TREASURY NOTES | 497,755 | (5,643) |
| U.S. TREASURY NOTES | 492,850 | (10,275) |
| U.S. TREASURY NOTES | 249,785 | (3,194) |
| U.S. TREASURY NOTES | 245,683 | (5,177) |
| U.S. TREASURY NOTES | 494,025 | (5,155) |
| Total US Government | 9,409,582 | 1,648 |

Securities Held by TRPA
Continued from prior page

| Investment | Market Value | Unrealized Gain(Loss) |
|------------------------|---------------------|----------------------------------|
| CA LAIF | 15,743,934 | |
| NV LGIP | 1,230,069 | |
| FED HERMES GOVT OB | 600,385 | |
| Total Investment Pools | 17,574,388 | |
| | | |
| TOYOTA MOTOR MTN | 250,768 | 1,070 |
| TORONTO DOM MTN CONV | 198,818 | (156) |
| TEXAS INSTRS INC | 250,395 | 660 |
| ROYAL BK CANADA CONV | 200,140 | 140 |
| JPMORGAN CHASE V-D | 249,840 | (1,973) |
| HOME DEPOT INC | 189,752 | (4,408) |
| COCA-COLA CO/THE | 295,383 | 5,598 |
| BANK OF NY MELLON CO | 245,178 | 3,988 |
| AMERICAN HONDA MTN | 249,505 | 503 |
| AMAZON.COM INC | 249,868 | 1,278 |
| Total Commercial | 2,379,646 | 6,699 |
| | | |
| Total TRPA | 29,363,615 | 8,347 |

STAFF REPORT

Date: April 17, 2024
To: TRPA Transportation Committee
From: TRPA Staff
Subject: Presentation and Discussion of Draft 2024/2025 Transportation Committee Work Plan

Summary and Staff Recommendation:

TRPA is updating the Regional Transportation Plan (RTP) this year and the Transportation Committee of the Governing Board will play a leadership role in the process. The Committee's work will include the plan's goals and policies which support the attainment of TRPA's threshold standards, including the vehicle miles traveled (VMT) standard (transportation and sustainable communities standard 1 or TSC1). The proposed work plan highlights the linkage between the update of the 2025 RTP/Sustainable Community Strategy's financial element and the RTP funding and VMT policy work by the Board and staff in recent months. At the Committee meeting, staff will present an overview of the proposed schedule and funding policy considerations.

Required Motion:

No motion is required. Discussion and possible direction from the Committee on work plan refinement to be brought back to the Committee at its June meeting.

Background:

The TRPA Governing Board selected *Keeping Tahoe Moving* as a strategic priority and subsequently established a new Transportation Committee to provide staff direction and make recommendations to the full Governing Board. In February 2024 the newly formed Transportation Committee met and provided general direction on work plan focus areas. The focus areas are: 1) update the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as mandated by the Compact, federal and state law, and 2) identify additional funding sources to implement the RTP/SCS (i.e. the funding strategy).

At the March 2024 TRPA Governing Board meeting, the Board divided the issues related to VMT policy into the technical land use policy of the adaptive management response (DP-5.6) and issues related to funding and milestones (DP-5.4). The Board requested that the Transportation Performance Technical Advisory Committee address the adaptive management response-related issues (DP-5.6) and asked the Transportation Committee to address funding and milestones (DP 5.4).

Reviewing and updating the funding strategy and funding milestones contained in Regional Plan policy DP-5.4 requires aligning and reconciling the funding strategies and policies in the Regional Plan, the RTP/SCS, and the partnership's "7-7-7" funding framework. These plans and efforts are all grounded in the financial element for the 2020 RTP/SCS which will be updated as part of the 2025 RTP/SCS.

The proposed work plan (Attachment A) incorporates the Governing Board's direction from February and March and recognizes the interdependencies between the RTP/SCS financial element update and the need to review and update Regional Plan funding policies. It strikes a balance between the immediate need to revisit the current funding plans and policies while avoiding the inefficiency of developing a short-term solution to current issues separately from the RTP/SCS update. The work plan calls for both current and future funding needs to be addressed simultaneously over the next 12 months. In effect, the work plan accelerates the development of the next RTP financial element while effectively addressing pressing concerns related to the inconsistencies between the policies and the framework.

Contact Information:

For questions regarding this agenda item, please contact Michelle Glickert, Transportation Planning Program Manager, at 775.589.5204, or mglickert@trpa.gov, or Dan Segan, Chief Science and Policy Advisor, at 775.589.5233 or dsegan@trpa.gov.

Attachment:

A. Draft 2024/2025 Transportation Committee Work Plan

Attachment A

Draft 2024/2025 Transportation Committee Work Plan

Keeping Tahoe Moving

TRPA Transportation Committee

2024/2025 Draft Work Program

May 22, 2024



A Voice for Lake Tahoe

Approved by the TRPA Governing Board on (insert month, and day), 2024.

Introduction

The TRPA Governing Board selected *Keeping Tahoe Moving* as a strategic priority and subsequently established a new Transportation Committee to provide staff direction and make recommendations to the full Governing Board. In February 2024 the newly formed Transportation Committee met and provided general direction on work plan priorities. The priorities are: 1) update of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as mandated by federal and state law and funding agreements, and 2) identification of additional sources of funds to implement the RTP/SCS. At the March 2024 Governing Board meeting, the Board divided the issues related to VMT policy into technical land use policy-related issues related to the adaptive management response (DP-5.6) and issues related to funding and milestones (DP-5.4). The Board requested that the Transportation Performance Technical Advisory Committee address the adaptive management response-related issues (DP-5.6) and asked the Transportation Committee to address funding and milestones (DP 5.4).

This work plan incorporates the direction from February and March while recognizing the interdependence between the two. The funding milestones of DP 5.4 were developed to support the 2020 RTP/SCS financial element. Review and updating of those policies requires revisiting the financial assumptions, funding landscape, project prioritization, accounting framework, and common definitions.

The work plan serves as both the work plan for the *Keeping Tahoe Moving* strategic priority and the Transportation Committee. Although not specifically identified in the work plan, additional items will come before the Committee periodically (e.g., transportation improvement program updates, distribution of grant funds, updates on grant-funded projects, etc.).

This work plan outlines three focus areas that are interrelated and that reflect the priorities of the Committee.

The primary tasks going forward are:

RTP/SCS Update

The land use forecast will provide detailed assumptions on growth and land use assumptions, and the project list will establish the ongoing programs and one-time capital projects needed to meet established VMT reduction targets. The RTP/SCS financial element will describe the current “funding landscape” and identify at the regional level what funding is needed for those programs and projects recognizing the currently available and assumed new funding sources (i.e., financially constrained project list). The review of RTP/SCS goals and policies will include revisions and clarifications on all policies and focus on how the funding should be obtained, options if it does not match what is needed to fund the financially constrained project list, and demand reduction measures that can be implemented primarily through land use and similar plan policy and code changes. These tasks will relate to and create a foundation for the funding strategy and policy update.

- Land Use/Demographic Assumptions
- Review of the RTP/SCS Performance and Recommendations Report
- Identification of RTP/SCS programs and projects (i.e., the project list)
- Preparation of the RTP/SCS financial element (funding assumptions and forecast)

- Review and update of Regional Plan funding policies in DP-5.4
- Review and update of RTP/SCS goals and policies.
- Final Approval of the RTP/SCS

Funding Policy Update

The Funding Policy Update will provide the venue for more detailed work beyond the 2025 RTP/SCS financial element, and alignment of the goals and policies of DP 5.4.

- **Funding Strategy** – The more detailed funding strategy topics that are anticipated include the identification of existing funding sources and how they can be more widely applied, potential new sources including private provision of transportation services and projects, and possible state and/or federal legislation that may be needed, and the options for each jurisdiction to prepare tailored approaches given what regional and local programs and projects need to be funded.
- **Goals and Policies** –Regional Plan goals and policies related to VMT reduction, funding, and the level of VMT reduction required for development and redevelopment will be reviewed and, if necessary, updated to reflect both the updated RTP/SCS goals and policies and more detailed funding strategy.

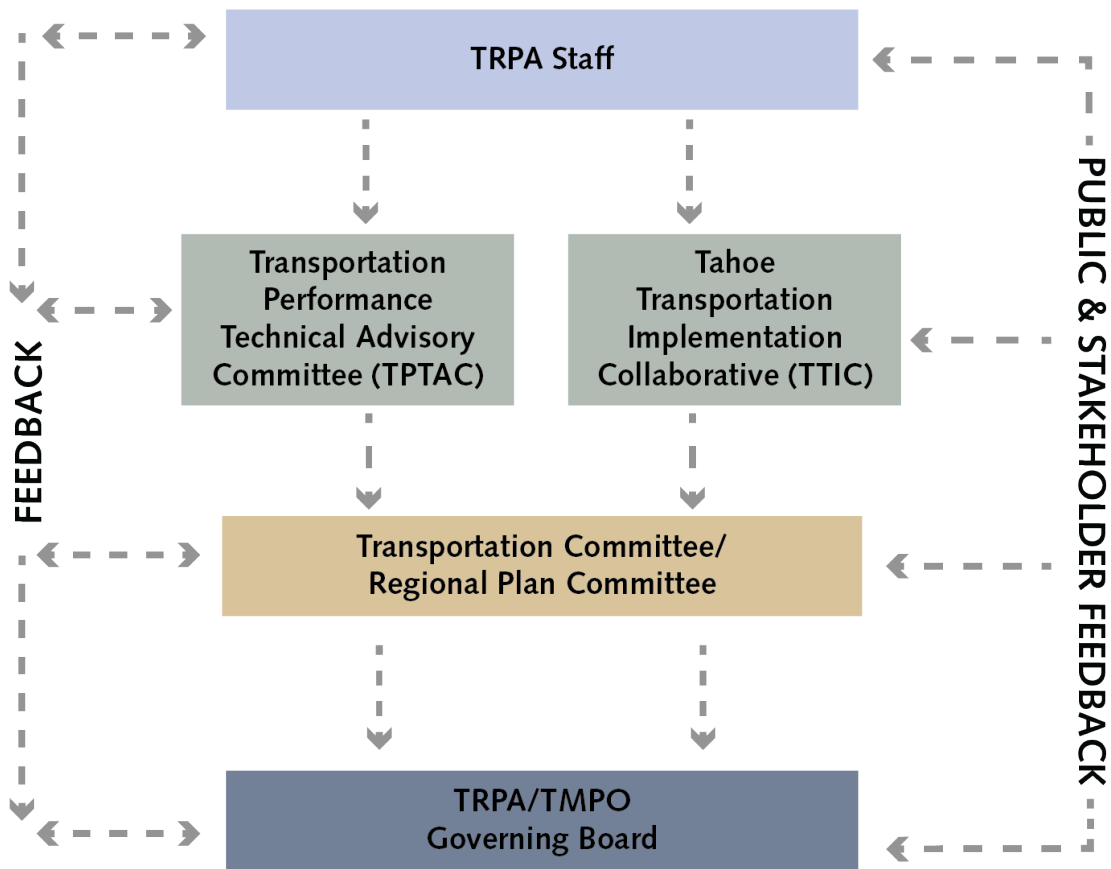
These focus areas and associated tasks, the schedule, and related information on Committee operations are included in more detail starting on page 6. It is anticipated that the progress of the Committee will be presented in the monthly Committee report to the entire Governing Board. This work plan will be reviewed periodically and updated.

