

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

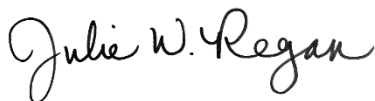
NOTICE IS HEREBY GIVEN that on **Wednesday, August 23, 2023**, commencing **no earlier than 9:45 a.m.**, at the **North Tahoe Events Center, 8318 N. Lake Boulevard, Kings Beach, CA**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

NOTICE IS HEREBY GIVEN that on **Wednesday, August 23, 2023**, commencing **no earlier than 1:30 p.m.**, members of the **Governing Board and Advisory Planning Commission** are invited to attend a walking tour of the Kings Beach Town Center Area at the conclusion of the Governing Board meeting. **The field tour will start with a short presentation at the North Tahoe Events Center, 8318 N. Lake Boulevard, Kings Beach, CA.**

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 3 of this Agenda.

NOTICE IS FURTHER GIVEN that on **Wednesday, August 23, 2023**, commencing **8:30 a.m.**, at **North Tahoe Events Center**, the **TRPA Regional Plan Implementation Committee** will meet. The agenda will be as follows: **1) Approval of Agenda; 2) Approval of Minutes; (Page 7) 3) Discussion and Possible Recommendation for approval of the Proposed Amendments to the Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, 90, Rules of Procedure Articles 5, 10, 12, 16, and Fee Schedule Introduction, Multipliers, Schedules A-J, Mitigation Fees, and Shorezone Mitigation Fees in support of permitting process improvements (possible action); (Page 301) 4) Informational presentation on the proposed amendment to the Washoe County Tahoe Area Plan to add "Schools – Kindergarten through Secondary" as a permissible land use (as a special use) within the Wood Creek Regulatory Zone, for those parcels equal to or greater than three acres in size; (Page 435) 5) Upcoming Topics; 6) Committee Member Comments Chair Hoenigman, Vice Chair – Diss, Aldean, Gustafson, Hill, Settlemeyer 7) 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: PostOffice, 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 | |
| | |
| North Tahoe Events Center | August 23, 2023 |
| 8318 N. Lake Boulevard, Kings Beach, CA | No earlier than 9:45 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.

Members of the public may email written public comments to the Clerk to the Board, mambler@trpa.gov. All public comments 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 (3 minutes for individuals and group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for participants will be permitted by the ceding of time to others. Written comments are welcome. In the interest of efficient meeting management, the Chairperson reserves the right to limit the duration of each public comment period to a total of 1 hour. All written comments will be included as part of the public record. Public comment will be taken for each appropriate 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.

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance. The Governing Board agenda and staff reports will be posted at <https://www.trpa.gov/governing-board-documents-august-23-2023/> no later than 7 days prior to the meeting date. Any member of the public with questions prior to the meeting may contact Marja Ambler, mambler@trpa.gov or call (775) 589-5287. On meeting day please contact TRPA admin staff at virtualmeetinghelp@trpa.gov or call (775) 588-4547.

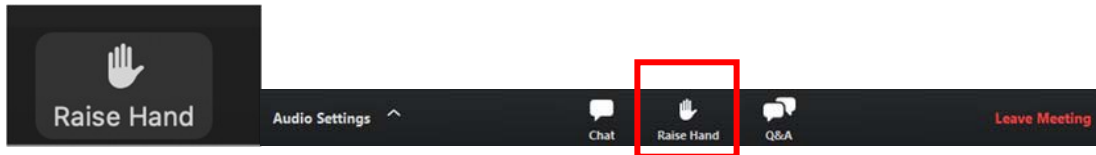
Zoom Webinar - Public Participation

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
 - June 28, 2023 Governing Board Minutes **Page 31**
 - July 26, 2023 Governing Board Minutes **Page 73**
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VI. PLANNING MATTERS
 - A. State Route 28 Corridor Plan Implementation: Chimney Beach Trailhead Parking Lot Improvements **Possible Action** **Page 179**
 - B. Update on the development of a Climate Resilience Dashboard for the Tahoe Region **Informational Only** **Page 219**
 - C. Update to the 2018 Linking Tahoe: Active Transportation Plan **Informational Only** **Page 289**
- VII. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - 1) Tahoe In Brief – Governing Board Monthly Report **Informational Only** **Page 291**
 - 2) Recap of the 2023 Annual Lake Tahoe Summit **Informational Only**
 - B. General Counsel Status Report **Informational Only**
- VIII. GOVERNING BOARD MEMBER REPORTS
- IX. COMMITTEE REPORTS
 - A. Local Government & Housing Committee **Report**
 - B. Legal Committee **Report**
 - C. Operations & Governance Committee **Report**
 - D. Environmental Improvement, Transportation, & Public Outreach Committee **Report**

E. Forest Health and Wildfire Committee **Report**

F. Regional Plan Implementation Committee **Report**

X. 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.

XI. ADJOURNMENT

TRPA CONSENT CALENDAR

| <u>Item</u> | <u>Action Requested</u> |
|--|--|
| 1. Tahoe City Public Utility District and Tahoe Cross Country Ski Education Association, Recreation Cross Country Ski Lodge Modification, 3001 Polaris Road, Tahoe City, California, TRPA File Number ERSP2018-0878, Assessor's Parcel Numbers (APNs) 093-600-001, 093-160-036 & 093-160-064 | Action/Approval <u>Page 125</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; John Friedrich, 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; Open, California Senate Rules Committee Appointee.

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLAN IMPLEMENTATION COMMITTEE

TRPA/Zoom

May 24, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hoenigman called the meeting to order at 9:33 a.m.

Members present: Ms. Aldean, Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Settelmeyer (10:26 a.m.)

I. APPROVAL OF AGENDA

Mr. Hoenigman deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Aldean provided Ms. Ambler with her minor clerical edits and made a motion to approve the March 22, 2023, minutes as amended.

Motion carried – voice vote.

- III. Informational Presentation on proposed amendments to the City of South Lake Tahoe's Tahoe Valley Area Plan and Tourist Core Area Plan that would expand housing opportunities and community equity by increasing density allowances and establishing minimum densities in town centers, allowing more housing types such as employee housing, shared housing, and group home facilities, improvements to residential design standards to help streamline project review, and policies to support town center revitalization using special events, coverage exemptions, and CFA policy clarifications. Additionally, amendments would increase consistency with recently amended TRPA regulations and state regulations regarding accessory dwelling units and density bonuses for affordable housing.

Mr. Hester said today collectively between the City of South Lake Tahoe, the Climate Smart Amendments, and the Mixed-use discussion, you'll hear 10 to 12 topics ranging from residential density, mixed-use, floor area ratio, housing, land use, parking, complete streets, electrical vehicle charging, etc. Some will be mentioned by one group, and some will be mentioned by two or three of the presentations. One of the points is that when they adopted the amendments to the Regional Plan in 2012, at the request of the local governments they started to put the concept of area plans together for them to development plans in their own jurisdictions. One of the things they are seeing today is now we would have good ideas coming up through the local governments through their area plans as well as ideas from TRPA's work. You'll see ideas coming from both places and after all three presentations and at the end ask Mr. Hoenigman to summarize the suggestions that the committee feel are important from the presentations.

Ms. Bettinger introduced the item and the City of South Lake Tahoe staff Anna Kashuba and Madison Dederick.

Ms. Bettinger said area plans were first introduced as part of the 2012 Regional Plan Update and are a critical component of Regional Plan implementation. They bring Regional Plan concepts and strategies down to the local level and allow adaptation of regulations to fit the local context. Currently, the City of South Lake Tahoe has two area plans. The Tahoe Valley Area Plan was first approved by the Governing Board in 2015 and encompasses the area known as the Y. It has a lot of commercial and tourist, residential on the south end of town. The Tourist Core Area Plan was approved by the Governing Board in 2013. That area encompasses the Stateline, Ski Run area.

There are a number of policies in the packet but in general the City's area plan amendments focus updating policies that would support workforce housing, economic development, and revitalization of town centers and improving transportation options. The purpose of today's presentation is to gather input from the committee on the conceptual policy changes before City staff make changes to the area plan document and environmental review. Those redline changes and environmental document will be submitted to TRPA for review of conformance with the Regional Plan and Code of Ordinances. If any inconsistencies that have regional implications outside of the city limits, staff would recommend that those proposals would not be approved when those amendments come through the formal adoption process through the Regional Plan Implementation Committee, the Advisory Planning Commission, and the Governing Board. The City anticipates that will begin in the fall. There will be one presentation for both agenda items.

Ms. Dederick said her focus today will be on the Tourist Core Area Plan. Ms. Kashuba is taking the lead on the Tahoe Valley Area Plan. The presentation will cover changes to both area plans and unless otherwise noted the proposed changes are applicable to both.

Ms. Dederick said area plans are comprehensive land use planning documents that provide specific development objectives and standards. They allow for planning with greater flexibility on a community scale along with providing a framework for increase in redevelopment and property investment. In terms of the City and TRPA it also creates a central permitting mechanism.

The Tourist Core Area Plan is a central destination, provides full services for both tourists and permanent residents. The idea is to create a sustainable outdoor tourism recreational destination with active streetscapes with shopping, entertainment, and outdoor dining opportunities. In addition, focus on transit and alternative travel is an essential part of the envisioned destination.

Some of the implementation that has occurred on the Tourist Core Area Plan to date guide implementation and provide development standards and incentives. Some examples of the private development are the Hampton Inn, Desolation Hotel, and the Bijou Marketplace. They also promote area wide stormwater infrastructure such as the Highway 50/Wildwood area, the Bijou Park Creek Stream Environment Zone Restoration.

(presentation continued)

Ms. Kashuba said some key points from the vision statement for the Tahoe Valley Area Plan are to provide a healthy balance of commerce, employment, entertainment, and livability. To encourage retail businesses and services that meet local needs, encourage local ownership, and appeal to visitors seeking to mix with the local community. This area is tailored to local residents' needs. Lastly, to welcome visitors entering the city from the scenic corridors of Highway 50 and State Route 89. A

previous amendment was made to this area plan in 2021, this was related to Sugar Pine Village. These changes are coverage transfer, roof pitch and height, corner build standards, and parking reduction that were made on both the city and TRPA and applied to the project through a waiver received by the state for affordable housing projects. During this round of amendments, they intend to implement these changes.

Some of improvements made to the Tahoe Valley Area Plan under the current policies and strategies are shown in slide 6. In red is the private development, there is a gym, health center, housing and mixed-use projects. There were also transportation and circulation improvements which included additional striping and indicators for bike lanes. Repaving and new bike trails and stream environmental zone restoration programs, and water quality improvements such as the airport to the Y, the Y to Trout Creek, and Y to Cascade Road. Most of these include the installation of shoulders to the street as well as bike paths, curbs and gutters to help with water quality improvements.

Ms. Dederick said to this point, staff has successfully implemented the area plans that are currently established. These current amendments are looking to implement the City's housing element policies, incentivize transportation and connectivity, increase consistency with state laws regarding housing and parking. Explore ways to activate the town centers and general improvement and code corrections.

In February, they had both a stakeholder workshop and a Planning Commission workshop where they received feedback on the same topics that will be presented today. Based on that feedback there were some changes made. The Tahoe Valley Area Plan has been presented and received feedback from the City Council. The Tourist Core Area Plan was originally going to be presented but was continued to the June 6 meeting.

Ms. Kashuba said a large goal of these amendments is to increase residential opportunities. The first area they are looking at to achieve that goal is through the residential densities. They are looking at increasing the maximum density to around 65 which was the original number. Based on previous feedback received there is interest in going beyond that. They are also looking at setting a minimum standard of eight units per acre. This would help prevent underutilization of properties that are close to amenities and transportation. It also can help shift to a more affordable by design. Residential units that are naturally smaller in size due to having more on the parcel. Last year, they adopted the accessory dwelling unit ordinance that will be applicable to the area plans. They are also considering the level of review for residential projects. Currently, projects that require bonus units are put through a longer review process with additional review before approval. This is inequitable and an additional requirement for affordable projects that market rate projects do not have. The goal of the City of South Lake Tahoe and state of California is to streamline permitting for affordable projects. Also, the exploration of mitigation for the loss of residential units. This could be prohibiting redevelopment to lower densities or requiring a fee for lost units to ensure that we are not losing housing in the basin. The City Council is in discussion regarding an inclusionary housing ordinance that would apply to the area plans and would be a requirement for residential projects to include a certain percentage that are either sold or rented at affordable levels.

They are considering changing some of the use definitions. One of the goals is to create consistency between areas that allow multi-person, employee housing, and multi-family housing. From a land use perspective these uses function in very similar ways. It's odd that there is an inconsistency with where they are allowed. They are looking at expanding the general retail and personal service category to include health and athletic clubs, day spas, and funeral parlors. They are also looking to consolidate

the two existing uses, amusement and recreation, assembly and entertainment into one category. There is extensive overlap between the characteristics between these categories. One approach would be to combine those two categories, but they do understand that being a broad category sometimes allows for very different projects to fall within there. They are also exploring within that category having a capacity threshold. Projects that are over a certain capacity such as noise, parking, and traffic implications would require a higher level of review such as a special use permit.

Ms. Dederick said revitalization and economic development is an area they want to target. First, would be to allow advertising for accessory uses. Currently, accessory uses such as a restaurant with a hotel that are not allowed to advertise. The change would be to allow advertising for accessory uses. However, the overall signage would not change and be subject to existing maximum sign areas and number of allowed signs.

Next item to target is the commercial design standards and making them more objective and aligned with state requirements. Some of these things will be requiring design elements, building modulation. Just for the Tourist Core Area Plan they are looking to increase the height from 56 feet to 65 feet in the mixed-use district. This would be to accommodate a mixed-use project with a pitched roof design. This comes from project modeling of 3900 Lake Tahoe Boulevard and making it feasible with a certain amount of density.

Part of the same economic development is outdoor dining and commercial floor area will be addressed. It will target activating the streetscapes. One of the big things is creating consistency between commercial floor area requirements for outdoor seating versus outdoor dining. Outdoor seating does not require commercial floor area whereas outdoor dining does require commercial floor area. In addition, they want to develop standards that would allow outdoor dining up to potentially designated maximum amount of square footage that would not be subject to commercial floor area requirements.

Ms. Kashuba said on the traffic and circulation front and how to prepare and allow for a transition from vehicle traffic and personal automobiles to a more active and public transportation landscape. Slide 13 shows suggestions and ideas to help achieve that goal that would offer accommodations for alternative modes of transportation in place of vehicle parking spaces. For example, the first one would be a reduction in parking spaces for right-of-way improvements beyond the project street frontage. Generally, a project is only required to do that sidewalk for the frontage of the parcel width. There could be an opportunity if a developer chose to expand that sidewalk for a parcel or two down to connect with existing infrastructure. Then they would be allowed to reduce the parking spaces by whatever that equivalency is determined to be. The rest of the bullet points on the slide are also suggestions in the same spirit of moving away from the personal automobile.

Ms. Dederick said in a similar context of transportation and circulation accommodating electric vehicles and other sustainable infrastructure is something they are planning to address. They want to encourage improvements to the infrastructure to facilitate electrical vehicles. A lot of this will be reducing constraints related to coverage maximums and transfer requirements, potential exemptions or ministerial mitigation processes.

What you've heard so far are a lot of broad concepts for both of the area plans. Now, they'll move into what's more related to each specific area plan and some of the desired expansions and changes. The first one is an area plan expansion for the Tourist Core. There are two parcels that would be incorporated into the Tourist Center neighborhood mixed-use. Currently, they are both hotels or

motels. They want to incorporate them into this district which would allow the uses to be housing or professional uses, everything else would require either a special use permit or not allowed. The idea of incorporating these two parcels into the area plan is that they would benefit from increases in density and coverage as well as other incentives for redevelopment.

Slide 16. This would not be an expansion of the area plan but a district change. The City currently has a private application for this parcel. In order to consolidate some of their amendments the City has incorporated all pending private amendments into the process. This is the first time this has been presented and would like to receive feedback on it. It is currently zoned as recreation and would be rezoned to the Tourist Center mixed-use. Within the General Plan this is zoned as Tourist Center. The portion being considered is high capability land within a town center. The stream environment zone areas of the parcel next door would not be impacted. The rezoning would allow for residential uses, tourist accommodation uses, general retail, personal services, professional offices, and resource management and open space.

Ms. Kashuba said changes to the Tahoe Valley Area Plan are specifically expansion of the area plan boundaries. The first area between Eloise and James Avenue off Tahoe Keys Boulevard. This was from a private application; it was originally a Plan Area Statement Amendment application. The application was a single parcel to have the permissible uses changed. Having it be part of this broader area plan amendment process allows them to look at it holistically as well as the other parcels in the area. These highlighted parcels shown on Slide 17 are a mix of multi-family, single-family and low intensity commercial uses such as law offices, medical, and dental offices. Staff identified these uses as compatible with the neighborhood professional district. It also would bring some existing uses in this area that are legal nonconforming into conformance.

Slide 18. The second area of consideration is to expand the area plan number two along Melba Drive similar to the reasons for the first area. Incorporating these parcels would allow for legal nonconforming uses to come into compliance as well as redevelopment incentives such as land coverage and density for the multiple parcels in this area that are currently multi-family. Lastly, they are looking at including a new district the focus of which would be for residential development. Most of these parcels are currently in Bonanza Special Area 1 Plan Area Statement which is primarily for single or multi-family dwelling use. Including these parcels in the area plan, however, that list of permissible uses would not significantly change but these parcels would be able to be developed at higher densities and also having the minimum density applied. The majority of these parcels are high capability and are vacant.

Slide 19 shows how the town center could possibly change should these areas be incorporated. The two areas between James and Eloise Avenues and Melba Drive are eligible to be included as a town center however, the residential district is not.