Process, Meetings, and Committees

The RTP/SCS update will start with a staff presentation of this Work Plan as recommended by the Transportation Committee to the Governing Board. The primary focus will be to continue the RTP/SCS update with specific deliverables (land use forecast, financial element, and draft RTP/SCS goals and policies) early in FY 2024/2025. Work to update the RTP/SCS began before the RTP/SCS tasks outlined in this work plan (e.g., Vision Zero Safety Strategy, Public Participation Plan, Active Transportation Plan). While the work on the RTP/SCS will continue through adoption, the Funding Policy update work will start during the development of the RTP/SCS and provide the Committee with the venue for a “deeper dive” into the funding element and the Regional Plan goals and policies related to the VMT threshold standard, funding, and development/ redevelopment transportation mitigation fees. Concurrent with or shortly after the approval of the RTP/SCS in 2025, the Regional Plan and Code of Ordinances will be updated to reflect results from the focus areas. It is expected that the RTP/SCS will be approved in summer 2025 and the Committee Work Plan will need to be updated for the 2025/2026 fiscal year (July 2025 to June 2026).

Public and stakeholder engagement will be an ongoing element of the Committee work. As shown in the process graphic below, this work plan will be implemented through the leadership of the Transportation Committee and involve the Advisory Planning Commission (APC), the Governing Board, the Transportation Performance Technical Advisory Committee, the Tahoe Transportation Implementation Collaborative, the public, and other stakeholders at regular intervals to gain input and provide information on the progress being

made.



The existing email newsletter, Keeping Tahoe Moving, will be used to provide information on RTP/SCS progress along with a project-specific webpage. This email list is open to members of the public and will serve to disseminate project progress updates, solicit feedback, and inform the public of project events and participation opportunities. In addition, the Committee will host subject matter expert presentations at some of their meetings to gain input and feedback. Public hearings/meetings to be held by the APC, Committee, and the GB will serve as venues for providing feedback. Presentations will be made to other stakeholders and transportation project and program implementers (e.g. Local Jurisdictions, Tahoe Transportation District, Transportation Management Associations, etc.). Staff will also prepare monthly Committee reports on progress when the Committee is not meeting.

The process also includes the option for “feedback” when one group decides to refer a question or issue back to another group that was involved earlier in the overall process (e.g., the Committee may refer a question or issue back to the TPTAC or TTIC).

Budget

TRPA staff costs comprise most of the budget for this work currently. Additional funding is allocated for RTP/SCS data and modeling that is being performed by consultants. The funding that will cover the costs for this work plan is primarily from federal and state sources for update of the RTP/SCS. Hence, it is imperative that the deliverables associated with those tasks are provided as scheduled. The appropriate level of environmental analysis for the RTP/SCS has not been determined as it will also depend on the scope of the proposed changes. An Initial Environmental Checklist will be used to determine that and could require a yet-to-be-determined amount of additional funding.

Team

TRPA Staff: Michelle Glickert and Kira Richardson (RTP/SCS Update), Nick Haven (Funding Strategy), Dan Segan (Regional Plan and Code Amendments), John Hester (Planning Advisor and Executive Team sponsor), John Marshall (Legal Advisor).

Consultants: It is anticipated that consultants or contract researchers will be used for data and modeling and to support environmental review.

Work Plan Tasks

It is anticipated that this work plan will be completed through three focus areas.

1. RTP/SCS Update: Identification of programs and projects (i.e., the project list), preparation of the RTP/SCS financial element, and review and update of RTP/SCS goals and policies. (May 2024 – September 2024)
2. Funding Policy Update: Detailed funding strategy, approval of updated RTP/SCS, and review and update of relevant Regional Plan goals and policies including updated RTP/SCS goals and policies. (May 2024 – December 2025)

The schedule and the tasks included in each phase are summarized in the graphic on the next page and discussed in more detail in the sections that follow.

1. RTP/SCS Tasks, May 2024 to September 2025

Discussion: the focus will be on completing the Regional Transportation Plan/Sustainable Communities Strategy as required of TRPA as the federally designated Metropolitan Planning Organization (MPO), as required by California laws affecting MPOs, and as a condition of grant funding for the RTP/SCS update. This work will be coordinated with and provide a foundation and is interrelated to the Funding Strategy, the second focus area, as described in the next section of this work plan.

Task Structure:

- 1.1 California Air Resources Board required review and approval of the RTP/SCS approach to achieving greenhouse gas reduction targets. The items that must be addressed include the analysis years, strategy development, updating of the models and protocols used, preparation of a draft document, and preparation and submission of a final document for approval.
- 1.2 Transportation Model Improvements including procurement of consultant(s) to update the model, including testing and validation.
- 1.3 Land use and demographic assumptions proposed for RTP/SCS modeling and forecasting will be presented to the Committee.
- 1.4 The 2024 Transportation Performance and Recommendations Report detailing transit, active transportation, auto metric performance and adaptive management suggestions for RTP/SCS will be presented to the Committee for recommendation to the Governing Board.
- 1.5 Public participation activities will include providing an RTP/SCS website, webinars, and multiple public and stakeholder presentations.
- 1.6 The draft updated goals and policies will be presented to the Tahoe Transportation Implementation Collaborative (TTIC – the RTP/SCS implementers) and the Transportation Committee for input before they are evaluated as part of the environmental review process.
- 1.7 The draft project list developed with the local agencies will be presented to the TTIC and the Transportation Committee for input before it is evaluated as part of the environmental review process.
- 1.8 Information on existing funding sources and amount, as well as draft financial assumptions will be used to prepare a regional funding strategy that will be presented to the Transportation Committee.
- 1.9 This task includes the preparation and internal review of the components of the draft RTP/SCS. The components include the sections that focus on different transportation topics, appendices, the executive summary, and maps.
- 1.10 The technical studies for environmental analysis will be prepared including technical studies covering air quality, level of service, greenhouse gas, and trip reduction.
- 1.11 Using the technical studies from task 1.9, the consultant will prepare an administrative draft initial environmental checklist (IEC) for internal review. The IEC will be used to determine if an additional level of environmental analysis is needed.
- 1.12 The public draft of the IEC will be issued for review and comments from the public.
- 1.13 The final IEC will be prepared and issued.
- 1.14 The draft RTP/SCS will be released and presented to the Tahoe Transportation Commission (TTC), APC, and Regional Plan Committee (RPC) for input.
- 1.15 The final RTP/SCS will be presented for recommendations to the TTC, APC, and RPC, and approval to

the Governing Board.

- 1.16 The final RTP/SCS will be transmitted to the California Air Resources Board, Caltrans, Nevada Department of Transportation, Federal Highway Administration, and Federal Transit Administration.

2. Funding Policy Update Tasks, May 2024 to December 2025

Discussion: This phase is intended to specifically address the issues discussed by the Governing Board at their March 2024 meeting in the context of the financial element of the next RTP: develop a funding strategy to achieve the VMT per capita reduction threshold standard and milestones in Regional Plan Policy DP-5.5 through the implementation of the Regional Plan and RTP/SCS. The work from the RTP/SCS update will likely result in Regional Plan and Code amendments. Topics to be covered include; the identification of priority services, projects, and policies to meet RTP/SCS goals (including reducing VMT per capita), existing and potential funding sources, and a review and update of Code and Regional Plan goals and policies designed to reduce transportation demand and support RTP/SCS goals.

Task Structure:

- 2.1 Working with the local agencies and transit operators a transportation snapshot will be produced describing current transportation investments and funding levels across the region.
- 2.2 Identification of funding to include in the RTP/SCS financial element.
- 2.3 Integrate identified funding into the RTP/SCS funding element's assumptions and strategy.
- 2.4 Identify funding strategy elements that require legislative or other support and conduct follow-up at the Transportation Committee to track progress.
- 2.5 Draft Regional Plan development & redevelopment project goals and policy amendments that integrate guidance from the Transportation Performance Technical Advisory Committee into the review of Regional Plan goals and policies related to development & redevelopment projects.
- 2.6 Prepare for approval Regional Plan amendment package (i.e. RTP/SCS goals and policies from 1.4, development & redevelopment goals and policies from 1.6, land use goals and policies from 2.5).



STAFF REPORT

Date: April 17, 2024

To: TRPA Regional Planning Committee

From: Jacob Stock, Senior Planner

Subject: Adaptive Improvements to the Code of Ordinances Supporting Climate Resilience, Affordable Housing Requirements for Condominiums, and Design Standards for Mixed-Use Development

Project Summary:

Staff will present an overview of proposed amendments to the TRPA Code of Ordinances to implement best practices for climate resilience and adaptation, address the need for mixed-use minimum standards to encourage walkable communities, and take an interim step to address the impacts of condominium subdivision on affordable housing needs in our region. These proposed amendments build on the work of the Phase 2 Housing Amendments, Sustainability Action Plan, and lessons learned from local area planning and Code implementation.

Staff requests that the Regional Planning Committee (RPC) discuss the proposed amendments and consider a motion to recommend approval of the proposed amendments to the Code of Ordinances.

Required Motions:

To recommend adoption of the proposed amendments to the Code of Ordinances, RPC 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 B, including a Finding of No Significant Effect, for adoption of the Code of Ordinances amendments as described in the staff summary; and
- 2) A motion to recommend adoption of Ordinance 2024-___, amending Ordinance 87-9, to amend the Code of Ordinances as shown in Attachment A.

Project Description/Background:

Climate Resilience:

In December 2013, the TRPA Sustainability Action Plan was adopted to guide TRPA and local jurisdictions in developing and implementing climate sustainability strategies and actions under a consistent regional framework. Since the plan’s adoption, TRPA and partners have fully or partially implemented more than 80 percent of recommended actions in the plan. These planning efforts resulted in approximately 198 climate resilience-related projects across the Region. TRPA staff are directed to implement the remaining actions of the Sustainability Action Plan as they relate to standards in the Code of Ordinances.

During the summer of 2022, a graduate student intern from the University of California, Davis, Kamryn Kubose, completed a research project exploring best practices for land use regulation in climate-smart

communities. Her project resulted in a 100-page memo covering traffic congestion; energy conservation; energy generation; zero-emissions vehicles; waste diversion; sustainable construction and development; water conservation; carbon sequestration, forestry practices, and vegetation; adaptation and resilience; and workforce housing. She and her TRPA supervisors presented to the TRPA Governing Board and facilitated a work planning and prioritization workshop in October 2022. The Governing Board directed staff to develop regulatory code amendments supporting complete implementation of the Sustainability Action Plan including amendments addressing traffic mitigation, solar energy generation, electric vehicle charging, and dark sky preservation that could be completed on an initial environmental checklist.

Beginning in January 2023, Ms. Kubose was joined by a team of UC-Davis graduate students to develop proposed code language following the Governing Board's direction. The graduate student team conducted detailed code research, facilitated stakeholder engagement, and wrote draft code amendments. On May 24, 2023, TRPA staff and the graduate student team provided an informational presentation on their recommendations to Regional Planning Committee. TRPA staff have since addressed RPC's recommendations and worked closely with stakeholders from local government, the development and private consulting industry, and Liberty Energy, along with Permitting staff to develop the current proposal (Exhibits B and C to Attachment A). The proposal includes new requirements for traffic mitigation planning at temporary events, strategies to streamline rooftop solar installation while maintaining scenic threshold protections, provisions supporting the continued development of appropriate EV charging infrastructure, and a reorganization of the Code's exterior lighting requirements including new provisions for dark sky preservation. Staff drew from a range of best practices to develop this proposal including successful local codes, the California Building Standards Code, Dark Sky Alliance recommendations, and Leadership in Energy and Environmental Design (LEED) standards.

Affordable Housing Requirements for Subdivisions and Design Standards for Mixed-Use Development: The mixed-use and affordable housing elements of this proposal were adapted at the Governing Board's direction from an amendment to the Washoe Tahoe Area Plan (TAP).

On March 8 and March 22, 2023, respectively, the Advisory Planning Commission (APC) and RPC considered a proposed Washoe County TAP amendment to allow subdivision of buildings in Special Area 1 of Incline Village's commercial town center. Both bodies found that the Area Plan and Code of Ordinances did not fully address standards for mixed-use development and the impact of condominium subdivision on the need for affordable housing. They recommended that the County consider policies to encourage affordable and workforce housing and a more specific definition and minimum standards for mixed-use development before the amendment was applied to the remainder of Special Area 1. Following APC and RPC's recommendation, staff developed mitigation measures to define and set minimum standards for mixed-use development and to ensure that a portion of new condominiums in Special Area-1 would be deed-restricted with a mix of affordable and moderate housing. On June 28, 2023, the Governing Board approved the amendments to the TAP, including mitigation measures, directing staff to explore regional standards for mixed-use and deed-restricted condominium housing.

TRPA staff has since researched best practices to define and set minimum standards for mixed-use development that could also apply at the regional level and support walkable communities. On May 24, 2023, TRPA staff initiated the process to set regional standards, presenting to RPC on mixed-use standards for the basin as a whole, including a mixed-use definition and regional standards that include the proportion and location of residential and non-residential uses in a structure, permitted uses, mix of affordable and market-rate units, density, parking, and minimum design standards. These proposed

amendments follow Governing Board direction to develop regional standards for mixed-use and propose regional conditions to ensure that new condominium development includes a 10 percent mix of affordable and moderate-income housing on or off site (Exhibit A to Attachment A). Additionally, the proposed amendments adapt Section 39.2 (Subdivision Standards) to ensure consistency with existing definitions for affordable- and moderate-income housing.

The requirement for 10 percent deed-restricted housing in condominium developments reflects the mitigation measures the Board adopted into the Washoe Tahoe Area Plan in June 2023. This requirement responds to the need for local workforce housing created by new market-rate development along with the existing gap in housing units affordable to local workers. Needs assessments by the Mountain Housing Council and Tahoe Prosperity Center found a gap of just over five thousand workforce housing units for lower and moderate-income residents. This gap represents roughly 10 percent of the total units in the basin. A 10 percent deed-restriction requirement is also consistent with Placer County’s affordable housing ordinance and the City of South Lake Tahoe’s inclusionary zoning ordinance. This proposal would not replace these existing local ordinances, but rather would apply to jurisdictions that do not have an equivalent program. Developers could use bonus units to obtain development rights and incentives for the deed-restricted housing. Staff plans to explore more comprehensive measures to mitigate the impact of market-rate housing on workforce housing through the next phase of the Tahoe Living Strategic Initiative.

Environmental Review:

TRPA staff completed 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 C). Staff experts reviewed the IEC and completed revisions. 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 Compliance Measures Checklist (Attachment D) and determined that the proposed amendments are in compliance with the Regional Plan. The proposed amendment will be reviewed by the Advisory Planning Commission (APC) and 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.

Additionally, staff advise that the proposed amendments will advance the following goals and policies of the Regional Plan:

- The Regional Plan Housing Element.
- Goal 1 of the Transportation Element which seeks to protect and enhance the environment by promoting energy conservation and reducing greenhouse gas emissions including through support for mixed-use and transit-oriented development.
- The Sustainability Action Plan goals and policies including establishing efficient light standards (4-10), standards for renewable energy (4-13), supporting EV charging networks (4-18), and addressing event impacts (4-32).

Opportunities for Public Input:

To-Date:

Climate Resilience:

- October 2022—Workshop with the TRPA Governing Board to prioritize amendments

- Winter/Spring 2023—Stakeholder workshops with representatives from local government, the development and private consulting industry, and Liberty Energy
- May 2023—Presentation and feedback from the Regional Planning Committee
- November 2023—Stakeholder review of proposal draft
- February 14, 2024—APC informational presentation
- March 27, 2024—RPC Informational Presentation

Mixed-Use:

- May 2023—Presentation and Feedback from Regional Planning Committee
- June 2023—Governing Board adoption of amendments to the Washoe Tahoe Area Plan including elements of this proposal
- November 2023—Stakeholder review of proposal draft
- February 14, 2024—APC informational presentation
- March 27—RPC Informational Presentation

Planned:

- April 24, 2024—RPC Hearing
- May 8, 2024—APC hearing
- June 26, 2024—Governing Board hearing and consideration of approval

Contact Information:

For questions regarding this agenda item, please contact Jacob Stock, AICP, Senior Planner, at (775) 589-5221 or jstock@trpa.org. 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. TRPA Ordinance 2024-__
 - Exhibit A: Proposed Mixed Use Code Amendments Table
 - Exhibit B: Proposed Climate Code Amendments Table
 - Exhibit C: Proposed Exterior Lighting Standards
- B. Required Findings/Rationale
- C. Initial Environmental Checklist
- D. Compliance Measures Checklist

Attachment A
TRPA Ordinance 2024-__

Attachment A

TAHOE REGIONAL PLANNING
AGENCY ORDINANCE 2024-__

AN AMENDMENT TO ORDINANCE NO. 87-9, AS AMENDED, TO AMEND THE TRPA CODE OF ORDINANCES, CHAPTERS 2, 13, 21, 22, 30, 34, 36, 37, 39, AND 90 REGARDING STANDARDS FOR CLIMATE RESILIENCE, DARK SKY PRESERVATION, AFFORDABLE HOUSING REQUIREMENTS FOR CONDOMINIUMS, AND DESIGN STANDARDS FOR MIXED-USE DEVELOPMENT.

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 87-9, as previously amended, by amending the TRPA Code of Ordinances to further implement the Regional Plan pursuant to Article VI (a) and other provisions of the Tahoe Planning Compact.

- 1.20 The TRPA Code of Ordinances 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 VI of the Rules of Procedure. The TRPA Code of Ordinances 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), Regional Plan Committee (RPC), and Governing Board have each conducted a noticed public hearing on the proposed TRPA Code of Ordinances amendments. The APC and RPC have 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 TRPA Code of Ordinances 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 this ordinance, the Governing Board made findings required by Section 4.6 of the TRPA Code of Ordinances, 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 87-9, as previously amended, is hereby amended by amending Chapters 2, 13, 21, 22, 30, 34, 36, 37,39, and 90 of the TRPA Code of Ordinances, as set forth in Exhibits A, B, and C to this Ordinance.

Section 3.00 Interpretation and Severability

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 4.00 Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective sixty (60) days following adoption of this ordinance.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on June 26, 2024, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

Attachment A
Exhibit A: Proposed Mixed Use Code Amendments Table

EXHIBIT A TO ATTACHMENT A
PROPOSED MIXED-USE (MU) CODE LANGUAGE

| Code Section | Rationale | Proposed Code Language |
|--------------|--|---|
| 36.14 | Design standards for MU, including market rate. This amendment separates design standards applying to all M-U from standards specific to 100 percent deed-restricted developments. Standards specific to 100 percent deed-restricted developments were approved in the Phase 2 Housing Amendments. | <p>36.14 Mixed-Use Design Standards</p> <p>Mixed-use developments <u>approved after [effective date]</u> shall meet the definition of mixed-use in Chapter 90 and the following design standards:</p> <p>a. <u>The ground floor shall include one or more permissible pedestrian-oriented non-residential uses that include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses.</u></p> <p>b. Mixed-use developments shall must accommodate pedestrian-oriented non-residential uses on the ground floor street frontage at a minimum average depth of 40 feet and a minimum depth of 25 feet covering a minimum of 60 percent of the ground floor street frontage area <u>or 60 percent of the ground floor area.</u></p> <p>a-c. Deed-restricted affordable and moderate housing units may be substituted for <u>non-residential uses on the ground floor.</u></p> <p>b-d. Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage <u>and shall be located off of the main frontage whenever possible;</u></p> <p>e. The ground floor and street frontage shall be designed to promote pedestrian accessibility, including but not limited to, transparent façade, ground floor ceiling height no less than 10 feet, pedestrian-oriented street-facing entry <u>at exterior grade</u>, sidewalks, and other pedestrian improvements.</p> <p>e- <u>An Area Plan may propose alternative standards for mixed-use developments that promote pedestrian-oriented design.</u></p> |

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| 39.2.3.B | Additions to existing 1:1 replacement requirement to include affordable housing. | <p>B. Existing Affordable and Moderate-Income Housing Existing residential units that are <u>affordable- or moderate-income housing, either de-facto or deed-restricted as defined by Chapter 90: Definitions</u>, shall not be subdivided unless mitigation is provided on a unit for unit basis for the loss of <u>affordable- or moderate-income housing</u>. Mitigation shall be in the form of construction of an equal number of <u>affordable- or moderate-income units</u>, conversion of other structures to <u>affordable- or moderate-income housing</u>, <u>deed-restriction</u> of subdivided units to <u>affordable- or moderate-income housing units</u>, or a combination of the above.</p> <ol style="list-style-type: none"> 1. To determine whether a unit is <u>affordable- or moderate-income housing</u>, the applicant shall submit a rental/sale history for each unit for the previous five years. TRPA shall review the history and determine whether the unit has, on the whole, been available as <u>affordable- or moderate income housing</u>. TRPA shall utilize the appropriate state and federal data on median income and rental rates and mortgages for moderate- to very low-income households in making the determination. If a rental or sale history is unavailable or incomplete, an appraisal of the structure prepared by a qualified appraiser shall be submitted by the applicant. 2. Restriction of subdivided units to <u>affordable- or moderate-income housing</u> shall include recordation of deed restrictions running with the land that requires compliance with Section 52.3.4.D. |
| 39.2.3.M | See above | <p>M. Substitution of Local Housing Plans If a local jurisdiction adopts and implements a program that addresses the need for <u>affordable- and moderate-income housing</u> within its jurisdiction, then TRPA may by ordinance exempt projects within that jurisdiction from the provisions of subparagraph 39.2.3.B.</p> |
| 39.2.5.F | Require 10% deed-restricted housing as a condition of subdivision for pre- and post-1987 | <p>F. Affordable and Moderate-Income Housing <u>1. Subdivisions of post-1987 residential projects in plan areas designated preferred affordable housing areas.</u> Approval of subdivisions after December 31, 1995, of post-1987 residential projects <u>in designated preferred</u></p> |