Presentation: <https://www.trpa.gov/wp-content/uploads/RPIC-Agenda-Item-No-3-Tahoe-Valley-Tourist-Core-Tahoe-Valley-Area-Plan-Amendments.pdf>

Committee Comments & Questions

Ms. Aldean referred to the Tahoe Valley Area Plan on page 181, Residential Density where it states that the City is requesting that the allowed density bonus reference in TRPA's Code of Ordinances 31.4.1 be applicable to all properties for multi-family residential as an allowed use including properties within area plans. Is this in general or only in town centers because the spirit of the Regional Plan was

to increase density in town centers where there is transportation available for people living there and where there are essential services available?

Ms. Kashuba said she believes that would only be for town centers. That may have possibly been a newer TRPA ordinance section that was not applicable when the area plan was initially adopted.

Ms. Aldean said there's also a provision for proposed amendments which will also include a requirement to mitigate any reduction in density from existing conditions. She understands the concern about the loss of affordable units but would they disincentivize developers to lower densities in order to incorporate more amenities or open spaces of quality of life improvement. That would be regressive.

Ms. Kashuba said currently on the area plan there is a requirement for open space for residential parcels or residential developments.

Ms. Dederick said they're open to feedback. The intent is that housing is very important because they are proposing something very similar in both area plans. This is still a very general concepts and want to ensure that they are preserving housing.

Ms. Aldean suggested building into the system more flexibility. Some of these things will be subjective and shouldn't be a hard and fast rule that you disincentivize a reduction, that might be a minor reduction in density when there are offsetting improvements that improve the quality of living for people occupying those units. Under permissible uses they mention communes, she doesn't believe that there is provision or code that would permit that sort of co-habitation. TRPA has community apartments and residential units which include collective household living with facilities for living, cooking, sleeping, and eating. What is envisioned there? It's not considered a group home, it's a shared housing or co-living project.

Ms. Dederick asked if Ms. Aldean was clarifying about creating consistency between the definitions of multi-person, employee, and multi-family housing.

Ms. Aldean said it states that the City will reevaluate Appendix C, Table 1, Permitted Uses by Land Use District, a list of primary uses and use definitions and consider the following adjustments. One of those adjustments is to define shared housing or co-living projects in compliance with Assembly Bill 682 and allow them where multi-family dwelling and multi-person dwelling uses are allowed. What do they envision?

Ms. Kashuba said that is a state law and is how some employee housing facilities are defined. How it would look in the area plans is that kind of set up could already be built under some of these use definitions. The intent was to increase opportunities for housing across the board. Currently, employee housing requires a special use permit in areas where multi-person or multi-family are allowed by right. It's in accordance with the California Employee Housing Act to streamline and remove that special use barrier from employee housing projects.

Ms. Aldean said it's a bit confusing because it doesn't state that it was employee housing. She suggested they tighten up those definitions because if it's specifically for employee housing then that should be stated. Under the same permissible use section it says, identify where legal nonconforming uses exist and consider if these uses should be allowed, but on page 186, it references TPPA Code 31.4.6 which says that code provision is intended to ensure that legal nonconforming tourist or

residential densities can be maintained and managed pursuant to that section. TRPA has a code provision that allows nonconforming uses to be maintained unless there is an application to change that use. There seems to be a discontinuity between what the City is proposing here by considering eliminating those legal nonconforming uses and what the TRPA Code provides.

Ms. Dederick said the City code also has something very similar for maintaining legal nonconforming. The intention what they are proposing is to look for areas where something is nonconforming now but is an appropriate use and maybe other businesses would want to change to a similar use. For example, they have one area in the Tourist Core Area Plan where eating and drinking requires a special use permit. Changing things like that is more of what they are looking at.

Ms. Aldean said her interpretation was different. She suggested that they consider rephrasing and expanding the language to clearly define the intent. Maybe to legitimize these uses that are now legally nonconforming but have benefit. She thought it meant that they would take a look at these legal nonconforming uses and determine whether or not they should be allowed to continue.

They received a letter from the League to Save Lake Tahoe regarding the Tourist Core Area Plan and the Van Sickle parcel. This is going to require our legal counsel to weigh in at some point on this issue as to whether or not what representations were made when the Colony Inn was demolished and there was an attempt to restore the stream environment zone in that area. The League was adamant that the commitment was to allow that to remain as open space.

Ms. Gustafson commended the City for bringing this back. There's been some fits and starts and individual projects that came ahead of these amendments. This is a great step forward and how we better educate our public especially on the importance of density in our town centers if we are going to achieve our goals in transportation. It's critical to have those density increases if we are going to see increased transit use and walkability of our town centers.

Mr. Hoenigman asked if the City did any studies on the economics of the proposals to see if they will create the desired outcomes. As planners we set rules and regulations, but we aren't the ones who actually do the work. It only gets done if it makes economic sense. Did you bring in anyone or did you do the analysis of these changes to see if they induce the development wanted such as affordable housing and higher density in the core areas?

Ms. Dederick said they've done outreach with the public but haven't done any consultant work. These are meant to just be amendments. No major changes, small things to tweak to help promote or clarify the goals that are already within the area plan. The biggest change does revolve around that density. They are keeping an eye on what TRPA is doing and the direction and feedback received from the Regional Plan Implementation Committee and their City Council if something further needs to be addressed.

Mr. Hester said the City is also on the Tahoe Living Working Group and has seen the work the Cascadia has done on what the proforma's say.

Mr. Hoenigman said we want affordable housing to be built. He thinks that the direction that we'll be going with is changing the density limits to more of a form based code. Density limits along with parking requirements drive large luxury units. If you don't have those two things, you get smaller units that are naturally more affordable. Also, reducing the parking requirements, especially if it's achievable housing. They City said some of the parcels are currently vacant, are they built out but

vacant or are they undisturbed land.

Ms. Kashuba asked if this is in reference to the area plan expansions. The majority of them are untouched.

Mr. Hoenigman said Ms. Aldean is right, he reads co-housing one way because they mean probably kitchens are communal and some living spaces but separate units. It's almost more like a family dorm environment that people are doing around the country. Is that what you are intending?

Ms. Kashuba said yes, correct.

Mr. Hoenigman said that would be good to clarify. He agreed with Ms. Aldean about talking to the League about those parcels at the old Colony Inn. It is near to what is currently high density area. He would like to see more density in areas that are high density but if we're taking away something then we need to give it back. Unless that's a really special property. If it is tradable that seems like a good place to put it.

Public Comments & Questions

Lew Feldman said regarding the parcel being adjacent to the stream environment zone restoration, it's important to realize there is a single parcel that happens to have split zoning. The front half closest to Montreal Road or the shopping center is already approved with a development permit. The back half of the parcel is the subject of this expanded zoning. To clarify, that one parcel might enjoy singular zoning. Not a big stretch but we're not going to resolve that today. The elephant in the room is the distinction between outdoor dining that self-seated and outdoor dining where there is a wait person, one requiring commercial floor area and one not requiring commercial floor area is something we need to fix. We have more examples of a violation of this rule than conformance with the rule. Thank you to the City for bringing that forward and hopefully other jurisdictions, if not the Agency itself, will legitimize reality.

The additional height and density to promote workforce housing is an important addition and there's an anomaly in TRPA's Code of Ordinances that only an employer can construct employee housing. Why would you foreclose a property owner who wants to construct and have properly restricted employee housing, doesn't make sense. Lastly, in every major hotel development there is some form of accessory use, food and beverage and other uses. We prohibit separate advertising and that is an archaic rule that makes no sense. Great job in terms of the City bringing forward some infrastructure advances and applaud the efforts.

Seth Dallob and partners built over 500 units of workforce affordable housing, non-taxed subsidized in the Seattle area and has been living in the Tahoe area for 1.5 years. He would be happy to build workforce affordable housing here. Even the increased density units proposed here are not going to be enough to get someone to come in from the open market and build workforce affordable housing. Sixty units per acre, roughly will get you 800 – 1,000 square foot apartments which will rent for \$2,500 to \$3,000 per month. Keep the height restriction because that will limit the amount of units and avoid high rise buildings. The rest of these restrictions in terms of density, parking requirements, and land coverage all cost money and come out in the end in the form of rent. These specific area plans present an excellent opportunity because you can put the housing for the employees where the jobs are. You'll reduce vehicle miles traveled and be within walking distance of the jobs where these folks will live. There was a comment made that if there was higher density it will result in smaller units and that

might not match with what renters want. He would take that risk. Right now, the alternative isn't a smaller housing unit versus a larger housing unit, these folks live in Carson City, they live out of the area and drive up or they are living five or six to a single-family house that's 70 years old. Having smaller units is not a bad thing. We can make affordable, livable, safe, clean, new affordable non-tax subsidized units that respect and are low impact to the environment. All of these well intentioned limits and caps conspire to make it not feasible.

Lynn Barnett, Wells Barnett & Associates representing the South Tahoe Association of Realtors said they have an existing public service office building in the area that's proposed to be added to the Tahoe Valley Area Plan between James and Eloise Avenues. They are the ones that have the plan area amendment application that was for that area and are happy that this is being wrapped into this area plan. They are hoping that the area is also eventually added to the town center. This neighborhood is a special area in a residential plan area statement. Back in the early 1980s a special area designation was granted, TRPA recognized that it was a mixed-use neighborhood. It has existing commercial, residential, and public services.

Kevin Prior, Director of Land, California Tahoe Conservancy said his comments are specific to the Tourist Core Area Plan Amendment. The Conservancy doesn't support the proposed rezoning of the Colony Inn back parcel from recreation to tourist center mixed-use with the justification to accommodate higher density housing opportunities. The Conservancy believes the park will be negatively impacted by the rezoning of the back parcel from recreation to tourist center mixed-use. The proposed rezoning is not consistent with the land use designations or the majority of the relevant goals and policies of the Regional Plan Update, the Tourist Core Area Plan, or the General Plan. This proposed rezoning should be removed from the proposed Tourist Core Area Plan Amendments. They believe the Van Sickle Park will continue to be boxed in as developers pursue one off developments that in isolation certain entities can view it as zoning that has no impacts to the park. They would like to see the TCAP amendments support the stream environmental zone restoration and the Van Sickle corner parcel permanently protected. The Conservancy staff believes that the TCAP update should be looking at more ways to support the benefit of Van Sickle Park to the public in this area. The park benefits the public, the City, and is a major attraction in the tourist core.

Hilary Roverud, Director of Development Services, City of South Lake Tahoe said in 2012 when the Regional Plan was updated it included a vision for revitalizing our town centers through increased density and intensity of uses. That was a real transformational change in vision with the Regional Plan in 2012. Their eyes have been opened since then given the housing crisis we are in now. In realizing the importance of housing as part of that revitalization of our town centers. She appreciated Ms. Gustafson's comments about the tie with density and transit, many in this room are on some committee or effort to try to provide better higher quality and more reliable transit throughout the basin. What they did in their stakeholder and public workshops that they held to receive comments on the area plan updates was general support for increasing densities in the town centers. However, also a lot of comments about the importance of providing an alternative to individual vehicles so people are able to thrive in an environment of higher density and get to their workplace and around the community. That was also in association with discussions about reducing parking standards. They are looking at different options to try to tie those key principles in these area plan updates together. Thank you to the TRPA staff on the coordination of these area plan updates.

There's a lot of different initiatives with the Tahoe Living Working Group as well as all the local jurisdictions working on their area plans and code amendments and coordination on that is important. If not, to just reduce confusion for the public. The City has bi-weekly meetings with TRPA staff to go

through these updates and working closely with the information TRPA is providing to the working group on the economics of development. This question and concern about developing large low density projects in the town centers is something their City Council is looking at as well. That is the intent behind providing the first zoning to included minimum density to be proposed in the Tahoe Basin to ensure that within that form that the envelope they are allowing to be built in that they don't end up with low density projects that are not in line with their intent of trying to create higher density in the town centers.

Gavin Feiger, League to Save Lake Tahoe said today they are talking about the Van Sickle parcel, the rezoning in the Tourist Core Area Plan Amendment. They'll have plenty of time to talk about the other pieces of the amendments. They agreed with the comments of Mr. Prior. There are short term rentals planned for this property. It wasn't a split zone property; they were two different properties that were joined together with two different zonings by the developer. The developer also owns the corner parcel that the Van Sickle entrance goes through with short term rentals planned for that also, fairly low density. He encouraged them to drive by this property and try to imagine what it would look like with a bunch of luxury condominiums on it. Their letter outlines why those parcels should not be developed, let alone rezoned and developed more.

Doug Flaherty, TahoeCleanAir.org said the proposed increases in density, height, coverage, and parking decreases increase human and roadway over capacity which leads to adverse cumulative incremental environmental impacts. Cumulative results in the Tierney of the incremental impact. A small decision when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts result from individually minor collectively significant actions taking place over a period of time. This is what is resulting here that TRPA and its partners are on a relentless quest to increase human and roadway over capacity. Any of these proposed changes must undergo a complete environmental impact statement that discusses among other environmental impacts the dangerous over capacity situation that are presented because of the lack of a roadway by roadway wildfire capacity evacuation evaluation. TRPA and its partners must consider the fact that visitors and residents together are impacted by this peril.

IV. Climate Smart Code Update

TRPA staff Mr. Stock, Ms. Kubose, Ms. Giraldo, Ms. Rizo, Mr. Macon, Mr. McNairn from the University of California, Davis

Mr. Stock introduced the informational presentation on proposed amendments to the Code of Ordinances that would promote climate resiliency and adaptation. TRPA partnered with these Graduate students from the University of California, Davis who are soon to be Master of Science in environmental policy and management.

They didn't want this to just be a student project. There's a lot of work to do on the Code and adapt to become more resilient. They wanted the work that they are doing with these students to be work that they'll implement. The UC Davis students worked with TRPA staff Mr. Stock, Mr. Middlebrook, and Ms. Ms. Smith. Thank you to the Permitting and Compliance Department who consulted with them as they brought them different proposals.

Ms. Giraldo focuses on climate change, science and policy and works in the intersection of natural resource management.

Ms. Rizo focuses on energy and transportation planning, specifically on environmental justice topics.

Ms. Kubose specializes in city and regional planning who did her summer internship with TRPA last summer.

Mr. Macon specializes in water resource management and climate resilience.

Mr. McNairn is focusing his masters in urban and regional planning with some focus on water resource and natural resource management.

Ms. Kubose said last October, TRPA held a workshop to prioritize a list of climate smart code amendments that TRPA had been working on that she assisted with during her internship. This prioritization activity allowed TRPA staff and the policy clinic group to see which ideas they should consider moving forward on for this immediate term. Governing Board members voted on ideas as well as offering additional suggestions.

Ms. Rizo said a big part of the project in the beginning was defining the scope of work and what was going to be feasible to accomplish in the given time frame. They produced three deliverables which include the outreach and participation plan, the draft code language, and public education documents. The stakeholders were consultants, city planners, and leaders who helped them further refine the priorities they were going to be working with. The final four categories were determined on the feasibility of implementation. Due to the time frame, they didn't work on anything that would require an additional environmental analysis.

The final categories were the reduction of traffic congestion to and from temporary events, the promotion of electric vehicle charging, the removal of barriers to small scale energy generation, and updating exterior light requirements for dark sky preservation.

Ms. Giraldo said they created a stakeholder engagement plan and an outreach and participation plan. These documents helped identify who, how, and why they were going to engage the public. The analysis led them to understand that they needed to develop a working group to engage with stakeholders with technical knowledge on the four priority topics. They conducted three working group meetings. The meetings helped identify the barriers and opportunities in drafting the proposed language. During the meetings they also used interactive digital presentations where they encourage participants to engage using different avenues. At the last meeting, they took the proposed language back to the stakeholders to get feedback to refine the proposal. Each meeting had an average of eight participants.

Ms. Kubose said priority number one, traffic reduction from temporary events. These were to promote walkability and bikeability in town centers. Require visitor travel plans as well as the Sustainability Action Plan, page 4-32 which is the events commission sustainability action. Tahoe experiences large events year round throughout the basin. The goal is to reduce traffic congestion and reliance on cars by promoting alternative modes of transportation. The main limitation is the infrastructure and the transportation programs. They learned that a number of annual events that take place in the region don't necessarily need to pull permits from TRPA. They recommended that TRPA work closely with local partners to ensure that transportation plans are prepared by temporary event organizers. The City of South Lake Tahoe has in their application process for major special events a section for traffic, transportation, and a parking plan.

Mr. McNairn said the second focus area was the promotion of electric vehicle charging. This was taken from the overall priorities and direction from the Governing Board to focus on streamlining the installation of EV charging structures. They looked at partial coverage exemptions, overall, the removal of barriers to efficient choices of charging. There was a direction to address guidelines for electric watercrafts, however, this was beyond their scope and staff at TRPA are working on this as well. Key issues they found facing the installation of EV charging infrastructure is the potential of increased costs of the actual development area. They want to create incentives to install this infrastructure but also don't want to create loopholes especially with the coverage exemptions. They are in an interesting position where they can both incentivize but also require these ideas for redeveloped areas. Overall goals are to expand access and for all EV users but also protect thresholds and promote universal chargers for all EV users.

The recommendations are to set EV capable standards for all parking areas in all land use types. Streamline installations for all infrastructure with partial coverage exemptions and define chargers in the Code of Ordinances as well as any terms associated with charging. These ideas were taken mostly from CalGreen codes and the Nevada Department of Transportation National Electrical Vehicle Infrastructure (NEVI) Plan in Nevada. Also, in an attempt to cover some of the Sustainability Action Plan items.