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| | <p>structures. Jurisdictions with inclusionary zoning requirements are exempt.</p> | <p>affordable housing areas that do not qualify as affordable housing shall be prohibited until TRPA finds the city or county, with zoning jurisdiction, has demonstrated its commitment to assume its "fair share" responsibility to provide lower and very low income housing within existing urban areas pursuant to Policy HS-1.2 of the TRPA Housing Subelement of the Regional Plan Goals and Policies.</p> <p>2. Subdivision of eligible structures greater than 4 unit that are not subject to subsection 39.2.3.B shall only be permitted if there is an affordable and moderate-income housing component. No less than 10 percent of residential units in a subdivided structure or at least one unit, whichever is greater, shall be deed-restricted affordable or a mix of affordable and moderate-income housing. Where there is an even number of deed-restricted units, affordable and moderate-income housing may be deed-restricted on a 1:1 basis. Where there is an odd number of deed-restricted units, the majority shall be deed-restricted affordable. Deed-restricted units shall be substantially similar to the project's mix of units, size, and design of units. However, two or more smaller affordable deed-restricted units may be substituted for any required larger deed-restricted unit if the combined square footage is similar. Deed-restricted units may be built on site or elsewhere within a center. Deed-restricted units must be completed before market rate units can be occupied. Jurisdictions with alternative requirements that are based on a financial feasibility study and are approved by the governing body of that jurisdiction shall be exempt from this provision.</p> |
| 90.2 | <p>Amend the definition of mixed-use to allow a broader mix of uses including tourist accommodation.</p> | <p>Mixed-Use Development Developments fostering the integration of compatible residential and non-residential uses on a single site that are designed to promote pedestrian circulation. Permissible pedestrian-oriented nonresidential uses include, but are not limited to, residential, tourist accommodation, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, and project offices may be included if they are open to the public.</p> |

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Attachment A
Exhibit B: Proposed Climate Code Amendments Table

EXHIBIT B TO ATTACHMENT A

PROPOSED CLIMATE CODE LANGUAGE

Traffic reduction associated with temporary events

| Code Section | Rationale | Proposed Code Language |
|--------------|--|--|
| 22.7.6. | <p>Temporary activity transportation plan as a requirement of temporary use permits to require that large events consider how to reduce automobile traffic and increase the use of alternative modes.</p> <p>See City of South Lake Tahoe additional requirements for temporary events (CSLT Code, 6.55.230.A.c.i).</p> <p>TRPA permitting staff noted that requirements for Ch. 22 temporary permits could benefit from additional requirements supporting traffic reduction.</p> | <p>22.7.6. Traffic Mitigation</p> <p>A. For a temporary activity that includes the closure of a traffic lane or intersection of a state or federal highway for more than one hour, or the closure of U.S. 50 at any point between the South Y and Kingsbury Grade for any period of time, the applicant shall submit a traffic control plan.</p> <p>B. A temporary event transportation plan must be prepared for any event with the potential for more than 500 attendees. A temporary event transportation plan shall include a map of fixed route public transit stops, pedestrian access, and bike access, bike parking (existing and/or temporary) and materials for communicating alternative transportation options to event participants. The plan must include strategies for encouraging the use of alternatives to personal automobiles and should include plans for bike valet, shuttle services, and rideshare drop off locations.</p> |

Electric vehicle (EV) charging

| Code Section | Rationale | Proposed Code Language |
|--------------|--|--|
| 90.2 | Define electric vehicle charging stations and related terms in code. Additional terms and detail added to definitions from permitting improvement amendments. | <p>Electric vehicle charger</p> <p>Off-board charging equipment used to charge an electric vehicle. An “electric vehicle charger level 2” means a 208–240-volt electric vehicle charger. A “direct current (DC) fast charger” means a 400-volt or greater electric vehicle charger.</p> <p>Electric Vehicle (EV) charging space</p> <p>A parking space intended for use of EV charging equipment and charging of electric vehicles.</p> <p>Electric vehicle charging station (EVCS)</p> <p>One or more electric vehicle charging spaces served by electric vehicle supply equipment (EVSE) receptacles by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles.</p> <p>Electric vehicle supply equipment (EVSE)</p> <p>The conductors, including the underground, grounded and equipment grounding conductors and the electric vehicle connectors, attachments, plugs, personnel protection system, and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.</p> <p>Electric Vehicle (EV) capable spaces</p> <p>A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways to support EV charging.</p> <p>EV ready spaces</p> |

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| | | A vehicle space which is provided with a branch circuit; any necessary raceways to accommodate EV charging, terminating in a receptacle or a charger. |
| Table 21.4-A | <p>Include electric vehicle charging station as a primary use under service station and vehicle storage and parking.</p> <p>Tesla, Inc. expressed their intentions to develop EV charging as a primary use. This and other proposed code aims to allow charging as a primary use while encouraging more distributed accessory EV charging.</p> | <p>Service Stations</p> <p>Retail trade establishments primarily engaged in the sale of gasoline and/or electric vehicle charging, which may also provide lubrication, oil change and tune-up services, and the sale of automotive products incidental to gasoline sales. The use may also include as accessory uses towing, mechanical repair services, car washing and waxing, and trailer rental. The use does not include storage of wrecked or abandoned vehicles, paint spraying body and fender work, and retail sale of gasoline as an accessory use to food and beverage retail sales when limited to not more than two pumps.</p> <p>Vehicle storage & parking</p> <p>Service establishments primarily engaged in the business of storing operative cars, buses, or other motor vehicles. The use includes both day use and long-term public and commercial garages, parking lots, and structures. Outside storage or display is included as part of the use. The use includes electric vehicle charging. The use does not include wrecking yards (see “Recycling and Scrap”)</p> |
| 34.4.1 | <p>EV capable language for commercial, multi-family and hotel/motels with more than 40 spaces.</p> <p>Encourage distributed EV charging in integrated mix of uses.</p> | <p>34.4.1. Electric Vehicle Capable Parking Spaces</p> <p>Twenty (20) percent of the total number of parking spaces on a building site with a minimum of 20 (twenty) spaces provided for all types of parking facilities shall be electric vehicle capable spaces (EV spaces) capable of supporting future electric vehicle supply equipment. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to</p> |

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|-------------------|--|--|
| | <p>Borrowed from Cal Green (5.106.5.3). Cal Green requires 20% in lot's with 10 spaces or more. See Cal Green Table 5.106.5.3.1.</p> | <p><u>simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes. EV spaces will count toward the total amount of parking spaces.</u></p> <ol style="list-style-type: none"> <u>1. The development of electric vehicle supply equipment applies to new development and redevelopment when the project requires a permit for parking lot grading.</u> <u>2. Developments with 100 percent deed restricted housing shall be exempt from the above requirement.</u> |
| <p>30.4.2.A.6</p> | <p>Allow limited coverage exemption and transfer of coverage.</p> <p>Permitting Improvement amendments include Sec. 30.4.6.A allowing 30 sqft. coverage exemption for EV, solar and other "small utility installations".</p> <p>Aims to encourage installation on existing coverage by allowing limited exemption with the option to transfer coverage is preferable to a large exemption.</p> | <p><u>6. Solar Energy Generation and Electric Vehicle Charging Facilities</u></p> <p><u>Transfers of land coverage may be permitted for electric vehicle chargers, solar energy systems, and related small utility installations.</u></p> <p><u>The maximum land coverage transferred shall be consistent with the following standards:</u></p> <ol style="list-style-type: none"> <u>(1) Transferred coverage shall be the minimum amount necessary to achieve the purpose of the facility;</u> <u>(2) Coverage shall not be transferred to sensitive land;</u> <u>(3) Receiving parcels shall have installed and maintained BMPs meeting TRPA requirements and the transferred coverage shall also have BMPs installed and maintained to meet TRPA requirements;</u> <u>(4) When feasible alternatives exist, TRPA may require the relocation of on-site coverage for some or all of the coverage needed. On-site coverage relocation is appropriate for parcels with non-essential coverage areas that can be reduced in size or replaced with pervious alternatives without significant structural modifications or significant impacts to the usability of the parcel.</u> |

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Solar energy generation

| Code Section | Rationale | Proposed Code Language |
|--------------|--|---|
| 90.2 | Define active, passive, and solar mounting devices. | <p>Active solar energy system A solar energy system with a primary purpose to harvest energy by transforming solar energy into another form of energy or transferring heat from a solar collector to another medium using mechanical, electrical, or chemical means.</p> <p><u>Photovoltaic (PV) System</u> An active solar energy system that converts solar energy directly into electricity.</p> <p><u>Passive Solar Energy System</u> A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger. Examples of passive solar may include skylights, passive solar water heating systems such as flat-plate collectors, or structure design and/or orientation maximizing solar energy capture and retention.</p> <p><u>Solar Mounting Devices</u> Racking, frames, or other devices that allow the mounting of a solar collector onto a roof, the ground, or other surface.</p> |
| 2.3.6.A.12. | Qualified exemption for rooftop and parking lot solar energy systems. Require predictable scenic threshold standards when in scenic threshold travel routes and shoreland. QE from scenic review if system meets reflective standard. 3% reflectivity qualifier comes from the highest score given for windows in the shorezone. | <p><u>12. Installation of Roof-mounted Photovoltaic (PV) Systems or PV Systems Mounted Over Parking Lots</u></p> <p><u>The installation of pPhotovoltaic (PV) systems on the rooftops of existing structures or over parking lots that are deemed to be qualified exempt provided:</u></p> <ul style="list-style-type: none"> a) <u>Solar roof-mounting devices do not extend beyond the rooftop perimeter and mounting devices do not intrude into setback standards established in 36.5.4.</u> b) <u>Structure does not create height greater than that allowed by Chapter 37.</u> c) <u>If the structure is located inside of a Scenic Travel Corridor, the</u> |

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| | | <p><u>Shoreland, or visible from Lake Tahoe, then solar panels shall be constructed of non-reflective material not to exceed 3 percent reflectivity.</u></p> <p>d) <u>The panel trim and mounting devices are designed to reduce reflectivity and blend with the panel and/or surrounding materials.</u></p> |
| Table 21.4-A | Expand primary use "Power Generating" to include solar facilities. | <p>Power generating</p> <p>Establishments engaged in the generation of electrical energy for sale to consumers, including biofuel facilities, hydro facilities, gas facilities, <u>solar facilities</u>, and diesel facilities. Outside storage or display is included as part of the use. The use does not include biofuel <u>or solar</u> facilities accessory to a primary use. Transmission lines located off the site of the power plant are included under "Pipelines and Power Transmission." Electrical substations are included under "Public Utility Centers."</p> |
| 36.5.4.A.1. | | Decks (except decks for off street parking), stairs, canopies, building, <u>solar mounting structures</u> , or roof overhangs shall not intrude into the 20-foot setback established in this subparagraph. |
| 36.6.1.C. | Remove requirement for project-level assessment for roof-mounted solar. This is a barrier that complicates review of solar proposals. Scenic impacts of solar panels addressed through reflectivity standard. | <p>C. Alternative Energy Production</p> <p>Solar <u>panels-energy systems</u> or other alternative energy equipment may be exempted from the requirements of 36.6.1.A and B if <u>they are constructed of non-reflective material not to exceed 3 percent reflectivity, a project level assessment demonstrates that scenic threshold standards will not be adversely impacted.</u></p> |
| 37.4.3.A. | Expand the height exemptions to include solar energy systems. | Chimneys, flues, vents, antennas, <u>solar energy systems</u> , and similar appurtenances may be erected to a height ten percent greater than the otherwise permissible maximum height of a building, or a height of six feet, whichever is less. <u>Height exemptions for solar energy systems shall not exceed the minimum height necessary for the solar energy system to function.</u> |