Mr. Macon said the third area was the removal of barriers to small scale energy generation particularly, solar energy infrastructure and not looking at wind or biomass at the time. The direction from the Governing Board in October was to largely remove barriers to solar infrastructure. During their outreach with stakeholders and some targeted outreach to consultants that install solar panels in the Tahoe Region, a lot of the barriers stemmed from current scenic requirements and limitations on reflective materials on rooftops which is directly related to solar panels today. It also included how coverage is calculated for ground mounted solar. Right now, the entire surface of solar panels would be considered coverage even though they are mounted above the ground of three feet or more and don't impact drainage nearly as much.

There's an unclear permitting process for roof top solar particularly in the shoreland area or scenic corridors. The goals were to streamline the permitting process, clarify the code language in relation to solar energy infrastructure and to consider solar energy and green infrastructure to enhance rather than a burden. Their recommendations are to consider a qualified exemption for roof top solar with an additional non-reflective component when it's in the shoreland or scenic corridors to address those reflective concerns. To provide an additional height requirement when installing solar on roof tops, include a partial coverage exemption for ground mounted solar and would be modeled after the bear box language that exempt bear boxes that are above the ground but not the mounting structure. Include a health and safety consideration when removing trees for solar installation.

Mr. McNairn said the final focus area is the dark sky standards. These recommendations are aligned with the current program in South Lake Tahoe which is converting pedestrian lights along the Highway 50 corridor to dark sky compliant lighting fixtures. This is also following the Governing Board priorities to update light requirements for efficiency and dark sky. Key issues were the enforcement of the lighting standards as well as overall basin wide knowledge of the updated exterior light standards. Some limitations where the proposed language is the minimum standard to meet the International Dark Sky Association requirements for the certification. There's a lot more language to consider but this is a good first step. There's also the issue of compliance and enforcement basin wide. The long term goals for the basin and TRPA are to become internationally dark sky certified and require efficient

outdoor lighting. The overall recommendation is to add dark sky requirements to the exterior lighting standards with two specific additions that the color temperature should be below 3,000 degrees kelvin and the lighting output limitation should be held per land use.

There overall recommendations are to work with local partners, consider requiring a transportation plan for temporary use permits that promote alternative modes, streamline the installation of EV charging stations, consider qualified exemptions for roof top solar, and add dark sky requirements to the exterior lighting standards.

Mr. Stock said staff will eventually be bringing back proposed code amendments on these items.

Presentation: <https://www.trpa.gov/wp-content/uploads/RPIC-Agenda-Item-No-4-Climate-Code-Presentation.pdf>

Committee Comments & Questions

Ms. Gustafson asked if they considered different size events having different requirements.

Ms. Kubose said they didn't consider the size of events. The City of South Lake Tahoe has a major events category. They have check boxes for example, including a map for nearby transit stops, bike and pedestrian access, and encouraging alternative modes.

Ms. Aldean said you can distinguish between events that are major in nature because of the breadth of the advertising. If the event is attempting to bring people into the basin is one thing, if they are local in nature, that needs to be evaluated independently. We need to be able to make that distinction. With respect to the partial exemptions, they recommended for the EV charging stations and ground mounted solar. How much is that "partial" exemption? It needs to be specific in the Code of Ordinances.

Mr. Macon said the idea for ground mounted solar was the entire area of the solar panels would be completely exempt but the mounting structure which is about three feet in diameter would not be exempt from the coverage. The solar panels are three to five feet off the ground and would be exempt.

Ms. Aldean asked if the ground mounted structure for the solar panel is larger than the footprint for an EV charging station or a bear box support.

Mr. Macon said it would be larger than the bear box support. He cannot speak for the EV infrastructure because that varies on the EV charging capacity. For example, the high speed charger would have additional infrastructure built alongside the charging station. Where a low capacity charger is a small stand that works off the current energy infrastructure grid.

Ms. Aldean asked if these recommendations will be refined to include specific percentages with respect to exemption.

Mr. Stock said yes and will be evaluated for environmental conformance. They discussed a couple of different ways to do a partial exemption for EV charging. The average footprint of a level two charger was about four square feet and then allowing that standard exemption for up to four to five chargers.

Ms. Aldean asked if consideration was given to require all solar panels be made of non-reflective material. Was an analysis done with respect to the cost differential between using non-reflective materials versus reflective materials and whether or not it would be reasonable to require that all roof mounted solar panels be required to use non-reflective materials.

Mr. Macon said that was considered and the final determination was to only require non-reflective materials where there are scenic standards that are influenced by it. If they wanted to make it a blanket requirement, that would be a reasonable requirement. Most of the solar panels that are installed in Tahoe are already made out of a lower reflective material. They didn't feel that a structure that wasn't close to neighbors, why should they require someone to have non-reflective material if no one will be impacted by it. There may be a consideration applied that if a structure were in a denser neighborhood where it could be a nuisance, it could be a requirement.

Ms. Aldean suggested possibly an expedited approval process for applicants who come in with a roof mounted solar project other than in a scenic corridor that uses non-reflective material. If someone was using non-reflective material, there might be a bigger investment for the applicant, and they will expedite the processing of the permit if someone goes that extra mile.

Ms. Aldean referred to a typo in the third line of section 21.3.1. She thinks you meant to say as opposed to "home" occupations.

Mr. Stock said yes, that's correct.

Ms. Diss suggested that they use a term such as "alternative" or "non-auto" forms of transportation rather than bikes. She recommended that for both Sections of 22.7.6.B

Ms. Hill said in Washoe County their events go through business licensing and sometimes rise to the extent of going to the Board of Adjustment or a lower board that doesn't have to do with the Tahoe Area Plan. How will they ensure that these get into all the jurisdictional codes?

Mr. Stock said they have discussed two different options. One would be more of a policy partnership option where they would work with the jurisdiction staff to determine how to work that into the permitting system. The other option which is not necessarily exclusive to that would be applying these requirements for a temporary use permit. For example, if any event in Washoe County that would require a temporary use permit might reach a major special event threshold. There would be a policy and regulatory possibility for how to enforce.

Ms. Hill said she recently had a constituent reach out to her about dark sky lighting in the casino area of Washoe County. They are barely meeting their dark sky requirement in that area because she reached out to code, and this will help them fine tune those policy and requirements. When they go through their area plan amendment this is good timing for them.

Mr. Settelmeyer said he'd appreciate any information that can be provided prior to the vote on that. He looks at the concept of exempting solar panels from the reflectivity rule. If they did have the non-reflective, how much does that potentially decrease energy efficiency in solar panels? He's ran into that in the past with homeowner associations throughout Nevada that started to dictate that they had to be Terra Cotta color. By doing so, that took 40 percent of the efficiency away. It would be interesting to see the data on that. If they went to that, is that the issue that prohibits people from solar or does it create an increased cost in it. He'd appreciate seeing the information ahead of time,

even the discussions they had on the EV charging stations. You talk about the concept of having universal EV charging stations and agreed with that, but the worst problem is that if they can force the industry first, that's great. He assumes they are sticking to the two major ones, JW32 as well as the Tesla charger which primarily make up the bulk of 80 to 90 percent of EV type charging stations. To require a total universal one, you'd have to have from Chemgo to Hydrogen, and the list keeps going. There's quite a list of manufacturers to consider. It's good that we are finding alternative sources versus fossil fuels. Also, the discussion they had about requiring visitor travel plans, he assumes that is only related to large events.

Mr. Hoenigman said in the presentation there was a percentage of EV chargers for multi-family projects. Where did they get that number? He believes in California they are at 20 percent or over for EV adoption already.

Mr. Macon said it's primarily from the CalGreen language. There isn't language in CalGreen about redevelopment. They wanted to ensure that the ten percent was both. As far as he knows there is not a lot of new development going on and recommend that standard for redevelopment as well.

Mr. Hoenigman said as we think about all these housing standards that we're proposing that we add to it. If the solar is over a parking area or EV on a parking area seem like areas, they'd want to incentivize. Would there be any break in coverage there, for example for a carport?

Mr. Macon said they didn't propose this language in the package, but it would make sense that if it were over an area that's already covered then it wouldn't add additional coverage to the calculation. The only thing might be the mounting structure that is typically on the outside of the parking structure or carports. But if it's contained on what's already paved over, he doesn't see that there would be any additional coverage added to that.

Mr. Stock said they can explore additional incentives for that type of solar installation.

Public Comments & Questions

John Friedrich said he's excited about all these proposals and hopes they adopt them all as a starting place and continue to look at additional climate code opportunities. He agreed with Mr. Settelmeyer about adding too many barriers to the adoption of solar panels. Solar panels are designed to absorb sunlight and not reflect it to generate electricity. He's never heard complaints in the basin about solar glare, the technology is improving. We should be looking at ways to encourage it and not put up regulatory barriers. EV charging coverage, like solar, a lot of it will be on existing pavement, coverage parking lots. Where there's new EV charging perhaps, we can look at ways to disincentive through higher fees of parking that doesn't include EV charging to mitigate for new EV charging. The City of South Lake Tahoe started to install dark sky lighting last week on City lighting structures in the center of town. They haven't done a dark sky requirement for all private properties yet but anything they can do to reduce that kind of light pollution and glare is a step in the right direction.

Doug Flaherty, TahoeCleanAir.Org said while Tahoe Clean Air generally supports the concept and informational report associated with the presentation today. Tahoe Clean Air opposes the following item contained in the Climate Change Smart Update, 61.1.4.c.1. The proposed code language if adopted by TRPA would continue to allow incremental adverse impact and degradation to the environment by allowing subjective and arbitrary removal of trees of over 30 inches within the western forest and over 24 inches within the eastern forest without a region wide cumulative impact

environmental impact statement. He said it's good to have an events transportation plan, but part of that plan must address a roadway by roadway wildfire evacuation capacity evaluation as well as winter peril evacuation. The plan should comply with Chapter 2 Land Use element Natural Hazard NH-1.3. This is something TRPA has failed to do per their own land use plan that states that you must inform visitors of the wildfire hazard associated with occupancy in the region. TRPA continues to fail to warn visitors of this wildfire hazard.

Courtney Weiche, Senior Planner, Washoe County thanked the UC Davis team and TRPA staff for a collaborative effort in looking into these climate code updates. As part of the Washoe County Area Plan amendment, they'll consider some of these recommendations.

V. Discussion for a proposed regional definition and minimum standards for mixed-use development

TRPA staff Mr. Stock provided the presentation.

Mr. Stock said mixed-use is an important aspect of the Regional Plan aimed at promoting pedestrian oriented development in town centers and reducing reliance on personal vehicles. It's come up recently through the Washoe Tahoe Area Plan for the proposed amendments for that plan to allow a condominium subdivision. It's important because the Tahoe Area Plan ties condominium subdivision in the Incline Village Town Center to mixed-use development. Through the discussions, the Regional Plan Implementation Committee and Advisory Planning Commission asked staff to explore mixed-use definitions and minimum standards that could apply in the Tahoe Region.

The Urban Land Institute defines mixed-use as development that fosters three or more revenue producing uses such as retail, entertainment, office, and residential. Uses that foster integration and density and compatibility of uses. The uses within the development complement each other. Residents or patrons of the business, maybe employees, the businesses can rely on those residents as well. From the regional perspective, mixed-use can and should promote walkable communities.

A co-location of mixed-uses can reduce vehicle miles traveled and dependence on private vehicles because it makes it easier for folks to travel between homework, school, recreation, etc. without the use of a private vehicle because all of those services are provided within a smaller geographic area. This also gets into the idea of complete communities. This is a smaller area where all the residents' needs can be met within a smaller physical area. In order to make this happen, there needs to be implemented regulations to do it right.

They looked at what other jurisdictions were doing to define and set standards for mixed-use. This generally falls into two buckets with the definition of what are compatible uses, how are they located, and in what proportion of residential to non-residential. There also needs to be minimum standards for design access and affordability in order to make those mixed-use developments successful and meet those traffic reduction goals.

Getting the right proportion and placement of residential and non-residential uses are crucial to successful mixed-use development. One thing that they've seen that's been successful in other jurisdictions is requiring non-residential uses to be located on commercial frontage.

Floor Area Ratio (FAR) addresses the challenge of calculating density when you have different use types that require different density calculations located on the same parcel. FAR is a ratio of the floor area of the structure to the square footage of the parcel. For example, the FAR of one could be a one

story building that occupies the entire parcel. A two story building that occupies half the parcel, or a four story building that occupies one quarter of the parcel. Other jurisdictions have had success using FAR to create a common language for building mass and density when you have different uses combined on a parcel.

Defining permitted uses is another important aspect of defining and regulating mixed-use. They found that broadly allowing compatible pedestrian oriented uses would be appropriate, particularly given that they are a regional agency, and that level of zoning is reserved to the area plans. Other jurisdictions also allow lobby space to count towards non-residential space if the developer is able to prove that retail or other active non-residential uses are inviable and is something they may also consider.

Affordability is crucial to viability of mixed-use development. The VMT reduction that you get from mixed-use relies on full time residents using the non-residential amenities that are co-located with or near their homes. As a result of development, all seasonal second homes wouldn't support mixed-use. In addition, there is an unmet need for affordable housing. The increase in luxury development creates a demand for more workforce housing. Including an affordable housing element within mixed-use is important and addresses the affordable housing need in our communities as well as allows mixed-use development to be more successful and viable.

Parking is another crucial component of mixed-use. High parking minimums can increase the cost of development. They divert space from other desired uses and can undermine the pedestrian oriented nature of mixed-use by creating pedestrian vehicle conflicts. The placement of parking is also important. They suggested that a no parking minimums for mixed-use. They found from their research that jurisdictions that have no parking minimums don't necessarily result in no parking, it just allows the market to produce the amount of parking that's necessary for a given development. In mixed-use that's often less parking.

Generally detailed design standards are addressed at the local level but there are some standards that are crucial to the success of mixed-use development. Those include standards for ground floor height and façade that promote pedestrian accessibility. Standards that limit the conflict between vehicles and pedestrians are the parking piece, sidewalks and other pedestrian improvements including ingress and egress as well.

The next step is to establish a mixed-use definition and standards for the Washoe Tahoe Area Plan. This will allow Washoe County to implement the existing policy which ties condominium subdivision to mixed-use development in the Incline Village Town Center. After that, they'll be working with stakeholders such as planners from the local jurisdictions and non-government partners as well to develop a regional definition and standards that can apply across the basin for mixed-use. All this will come back to the Board for review in the future.

Presentation: <https://www.trpa.gov/wp-content/uploads/RPIC-Agenda-Item-No-5-Mixed-Use-Definition.pdf>

Committee Comments & Questions

Ms. Hill has heard from constituents that had concern that this was being rushed. They can always change if they find that there are problems with these code requirements. According to the District Attorney's office they were not permitted to do these types of standards with their area plan amendment or require these of the developer when they initiated that amendment. This empowers

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Washoe County that they are doing the right development for the community.

Ms. Diss said in the permitted uses section in the report and presentation it references having a broad and flexible definition because we are regional in nature and agreed with that. Have you encountered in your research and any other communities some best practices around keeping it broad but also having a level of specificity? For example, there's a retail office and residential and then ends up being all luxury retail and then offices so, the people living there don't have anywhere to buy groceries. You are not reducing VMT for daily use of those people if it's retail that's attractive to tourists.

Mr. Stock said yes that's part of the list to see how other jurisdictions have promoted businesses serving locals or businesses serve a particular need. For example, in the City of Los Angeles they use an FAR bonus for defined community benefits. One of those would be day care centers that wouldn't count towards the FAR calculation for those buildings.

Mr. Marshall said there is also a tie into VMT. The more local serving retail you show, the reduced impact the project has. There may be some ways to look at that issue, not just from the mixed-use definition but also how they provide an incentive to get that mixed-use for VMT purposes.

Ms. Gustafson said the various communities are very different. Tahoe City is almost 100 percent walkable within a block of any developments. Restrictions might be different there than in South Lake Tahoe where there are wide distances between areas of the town centers. We want to keep that flexibility, maybe eliminate real estate offices in some areas on first floor retail in downtown because they do see a prevalence of that. And the Town of Truckee recently dealt with that issue. Looking at the defined mixed-uses, you didn't list entertainment. There is some small scale entertainment like exhibit space, etc. Could that be incorporated into non-residential first floor uses? She's seen more and more pop ups whether it's axe throwing, or other types of entertainment that maybe don't fit retail. Or art galleries that can still attract usages.

Mr. Stock said that was an oversight in writing that. Entertainment can be a great anchor for these town center areas.

Ms. Gustafson also said on the workforce housing or deed restricted, just continuing to look at the different communities, affordable, workforce, and achievable. Each community has different needs and income levels that they need to serve. We need to be as flexible as possible in looking at those standards.

Ms. Aldean echoed the other comments. With respect to where it says "TRPA should also consider setting a minimum requirement that ground floor street frontage in mixed-use development be designed for pedestrian-oriented, non-residential uses. Developers could be permitted to include lobby space as non-residential use where retail is not viable. Would that also include a temporary sales office, or a permanent leasing office even though it's not specially called out?

Mr. Stock said he'll look into that and get back to her.

Ms. Aldean said commercial real estate has taken a real hit in recent years due to internet sales, etc. They do need to maintain a certain degree of flexibility to get these spaces rented to appropriate users. To a certain extent, the market is going to control what is or isn't viable. We should be permissive for what's acceptable.

Ms. Aldean said when you refer to sidewalks along commercial streets, they have to be a minimum

width of ten feet. Covered sidewalks should be encouraged and is essential if we're truly interested in walkable communities. It would encourage people to shop in that location during the inclement weather months. She's not suggesting that should be mandatory but should be encouraged.

Mr. Hoenigman said we've received a lot of comments on this. Relating to the market driving retail, there were many comments about the lobby being made allowable as part of that retail space. That's pretty common in communities. If retail makes sense, you try to get as much of it as possible because it's paying versus a lobby that's not paying anything. But allowing for that still allows for that active street frontage that you want. We will need to be as flexible as possible on what uses are possible in that retail because the internet has decimated most retail.