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Standards to reduce light pollution

| Code Section | Rationale | Proposed Code Language |
|--------------|--|---|
| 36.8.1. | Update TRPA's lighting standards, include color temperature, shielding, and other standards to comply with international dark sky standards. Reorganize exterior lighting section for improved legibility. | [See Exhibit C] |
| 13.5.3.F.5 | Move lighting standards to single location in chapter 36. Reference 36.8.1. | <p>5. Lighting Lighting increases the operational efficiency of a site. In determining the lighting for a project, the standards set forth in Section 36.8.1.E.1 shall following should be required.:</p> <p>a. Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.</p> <p>b. Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.</p> <p>c. Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low intensity lights.</p> <p>d. Lights should not blink, flash, or change intensity except for temporary public safety signs.</p> |

Attachment A
Exhibit C: Proposed Exterior Lighting Standards

EXHIBIT C
TO ATTACHMENT A
PROPOSED EXTERIOR LIGHTING STANDARDS

36.8. EXTERIOR LIGHTING STANDARDS

36.8.1. General Standards

- A. Exterior lighting shall be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- B. Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display.
- C. Outdoor lighting must serve a functional safety purpose including the illumination of entrances and pathways. Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited, except as set forth in Subsection 36.8.5 paragraph E.3, below.
- A.D. Exterior lights shall not blink, flash, or change intensity except for temporary public safety signs. String lights, building or roofline tube lighting, reflective, or luminescent wall surfaces are prohibited.
- B.E. Exterior lighting shall not be attached to trees except for the Christmas season.
- C.F. Parking lot, walkway, and building lights shall be directed downward.
- G. Fixture mounting height shall be appropriate to the purpose. The height shall not exceed the limitations set forth in Chapter 37.
- D.H. The commercial operation of spot search lights for advertising or any other purpose is prohibited.
- I. Seasonal lighting displays and lighting for special events that conflict with other provisions of this section may be permitted on a temporary basis pursuant to Chapter 22: *Temporary Uses, Structures, and Activities*.

36.8.2. Outdoor Lighting—Lighting Design

The placement, including height, of all outdoor lighting shall be appropriate to serve a functional safety purpose. Exterior lighting shall utilize cutoff shields that extend below the lighting element to minimize stray light. Light shall be directed downward with no

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light emitted above the horizontal plane of the fixture and no splay of light offsite. Outdoor lighting shall be located to minimize impact on adjacent properties.

36.8.3 Lighting Levels

Outdoor lighting levels shall respond to the anticipated use and shall not exceed the amount of light required by users. The maximum color temperature of outdoor lighting is 3,000 degrees Kelvin. TRPA may authorize outdoor lighting with a color temperature up to 5,000 degrees Kelvin when required for public safety.

36.8.4 Commercial Lighting

Outdoor lighting for commercial uses shall not exceed 2,500 Lumens per light and the total lighting shall not exceed 100,000 Lumens per acre. Commercial uses shall reduce outdoor lighting to 50 percent or less of operational lighting levels after business hours. Motion detection lighting, activated by motion on site, may increase lighting levels to 100 percent temporarily. TRPA staff may authorize exceptions for public safety.

36.8.5 Cemetery Lighting

F.

~~1-36.8.3.1.1 Outdoor lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display.~~

~~2-36.8.3.1.1 Illumination for aesthetic or dramatic purposes of any building or surrounding landscape utilizing exterior light fixtures projected above the horizontal is prohibited, except as set forth in Subparagraph F.3, below.~~

3. Within the veterans' section of an existing cemetery, the United State flag may be illuminated subject to the following limitations:

a.A. Where it may not be possible to reliably or consistently illuminate with downward lighting, upward lighting may be used only in the form of spotlights which confine the illumination to the flag.

B. Lighting shall be the minimum necessary to properly illuminate the flag. In no case shall any lighting source exceed 2,500 lumens in output.

36.8.6 Outdoor Lighting Plan

The applicant for any project in connection with proposed work involving outdoor lighting fixtures shall submit, as part of the application, evidence that the proposed lighting will comply with subsection 36.8. The submission shall contain the following:

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b-

1. Plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, and construction details;
2. Description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices. The description may include, but is not limited to, catalog cuts by manufacturers, and drawings; and
3. A table showing the total number of proposed exterior lights by fixture type, degrees Kelvin, Lumens per fixture, and lamp type.

~~G-36.8.3.1 The commercial operation of searchlights for advertising or any other purpose is prohibited.~~

~~H-36.8.3.1 Seasonal lighting displays and lighting for special events that conflict with other provisions of this section may be permitted on a temporary basis pursuant to Chapter 22: Temporary Uses, Structures, and Activities.~~

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Attachment B
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 C). The IEC found that the proposed Code amendments would not have a significant effect on the environment. The IEC was prepared to evaluate the potential environmental impact of the proposed amendments to specific sections of the Code related to mixed-use zoning, workforce housing, alternative power sources, electric vehicle capabilities, and outdoor lighting standards within the following chapters of the TRPA Code of Ordinance:

- Chapter 2: General Provisions
- Chapter 13: Area Plans
- Chapters 21 and 22: Land Uses
- Chapters 30,34, 36, 37, and 39: Site Development
- Chapter 90: Definitions

The proposed amendments are consistent with and will implement the aforementioned chapters of the TRPA Code of Ordinance and the Regional Plan. The amendments are not anticipated to result in significant environmental effects. As demonstrated in the accompanying IEC finding of no significant effect, amendments to these chapters 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 TRPA Code of Ordinance chapters listed above in Section 3.3. The amendments will also implement key goals, policies and actions of the Regional Plan including:

- The Regional Plan Housing Element

- Goal 1 of the Transportation Element which seeks to protect and enhance the environment by promoting energy conservation and reducing greenhouse gas emissions including through support for mixed-use and transit-oriented development.
- The Sustainability Action Plan goals and policies including establishing efficient lighting standards (4-10), standards for renewable energy (4-13), supporting EV charging networks (4-18), and addressing event impacts (4-32).

The Code amendments are consistent with and advance the Regional Plan policies and goals 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 IEC finding of no significant effect, 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 would not exceed any state, federal, or local standards. The amendments are intended to lessen emissions by allowing appropriate solar power systems and electric vehicle charging facilities, by requiring strategies to reduce emissions from temporary events, and by facilitating mixed-use development that minimizes reliance on personal automobiles. The amendments will not result in negative environmental impacts and will result in cumulative environmental benefits.

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 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 TRPA Code of Ordinances chapters listed in Section 3.3 and the relevant Regional Plan goals and policies listed in Section 4.4. Future redevelopment projects 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 result in achievement and maintenance of the thresholds.

Attachment C
Initial Environmental Checklist

INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

PROJECT INFORMATION

Project Name: Adaptive Improvements to the Code of Ordinances Supporting Climate Resilience, Affordable Housing Requirements for Condominiums, and Design Standards for Mixed-Use Development

Project Assessor's Parcel Number (APN): Not Applicable

Project Address: Not Applicable

County/City: Not Applicable

Project Description: The Tahoe Regional Planning Agency (TRPA) is proposing a package of amendments to the Code of Ordinances aimed at implementing key goals, policies, and actions of the Regional Plan and Sustainability Action Plan. The proposal includes amendments to implement climate resilience best-practices, support dark sky preservation, facilitate appropriate mixed-use development, and mitigate the impact of market-rate condominium development on affordable housing. These amendments were developed through a robust process including Governing Board and stakeholder workshops, best practice and adaptive management analysis by University of California, Davis graduate students and TRPA staff, and additional stakeholder draft review. The proposed amendments are summarized below and detailed in Attachments A and B to this packet.

The proposed climate code amendments bring new language and revise existing language to address electrical vehicle charging and related uses, Photovoltaic (PV) as an alternative power source, exterior lighting design and standards, a traffic mitigation plan for temporary events, and define new terminology. The new proposed climate code language creates additional sections in the Code of Ordinances that requires electric vehicle capable parking spaces for new development or redevelopment of facilities with 20 or more parking spaces (Section 34.4.1); allows limited transfer of coverage for solar energy generation and electric vehicle charging facilities (Section 30.4.2.A.6); sets parameters for a qualified exemption of PV systems installed on roof tops, over parking lots or within a scenic route (Section 2.3.6.A.12); and requires a transportation plan for large event temporary use permits to encourage reduced automobile traffic and increase use of alternative modes of transportation (Section 22.7.6). Additional climate code amendments propose revising existing language to include electric vehicle charging station as a primary use under "Service Stations" and "Vehicle Storage and Parking" uses (Table 21.4-A); expand the primary use "Power Generating" to include solar facilities (Table 21.4-A); include solar mounting structures in setbacks under "Site Design Standards" (Section 36.5.4.A.1); remove the requirement for project-level assessment for roof mounted solar energy systems under "Alternative Energy Production" (Section 36.6.1.C); and to codify solar energy systems as rooftop appurtenances (Section 37.4.3.A).

The Code amendments proposed for the Exterior Lighting Standards (Section 36.8) involve reorganization of this section in Chapter 36, proposed new language, and revision of existing language. Additional proposed amendments to Code Section (36.8) Exterior Lighting Standards create new subsections that

address Lighting Design (Section 36.8.2), Lighting Levels (Section 36.8.3), Commercial Lighting (Section 36.8.4), and Outdoor Lighting Plan (Section 36.8.6) based on recommendations from the Dark Sky Alliance and Leadership in Energy and Environmental Design. The proposed design standards include placement, height, and shields to minimize stray light. The proposed lighting levels work in tandem with the design standards, where color temperature is measured by degrees Kelvin with a maximum of 3,000 degrees Kelvin. The proposed standards for commercial lighting target total lumens, which cannot exceed 2,500 Lumens per light, 100,000 Lumens per acre, and must reduce total lighting to 50% or more after business hours.

Other proposed code amendments contain clarifying and new language that addresses design standards for mixed-use developments (Section 36.14), the replacement mitigation requirement for affordable housing (Section 39.2.3.B), a new condition for subdivision of pre- and post-1987 structures (Section 39.2.5.F), and define "mixed-use" to allow a broader mix of uses including tourist accommodation (Section 90.2). The proposed code amendment to the subdivision standards for pre- and post-1987 structures requires that new developments greater than four units deed-restrict 10 percent of subdivided units as affordable or moderate-income housing units.

The following questionnaire was completed by TRPA staff based on an analysis of the proposed amendments. All "Yes" and "No, With Mitigation" answers include further written comments.

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 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 amendments will not impact impervious land cover or Stream Environment Zones. Any future project developed pursuant to the amendment must first be an approved project, compliant with TRPA's existing land coverage, excavation, grading, and temporary and permanent BMP standards prescribed for soil conservation.

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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Deterioration of ambient (existing) air quality? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The creation of objectionable odors? | <input type="checkbox"/> | X | <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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Increased use of diesel fuel? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The following proposed Code amendment supports the reduction of emissions:

The proposed amendment to Code Section 22.7.6 addresses the preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. TRPA permitting staff also noted that temporary permits could benefit from additional requirements supporting traffic reduction.

The proposed amendments will not negatively impact air quality. Any future project developed pursuant to the amendment must first be an approved project and compliant with TRPA's emission standards for the protection of air quality.

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"/> | X | <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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Alterations to the course or flow of 100-yearflood waters? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Change in the amount of surface water in any water body? | <input type="checkbox"/> | X | <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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Alteration of the direction or rate of flow of ground water? | <input type="checkbox"/> | X | <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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| h. Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="checkbox"/> | X | <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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| k. Is the project located within 600 feet of a drinking water source? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Proposed amendment to Code Section 30.4.2.A.6 addresses the transfer of land coverage for electrical vehicle chargers, solar energy systems, and related small utility installations. These standards aim to encourage installation on existing coverage by limiting exempted and transferred coverage for new installations. Both receiving parcels and transferred coverage must have TRPA approved installed and maintained BMPs. TRPA may also require the relocation of on-site coverage for parcels with non-essential coverage areas that can be reduced in size or replaced with pervious alternatives without structural modifications or impacts to the usability of the parcel. Ultimately, these standards are designed to accommodate appropriate energy installations on limited coverage, reducing the potential impact of these installations on future water quality.

The proposed amendments do not change building standards that could lead to changes in water resources and will not impact water quality.

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"/> | X | <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"/> | X | <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"/> | X | <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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Reduction of the numbers of any unique, rare, or endangered species of plants? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |

- f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows? X
- 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? X
- h. A change in the natural functioning of an old growth ecosystem? X

Discussion:

The proposed amendments do not include any changes that could have a significant adverse effect on vegetative resources. Any future project developed pursuant to the amendment must first be an approved project and compliant with TRPA's standards for the protection of vegetation and other biological resources.

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 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"/> |

Discussion:

The proposed amendments could not have a significant adverse effect on wildlife species or habitat. Any future project developed pursuant to the amendment must first be an approved project and compliant with TRPA's existing standards for wildlife preservation.

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 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"/> |

Discussion:

TRPA's noise ordinances apply to single noise event from aircraft, watercraft, motor vehicles, motorcycles, off-road vehicles and snow mobiles and to community noise levels. The proposed amendments could not have a significant impact on TRPA's noise thresholds since the proposed amendments do not generate single noise events or increase community noise levels.

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 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"/> |

Discussion:

The proposed amendments will support the reduction of light pollution and glare. The following proposed amendments encourage the reduction of illumination levels on exterior lighting while providing for public safety.

Proposed amendment to Code Section 36.8.1.A requires that exterior lighting shall be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.

Proposed amendment to Code Section 36.8.1.C requires that the addition of Outdoor lighting must serve a functional safety purpose including the illumination of entrances and pathways.

Proposed amendment to Code Section 36.8.2 requires that the placement, including height, of all outdoor lighting shall be appropriate to serve a functional safety purpose. This section requires that exterior lighting utilize cutoff shields that extend below the lighting element to minimize stray light and directed downward with no light emitted above the horizontal plane of the fixture and no splay of light offsite. The proposal also requires that outdoor lighting shall be located to minimize impact on adjacent properties.

Proposed amendment to Code Section 36.8.3 states that outdoor lighting shall not exceed the amount of light required by users. The maximum color temperature of outdoor lighting is limited to 3,000 degrees Kelvin, limiting the impact of exterior lights on dark sky resources.

Proposed amendment to Code Section 36.8.4 requires that commercial outdoor lighting not exceed 2,500 Lumens per light and the total lighting shall not exceed 100,000 Lumens per acre. Commercial uses shall also reduce outdoor lighting to 50 percent or less of operational lighting levels after business hours. While TRPA staff may authorize exceptions for public safety, these new standards will greatly reduce the impact of commercial lighting on light pollution over time.

Proposed amendment to Code Section 2.3.6.A.12 sets a reflectivity limit for rooftop solar panels in scenic areas at 3 percent. This limit is consistent with reflectivity levels already approved in scenic areas. As a result, these new standards will ensure that no new sources of glare are created by rooftop solar panels.

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? | X | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Expand or intensify an existing non-conforming use? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

TRPA must regularly reevaluate use definitions in response to changing development practices and technologies. Often resulting changes effectively codify Code interpretations and existing permitting practices. The amendments propose to expand use definitions for service stations, and vehicle storage and parking to include electric vehicle charging facilities; as well as the definition of power generating facilities to include solar panels. The proposal also includes new Chapter 90 definitions related to solar and electric vehicle charging. While these facilities were not previously listed in the use table or Chapter 90 definitions of the Code of Ordinances, they update the Code to codify existing permitting practice and do not propose changing existing permitting practice.

The proposed amendments do not expand or intensify existing non-conforming uses.

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 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"/> |

Discussion:

The proposed amendments would not change building standards, add uses that consume resources at a greater rate than existing permissible uses, or increase development potential that could deplete resources. The potential impacts on natural resources of any project proposed as a result of these amendments would be evaluated and mitigated if necessary. As a result, the proposed amendments could not have a significant effect on natural resources.

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 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"/> |

Discussion:

Any future project proposed pursuant to the amendment must first be an approved project and compliant with TRPA's building standards. The proposed amendment will not impact emergency evacuation or involve a risk of explosion or releasing hazardous materials.

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 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"/> |

Discussion:

The proposed amendments do not change the amount or distribution of residential development allowed in the Tahoe Region and thus does not alter the location, distribution, or growth rate of residential units planned for the Region or displace residents. The amendments could reduce displacement of low and moderate income residents by requiring that market-rate development deed-restrict a portion of new condominium development.

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 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"/> |

Discussion:

The proposed amendments will not decrease housing or decrease the amount of housing historically or currently being rented at rates affordable by lower and very-low income households in the Region. Rather, the proposed amendments actively support the preservation of existing affordable housing and development of future affordable units. The proposed amendments require a condition that new subdivided structures provide no less than 10 percent of units or at least one unit, whichever is greater, as deed-

restricted affordable and moderate-income housing units, ensuring that at least a portion of housing is provided for the local workforce (Code Section 39.2.5.F). Additionally, the proposed amendment to Section 39.2.3.B incorporates “affordable housing” throughout this section, expanding housing protections for those impacted by the conversion of de facto affordable housing.

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"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Changes to existing parking facilities, or demand for new parking? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Alterations to present patterns of circulation or movement of people and/or goods? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Alterations to waterborne, rail or air traffic? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | <input type="checkbox"/> | X | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The proposed amendments will not increase the daily Vehicle Miles Travelled, the demand for additional parking, impact existing transportation systems, alter waterborne, rail, or air traffic, nor increase traffic hazards. Any alteration to present patterns of circulation or movement of people and/or goods could occur on a temporary basis. The proposed amendment to Code Section 22.7.6 addresses the preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. TRPA staff noted that temporary permit requirements could support reduction of auto trips. Additionally, the proposed amendments add electric vehicle charging to the definition for parking and vehicle storage and adds Section 34.4.1, requiring EV capable spaces in parking lots with 20 spaces or greater, supporting greenhouse gas reduction goals.

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 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"/> |

Discussion:

The proposed amendments will not impact public facilities.

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 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"/> |

Discussion:

The proposed amendments do not add uses, such as industrial uses, that might substantially increase the demand for energy. While electric vehicle charging stations will consume energy, these facilities are already being developed in response to existing demand and will continue to do so with or without the proposed amendments. Rather, the proposed amendments seek to ensure that these facilities are developed appropriately and consistent with the Regional Plan. Proposed standards for solar energy generation could increase the supply of locally generated electricity.

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 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"/> |

Discussion:

The proposed code amendment 34.4.1 encourages new development or redevelopment involving parking lot grading with 20 or more parking spaces to make 20% of parking spaces capable of supporting electric vehicle charging. An electrical load calculation shall demonstrate that the electrical panel service capacity and electrical system including any on-site distribution transformer(s) have sufficient capacity and would not result in the need for additional public utilities. Thus, the proposed amendments will not result in the need for any new or altered utility systems.

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 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 amendments will not create any health hazard or expose people to potential hazard.

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 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"/> |

Discussion:

The proposed amendments would not change scenic standards that could lead to changes or a significant adverse impact on scenic resources or community design. Any future project proposed pursuant to the amendment must first be an approved project and compliant with TRPA's scenic standards and thresholds. Instead, the proposed amendments include specific requirements aimed at protecting scenic resources and community design.

Proposed amendment to Code Section 2.3.6.A.12 applies a qualified exemption of the installation of rooftop or parking lot photovoltaic (PV) systems. The rooftop PV systems cannot intrude into setback standards, exceed heights greater than allowed in Code Chapter 37, must meet reflective standards, and must abide by the scenic threshold standards when within a Scenic Travel Corridor, the shoreland, or visible from Lake Tahoe. This section specifically requires that solar panels meet a 3% reflectivity rating in scenic areas, providing a clear threshold for enforcing scenic requirements, consistent with current interpretations of the thresholds and Regional Plan.

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 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"/> |

Discussion:

The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. No impact to recreation facilities, except to encourage usage of alternative modes of transportation. The proposed amendments would not have an adverse negative impact on recreation and may benefit recreation events by reducing associated traffic.

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 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"/> |

Discussion:

The proposed amendments would not change protections for historic resources or lead to greater burdens on known archaeological or historic resources. Additions, modifications, or demolition of structures greater than 50 years old requires review for historic significance under the TRPA Code. The proposed amendments do not alter that requirement. The proposed amendments could not have a significant impact on archaeological or historic resources.

II. 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 checked="" 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 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?) | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The proposed amendment will have no significant impact.

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:



| | | |
|-------------------------------------|---------------|-------------|
| Michelle Brown | at | 3/14/2024 |
| Person preparing application | County | Date |

Applicant Written Comments:

The proposed amendments to the Code of Ordinances build on a robust stakeholder process and adapt TRPA’s implementing regulations to better achieve the goals, policies, and actions of the Sustainability Action Plan and Regional Plan. The amendments do not have the potential to degrade the environment and instead apply national best practices for the climate resilience planning to facilitate “climate smart” development choices, including the transition from fossil fuels to alternative fuels and local energy production. These amendments take a long-range view of the region’s climate resilience and affordable housing needs and cumulatively increase regional resilience. Finally, the amendments will cause no direct or indirect human harm and may result in reduced displacement, fewer vehicle trips and greater resilience, reducing harm overall and in the long-term.