There was a comment about the blank walls requiring treatment and there was a recommendation that it be based on being over a certain size. The idea is that if we are suddenly getting taller buildings and they are up against property lines, a lot of time in cities you get blank walls, and we don't want those.

There were comments about the enforcement of deed restrictions. What are we thinking about in that area? Also, there were a lot of comments about cumulative impact. We are not talking about increasing development but rather squishing it into the town centers where it becomes walkable, transit service and replaces poorly performing properties in terms of runoff and lack of stormwater treatment with properties that are brought up to code and up to date in that area. And it doesn't increase the population or tourism or in addition to what was considered in the Regional Plan Update. Development is going on but it's in the wrong places and the wrong style. We're getting luxury developments and gigantic single-family homes that don't serve the people who work here.

Unless our changes are going to get us more affordable or achievable, he doesn't want to change any of them. He doesn't want to give any more density or change the code allowances because what we need in the basin is achievable housing for the workforce and affordable housing for the people who can't afford to live here. You can build a multi-family project in Incline Village right now but if you want to build one that's for sale, we have the need to request that some of that becomes affordable instead of luxury housing. Any FAR increases need to be tied into the provision for affordable housing. Anytime in the future that we allow people to convert from commercial or hotel to residential it should only apply to affordable for achievable housing. We need to have a mix and communities need to be flexible. That is something we are going to be working on, allowing them to figure out what that can look like and might be an option for the developer. A lot of cities provide some percentage of different levels of affordability to meet the requirements.

In the last presentation he asked if there was an analysis on what makes sense for the percentage of affordability that they are asking for and whether these changes are going to incentivize market rate developers to do what they want. He would like staff to look at what percentage of market rate residential developments should be set aside for affordable, moderate, and achievable levels so we are maximizing. We need more achievable and affordable housing than we have units left to develop in the basin already.

Ms. Aldean said with respect to FAR, in the presentation there was one parcel that was 100 percent covered. We need to reinforce the fact that at the end of the day we are going to stay within our code limitations and height limitations which will not be amended. Having said that, if you are developing an affordable housing project and its 100 percent coverage on site, that's going to require the importation of coverage or a corresponding offset. Have you thought through this?

Mr. Hester said at the retreat, they talked about maybe not using coverage but using stormwater infrastructure which achieves the same objective as coverage. That's the direction Cascadia consultants said to go. If you want to utilize the site in addition to reducing parking, you may want to put in stormwater infrastructure along with sidewalks, and curbs and build the stormwater infrastructure so it captures all the runoff that would have been captured with less coverage.

Ms. Aldean assumed that is going to require a code amendment.

Mr. Hester said it will require some environmental analysis.

Mr. Marshall said the Tahoe Living Working Group will be looking at height, density, and coverage issues with regard to providing housing.

Ms. Aldean said included in that there will need to be a financial analysis. The person who made public comment earlier apparently doesn't use subsidies for development of affordable housing. It might affect his ability depending on the cost of the infrastructure improvement work, his ability to offer his services.

Mr. Hester said yesterday at a meeting with our Ms. Navarro, TRPA's Water Quality and Watershed Program Manager who is doing some projects with public funding. The City of South Lake Tahoe mentioned the complete street and stormwater project that they are working on in Stateline. Those kinds of infrastructure improvements that we may have to get public money for could be used as an incentive or as a subsidy. A lot of places, stormwater infrastructure is required of subdivisions, but we don't have subdivisions in Tahoe.

Mr. Settelmeyer said he looks forward to this conversation in the future and trying to balance it within the confines of people's property rights will be an interesting subject.

Public Comments & Questions

Lew Feldman said TRPA has had a mixed-use density component for decades. Recently, a mixed-use project was approved that garnered some conversation. The Latitude 39 condominium project has about 3,700 square feet of restaurant. A residential condominium generates 4.5 trips or 21 VMT and a 3,000 square foot restaurant generates 1,374 VMT. A mitigation fee for a residential unit would be \$4,120, for the restaurant mobility mitigation fee would be \$30,000. The presentation today was outstanding. The idea that parking is negotiable is an important concept because in Washoe County for example, there is one parking space per 100 square feet for medium turnover restaurant. A 3,000 square foot restaurant would require 30 parking spaces. If you have a vertical development with subterranean parking, the minimum cost you'll get for underground, covered parking is \$60,000 per space. If you complied with that parking ratio, you'd be looking at \$1.8 million just for the restaurant parking.

It's a slippery slope when we start talking about minimum floor area ratios for mixed-use development in the basin in particular because of the added cost to projects may otherwise advance environmental redevelopment. He generally likes the idea. Including within the definition of mixed-use whether it's achievable of other form of workforce housing. It's a slippery slope where the economics need to be understood and doesn't think we have any economics other than he can tell you that applying the parking ratios that would otherwise be required would make these projects infeasible for

the most part. This isn't the time to develop brick and mortar retail. The components of mixed-use are challenging now. What that mixed-use can be to support any meaningful redevelopment is where the focus needs to be and where the status quo is going to prevail. Not sure that it's broken, and we need to fix it, but it appears that the train has left the station. He agreed with Mr. Settelmeyer's comments about property rights.

Hilary Roverud, Director of Development Services, City of South Lake Tahoe said this is an important clarification in the TRPA Code. We need to ensure that these mixed-use definition components are considered within the context of all the policy change discussions. There was a discussion about the Tahoe Living Working Group and their work on housing. When you have a mixed-use project, there's often one use that is offsetting value of another use and that looks very different when the residential component of it is purely privately funded versus residential component that is affordable housing utilizing public financing opportunities and funding. As these definitions are being defined, we need to take all of that into consideration as well, which is primarily what the working group has been discussing. They would like to be involved in the conversations for the floor area ratios. There are a lot of benefits to moving to FAR as outlined in the staff report.

She would like a conversation on how that can be paired with a minimum density in areas where that is appropriate in order to ensure that all the allowable floor area isn't utilized for very low density, a single unit where they want higher density and smaller units. With respect to the inclusionary housing component, it is also important strategy in attempts to develop more housing affordable to the workforce. Placer County also has an inclusionary housing ordinance in place. The City of South Lake Tahoe is working on one. Their City Council has gone through the process of preparing nexus and feasibility studies to determine what is that right percentage. Their council will be hearing more information on that in August. If there is an inclusionary component integrated at a regional level, that we are in lock step with the local jurisdictions to make sure that we are not creating confusion about what the requirements are and making sure that those inclusionary requirements are appropriate for different places around the basin and developed in compliance with state laws.

Gavin Feiger, League to Save Lake Tahoe said they are in favor of most of this. They spoke in February and again in April talking about the Regional Plan and Performance Measures and benchmarks and how we need bold action to reach them. They are supportive in putting the remaining development into town centers as much as possible if not, exclusively. These mixed-use definitions go a long way in that direction. There needs to be some flexibility, but this is also TRPA's role as regional. Maybe there's a baseline or window that the different counties can operate within, but their role is to create some region wide consistency and to keep pushing the envelope a little bit to reach our goals. They like the FAR but the devils in the details. Also, lining up with the great work of the Tahoe Living Working Group. There's a lot of crossover between those. Most of the area plans in Tahoe are being amended or updated this year. With all the moving pieces, it's a great role for this committee to figure out how to meld them together as much as possible. There are things like parking and some of the mixed-use that were talked about today. Inclusionary zoning can happen quickly and can have a big effect while we're ironing out the rest of it. Coverage is still giving them some heartache.

Steve Dolan said mixed-use and mixed message in a way. Earlier there was a discussion about a minimum coverage including eight people or eight units and now you are talking about parking that has no minimum. Mr. Hoenigman and Mr. Feldman alluded to how the market will respond to parking and costs. His understanding is that if development can go from the sky to hell that's where the housing will be and there won't be any parking. That's a monetary concept but the other reality about this is with the minimum densities and no minimum parking. He fought the Oakland Fire and the

number one problem in Oakland at that time was narrow streets and cars on the road. And if you don't have parking for cars, they go to the road. It's pie in the sky if you think that people are not going to drive up here. There's no train access to the lake. Currently, we're trying to develop a transit system that's probably 20 years out. When you start to think about these types of densities, in fact in Incline, houses are applying to shrink their minimum parking which the fire departments say that's then just going out onto the street and they will not be able to get through. He asked them to consider these minimum values in density and parking, they are a little bit dangerous.

Kristina Hill, planning consultant and former TRPA employee said anytime she does a project, the application requires that findings be made. As with code amendments and there's many being considered by the Agency, she's not seeing any findings being made. She doesn't see that the findings required under Section 4 of the Code demonstrate that the project or amendment is achieving and maintaining threshold standards. It's important that when they look at these suggested code amendments that staff include written findings in the report so that we are assured that these new concepts and provisions are going to be in compliance with the threshold standards.

Doug Flaherty, TahoeCleanAir.org said there's always this discussion that revolves around a statement without adequate or substantial evidence that these types of changes are going to result in attainment for affordable or achievable workforce housing, etc. The discussed desired outcomes to attain or obtain affordable and/or achievable workforce housing are subjective, capricious, highly controversial, and the desired outcomes are highly unlikely. The desired outcomes would require TRPA to have a crystal ball to substantiate such outcomes based on the lack of substantial evidence.

Ann Nichols, North Tahoe Preservation Alliance said we have to stop confusing everybody with this terminology. On Ms. Fink's recent discussion and Power Point had workforce as where you usually see achievable. Then the lower income was affordable. It needs to be the same with workforce at the bottom, then affordable above that. They've realized that achievable was completely a joke because it was 250 percent of the average median incomes. You did fix that which was great but there needs to be uniform terms. In Ms. Fink's Power Point, the workforce is 180 percent of the average median income, which means it would be a one million dollar condominium. Next, get rid of the two-step process. If you approve this, that's what's happened to our housing, all these multi-family zoning with the two-step process became luxury condominiums. Once you stop that, it will be a huge boom. That's why we never got any affordable multi-family apartments. Wasn't the picture in Ketchum, lovely, it was three stories. Do we have to go so high to make this work? Full time versus part time, we have a unique economy. This is not something to rush, just because Nine 47 is coming up doesn't mean you need to crank something out that's not going to work and maybe we can change it later. With Nine 47, we need to figure it out and here's the mixed-use, a place where you can deposit a check, that's banking? Let's do this right.

Committee Comments & Questions

Ms. Aldean said the problem with eliminating the two-step process is that you eliminate the opportunity for unit ownership and doesn't think we want to do that. Some people would prefer to rent than to buy. But if they don't have an opportunity to subdivide a project that's affordable then they'll never have an opportunity to take that next step and acquire something which enables them to move upward. While she appreciated Ms. Nichols' comments, she believes her comments maybe revising or narrowing our focus in respect to definitions is an important one, but workforce housing is not necessarily at the bottom. If you are looking at service jobs, those pay less but you are also looking at jobs at the fire or police department where those people are unable to afford housing in the Tahoe

Basin. That too, is workforce housing. There is kind of a sliding scale. To the extent that we can refine our definitions, that's a worthwhile suggestion.

Mr. Hoenigman said regarding Mr. Settelmeyer's comment about property rights. We are not in any way taking away rights, we are giving people incentives to incentivize the behavior that we like and want in this basin which is more affordable housing, walkable communities, and achievable housing for our workforce. Staff have been very sensitive to that.

VI. COMMITTEE MEMBER COMMENTS

None.

VII. PUBLIC INTEREST COMMENTS

Ann Nichols, North Tahoe Preservation Alliance said regarding the new multi-family code proposal. Mr. Cowen said the way you cap development in the basin is through height, density, and coverage which was all increased in 2012 with the new Regional Plan. Now the proposal is to do this again. It's outside town centers in the case of multi-family, which is all over Lake Forest, Tahoe Vista, Homewood, Incline Village, anywhere there is multi-family zoning. The density would go to 60 units per acre, actually it's 15, although Ms. Fink had it at 25. The stories in height would go up 37 percent, the change in density is 240 percent increase, and coverage 75 percent that would be up to 100 percent coverage. Setbacks are reduced and parking spaces are reduced by 66 percent. This does increase the population and is outside of town centers.

Mr. Hester said the way we cap growth in the basin is through a maximum number of dwelling units, maximum commercial floor area, and maximum tourist accommodation units which are hotel rooms. Those have not changed and are not proposed to be changed.

Doug Flaherty, TahoeCleanAir.org said regarding the new family code proposals mentioned by Ms. Nichols. As referenced in the attached recap to his email regarding the informational flyer by the North Tahoe Preservation Alliance, TahoeCleanAir.org is opposed to TRPA's relentless efforts to further force adverse cumulative incremental impacts upon the Tahoe Basin without an adequate environmental impact statement. Discussing among other adverse environmental and public health and safety issues a roadway by roadway wildfire and winter peril evacuation capacity evaluation. Any increases in height, density, and coverage, or setbacks will endanger the public by further exacerbating the current unsafe human and roadway over capacity peril created by TRPA during its 2012 Regional Plan Update. Cumulative impacts result from the Tierney of the incremental impact with small decisions when added to other past, present, and reasonably foreseeable future action regardless of what agency or person undertakes such other actions, cumulative impacts result from individually minor but collectively significant actions taking place over a period of time. These cumulative adverse impacts are dangerously supported by the pro-growth, pro developer mindset of TRPA and its partner counties. TRPA and its county partners are operating under an aggressive obsession to make area and Regional Plan code changes supporting increased height, density, and coverage. Such increased capacity will lead to well documented and unsafe and current human and roadway over capacity adversely impacted both residents and visitors during wildfire and winter evacuation peril. While TRPA staff and the Board may believe that they can prop up and support every single project or code change by referring to the 2012 Regional Plan, there's a lot of new information that according to Section 6.15, Supplemental EIS is an addended EIS. You must create a supplemental EIS to the 2012 Regional Plan.

May 24, 2023

Carolyn Willette representing the Tahoe Area Group of the Sierra Club. As TRPA considers changes to the Tourist Core Area Plan, consideration must be given to the overall increases in the basin wide density, traffic, evacuation, air and quality concerns. The idea of allowing increased density because it is in a designated core area does not relieve these concerns. Their concerns are increased height, scenic view threats, bigger footprints, and more density. With that comes a threat to the lake's clarity and air quality degradation. The overall impact of basin wide developments must be considered. Cumulative impacts must be fully analyzed and quantified with verifiable evidence, especially considering numerous development projects proposed in the basin. The plan that the TRPA are considering includes more retail, more restaurants, more services, etc., which will all require more employees and more housing. Estimates of the lack of affordable housing will continue to grow while a small percentage of development is directed to what is really needed. As density increases, the dangers of evacuation during wildfires become more alarming. How are dense downtown areas expected to evacuate. The public opinion has been consistent. Protecting the environment, concern for emergency evacuation in case of wildfire and workforce housing.

VIII. ADJOURNMENT

Ms. Aldean moved to adjourn.

Mr. Hoenigman adjourned the meeting at 12:15 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
GOVERNING BOARD

TRPA/Zoom

June 28, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Vice Chair Ms. Williamson called the meeting to order at 9:10 a.m.

Members present: Ms. Aldean, Mr. Di Chiara (for Mr. Aguilar), Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Holloway (for Ms. Gustafson), Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Members absent: Ms. Diss

Ms. Williamson welcomed Ms. Hays as the new Presidential Appointee.

Ms. Hays grew up in Placer County and went to UC Davis and currently lives on the east coast. She worked for the President off and on for ten years.

Ms. Williamson thanked Mr. Hicks for his service to this Board. They'll formally be recognizing Bud with a resolution in July.

II. PLEDGE OF ALLEGIANCE

Ms. Williamson led the Pledge of Alliance.

III. APPROVAL OF AGENDA

Ms. Regan said Consent Calendar Item No. 4, Appointment of a second Vice Chair for the June 28, 2023, Governing Board meeting will be removed from Consent. Chair, Ms. Gustafson is on vacation and Vice Chair, Ms. Williamson has a time commitment today and the Board will appoint a second Vice Chair to continue the meeting this afternoon.

Mr. Marshall said we received a comment letter asserting that the Board agenda was not posted in a timely manner. They went through the records and Ms. Ambler posted it at 4:24 p.m. on Wednesday, June 21st and verified it was accessible via the website. We are in compliance with the open meeting law requirements.

Ms. Williamson deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean provided her minor clerical change to Ms. Ambler and moved approval of the May 24, 2023, minutes as amended.

Motion carried-voice vote.

V. TRPA CONSENT CALENDAR

1. May Financials
2. Release of City of South Lake Tahoe O&M Mitigation Funds (\$25,000) for the League to Save Lake Tahoe Microplastics Beach Clean Up Project
3. Delegate authority to Executive Director to enter into contracts prior to approving the Fiscal Year Fiscal Year 2024 TRPA budget
4. Appointment of a second Vice Chair for the June 28, 2023, Governing Board meeting
5. Appointment of a TRPA Governing Board Delegate to the California Association of Council of Governments (CALCOG) Board of Directors

Item No. 4 was removed from the Consent Calendar.

Ms. Aldean said the Operations and Governance Committee recommended approval of item number 1, 2, and 3. All expenditures remain within budget and revenues are exceeding projections. The Current Planning fees have dropped a bit but are about 95 percent of average for the prior three years. Item two was to provide funds to the League to Save Lake Tahoe for the BeBot which safely removes microplastics from beaches. The League has pledged to provide the required matching funds in the amount of \$25,000 to make the project possible. Ms. Aldean disclosed that she participated in a zoom meeting with a number of members from the League's Board at which this use of this particular device and their partnership with South Lake Tahoe was discussed.

Lastly, was the delegation of authority to the Executive Director to enter into contracts prior to the approval of the 2024 Budget since the approval of this budget has been delayed until the July meeting. The committee recommended that the executive director as purchasing agent for the Agency be allowed to enter into time sensitive contracts that collectively amount to no more than \$1 million in general fund revenues. In addition, any contracts that are grant funded would also be permitted to move forward.