TRPA staff recommend approval of the proposed amendments.

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 3/14/2024

Associate Long Range Planner
Title of Evaluator

Attachment D
Compliance Measures Checklist

Compliance Measures Affected by the

| 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 amendments will not impact the BMP implementation program for water quality and SEZs. |
| 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 amendments will not impact capital improvements for erosion control. |
| 6 | Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ | N | The proposed amendments do not impact 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 | No change to effluent discharge. |
| 8 | Limitations on new subdivisions: (See the Goals and Policies: Land Use Element) | WQ, Soils/SEZ, Rec, Scenic | N | No impact on subdivision limitation. |

Compliance Measures Affected by the

| Tracking Number | 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 will not impact land use planning and controls. The proposed amendments increase housing opportunities by adding additional mixed-use design standards and mitigation measures to include affordable housing needs through the subdivision process. This will expand options for residential development within Town Centers and could increase the likelihood of achieving walkable, bikeable communities. |
| 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 | No change to residential development priorities or IPES. |
| 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 expand the list of eligible uses for transfer of land coverage to include solar energy generation and electric vehicle charging facilities. The proposed amendments encourage installation on existing coverage and transfer the minimum amount necessary for the facility. No change to limits on land coverage for new development. |
| 12 | Transfer of development: Goals and Policies: Land Use Element and Implementation Element | WQ, Soils/SEZ | N | The proposed amendments do 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 proposed amendments will not alter existing restrictions on SEZ encroachment or vegetation alteration. |
| 14 | SEZ restoration program: Environmental Improvement Program. | WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic | N | No changes to the SEZ restoration program are proposed with the amendment. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|---|------------------------------------|--------------------------|---|
| 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 proposed amendments. No changes are proposed. |
| 16 | Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Fish, Rec | N | The proposed amendments will not alter or change the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. |
| 17 | Water quality mitigation: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ | N | The proposed amendments will not alter or change the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. |
| 18 | Restrictions on rate and/or amount of additional development | WQ, Soils/SEZ, Wildlife, Scenic | N | The proposed amendments require newly subdivided structures to provide no less than 10 percent of units or at least one unit, whichever is greater, as deed-restricted affordable and moderate-income housing units. Also, the proposed amendments incorporate “affordable housing” into the 1 to 1 ratio replacement requirement, expanding housing protections for those impacted by the conversion of de facto affordable housing. No changes to the rate of development are proposed with these amendments. |
| 19 | Improved BMP implementation/enforcement program | WQ, Soils/SEZ | N | The proposed amendments will not impact the BMP implementation or enforcement program for water quality and SEZs. |
| 20 | Increased funding for EIP projects for erosion and runoff control | WQ, Soils/SEZ | N | The proposed amendments do not increase funding for EIP erosion and runoff control projects but may help to accelerate implementation. No changes are proposed with these amendments. |
| 21 | Artificial wetlands/runoff treatment program | WQ, Soils/SEZ | N | The proposed amendments do not alter the artificial wetlands/runoff treatment program. No changes are proposed with these proposed amendments. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|---|-------------------------------|--------------------------|--|
| 22 | Transfer of development from SEZs | WQ, Soils/SEZ, Scenic | N | The proposed amendments maintain the RPU's incentives to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas. No changes are proposed with these proposed amendments. |
| 23 | Improved mass transportation | WQ, Trans, Noise | N | The proposed 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 | Y | The proposed amendments encourage redevelopment within a Town Center and within close proximity to services and transit. This will expand options and could increase the likelihood of achieving walkable, bikeable communities. |
| 25 | Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65 | WQ, AQ | N | The proposed amendment will not impact water quality, soil or SEZ protection measures related to utilities. |
| 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 | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|---|---|--------------------------|--|
| 33 | BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, AQ | N | The proposed amendment will not impact water quality, soil or SEZ protection measures related to transportation, recreation, livestock, or pesticides. |
| 34 | Reporting requirements, highway abrasives and deicers: Goals and Policies; Land Use Element and Code of Ordinances 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 | |
| 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 | |
| 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 | No impact to land use planning controls. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments | |
|---|---|---------------------------------------|--------------------------|---|---|
| 42 | Control of encroachment and coverage in sensitive areas | WQ, Soils/SEZ, Wildlife, Rec, Scenic | N | No change to control of encroachment and coverage in sensitive areas. | |
| 43 | Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83 | WQ, Soils/SEZ, Scenic | N | The proposed amendments will not make any new changes to existing programs. | |
| 44 | BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ | N | | |
| 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 proposed amendments create a qualified exemption for rooftop solar. This QE will not impact water quality, soils, or SEZ protections. |
| WATER QUALITY/SEZ - SUPPLEMENTAL | | | | | |
| 52 | More stringent SEZ encroachment rules | WQ, Soils/SEZ, Wildlife, Fish | N | The proposed amendments will not add or alter any restrictions, controls or programs in Compliance Measures 52 though 61. | |
| 53 | More stringent coverage transfer requirements | WQ, Soils/SEZ | N | | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|---|-------------------------------|--------------------------|----------|
| 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 | |
| 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 proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. No impact to transportation services or facilities, except to encourage usage of alternative modes of transportation. |
| 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 | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|---|-------------------------------|--------------------------|--|
| 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 | No impact to mail service delivery. |
| 77 | Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65 | WQ, AQ, Trans | N | No change to air or water quality controls related to Compliance Measures 77 through 78. |
| 78 | Idling Restrictions: <i>Code of Ordinances</i> Chapter 65 | WQ, AQ | N | |
| 79 | Vehicle Emission Limitations(State/Federal) | WQ, AQ | N | No change to vehicle emissions limitations. |
| 80 | Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65 | WQ, AQ, Scenic | N | No change to burning controls. |
| 81 | BMP and Revegetation Practices | WQ, AQ, Wildlife, Fish | N | No impact on BMP's for water quality or revegetation practices. |
| 82 | Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65 | Trans | N | No impact on employer-based trip reduction or vehicle rental programs. |
| 83 | Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65 | Trans | N | |
| 84 | Parking Standards | Trans | N | The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. No impact to parking and transportation management, except to encourage usage of alternative modes of transportation. |
| 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 | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|--|-------------------------------|--------------------------|--|
| 91 | Waterborne excursions | WQ, Trans, Rec | N | The proposed amendments set standards to facilitate appropriate development of electric vehicle charging infrastructure. |
| 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 | Y | |
| 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 | The proposed amendments require preparation of a transportation plan in conjunction with a temporary use permit for an event having the potential for more than 500 attendees. The plan must include strategies to reduce automobile traffic and encourage the use of alternative modes of travel, such as bicycles, shuttle services, or rideshare. The proposed amendments will not change or impact existing air quality or transportation policies, programs or services except to encourage alternative modes. |
| 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 | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|--|-------------------------------|--------------------------|----------|
| 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 | |
| 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 | No impact on vegetation protection. |
| 128 | Tree Removal: <i>Code of Ordinances</i> Chapter 61 | Veg, Wildlife, Scenic | N | No impact to vegetation management. |
| 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 | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|---|--------------------------------------|--------------------------|--|
| 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 | No change to remedial action plans. |
| 134 | Handbook of Best Management Practices | WQ, Soils/SEZ, Veg, Fish | N | No change to BMP handbook. |
| 135 | Shorezone protection | WQ, Soils/SEZ, Veg | N | The proposed amendments will not make any new changes to shorezone protection. |
| 136 | Project Review | WQ, Veg | N | The proposed amendments do not change the permit review process or compliance requirements for the issuance of a permit. |
| 137 | Compliance inspections | Veg | N | |
| 138 | Development Standards in the Backshore | WQ, Soils/SEZ, Veg, Wildlife, Scenic | N | The proposed amendments will not make any changes to backshore development standards. |
| 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 standards. |
| 140 | Grass Lake, Research Natural Area | WQ, Veg, Wildlife, Fish, Scenic | N | The proposed amendment does not impact the Grass Lake Research Area. |
| 141 | Conservation Element, Vegetation Subelement: Goals and Policies | Veg, Wildlife, Fish | N | No change to the conservation element, vegetation subelement. |
| 142 | Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61 | Veg, Wildlife, Fish | N | No impact on LSOG or SEZ vegetation. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|----------------------------------|--|---|--------------------------|--|
| 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 impact on Tahoe Yellow Cress Conservation Strategy. |
| 145 | Control and/or Eliminate Noxious Weeds | Veg, Wildlife | N | No impact on noxious weed control or elimination. |
| 146 | Freel Peak Cushion Plant Community Protection | Veg | N | No impact to Freel Peak Cushion Plant protection. |
| VEGETATION - SUPPLEMENTAL | | | | |
| 147 | Deepwater Plant Protection | WQ, Veg | N | No impact to deepwater plant protection. |
| WILDLIFE - IN PLACE | | | | |
| 148 | Wildlife Resources: <i>Code of Ordinances</i> Chapter 62 | Wildlife, Noise | N | No impact to wildlife resources. |
| 149 | Stream Restoration Program | WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic | N | No change to stream restoration program. |
| 150 | BMP and revegetation practices | WQ, Veg, Wildlife, Fish, Scenic | N | No impact to BMP or revegetation practices. |
| 151 | OHV limitations | WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec | N | No change to OHV limitations. |
| 152 | Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5 | Wildlife | N | No change to remedial action plans. |
| 153 | Project Review | Wildlife | N | The proposed amendments do not change the permit review process or compliance requirements for the issuance of a permit. |
| FISHERIES - IN PLACE | | | | |
| 156 | Fish Resources: <i>Code of Ordinances</i> Chapter 63 | WQ, Fish | N | No impact on fish resources. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-----------------|--|-------------------------------|--------------------------|---|
| 157 | Tree Removal: <i>Code of Ordinances</i> Chapter 61 | Wildlife, Fish | N | No impact on tree removal. |
| 158 | Shorezone BMPs | WQ, Fish | N | The proposed amendment will not make any changes to standards for new shorezone structures. |
| 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 impact to SEZ encroachment or vegetation. |
| 162 | SEZ Restoration Program | WQ, Soils/SEZ, Fish | N | No change to SEZ restoration program. |
| 163 | Stream restoration program | WQ, Soils/SEZ, Fish | N | No impact on stream or riparian restoration programs. |
| 164 | Riparian restoration | WQ, Soils/SEZ, Fish | N | |
| 165 | Livestock: <i>Code of Ordinances</i> Chapter 64 | WQ, Soils/SEZ, Fish | N | No impact to livestock management practices. |
| 166 | BMP and revegetation practices | WQ, Fish | N | No impact on BMP or revegetation. |
| 167 | Fish habitat study | Fish | N | No change to fish habitat study. |
| 168 | Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5 | Fish | N | No impact on remedial action plans. |
| 169 | Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86 | Fish | N | No change to mitigation fee requirements. |
| 170 | Compliance inspection | Fish | N | No change to compliance inspections. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|-------------------------|---|-------------------------------|--------------------------|---|
| 171 | Public Education Program | Wildlife, Fish | N | No impact to Public Education Program. |
| NOISE - IN PLACE | | | | |
| 172 | Airport noise enforcement program | Wildlife, Fish | N | No change to noise 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 | No change to vehicle restrictions. |
| 176 | Snowmobile Restrictions | WQ, Wildlife, Noise, Rec | N | |
| 177 | Land use planning and controls | Wildlife, Noise | N | No change to land use planning or controls. |
| 178 | Vehicle trip reduction programs | Trans, Noise | N | No change to vehicle trip reduction programs. The proposed amendments encourage the use of alternative modes of transportation. |
| 179 | Transportation corridor design criteria | Trans, Noise | N | No change to transportation corridor design criteria. |
| 180 | Airport Master Plan South Lake Tahoe | Trans, Noise | N | No impact on Airport Master plan. |
| 181 | Loudspeaker restrictions | Wildlife, Noise | N | No change to loudspeaker restrictions. |
| 182 | Project Review | Noise | N | The proposed amendments do not change the permit review process or compliance requirements for the issuance of a permit. |
| 183 | Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68 | Noise | N | No change to complaint system. |
| 184 | Transportation corridor compliance program | Trans, Noise | N | No change to noise limitations or compliance programs. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|----------------------------------|--|-------------------------------|--------------------------|--|
| 185 | Exemptions to noise limitations | Noise | N | |
| 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 | No impact to interagency noise enforcement MOU. |
| RECREATION - IN PLACE | | | | |
| 189 | Allocation of Development: <i>Code of Ordinances</i> Chapter 50 | Rec | N | No impact to allocation of development. |
| 190 | Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14 | Rec, Scenic | N | No change to master plan guidelines. |
| 191 | Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81 | WQ, Noise, Rec | N | No change to permissible recreation uses in shorezone or lakezone. |
| 192 | Public Outdoor recreation facilities in sensitive lands | WQ, Rec, Scenic | N | No impact to outdoor recreation facilities on sensitive lands. |
| 193 | Hiking and riding facilities | Rec | N | No impact to hiking or riding facilities. |
| 194 | Scenic quality of recreation facilities | Rec, Scenic | N | The amendment will not alter the existing scenic quality of recreation facilities. |
| 195 | Density standards | Rec | N | No change to density standards. |
| 196 | Bonus incentive program | Rec | N | No change to bonus incentive program. |
| 197 | Required Findings: <i>Code of Ordinances</i> Chapter 4 | Rec | N | No change to required findings. |
| 198 | Lake Tahoe Recreation Sign Guidelines | Rec, Scenic | N | No change to recreation sign guidelines. |
| 199 | Annual user surveys | Rec | N | No impact to annual user surveys. |
| RECREATION - SUPPLEMENTAL | | | | |
| 200 | Regional recreational plan | Rec | N | No impact to regional recreation plan. |
| 201 | Establish fair share resource capacity estimates | Rec | N | No change to resource capacity. |
| 202 | Reserve additional resource capacity | Rec | N | |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------------|---|-------------------------------|--------------------------|--|
| 203 | Economic Modeling | Rec | N | |
| SCENIC - IN PLACE | | | | |
| 204 | Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2 | Scenic | Y | The proposed amendments add rooftop solar installations as a qualified exempt activity conditional on the specific scenic requirements including color and reflectivity standards. |
| 205 | Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30 | WQ, Scenic | N | No change to coverage limitations. |
| 206 | Height Standards: <i>Code of Ordinances</i> Chapter 37 | Scenic | N | No change to height standards. |
| 207 | Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34 | Trans, Scenic | N | No change to driveway parking standards. |
| 208 | Signs: <i>Code of Ordinances</i> Chapter 38 | Scenic | N | No impact on sign regulations. |
| 209 | Historic Resources: <i>Code of Ordinances</i> Chapter 67 | Scenic | N | No impact on historic resources. |
| 210 | Design Standards: <i>Code of Ordinances</i> Chapter 36 | Scenic | N | No change to design standards. |
| 211 | Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83 | Scenic | N | No change to development standards. |
| 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 | No impact on grading standards or vegetation protection. |
| 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 | No impact on revegetation. |
| 216 | Design Review Guidelines | Scenic | N | The amendment will not alter the existing scenic quality or impact design review guidelines. |