Item No. 5 was not reviewed by any committee.

Board Comments & Questions

None.

Public Comments & Questions

Laura Patton, Senior Science Policy Analyst, League to Save Lake Tahoe thanked the City of South Lake Tahoe staff and the TRPA Governing Board for the potential release of the mitigation funds to support the collaborative BeBot to remove trash from city beaches. This is an Environmental Improvement Program that supports the removal of trash and small debris before they can turn into microplastics and reach the lake. They found through testing in 2022 that up to ten times the number of litter items removed by traditional clean-up efforts can remain below the sand unless a technology like this beach cleaning robot is deployed on a regular basis. The funds will be utilized to complete a full beach

cleaning on the City of South Lake Tahoe beach which will help alleviate trash from betting into the lake while helping the city comply with the Lahontan Water Resource Control Board newly implemented trash amendments.

Mr. Hoenigman moved approval.

Ayes: Ms. Aldean, Mr. Di Chiara, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Holloway, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Diss

Motion carried.

Consent Calendar Item No. 4: Appointment of a second Vice Chair for the June 28, 2023, Governing Board meeting

Ms. Williamson said Ms. Aldean has agreed to be the second Vice Chair for today's meeting.

Ms. Conrad-Saydah made a motion to approve the second Vice Chair

Motion carried-voice vote.

VI. PUBLIC HEARINGS

- A. Tahoe Transportation District/Washoe County School District Temporary Use: Approval of Six-Month Extension 771 Southwood Boulevard and 915 Northwood Boulevard Incline Village, Washoe County, Nevada Assessor's Parcel Numbers 132-201-02 and 132-012-05, TRPA File Number ERSP2021-0673

Ms. Regan said to the community, we are very diligent in receiving their public comment. This has been an item of public comment of great interest in our community and Incline Village and have read all of them. There are a lot of concerns expressed about transportation in general around the entire State Route 28 Corridor on the east shore. This is a very narrow decision space for the Board today and would be happy to talk about the larger issues related to traffic, parking, and some of the improvements that are being done on the SR 28 corridor as well as a conversation about the mobility hub in Incline Village which has been of great concern in the community. Ms. Hill, Chair of the Tahoe Transportation District may want to address some of those in Board member comments, but this item is specific related to an extension permit for the express shuttle from Incline Village to Sand Harbor which is vastly needed in this space.

Ms. Williamson asked if there were any disclosures of ex parte contacts from the Board – None.

TRPA staff Ms. Cornell provided the presentation.

Ms. Bridget said staff approved a temporary use at each of these locations to allow for the parking lots at the old and current Incline Elementary School to be used for intercept parking serving the East Shore Express.

On May 26, 2022, TRPA Hearings Officer approved a permit for temporary use for the Tahoe Transportation District to use each of these two locations to act as intercept parking serving the east

shore express. The parking lot at 771 Southwood Boulevard would be used as the primary parking lot and when it's filled then the parking lot at the existing Incline Elementary School at 915 Northwood Boulevard would be used as the overflow. This piece of this shuttle serves from Incline to Sand Harbor along State Route 28.

The Hearings Officer approval of the permit for the temporary use would have allowed for the transit service or for these two parking areas to be used to serve the transit for the Summer of 2022 with an option to extend the permit one time to continue into the Summer of 2023. After it was approved by the Hearings Officer, citizens appealed the decision. Because of the timing of the appeal, the temporary use was allowed to operate during the Summer of 2022. In October 2022, the appeal of the decision was presented to the Governing Board and the appeal was not granted. There was a lot of public input received through that process and the Governing Board's direction to staff was to add additional conditions to the permit and bring the revised permit back to the Governing Board for approval. Normally, approval of a one-time extension of a temporary use can be granted at staff level.

There were seven items that the Governing Board recommended to be incorporated into the revised permit. A lot of these have been addressed since the appeal hearing and those that are applicable were incorporated into the draft permit. One was for improved signage to notify potential customers that the primary parking lot was full before they turned onto Southwood Boulevard. TTD attempted to place changeable message signs on the highway to notify customers far enough away. The Nevada Department of Transportation didn't support the use of changeable message signs for this purpose, but they did get an encroachment permit to place some form of static temporary signs in appropriate locations. Two, Improve staff training to educate both the Tahoe Transportation District staff and the Nevada State Parks staff at Sand Harbor for information sharing when the primary parking lot was full. Third, was to open the gates at the primary site earlier. Initially, the gates were not opened until the service was starting and cars were lining up on Southwood Boulevard and in some cases backing up onto State Route 28. For example, opening the gates at 7:00 a.m. when the service doesn't begin until 10:00 a.m. There's staff onsite during that time to direct customers and clean up the site. This was identified during the season last year and the TTD remedied that during the season. This year there are also additional things being incorporated. Fourth, was coordination with the local law enforcement to attempt to enforce the street parking and things happening in the primary parking area. Five, increase public participation for interested parties to gather additional input. Six, improve coordination with Nevada State Parks to keep them better informed of when the primary parking lot was full and when to use the overflow lot. Seven, ensure that parking is happening on the paved areas only within the primary parking lot.

When the original project was approved at the Hearings Officer in May 2022, all the findings were approved and made a finding of no significant effect. This extension is consistent with the original findings.

Mr. Hasty, District Manager, Tahoe Transportation District said this is a seasonal summer service that first started in 2012. It is part of the package of multi modal solutions on the State Route 28 Corridor especially for the summertime with somewhat of the unruly parking that happens along the shoulder with the effort to get it off as well as the path, etc. They have been working with TRPA to ensure that these extra conditions are met. They will be back to their full service, last year they only operated one bus. Traditionally they operate two buses, even with the one bus last season for the two month period they had over 29,000 people ride the bus to the park. Prior to Covid, they had ridership of up to 40,000 for the same period. It shows the demand for recreational amenities at Lake Tahoe and this is part and parcel of why they are trying to provide these multi modal solutions as options. They are in

full agreement with some of these suggestions. The idea of the ultimate plan is to be able to capture people more from outside of the basin to get them in. While they are doing that, they also need to build the network internal to the basin to be able to do that which is part of where they are at right now, is more of this internal solution while they work on the external solutions.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIA-Tahoe-Transportation-District-Extension.pdf>

Board Comments & Questions

Ms. Aldean disclosed that she had a brief conversation with Mr. Hasty yesterday regarding this agenda item. She asked if Mr. Hasty could summarize the comments and responses from the Incline Village Mobility Committee meeting on June 24.

Mr. Hasty, Tahoe Transportation District said the types of comments they've heard that they do not like the use the old elementary school site for this purpose. They should be planning for fire evacuation for any type of transit service, and they should be marketing and a lot of the players in the basin should have advertising campaigns such as if you don't show up by a certain time, don't come.

Advertising is rather difficult to do, that is a concerted effort. It is a competition for a few seconds of folks time to be able to get their attention on that. It would be something they would want to work with Parks on because they are the ones who end up closing the gates to the park. Nevada State Parks has been looking at a variety of other solutions including a reservation system. You can never do enough outreach to folks to try to educate on that. Incline is not the target and the end point for a solution for transit and visitors to come as transfer points. But like every other community it is an important node that becomes a connection point within the service area for the entire Tahoe Basin. That's what they've been working with the Incline community right now. The focus has been on the State Route 28 Corridor for the ten years plus and will probably be for a while because all of these improvements are a very long time in developing. They agree that capturing folks from outside and putting a greater emphasis on that is where we all need to go. There are opportunities for collectively working together to help make that happen which would alleviate some of what Incline experiences right now with a lot of travel that comes through there.

Ms. Aldean asked if TTD have been able to determine which corridors are being used to access the existing parking lot for the shuttle service.

Mr. Hasty, TTD said the primaries are the Mount Rose Highway and coming from the State Route 28 from the California side are the biggest access points more so than State Route 28 from Spooner Summit.

Ms. Aldean said among the sites that might be under consideration, is there a site that perhaps would be on the Mount Rose highway that would serve as an intercept lot?

Mr. Hasty said for outside the basin that is the idea of looking at.....

Mr. Marshall interrupted to state that we're getting off topic of the agenized item.

Mr. Di Chiara disclosed that community members from Incline Village have reached out to the Secretary of State. The permit does clarify that this is the second temporary extension and that a

further temporary extension will not be permitted. For the longer term, to Mr. Hasty's point that there needs to be this type of transportation inside the basin while these other improvements happen. This will get us through this summer, but would the next step potentially be a permanent plan for these sites or the TTD looking at something else.

Mr. Hasty, TTD said yes, they are looking. This is a process that they are going through the community in Incline for a more permanent location on that anchor end. The other project solution that is also working into the development because the money is now there is to build a second mobility hub and move the Spooner location and get more parking off of the highway. Those are the permanent solutions they are working towards as opposed to the temporary use permit.

Mr. Marshall is trying to draw a distinction between what's relevant to the temporary permit that's being heard. There's a distinction between generally what is the plan moving forward versus specific locations and debate over because that topic has not been agenzized. He's trying to allow the group to talk about the context of the temporary permit but not move into any substantive discussion about what that might be because that's not on the agenda.

Mr. Di Chiara said as it relates to this permit, if this is the very last time we can revisit this temporary permit on this site, it's worth considering if that element of this is potentially affecting transportation.

Ms. Holloway asked if the static signage is a permanent one-time message or are they able to manipulate that depending on if the lot is full.

Mr. Hasty, TTD asked if she meant permanent in terms of the temporary. It is not an electronic changeable message sign. The Nevada Transportation District would not allow that.

Ms. Holloway asked how they were messaging that the lot was full.

Mr. Hasty, TTD said they will be working with the Nevada State Parks staff, the ambassadors at the trailhead parking, the sandwich boards that they could modify, and the staff at the locations for this parking and the bus pick up. State Parks do have two permanent electronic signs on Spooner Summit and State Route 28 that will state when the parking is full. What they've experienced with folks is that they've come to the beach and find that they can't park there and then park on the highway.

Ms. Holloway asked how many parking spaces there are at both sites. In last year's history, how many times did they see that the old school site fill up where they had to pivot to the overflow.

Mr. Hasty, TTD said the old school site has approximately 60 spaces. About the most they've had at any one time is about 140 and is usually around the week of July 4th.

Ms. Aldean asked if the Nevada Department of Transportation could modify the signs on the highway to include information about the overflow parking lot and where it's located.

Mr. Hasty, TTD said there is always that potential of working with NDOT for changing signage.

Ms. Aldean said it's important because if the lot is full, the likelihood of the family on their way to the beach turning around and going home is pretty remote. If the lot is full, they need to be directed to the shuttle service. Making that change to the existing electronic signage on the highways would be valuable.

Ms. Cornell said this item was noticed to the effected property owners within the vicinity of both of these locations and didn't receive any comments from the effected property owners.

Public Comments & Questions

Pamela Tsigdinos Incline Village resident who lives very close to the old elementary school. In order to get to the one grocery store in Incline, you have to make the transit on State Route 28 which is very close to the old elementary school. If you want to go to the hospital, you use this two lane road where the old elementary school is. Same thing to get to the urgent care. This is not an open fallow field, there are apartments, multi-use dwellings, and people who live all around here. When you get hundreds, 29,000 to 40,000 people looking to come into Incline Village who at peak only has a population of between 7,000 to 8,000, that is a lot of competition for them to get places. Imagine a fire and what it would take to get people who are at Sand Harbor, the old elementary school, and the residents and their visitors out. This is just untenable. She asked that they think this through, there are people and their daily existence involved here, it's not just a paperwork exercise. Please do not approve this. They've been living with this, it's increasingly bad since 2012 and has gotten worse. Give some consideration for the people who have to rely on this one transit that is now being advertised to the world.

Ellie Waller, Douglas County resident said the transit service only operates mid-June to Labor Day. How many vehicle miles traveled are we really saving for less than one quarter of a full year and how much VMT should we be looking at that's being caused by the commuters coming from outside the basin? She agreed with the previous speaker that we need to look at this from a residential and tourism standpoint and find some harmony between the two. Is there gain here for just a couple of months. The future discussions of where mobility hubs will be and how much they affect the bigger picture is what needs to be talked about here, not a temporary permit that doesn't really serve the greater good in her opinion.

Helen Neff said rather than approving a six month extension for the East Shore Express, please take into consideration the following reality for the Summer of 2023. This past winter caused many transportation issues including the necessary repair of potholes, accelerating fading of crosswalks and other road markings along with a delay of starting road construction projects. Road construction has created gridlock in Incline Village and Crystal Bay. State Route 28 to Sand Harbor were affected by the affluent pipeline project. State Route 28 to Kings Beach is affected by the Nevada Department of Transportation projects and private home construction which both result in frequent road closures or one way traffic. State Route 28 through Incline Village is affected by NDOT's ITS conduit and concrete work. State Route 431 to Reno is affected by paving and other improvements. Due to all of this, they've not had their crosswalks repainted or roads stripped in Incline Village resulting in unsafe roads for vehicles, pedestrians, and cyclists. Those that live in Incline Village and Crystal Bay are held hostage during the week. Thus, they run errands on weekends and when construction is suspended, which puts more cars on the roads during peak traffic days. Numerous news reports including Channel 2 News and the San Francisco Chronicle quote Tahoe Regional State Park Manager, Allen Woodridge stating that they are facing seasonal staffing shortages to a magnitude that they've never seen. She's been at Sand Harbor for eight years and this is definitely the first year where they've sounded the alarm that something needs to be done. He goes on to say that they are short 25 percent of staffing levels and for guests that will result in longer wait times to enter the park and a line that stretches down State Route 28. If the shortage continues further into the summer, they may have to schedule park closures. Why are we sending more people to Sand Harbor when they are short staffed and facing closures? Why is TTD accepting \$85,000 from the State Parks for funding the East Shore Express

when those state funds could be used to increase seasonal staff wages or benefits for the employees? Staffing shortages at Sand Harbor result in cumulated trash and substandard cleaning of the beach and restroom facilities. This is detrimental to the environment and damages the lake. TRPA was created to protect. In addition, all the riders on the East Shore Express do not pay an entrance fee into the park, so, they are adding their environmental impact with no benefit to the park. The six month extension for the East Shore Express this summer should not be approved.

Laura Patton, League to Save Lake Tahoe said they are in support of the proposed extension of the previously approved temporary use for the East Shore Express. They've been working for decades to get people out of their cars and this extension is the minimal amount that can be done to alleviate congestion on the east shore. As stated, the service got 29,000 people out of their vehicles. This number underscores the need for more of this type of service. The leading threat to Lake Tahoe's famous clarity is fine sediment pollution which is exacerbated by auto traffic. This traffic also restricts access to recreation, impacts the quality of life for residents and the visitor experience, and restricts access to emergency services. The League has been working with TRPA and others to reduce reliance on the automobile within the Tahoe Basin. As the current public transit is woefully insufficient to meet demand. The East Shore Express helps reduce traffic and its associated impacts to Lake Tahoe and although this service will only make a dent in our transit needs, it's an important foundational service. Ideally shuttles like this will be abundant and lake wide in the near future. Please approve this extension to support public transportation.

Carole Black said please reconsider plans to continue and perhaps expand the East Shore Express service this summer. She's appreciative of the comments made by Mr. Hasty, the Board members, and the previous public comments. She respectfully disagrees with one point from the previous speaker. This service will add incoming vehicles to the already overcrowded highways and streets, further reduced by roadway construction, impeding traffic flow to and from Incline Village along all main roadways this summer. This summer is different and more challenging than past summers because of all this construction. The service needs to be paused and in addition there needs to be more patrols for illegal parking in the community. And a massive public relations campaign as mentioned by Mr. Hasty. Based on information that she's gathered in the context of the mobility committee as a member, she was able to estimate that Sand Harbor related traffic accounts for approximately 50 percent of the summer peak vehicle trip overage along State Route 28 from Crystal Bay Stateline through Incline Village. This is an accident prone area and is burdened with horrific construction this summer. The traffic jams have been phenomenal. In addition, they are looking at construction on all the other roadways in and out of Incline. Traffic jams during June have been continuous and the summer peak will worsen this. This service needs to be paused, and if it's paused there will be an additional 50 to 75 parking spaces that are made available at Sand Harbor that have historically been blocked in order to allow beach space for people coming in on the East Shore Express. Please reconsider, do not expand the service, and preferably suspend it. She appreciated the efforts that have been made to mitigate the issues in the community but none of those will deal with what they are dealing with the traffic jams and construction. She hopes for a very aggressive and comprehensive public relations campaign to redirect folks and traffic away from the Sand Harbor area and away from the trails this summer while they get through this construction.

Doug Flaherty, TahoeCleanAir.Org submitted written public comments that include that the old Incline elementary school is being used as a staging area for construction equipment in connection with the Department of Transportation activities in the area. Regardless of what Mr. Hasty may say, there is no specific permit as far as they can tell that allows staging specifically at the old elementary school. They believe that the staging is happening in violation of the current use permit which does

not allow parking on unpaved surfaces. TRPA's Code states that the staging areas proposed on an unpaved surface that a restoration plan must be submitted with the staging area request. The Memorandum of Understanding between TTD and the NDOT contractor is a 60-day permit which basically says from May 2023 to August 2023. So far, the site has been used for the past 40 days without a permit.

Doug Flaherty, Incline Village resident to make comments on safety. He sent in several photos and has about 70 to 80 more demonstrating that this is an unsafe area within feet of where the buses are going to enter during the East Shore Express activity. If Mr. Hasty claims that the staging of construction equipment is going to cease soon then this should be a condition of this extension of this special use permit. The Board must make a finding that the TTD must now allow simultaneous activity of heavy construction equipment staging while the East Shore Express is in operation. Please think about the safety of this neighborhood. It's bad enough as it is, he uses that area every day to do errands and it's very unsafe. He has a video of the skip loader that moves back and forth across Southwood Boulevard, backs up and a car almost hits it, and it dumps dust and dirt from underneath it tries a couple of times to enter the area. The BMPs in place were not put in place until after 35 days of use. For safety purposes for this neighborhood, please discuss and take it seriously and do not allow simultaneous operations.

Kathie Julian said the first public comment did not mention that the old elementary school site is on the route to the Post Office and Postal Express. These two entities provide mail delivery boxes to more than 75 percent of the population in Incline Village. She's concerned that the approval of this extension will serve as a precedent or an argument for a permanent parking facility at that site as part of the Incline Village Mobility Hub. She urged the Board to discuss that and perhaps amend the motion so that it is not used as a precedent or argument for a permanent hub there. She asked that the TTD engage in discussions with the Northstar and Mount Rose Ski Resort on the use of their parking areas during the summer for the East Shore Express. This should begin now in preparation for the Summer of 2024.

Alan Miller, Environmental & Civil Engineer and activist in the Lake Tahoe Basin. He is the one who commented that this meeting is being conducted illegally because he discovered and presented evidence that the meeting agenda was not noticed to the public until six days before the meeting. That evidence has been suppressed online until just today even though he sent that last Monday. That's illegal. He wants the public to know that this is being conducted illegally. He presented evidence and Mr. Marshall made assertions but presented nothing. If anyone wants to appeal these actions today, they will be set aside because TRPA cannot prove up on its claims. He's seen this time and time again suppression of evidence and information in the record. This is another example of TRPA's planning failures. Twelve years of temporary use, I don't think so. TRPA has resorted to all kinds of criminality to cover up the fact that they didn't public notice the meeting properly. He encouraged members of the public to understand that TRPA is going to go ahead and adopt this today despite any concerns that are expressed. Your only avenue is going to be to appeal. Suppressing comments from the record, trying to isolate people like him is forbidden by the Open Meeting Laws. Public Records Acts are being violated and wants the public to know that this is the kind of criminal organization that's being ran. They have two faces; their public face where they try to put everybody at ease about how great they are doing. He'll grant that some of their partners do great work and beyond that, he doesn't see them as a capable planning agency. Where he could point to several areas, he mentioned in his comments that he submitted that they don't have a plan for the wireless 5G rollout basin wide.

Board Comments & Questions

Ms. Hill said she appreciated the public commenters and commended staff for a good job of mitigating as many issues as were brought to them at TTD and TRPA for this temporary use for the East Shore Express. This Board is going to be willing to listen to concerns throughout the season from the community if there are things that they need to further mitigate. She is chair of the Tahoe Transportation District and the Mobility Hub Committee for TTD, and they are working to find some bigger solutions for this issue. They do believe in outside intercepts. There are a lot of players that need to come together to make that happen. The sustainable tourism plan just released is a great opportunity for them to push on the states as well as transit partners outside of the basin to step up and get folks bussed in from outside. She supported this proposal.

Ms. Conrad-Saydah asked if the Nevada Department of Transportation work was scheduled to continue for the rest of the summer or duration of this permit.

Ms. Cornell said she doesn't know the exact construction schedule. The use of the old elementary school campus as a staging area is incorporated into an Environmental Improvement Program permit for the nearby work that's being done. She doesn't know when they are going to start and stop during the season, but it is accounted for.

Mr. Friedrich said there was a question raised about State Parks staff shortages and the capacity to absorb population being shuttled to this site. Also, a concern was raised about construction and traffic and capacity questions in general as it relates to this short term extension of the service with the short term staffing situation or road construction situation. It does seem like there is a need to look at a longer term solution. How intent is TTD in finding beyond this short term extension a more permanent out of basin intercept lot?

Mr. Hasty, TTD said they would be happy to come back and share with the Board what they are looking at for the future. Regarding the staffing issues and construction, there are two seasons; winter and construction and we are now into construction season. This may be a little bit with what's going on but doesn't think it's out of the norm type of construction activity that goes on. NDOT and others become adept especially during the peak periods like the 4th of July week and modify what they are doing so everything is flowing. But that is not going to stop people from coming. Everyone has staffing shortages. State Parks is on board and are expecting them to do this. It will be a challenge for them like it will be a challenge for us. That is Tahoe's visitation situation right now. They'll be working all the more closely in order to coordinate and make sure that they are doing it as well as possible.

Ms. Holloway echoed her support for this project and overall mobility improvements. There is a long plan for transportation improvements in the basin and we get there incrementally. Placer County is also working on a number of different mobility options and they all feed together eventually. All the comments heard about interceptor lots outside the basin, increased service at peak times are all things that help them move forward from a transportation perspective. She drove by the site this morning and is concerned about the construction joint use on the property. She echoed coordination with NDOT as they are working forward on that. The site looks like it's in the construction phase right now with the fence around it. Just awareness that there could be some conflicts there.

Mr. Hasty, TTD said they'll work closely with them. They are two separate areas. One is a 6.5 acre parcel. They will be coordinating with and is mostly to store materials.

Ms. Aldean said on page 79, paragraph 12 in the permit it looks like some residual language from a construction permit. Part of the permit doesn't include any construction work, but it states that TRPA reserves the right to amend any portion of this permit or construction operation while in progress if it is determined that the project construction is causing significant adverse effects. Can we eliminate any reference to construction? It would state the TRPA reserves the right to amend any portion of this permit if it is determined that the project is causing significant adverse effects.

Mr. Marshall said it is a standard permit term and can delete the word "construction."

Ms. Hill made a motion to approve the proposed extension of the Tahoe Transportation District/Washoe County School District Temporary Use, subject to the conditions in the draft permit with the changes made by Ms. Aldean.

Ayes: Ms. Aldean, Mr. Di Chiara, Ms. Conrad-Saydah, Ms. Faustinos, Mr. Friedrich, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Holloway, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Diss

Motion carried.

B. Amendments to Washoe County's Tahoe Area Plan to Allow Single Family Condominium Uses in Special Area 1 of the Incline Village Commercial Regulatory Zone

Mr. Marshall said the reason they are not asking for ex parte contacts in this context like they did for the other agenda item. That was a project vote and is a quasi-adjudicatory process. This is a quasi-legislative process and are not required to disclose the ex parte contacts when acting more as a legislator than an adjudicator of facts that apply to a permit.

TRPA staff Mr. Stock provided the presentation.

Mr. Stock said this proposed amendment would allow the condominium form of ownership in Incline Village Special Area 1.

Washoe County requested an amendment to the Tahoe Area Plan in response to the Nine 47 Tahoe development approval. This was an approved 40-unit multi-family development that is seeking the ability to subdivide into ownership condominiums. This proposed amendment would allow multi-family to be subdivided into single owner condominiums in Special Area 1 of the Incline Village commercial zone. This is a distinction of ownership and no proposed changes to the physical building approved as a multi-family project.

The amendment was approved by Washoe County Commissioners. It was then brought to the Advisory Planning Commission and the Regional Plan Implementation Committee who raised some issues regarding the definition of mixed-use development and the impacts of condominium subdivision on workforce housing in this special area. Staff were already working on minimum standards and a definition for mixed-use which they recently presented to the RPIC on some of the concepts that they were looking at for the basin as a whole. This area plan amendment is coming forward with mitigation measures. These measures are aimed at addressing the issues that were brought up by the APC and RPIC and to allow staff to make the required findings for an area plan amendment.

Special Area 1 is in the center of the Incline Village Commercial Town Center.

The goal for the mitigation measures was to implement existing policy that's already in the area plan. In particular, it's this special policy in Land Use section 2-9 which states that single family dwellings in this zone shall be limited to mixed-use developments or if they are affordable housing. Based on this policy It would only allow a multi-family structure to subdivide into condominiums if it's part of a 100 percent affordable housing development or if it's part of a mixed-use development. These mitigations clarify the requirements for the mixed-use option to subdivide and see it as an adaptive management to implement the intent of this existing policy in the area plan.

Mixed-use supports active transportation in commercial cores and it reduces vehicle miles traveled by integrating compatible land uses along with pedestrian oriented design to create a community where people don't need cars to access their basic services. The goal is to clarify what the standards and requirements are for active mixed-use.

Mixed-use is about the proportion of non-residential uses and the location of non-residential uses. They are asking for non-residential uses to occupy the ground floor street frontage of a mixed-use building. They are also including this concept of floor area ratio which is an industry standard for regulating building mass. It's a way to measure mass or multiple uses, that's proven to be more reliable and predictable than density. The proposed 1.3 is based on what was already permitted in this zone and is consistent with best practices that are recommended by the American Planning Association.

Minimum standards were set for mixed-use as well. It includes what types of uses can be included in a mixed-use structure which is defined fairly broadly. They set a no minimum parking standard. This would be a TRPA standard and in the case of the area plans, particularly the Washoe County Area Plan a more stringent standard parking minimum that the County poses would take precedent. And designed to promote active transportation and pedestrian accessibility.

Affordability is a key component of viable mixed-use development. Mr. Stock will provide information on TRPA's deed restriction program since it comes into the mitigation. Slide 9 show definitions for Affordable, Moderate, and Achievable housing. The achievable definition was recently changed two months ago and the achievable definition builds on the lessons learned from our history regulatory and enforcing deed restriction. It includes asset caps and audits. The goal is to make sure that these achievable units are occupied by local workers.

The mitigation requires that a proportion of units in a subdivided mixed-use structure will be deed restricted. The result of this requirement is that ten percent of the residential floor area and at least ten percent of the residential units are deed restricted at one of the deed restricted categories.

There are two options for a developer to meet these deed restriction requirements. Option A allows for a mix of affordable and moderate deed restricted units at ten percent that must be built concurrently with the condominium development. The result is that they get at least ten percent of the units built with an income cap deed restriction. Option B is ten percent deed restricted achievable which is the workforce category. In addition, the requirement for an offsite parcel of equal unit capacity to be deed restricted affordable. If a development is proposing 40 condominium units, then they need to deed restrict an offsite parcel with the capacity for 40-units. There is an additional option that they will release the deed restriction onsite if housing is built on that offsite parcel. The result is they would get ten percent unit of the units on site for workforce and potentially in the future a larger

development for affordable housing.

The Nine 47 Tahoe development initiated this amendment and how do these mitigations impact this approved structure if they propose to subdivide. The development is already approved as mixed-use multi-family and would not be required to comply with the new mixed-use standards. They would not be required to redesign their project in order to subdivide but would be required to comply with the affordable housing standards in the mitigation.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIB-Washoe-County-Tahoe-Area-Plan.pdf>

Board Comments & Questions

Ms. Conrad-Saydah thanked Ms. Fink and Mr. Stock for helping her understand the iterative process to get to where we are today and the way the team took in public comments and adapted their process. Mr. Hoenigman said what we're really talking about is allowing a different type of ownership in this project. This project could be built as apartments today. They are looking at whether they should allow it to be built as 'for sale' product. In exchange for that ability to make that jump to for sale, they are getting achievable units now and potentially up to 40 affordable units in the future which would be an amazing 1:1 relationship. It will be a little bit of a load to get those built but hopefully this is a great win for the basin. Staff did a good job of getting us to where we are.

Mr. Di Chiara understands that it would be at least three separate revenue generators that were open to the public. Whatever was on that floor, a component would be revenue generating.

Mr. Stock said they don't require that in the mitigation. The three revenue generating uses that he presented in the slide was part of a definition from the American Planning Association or Urban Land Institute. They don't impose that requirement as part of the mitigation.

Mr. Hester said the concept is that there are three different types of activity that are together. People living, working, and recreating. Living may not generate revenue, for example, but the point is that you get those uses together and people don't have to drive to each one.

Mr. Di Chiara regarding what are the mixed-use components, are there restrictions around what could constitute that mixed-use or requirements for around what would constitute that mixed-use. One of things that jumped out was a sales office which he understands would be an alternate use to just living or recreating but is not necessarily a public use.

Mr. Stock said in the mitigation measures, they included sales offices, gymnasiums, lobbies, and management offices. They say they may be included when they are open to the public. The reason is to understand that in some cases uses like retail and restaurants what they normally think of as the non-commercial uses rather than non-residential use in mixed-use. In some cases, they are in-viable based on the specifics of the parcel. They wanted to allow some other uses in the case that those were in-viable with the understanding that if retail or restaurant or these more traditional mixed-use non-residential uses are viable, that they would be included by the developer.

Mr. Hoenigman said we have received some public comments about this because this current project does have a small amount and is allowing some of these other uses. As a developer, if you can make money on retail, you'll put it in because it is money generating. But to be required to do it in a

situation where it doesn't make sense is a cost to the project that keeps affordable housing from being built or makes it more affordable. He asked staff about the specific project to get this in. Even if a project doesn't have its own retail this area that it is in is a mixed-use area. Even if you can't go straight downstairs to get coffee, you can get everything you need within an eighth or quarter mile. Having these units downtown in this mixed-use area should reduce vehicle miles traveled as opposed to having them spread around the basin, which is what's happening today.

Mr. Di Chiara asked if it were correct that there would be other uses is an understanding but is not necessarily included in the mitigation.

Mr. Stock asked if that was in reference to the three revenue generating uses.

Mr. Di Chiara said for example, if there was something like sales offices, gymnasiums, there was an understanding that those would be included in concert with other types of use for that mixed-use area. He wanted to clarify that "understanding" and whether that was included in the actual language of the mitigation or that's just an understanding between us and the developer.

Mr. Hester said it is included in the language so that it's not left for interpretation.

Ms. Hill commended TRPA staff for their work on this project. This was something that was deliberated at the Washoe County Board of Commissioners. They eventually decided that the downtown should have condominiums in them. They put on the condition for mixed-use for workforce housing if they are going to condominiumize in that Special District 1, but they couldn't do the inclusionary zoning aspect because the Board had decided earlier this year not to do inclusionary zoning. Even though that is something that she is for personally. For TRPA to be able to step in and do that is great because they were listening to the community of Incline Village and Crystal Bay and able to implement their jurisdiction under the Compact. This is a great compromise.

Ms. Laine said she doesn't share the same enthusiasm for this project mostly because she's seen this two-step process used throughout the basin multiple times. People come in and dangle the carrot in front of the local elected officials saying they are going to build a multi-family project and it gets permitted and they subdivide, and they are left without the option of objecting to them creating these condominiums. For example, behind the Forest Inn a developer came in and provided a project that was going to be multi-family and is now million dollar condominiums and there is no way of stopping the train. This area of Incline Village in particular is a very central location and is ideal for workforce housing and its near transit. There's no downtown that she would identify in Incline Village. We're having a problem all around the basin where police officers, teachers, etc. cannot find housing. The fact that they got a permit and realized that they couldn't do the two-step process because it was not an allowable use. Because they already received a permit, items 1, 2, 5, and 6 that are a part of these mitigation measures would not apply to Nine 47. Was there discussion around reapplying for the project so that all of the mitigation measures would pertain?

Mr. Marshall said they have an existing permit, so they didn't discuss with them giving up the permit and reapplying. He personally doesn't think they are interested in that. Part of the permit that they issued to them was recognition that they were a multiple-use facility with that relatively small amount of square footage dedicated. They are permitted as a mixed-use building. TRPA has already made a judgement that they met at that point the definition of mixed-use. There was a discussion that since they've already permitted them as a mixed-use to exclude any development that's already received that determination. You can decide not to do that, but that was the thinking of staff as to why to allow

at least this one existing permit that's already been determined mixed-use to go ahead.

Mr. Hester referred to page 111 in the packet, number one states 60 percent of the first floor has to be pedestrian oriented non-residential and number two describes what those are including ones that Mr. Di Chiara asked about. This project has 925 square feet of mixed-use. It's not 60 percent of the first floor but does have some mixed-use. That's the difference you'd get if they were to redesign and reapply. Staff didn't think that justified asking them to redo that. The important part going forward is the affordable housing units. Staff have improved their enforcement process significantly and are in the process of issuing a request for proposal to get best practices to make it better. They're confident that somebody won't turn these into market rate units without either doing the 40 offsite or TRPA not allowing it.

Ms. Laine asked what TRPA's confidence that the 40-unit deed restricted affordable housing will be built in her lifetime.

Mr. Hester said he believes that they've put as many incentives into the way they've constructed this as possible to make that. They are going to have to put in four achievable units and deed restrict this offsite parcel. They can take those four and make them market rate and that would make a lot more money off those four units if they do the offsite project. He suspects that the offsite project will require some subsidy from some source whether it's land or money. The analysis in the Tahoe Living Working Group with the Cascadia Partners was market rate. You can get achievable but you can't really get below that without subsidy. It depends on how many subsidies they get.

Mr. Marshall said he thinks you should assume that it's not going to be built and determine whether or not given that, you still have four achievable units and deed restricted land that at some point can only be utilized for affordable and whether or not that's an appropriate balance from public policy wise. The Board is in their legislative mode and can decide whether or not that is a good trade off or not. A lot of factors have to line up under our current situation to get large affordable projects online. They're trying through a bunch of different efforts within the Agency to incentivize and to provide the necessary density, coverage, and height that allows that to move forward but staff cannot guarantee or give a good estimate of when that next project might happen.

Ms. Aldean said in all fairness, it's her understanding that the developer of the project made their intentions clear to Washoe County staff that they intended to go through a two-step subdivision process. Then the Washoe County staff realized that they had to go through TRPA to perfect that two-step process. There was no mechanism for them to do that under their own permitting process. She doesn't fault the developer in this instance.