Compliance Measures Affected by the

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|------------------------------|--|-------------------------------|--------------------------|--|
| 217 | Scenic Quality Improvement Program(SQIP) | Scenic | N | The proposed amendments do not alter the project review packet, SQIP, or 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 | No impact to Nevada-side Utility Line Undergrounding Program. |
| SCENIC - SUPPLEMENTAL | | | | |
| 221 | Real Time Monitoring Program | Scenic | N | No change to real time monitoring program. |
| 222 | Integrate project identified in SQIP | Scenic | N | No impact to SQIP. |

STAFF REPORT

Date: April 17, 2024
To: TRPA Regional Planning Committee
From: TRPA Staff
Subject: Updates to Environmental Threshold Carrying Capacities (Threshold Standards)

Summary and Staff Recommendation

TRPA staff and partners continuously work to incorporate the latest science and best practices to improve natural resource management in Tahoe. The presentation will cover proposed modifications to threshold standards in three focus areas; 1) Stream Environment Zone (SEZ) restoration, 2) Aquatic Invasive Species control, and 3) Tahoe Yellow Cress conservation. Staff seeks Regional Plan Committee (RPC) discussion and feedback on the proposal and for the RPC to recommend that the TRPA Governing Board approve the proposed modifications.

Required Motions:

In order to recommend approval of the requested action, the Regional Planning Committee 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 the adoption of Ordinance 2024-___, amending Ordinance 2019-02 (Attachment A-Exhibit 1), updates to the threshold standards for 1) Stream Environment Zone (SEZ) restoration, 2) Aquatic Invasive Species control, 3) Tahoe Yellow Cress conservation, and the correction of the typographic error in threshold standard VP22.

In order for the motion(s) to pass, a majority of the members present is required.

Advisory Planning Commission Recommendation

On March 10, 2024, the Advisory Planning Commission (APC) voted unanimously to recommend the adoption of the proposed threshold standards as presented in Attachment A - Exhibit 1, subject to two modifications that have been incorporated into the exhibit.

- 1) The addition of "a minimum of" to the proposed SEZ restoration standard to clarify that restoration above 88% would be consistent with standard attainment.

- 2) Correction of a typo in VP22, which listed the scientific name of Galena Creek rockcress, as “Arabis rigidissima var. demote.” The proper spelling is Arabis rigidissima var. demota.

Threshold Update Initiative Stakeholder Working Group Recommendation

The Threshold Update Initiative Stakeholder Working Group recommended the adoption of the proposed threshold standards 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 developed 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 changes being considered today 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.

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 peer review of the

2015 Threshold Evaluation highlighted the shortcoming of 40 years of tracking only the area of SEZ restored in the region; “In summary, the present approach to evaluating the condition and the improvement in SEZs is an overly blunt instrument with no apparent scientific basis beyond “more is better” (Hall et al. 2016).” In addition, the current standards contain multiple undefined terms and lack an accepted baseline against which the standard can be assessed. To address these issues, partners developed the SEZ condition index which integrates size and condition, to provide a single integrated value to assess SEZ in Tahoe. In 2020 partners completed the baseline assessment, compiling condition assessments for 98% of the meadows, marshes, wetlands, and fens in the region. That assessment is used as the baseline to establish the new target.

Proposed Standard:

Enhance the quality and function of meadows and wetlands from 79% to a minimum of 88% of the regional possible SEZ condition index score.

Aquatic Invasive Species Control

Controlling and eradicating Aquatic Invasive Species (AIS) in the Lake Tahoe Region is a top priority of the EIP. The proposed modifications to the AIS control threshold standards replace six aspirational statements with two ambitious and quantifiable goals. The first standard establishes a goal of no active plant infestations outside the Tahoe Keys, and the second establishes the goal of a minimum of a 75% reduction in the annual average abundance of invasive aquatic plants within the Tahoe Keys. The first standard establishes the goal that all aquatic invasive plant infestations in the Lake be in the surveillance management category. The goal aligns with the management categories that are utilized by the Lake Tahoe Aquatic Invasive Species Coordinating Committee and the intent to continue long-term management of aquatic invasive species. The second proposed standard establishes the target identified by the scientific and collaborative planning process of the Tahoe Keys Control Methods Test as a threshold standard.

Proposed Standards:

1. No active aquatic invasive plant infestations in Lake Tahoe, adjacent wetlands, and tributaries, not including the Tahoe Keys.
2. Reduce average aquatic invasive plant abundance in the Tahoe Keys by a minimum of 75% from the 2021 baseline year.

Tahoe Yellow Cress

Tahoe Yellow Cress (*Rorippa subumbellata*) is only found within the shorezone of Lake Tahoe. Systematic lake-wide surveys of its habitat began in 1979. The current threshold standard of 26 sites was based on the first three years of survey data from approximately 34 sites during 1979-1981. A conservation strategy was first developed for the species in 2002 and later updated in 2015. 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 and align 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).

Contact Information

For questions regarding this item, please contact Dan Segan, Chief Science and Policy Advisor, at dsegan@trpa.gov or (775) 589-5233.

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. 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
Ordinance

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024 – ___

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 to Attachment A

Proposed new threshold standards

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) 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).

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:

¹ See attachment A

- 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 a minimum of 88% of the regional possible SEZ condition index score

AIR QUALITY

CARBON MONOXIDE

NUMERICAL STANDARD

- 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 (NOx) emissions at or below the 1981 level.

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

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 $50 \mu\text{g}/\text{m}^3$ measured over a 24-hour period in the portion of the Region within California, and maintain Particulate Matter₁₀ at or below $150 \mu\text{g}/\text{m}^3$ 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 $20 \mu\text{g}/\text{m}^3$ in the portion of the Region within California, and maintain Particulate Matter₁₀ at or below annual arithmetic average of $50 \mu\text{g}/\text{m}^3$ 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.
- AQ11) Particulate Matter_{2.5} 24-hour Standard - Maintain Particulate Matter_{2.5} at or below $35 \mu\text{g}/\text{m}^3$ 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 $12 \mu\text{g}/\text{m}^3$ in the portion of the Region within California and maintain Particulate Matter_{2.5} at or below annual arithmetic average of $15 \mu\text{g}/\text{m}^3$ in the portion of the Region within Nevada. Particulate Matter_{2.5} measurements shall be made

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.

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.
- 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.

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.

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:

| Lake Level (feet of elevation) | Occupied survey sites |
|--------------------------------|-----------------------|
| Low (<6,225) | 35 |
| Transition (6,225- 6,227) | 26 |
| High (>6,227) | 20 |

- VP22) Maintain a minimum of 7 *Arabis rigidissima v. demota* 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
- 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.

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 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.

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.
- 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 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.

⁹ See attachment C

¹⁰ See attachment D

¹¹ See attachment E

¹² See attachment F

¹³ See attachment G

¹⁴ See attachment H

Attachment B

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

**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.

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.



TRPA Executive Director/Designee

April 2, 2024

Date

Attachment C

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 VIIIIf) | <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 1a) | <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 1b) | <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 1c) | <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