Mr. Marshall said either the developer didn't do their due diligence to look at TRPA's rules and determine that this area wasn't subject a two-step subdivision because they didn't have the permissible single-family use. Notwithstanding that they still got a mixed-use permit from TRPA. That is what the Board should balance as to whether or not they should apply these rules to that particular project or should existing permits that are mixed-use be allowed to move forward with how they were approved by TRPA. They either made a mistake or forgot to look at something but doesn't think there was any purposeful or negligent response by the County to do that.

Ms. Aldean said she was not implying that. But they didn't realize that they had to convert a single-family dwelling into an independent parcel for sale purposes or you need to go through the two-step subdivision process. Mr. Feldman is familiar with the rules and it's hard to believe that he would

overlook that essential step in the process, but she cannot speculate on that. Not everyone wants to rent a unit, some people like to buy a unit. If you don't subdivide the units, you can't sell them. There's a long history about the two-step subdivision process. Predecessor to Mr. Marshall, Susan Scully was the legal counsel and there was a compromise in an effort to avoid further litigation. The Board can reconsider the applicability of the two-step subdivision process. Her perspective is that if you can go through that process, you can make affordable units for sale, and you would otherwise be foreclosed from doing that if there wasn't the two-step subdivision process.

Ms. Hill said Washoe County is doing the Washoe Tahoe Housing Plan and had a great meeting with the Rotary Group and a community group in Incline Village. Hearing from folks making \$188,000 to \$205,000 per year want to buy in Incline Village and Crystal Bay. They are committed to the community and want to raise their families there. To Ms. Aldean's point, there is room in this workforce housing discussion for buying and renting. She agreed they need more rentals on the market and is optimistic that is something they can get online in the next few years with this housing plan. Folks also want to buy in the community that they work in.

Mr. Friedrich asked if there is a sense of what the developer intends to deploy there. It seems based on comments today, that it is likely to be some of the permissible uses that fit within the proposed condominium subdivision with lobbies, sales offices, etc. Is there any indication that it would be more public serving mixed-use elements?

Mr. Stock said in the case of Nine 47 development they wouldn't be subject to the second article in the mitigation. They wouldn't be subject to the new mixed-use requirements. As proposed, they would be allowed to develop based on their current approved permit for mixed-use. They would be subject to item 3. They've indicated that it's likely to be Option B but cannot speak to that specifically.

Mr. Friedrich said in Option 3-b to Ms. Laine's comments, there is no tie between the development of offsite units and the permit to proceed with construction.

Mr. Stock said the permit to proceed with subdivision would require that they deed restrict the offsite parcel and that they construct the achievable units on site concurrently with the market rate units. The construction of that offsite affordable development isn't a contingency, but they do have the option to lift those achievable deed restrictions if they do build that offsite development.

Mr. Hester said they will have to deed restrict the other site to affordable and will have to build four achievable to be able to do the project.

Mr. Friedrich said then there is no consequence if the units are never built, they just have to deed restrict the parcel.

Mr. Marshall said correct.

Mr. Friedrich said regarding short term rentals, would current approved use allow them and presumably the condominium subdivision would.

Mr. Hester said short term rentals are managed by the local governments. The City of South Lake Tahoe had a voter initiative, Placer County deals with them differently and collects revenue for transit and housing. Douglas County and Washoe also have their processes. TRPA doesn't get into that other than it affects their allocations.

Mr. Marshall said there is nothing in this particular Regional Plan change that would restrict short term rental use to the residential units that either exist as rental or as for sale. Washoe County rules allow one short term rental per parcel. If it's a multi-family, one parcel development there is one short term rental available. When it goes to condominiums, there are 40 parcels available and could have 40 short term rentals associated with that development. Nine 47 has indicated that they are going to put something in their CC&R's that would not allow short term rental use of their units. That is their own independent determination as to whether they are going to allow that. That conforms with how generally condominiums are addressed in other areas of the basin. They are a residential use, therefore, under TRPA rules, they can have a short term rental use unless it's further restricted by local government requirements.

Ms. Aldean said CC&R's can be amended and to her that isn't sufficient. At a public meeting, Mr. Feldman said the developer would deed restrict those 40 units to exclude the use of those units as short term rentals.

Mr. Marshall said that would be their choice.

Ms. Aldean said a deed restriction is on the title as opposed to an amendment to the CC&R's which can be amended by a certain number of members within an association.

Mr. Di Chiara said something that they are all concerned about is affordable housing in the basin. His understanding from Mr. Hester is that this component, ideally that the offsite element where there would still be 40 affordable units built inside Special Area 1. That would be great if it were to happen. Is the inability for TRPA to require that contingency for construction of affordable units in conjunction with the subdivision? Is that inability of us to make that requirement? Is that related to this specific process and the process that this development has gone through or is it a complete inability of TRPA to require that type of contingency?

Mr. Marshall said there is a mix of policy and legal analysis associated with the question. From the legal side, Mr. Hester can address the policy side, perhaps whether that's a good idea or not. The mitigation measure is applied to the subdivision. There is already a multi-family approval and then want to subdivide to go to for sale instead of for rent. That's what they are trying to mitigate because there is going to be potential impacts from going to higher costs for sale which essentially would be in our determination offset by ten percent of the units being created to provide potentially the workforce or contribute to the workforce housing in Incline Village to offset the creation of this for sale portion. What Mr. Di Chiara is essentially saying is could we require 40, 1:1 requirement for the offsite option. If they wanted to go offsite fully, they would need to do a 1:1. The answer is yes and is what's part of the mitigation measure that's in the package. If they apply, subdivided, and deed restrict for achievable units, the difference is that they're going to achievable housing which allows a higher income rate, but it also has to be workforce. There are additional requirements that at least one occupant be working within the basin. Because it allows additional costs recovery or they can sell them for a higher amount, they've added on to that a requirement that if you are going to do four achievable within the built units, you have to deed restrict offsite additional capacity. The third option is to just to deed restrict for affordable units in the parcel. If he understands the question, is when you go down that line, can you instead say, first off you have to deed restrict 1:1 basis offsite if you want to subdivide as a mandate.

Mr. Di Chiara said in the legislative mode he wouldn't personally use the word mandate. If we are

giving them the option between these things and the option that the developer seems to be going with is securing the potential 40 offsite affordable units. That must be economical for them somehow. Mr. Marshall said to do that they also have to deed restrict for built units onsite.

Mr. Di Chiara said yes, onsite. Then when the other 40 offsite are constructed that would lift the deed restriction on those four units.

Mr. Marshall said correct. All those 40 have to be deed restricted.

Mr. Di Chiara said they would have to deed restrict and obtain the potential to build those 40 units but there is no requirement for construction. The lack of a requirement for construction, is that due to the process that they followed for this subdivision? If they had come about wanting to build out these 40 parcels in a different way, if they had done things right the first time through, is that offsite option something that we could have mandated, or would that be outside the ability of TRPA to do?

Mr. Marshall rephrased Mr. Di Chiara's question to say is it legal to impose a 1:1 requirement if you are building 40-units for sale at market rate, could they impose the requirement to build 40-units offsite deed restricted, 1:1. That is a particularly sophisticated analysis in terms of whether or not, under our constitutional principles in the cases are Nollan and Dolan nexus as to whether or not you are mitigating a true impact associated with the construction of those units. Most, if not all the inclusionary zoning that they looked at, are percentage based, not 100 percent. The reason is that as you get close to 100 percent or more, that connection becomes more tenuous. For example, if you are mitigating how many workers are going to be required, what kind of units are they going to need, it's more difficult to get to the 1:1, 100 percent.

Mr. Hester said coming from the policy side with some rough numbers. We have a needs assessment done for all of the South Shore and needs assessment for Washoe County and the North Shore. The Tahoe Prosperity Center did one for the South Shore and now are doing Washoe County. The Mountain Housing is doing one for the North Shore. It's roughly about 4,500 to 5,000 units which is about ten percent of the basin. If you look at the percentage that Placer County has established is about ten percent. When Mr. Marshall mentioned Nollan and Dolan that seemed roughly proportional. Ten percent needs to be one of these three categories: achievable, affordable, and moderate. They need achievable, and they are willing to do achievable. Then they also need affordable and moderate. They are willing to deed restrict this site for 40 affordable and moderate. But they know from their analysis with the consultants that market rate without subsidies they can't get below achievable. If they want to take these achievable and turn them into market rate, they can get some more money from that and use it with subsidies over on the 40-unit site. They've tried to set it up policy wise so we achievable but also have incentives to go to the lower income levels if the global "we" can find some ways to subsidize that because the market is not going to do it. From a policy perspective they think they've hit all three and the ten percent is roughly proportional.

Mr. Friedrich confirmed that the Mountain Housing Council forecast was 4,500 to 5,000.

Mr. Hester said it was taking those three studies because it was for different parts of the basin and putting them together. Ten percent of any development needs to be some affordable, achievable, and moderate.

Mr. Friedrich asked how many residential allocations are remaining in the basin.

Ms. Fink said about 2,000 allocations.

Mr. Marshall said allocations are set on a 20-year basis. When that allocation ends, then those additional residential allocations can be authorized by the Board if they choose to do so.

Mr. Hester said when they went to the Regional Plan Implementation Committee and discussed the mixed-use measures, they came up with around 33 different things they'd like staff to look at. One of the things they asked staff to look at was things like should they go back and discuss if conversions to residential be limited to only bonus units that go for affordable housing. There are some other things that they'll probably talk about in the next phase when they look at development rights is do we want to direct more development rights to housing and affordable, achievable, and moderate housing and not let them go into the market.

Mr. Friedrich said there's a finite supply of allocations. Until further Board action, there's 2,000 and this project will take 40. Plus, there's the Latitude 39 project to consider. In the past year, how many allocations have gone to condominiums, vacations rentals, or very large homes? Anticipating what's in the pipeline, if this is the development pattern that persists, are we concerned about taking the finite pool of available allocations with the intended parking, coverage, traffic, and other impacts that go with any kind of development and squeezing out what might be needed to satisfy those 4,500 to 5,000 units and using them for purposes like this?

Mr. Hester said there is a pool of units that are available for local governments to get allocated to use however they want and then there is the bonus unit pool which TRPA controls which is for affordable. If you build affordable, achievable, moderate, you don't have to get a development right, TRPA gives you a bonus unit. That's what they want to add more to. We are drawing down that pool and will need to replenish it at some point and is what they are looking at for phase three.

Ms. Fink said there are about 1,300 bonus units remaining. About 700 of them have been reserved for projects that have submitted applications such as Sugar Pine Village.

Ms. Holloway said she understands that we are not debating the project specifically but has a question related to the current occupancy of the multi-family. We're talking about a rental versus an ownership switch but wants to understand the current occupancy.

Mr. Marshall said it's not been built yet. It's a two-step where they get authorization for the multi-family and then they can subdivide then they go to construction.

Mr. Marshall said there is also an errata that moves the proposed mitigation measures out of the Tahoe Area Plan and into the adopting ordinance at the request of Washoe County so that the Tahoe Area Plan is consistent with TRPA and the Regional Plan and Washoe's area plan.

Ms. Regan thanked the Board for this discussion and acknowledged to the public that they read all of the public comments. What you'll hear in public comments is about the policies that we've had on the books going back more than 30 years ago with the two-step subdivision. A lot of these policy questions are embedded in this decision today. We're in a place in time for an urgent need to modernize our land use system. The discussion around the two-step subdivision is part of that but that is the policy they've had for 30 – 40 plus years. A lot of comments will disagree with that. This is something that they'll need to fold into the larger work being done. They are fast tracking that work in terms of modernizing our policies for housing and to support more housing. Also, thank you to the Advisory Planning Commission for being a part of evolving this package and remind the Board about

how much conversation they've had about this item. They've worked closely with Washoe County staff and listened to the community. The first time we've brought this through the Regional Plan Implementation Committee, it's changed a great deal based on public comment and consultation with Washoe County and best practices research. There was a comment from Andrew Strain when he worked at TRPA in the 1990s when they did the community plan that it was not intentionally excluded to his knowledge of having the ability to do the two-step subdivision in this area. Part of the challenge is that a lot of time has gone by from when they originally visioned this community in the 1990s through the community plans and plan area statements to a Regional Plan which then set the framework in a different way for area plans. We're in this adaptive management process and it's important not to lose sight of that. We're trying to find solutions that have cropped up that this was unexpected and doing our best to solve problems. She thanked the planning team under Mr. Hester's leadership and Mr. Stock for bringing you creative solutions to this. Thank you to the public for weighing in. In Ms. Waller's comments, she put in articles from 20 plus years ago where we were debating affordable housing challenges. That underscores the need to think differently because we've not been able to offer enough incentives to grow affordability in our market which is a national problem.

Mr. Feldman said in response to a question by Mr. Friedrich he said the units of use for condominium projects are not coming out of the pool that are allocated or metered out over the 2,000 units. They are acquiring development rights elsewhere that are existing development and relocating them. There is no impact to the availability of resources of future housing projects.

Public Comment

Alex Tsigdinos, Incline Village resident urged the Board to oppose changing zoning in Special Area 1 to accommodate a four story luxury condominium development. First, describing Special Area 1 as an urban zone ripe for high density, high rise development is specious. There are currently one and two story strip malls along State Route 28 occupied by local businesses such as supermarkets and restaurants that serve our community. There's not much "village" in Incline Village, it's unwalkable six months out of the year due to snow. Second, Special Area 1 is now zoned for mixed-use commercial and affordable housing. If this change is made, it's highly unlikely that affordable housing will ever be built in this area. It's highly likely that the existing small businesses will eventually be replaced by more lucrative luxury developments. That would set a bad precedent for Incline and the Tahoe Basin. Like the rest of Tahoe, Incline has a lack of affordable housing. There is no shortage of luxury condominiums in the \$2.5 - \$5 million range that this project has advertised. The vast majority of these condominiums will be part time vacation homes and short term rentals. This amendment answers a question no one has asked. Please look at the website advertising this project at <https://nine47tahoe.com>. The positioning is very different than what they saw in the presentation. Third, ingress and egress from the Tahoe Basin is highly constricted. In the North Shore there is a single two lane road in and out. In an evacuation, one of those lanes will be dedicated to emergency vehicles. This is just one of 15 to 20 large commercial development proposals you will review in the near future. Given the wildfire risk you must also consider the impacts of these projects in sum and not just on an ad hoc basis. In the interest of public safety, this former Navy shipboard fire fighter ask you to start planning on how to get people out of the basin and not on just packing more in. Please vote against this amendment to a bait and switch permit.

Ellie Waller also submitted written comments. This should be denied and processed to reevaluate the Regional Plan. It needs to come to the level of priority because these projects are coming forward finding loopholes that have needed to be closed for many many years. On page 87, it states "When a

regional definition and standards are adopted, the proposed mitigation measures for Special Area 1 will be repealed and replaced.” That’s a huge issue and is something you need to consider as you are doing this. California and Nevada South Shore numbers always need to be divided. That statistic called South Shore really gets mucky. She attended a recent meeting where the CEO of the Tahoe Prosperity Center said that she of a CEO of a nonprofit and her husband can’t afford to live in Incline. That’s in your face. The new job listed for the Stewardship Plan Coordinator is \$95,000 to \$115,000 per year. Where is that person going to live? We have to take a step back. She embraces that there are land use planners and developer applicant agents that understand how to play the games here. We need to be looking at these projects from a future vision standpoint. Today, made her think with all the different discussions and questions asked and to have legal counsel weigh in on how you are going to approach your decision making today. We want to see things on the ground. The other piece is that we never discuss price points when we’re looking at the initial projects. Developers need to be forthcoming. If this is what you want to build, fine but bring that forward and have the public understand that this isn’t for achievable.

Pamela Tsigdinos, Incline Village resident said she is for community engagement and public safety and is why she opposes this Tahoe Area Plan Amendment. She explained more fully her opposition in the Reno Gazette Op Ed. Within 48 hours, the one thousandth member, Tahoe Area Group, Sierra Club and more than 60 Nevada and California Tahoe Basin residents reached out. Most of them could not be here because of work and other commitments but gave her permission to include their names in a letter asking the Board not to approve further development or Tahoe Area Plan changes until they lead a comprehensive executable Tahoe Basin wide fire evacuation plan and strategy. We need verifiable times and routes that are reflective of the current resident population and peak visitor numbers. You’ve heard about congestion and gridlock, it’s real and that’s before adding more density. Kudos to your wildfire awareness campaign. It’s a great start but we need far more than slogans to get people safely out of the basin. As the federally funded bi-state Tahoe Basin authority, you hold the power, the funding, and the responsibility to protect the lake, land, residents and visitors. We rely on you who are the representatives of California and Nevada and the Department of Natural Resources, the county leads to do the right thing. What greater project priority is there than saving lives. This means a lot to all of us who live here. Wildfire season is upon us. It’s time to stop focusing on how to pack people into the Tahoe Basin and instead focus on how to get us out. Please prioritize public safety, we rely on you to save lives. Do not approve this area plan change as presented.

Dale Smith is in support of these proposed amendments. He’s a 45 year resident of Incline Village and architect here for 34 years. The community has elected him Director of the North Lake Tahoe Fire Protection District to three terms and past President of the Tahoe Incline Rotary Club. Also, President of the Homeowners Association for Country Club Center. A mixed-use development comprised of 36 residential and 36 commercial units. Their HOA Board joins him in supporting approval of this agenda item. Allowing single-family condominium use within the Incline Village Commercial Special Area 1 and enabling the Nine 47 project to move forward. This amendment is in accordance with the Washoe County Master Plan and promotes feasible development of the remaining parcels in Special Area 1 consistent with the TRPA Growth Management goals. Development of residential units within this regulatory zone where very few exists now helps the Tahoe Area Plan deliver on its goal of concentrating development in town centers creating walkable communities and is what is ideally a mixed-use commercial area. As a business owner, he speaks to the need for affordable housing. Denying this amendment is not synonymous with approving affordable housing. High real estate values of the remaining parcels of Special Area 1, coupled with extreme construction costs and low return on investment prevents developers from constructing or financing such projects. The Regional Plan promotes a form of redevelopment described as environmental redevelopment to meet the

economic and environmental goals. The Washoe County Tahoe Area Plan envisions redevelopment as the primary tool for achieving environmental goals while simultaneously contributing to the redevelopment of aging urban cores. Redevelopment of parcels within the regulatory zone will include water quality improvements, controlling storm runoff, promote economic activity, create energy efficient safer structures, reduce greenhouse gas emissions, and provide infrastructure for non-motorized transportation. To achieve these goals, the Washoe County Tahoe Area Plan recognizes the need for removal of redevelopment barriers. Vacant parcels do not advance these improvements. Please support the Washoe County Tahoe Area Plan Amendments.

Larry Wardowski, owner of Incline Property Management who provides commercial maintenance and property management services to commercial properties and HOA's in Incline Village for the past 44 years. He supported the proposed amendment. If and when the amendment is passed and the project is built, it will be an HOA. It's important to note that the developers have the resources to both manage and maintain this homeowner's association when built. They won't need the services of his company and is here to advocate for the 36 small businesses that they do provide services to that are within walking distance of this project. The project will provide these homeowners with the ability to help these small businesses create sustainability year round. The most impactful feedback that we receive from the small business they serve is that there is a need for more full time homeowners in Incline Village. Their company is not involved in short term rentals and never will be. He understands that the developers will deed restrict this property against STR's. The amendment and this project will bring another level of economic viability to the Village and increase population density for the small businesses and will allow for some vibrancy along this mainstreet in Incline Village which has been needed for a long time.

Hang Ngyuen. Incline Village resident for over 16 years and small business owner with five to seven workers in her salon. We need to have a change and is in support of the proposed amendment. It's hard to keep workers with the seasonal business and makes it hard to provide for their families. This will help to provide a stable economy. It's a small town and we have to protect it.

Stacey Hanna supported the Nine 47 redevelopment project and the code amendment to allow condominiums. She represents the 53 letters and members of their community. A resident of Incline Village for the past 43 years, she has deep roots in this community. Her husband is a retired Fire Chief for Tahoe Douglas Fire and has raised a family here. They volunteer for local organizations and grew a business. She currently represents Nine 47 Tahoe as the agent on record for Chase International. The Nine 47 project and proposed amendment align perfectly with TRPA directives for environmentally beneficial redevelopment. They prioritize reducing vehicle miles traveled and creating a walkable town center by catering to the evolving needs of our community as outlined in the Regional Plan Update. By identifying and removing barriers to redevelopment within the town center, these initiatives provide necessary amendments to the Tahoe Area Plan along with the appropriate mitigation measures. This comprehensive approach not only revitalizes Incline Village but also stimulates economic activity for small businesses fostering an inclusive and vibrant community. By providing 40 new units, the Nine 47 project helps to alleviate the housing shortage and offers a viable alternative to owners renovating existing properties. With a central location and a focus on walkability and bikeability, Nine 47 Tahoe is designed to be an ideal place for everyone generation. The project takes into account the needs of our residents with convenient underground parking, ease of maintenance, and especially elevators which are essential for those of who wish to grow old in our beloved town. Many potential owners of Nine 47 Tahoe are already homeowners in Incline Village, not part time residents. This underscores the demand for housing options that meet the needs of our community members and their desires to remain in Incline Village. By approving the ownership

amendment, they can address our housing shortage and create solutions that preserve and enhance our existing workforce housing. She urged the approval of this code amendment for condominiums. Kristina Hill, Incline Village resident for over 32 years, land use planning consultant, and former TRPA employee. She's also submitted written comments. You've heard the facts as to why you should deny this proposal. Now to common sense....None of you reside in Incline Village and were not part of the Tahoe Area Plan process that the people crafted carefully. Even Ms. Hill wasn't part of that process several years ago. They crafted the area plan to not allow single-family dwellings in the town center but instead the County made multi-family dwellings which are rentable housing units as an allowed use. The County now wants to change our plan by allowing condominiums and short term rentals in our commercial downtown area. This amendment is a result of one owner applicant making a mistake. They thought they could get approval for multi-family dwellings then use the two-step subdivision process to subdivide the units into single-family dwellings. Please don't make their problem, our problem. The people that are speaking in favor of this will all financially benefit from this project. Incline has enough million dollar condominiums. Please heed our plea and deny this absurd proposal.

Lisa Fleischer has owned a home in Incline Village since 2013 and has lived here full time since 2020. Also has a few commercial properties in the Tahoe Basin area and Pilates Studio in Special Area 1. She's speaking as a resident and business owner and is also the spouse to the developer. She supported the Nine 47 project and the proposed change in zoning in this area with the addition of mitigations. The Nine 47 project meets the criteria of the TRPA directives of developing an environmentally beneficial and tasteful project that will reduce vehicle traffic and help create a walkable town center. A project like this will not only help small businesses like hers but also many businesses in the area. They rely on full time residents but also rely on second homeowners who visit often. We are skeptic saying that we only walk this six months out of the year. She lives on Southwood Boulevard which is very close to this area and walks to work in all seasons. It's a walkable area and where this is being built can definitely be walkable. She doesn't see a difference in condominiums, multi-family, or apartments. To response to the question if this is ever going to be built, they have a parcel and had architecture's draw up proposals for us. They are serious about this and aren't taking it lightly. They know that workforce, affordable housing is needed. They are not anti-community people; they are trying to help this community. This area is almost completely developed.

Randy Fleischer co-developers of Nine 47 Tahoe said they also own another parcel of land on Adler which is next to Christmas Tree Village and the Chevron Station which they are targeting for 40 affordable or workforce housing units. They need some assistance from the County on that project. When they closed the contract for the land, they were under the belief that they were entitled to do for sale condominium development on that project. It was when they came for their permit that they were not allowed to do the condominiums and had to go through the two-step process. They will either deed restrict four units or build the Adler project. They feel that they can bring a walkable community to Incline Village which will provide for the critical needs for the shortage of housing in all spectrum levels.

Lew Feldman on behalf of Nine 47. He thanked Washoe County and TRPA staff, the public comments that have helped inform the evolution of this proposal. The Advisory Planning Commission's governance and the Regional Plan Implementation Committee's input. What has come to the surface is the absence of workforce housing which is endemic to the basin. It's not just Incline Village. He's also cognizant of TRPA's significant undertaking as evidence by the June 14, 2023, phase 2 proposed housing amendments which were designed to again to try to create economic viability for workforce housing. The greatest barrier to workforce housing is land. Ninety percent of our land is publicly owned, and ten percent is privately owned. Of that, two percent is in the urban areas. Land is scarce.

What has evolved in this collaborative effort is a paradigm shift. We have a closed market rate project that can be built today whether this amendment is approved or not. In the paradigm shift, include inclusionary housing. Something that hasn't occurred in Incline Village. That is a step forward. The other component to this which has had some legitimate questions about if you deed restrict land, what does that mean? Because land is the scarcity, if you deed restrict it for its only use as affordable housing, the question is not if it's when, it's not going to set fallow indefinitely. He served on the Tahoe Prosperity Board for nine years and is passionate about workforce housing. He participated in the entitlements for the 64-units across the street. These projects are difficult, they are challenging but we're coming together to make them feasible. He applauded the team effort that has created the mitigation aspects that were not attenuated, not attached to the original Washoe County proposal but the developer has embraced those. Not a lot of developers are in a position to permanently deed restrict and make available land. What Mr. Fleischer didn't say was that they started on the development of the affordable housing on the Alder site before Nine 47, it was sincere. He urged the adoption of the proposed amendments.

Susan Lowe, President and Corporate Broker for Chase International who have 14 offices around the Lake Tahoe Region. She's lived, worked, and raised a family in Lake Tahoe for the past 45 years. She supported the amendment to allow condominiums at Nine 47 redevelopment project. On behalf of herself and her company of 375 independent contractors and employees, we support this amendment. Importantly, it helps the housing inventory shortage. For years, our region has experienced extremely low inventory which has driven prices higher, contributing to the lack of affordable housing in the Tahoe Basin. By adding 40 new living units concentrated at the town center which the Tahoe Area Plan directs, they can preserve this trend. They expect many buyers to come from existing residences in Incline Village. Which in turn, allows more inventory for these vacated properties to be put on the market and used in more affordable or attainable housing. It will also supply affordable housing as this developer is planning for Incline Village at the Alder Avenue site, another walkable area. It implements the goals of the Regional Plan to be responsive to the unique needs and opportunities of our communities. This amendment would allow the division of multi-family in mixed-use projects for individual ownership. For example, single-family is airspace condominiums as an additional option for redevelopment in a town center. There are only 4,750 square feet of single-family residence out of 453,000 total square feet in Special Area 1, one percent of the total square feet in Special Area 1. Businesses need residential. Environmentally it creates a walkable, vibrant community by reducing dependence on cars and bringing direct access to trails. This project significantly reduces trip generation and vehicle miles traveled from previous uses of 1,700 daily trips to less than 200. It will also deliver much needed stormwater management controls. Economically it contributes 45 million across two years from annual taxes, jobs created and new economic activity. Incline businesses need this revitalization and investment. This site has been an eyesore for more than 20 years, not reflecting what the Tahoe Basin has to offer.

Ronda Tyner said she is not against the Nine 47 project but that is not what is being voted on today. We are changing the Tahoe Area Plan. She won't repeat any reasons given by her fellow Incline residents to deny this amendment. Neither will she dive deeply into a critic of the threshold gain analysis which claims the amendment will allow improvements to replace substandard development with more energy efficient and environmentally friendly structures and create more compact walkable and bikeable town centers. Every one of these threshold gains could be achieved to the same degree with apartments instead of condominiums. Environmental redevelopment of apartments would achieve the same gains without the one major drawback of allowing single-family dwelling air space condominiums. What is this major drawback, as Mr. Stock's analysis clearly shows on pages 147-148 "The proposed amendment could result in additional development or the potential conversion of

existing development. The ability to create individual ownership air space units generally allows for higher per unit sale prices creating a potential incentive to develop condominiums over other uses. In addition, Washoe County currently allows one short term rental per legal parcel." Under the proposed amendment the number of short term rentals would increase. Mr. Stock goes on to say, "The remaining 35 plus developed commercial properties could be redeveloped and converted into short term rentals." "And as a result of the proposed amendment there could potentially be additional single-family dwelling condominiums that could be rented as STR's." "And allowing multi-family dwelling projects to be subdivided into single-family dwelling condominiums as per proposed in this amendment could increase the number of STR's in Special Area 1." Mr. Stock goes on to say that the potential impacts of STR's would be "Less than significant." She's previously informed the Governing Board that in the 2021 Tahoe Prosperity Housing Study, STR problems were the most mentioned issue by Incline employees looking for housing. In a recent flash vote survey asking what problems the city of Incline might resolve, the second most frequently mentioned was STR's. Mr. Stock's conclusion doesn't reflect Incline Village reality. In their case, air space condominiums equal Airbnb. Deny this amendment, it will not solve our affordable housing problems, it will increase them.

Carole Black thank you for all of your efforts. She also submitted written comments. She agreed with Ms. Tycer's comments. TRPA has a responsibility to protect the lake, the land, and the people. She doesn't agree that TRPA is not responsible for some of the STR situation because TRPA did allow STR's in the distant past which is part of what has sparked some of their concerns. We need affordable housing in Incline Village. They do not need more marketplace condominiums. Yes, brand new is nice and will help the tax revenues. It's not this specific project that's the issue, it's the land availability, it's can we deliver on the affordable housing that we need. She believes that the mitigations are helpful but insufficient. One is the mixed-use definition that's been spoken about. It needs to be restricted to address only commercial and retail services for the community. It excludes services related to adjacent housing such as property management sales, rentals, etc. the achievable definition includes a work requirement but needs to include an income cap. The absence of parking requirement is ridiculous. It's impractical and dangerous and will increase on street parking. The STR issues need to be addressed and the accessory dwelling units must be restricted. No changes to the Tahoe Area Plan zoning except those required to directly support workforce affordable housing. The proposals and mitigation are ill advised and additional high end purchase options which would be created are not needed. Strengthen your approach to STR's and maintain existing protections to avoid potential housing loss such as the one acre lot requirements for ADU's in Nevada. Since Washoe County does not seem to support that sort of change. This project has been on the books before this owner and was addressed as the Tahoe Area Plan was being developed. Don't approve a massive zoning code change based on this one project. Get affordable housing on the limited land left.

Kathie Julian said she's not against Nine 47 Tahoe but is against rezoning the entirety of the 37 acres of Special Area 1. This comprises 40 other parcels that are vibrant to our community, Christmas Tree Village, the theater, and the convenience stores. A vast corridor through Incline that provides space for our small businesses at reasonable lease rates because they are older properties. One concern is that when you allow single-family condominiums to be built here, you will incentivize luxury condominiums, high end developments and there will not be space for the smaller businesses. The mixed-use definition has a loophole that you could drive a tractor trailer through and that allows lobbies, gyms, sales offices, management offices to be considered mixed-use. This doesn't afford space for our smaller businesses. If you build high rise expensive condominiums, even the retail space below will be costly for businesses to go in. Step back and have a comprehensive review of the Washoe Tahoe Area Plan for Incline Village to determine how best to contribute to improvements along State Route 28 to improve the walkability while enhancing opportunities for affordable housing

and viable commercial retail space.

Sadly, the mitigation efforts are very weak because essentially you could end up because the achievable definition does not have an income cap. And because the moderate and affordable definitions do not have a work in basin cap, you could end up with all the deed restricted housing going to individuals who make up to \$105,000 but don't work in the basin or they work in the basin but could make \$300,000 or \$400,000. This doesn't make sense in terms of providing housing solutions for the vast majority of the Incline workforce. The average median income of these service workers is \$46,000 per year. She's not against development but we need to revisit this.

Elizabeth Lernhardt, Zephyr Cove resident attended last week's Advisory Planning Committee meeting when a consultant from Cascadia presented a model on how to increase affordable housing by changing building restrictions. He could not provide the basis for his plan such as average household income in the basin, building costs, or land acquisition. Those and land availability are the main drivers of affordable housing. The median income in the basin in 2019 is \$38,337. The highest is \$69,000 with Incline at \$65,000. A far cry from his proposed \$104,000 per year for the low income category. Then there's land availability in the basin. Only 11 percent is private land, and the remaining is federal, or state owned. He proposed the new rules would only apply to five percent of land in the basin, which is misleading because by doing so, this is half of the development of private land. Why is housing so expensive in the Tahoe Basin, because over 80 percent of the land is owned by the government? Property taxes are an additional contributing factor. Nevada and California are all around five percent. Greenspan said whatever you tax you get less. Another reason is that the local household incomes have lagged behind national levels, 11.7 percent versus 5.6 percent on the Nevada side over the last ten years. During the same time, house prices have risen 38.7 percent nationally but 81 percent in Northern Nevada. The massive population growth in Nevada, 18.3 percent in the Reno area. Then 80 percent nationally and 81 percent in the Reno area have contributed to this. You have forgotten your ways and want to please foreign investors and stakeholders. Your own staff stated last month that you do not consider the California Environmental Quality Act (CEQA) and you leave it to the communities. When she contacted South Lake Tahoe, she was told that they don't follow CEQA. A recent publication from Placer County also deemed themselves exempt. Fire evacuation is on everybody's mind and is a required component of CEQA. How can any building be approved without considering it? How can you take away two lanes from Highway 50, the only four lane road of the six roads into the basin and at the same time propose to increase the population density. They were notified by the Nevada Department of Transportation last week that is back on track and are going to reduce the lanes starting in mid-July as another plan to see if we like it. We don't.

Diane Becker Heirshberg full time resident of Incline Village and retired lawyer after 43 years of practice in California. She also holds a California Real Estate license and Nevada Real Estate Broker. She's also practiced real estate law and represented a number of affordable housing developers. What is the urgency for the amendment of the Tahoe Area Plan? It is only Nine 47 Tahoe Boulevard. The conclusion of one of the recent Regional Planning Implementation Committee was a recommendation to divide out approval of Nine 47 Tahoe and work on the rest of Special Area 1 to get it right. Instead, you have rushed forward where there is no community input on Exhibit A to Attachment C, the proposed mitigation. She has significant issues with those mitigation issues. If you move forward only with Nine 47 Tahoe, she urged a deed restriction of no short term rentals since the developer is willing to do that and tie in a formal contract and covenant that the developer will develop the other project. There is no reason that a project should require you to rush forward with what is recommended as mitigation. You have recommended no minimum parking requirements. This is a disaster for our community. When it was built many years ago, a number of the projects had no parking. There was no

much land people parked everywhere. In the winter there is such inadequate parking that you can't even find parking in Raley's parking lot because people park their extra cars there. You can't have a no minimum parking requirement, figure out how to address parking and will take time. You will need to have less parking requirements for workforce or very low income affordable housing to be built. Secondly, the way mixed-use is defined is a disaster for their community. Several commenters explained that small businesses will be nonexistent. Mr. Hoenigman stated that if a developer is going to make money, they'll build it and if they are not, they won't. There is going to be no place for all of the small businesses and those that live here full time need public restaurants, dry cleaners, hairdressers, shops, and locksmiths. The way that you've addressed affordable and workforce housing is not sufficiently thought out. She hopes you will separate these two projects.

Philip GilanFarr, Incline Village resident since the 1960s appreciated the comments made today. One of the comments made by Ms. Hill is near and dear to this heart. They were involved in the original Regional Plan and the recently updated Tahoe Area Plan. In all cases, in that development, they were focused on Incline Village Commercial Regulatory Zone Special Area 1 as a town center. It was important that they had a community that was not designed with a downtown core. It was designed with nodes of downtown communities. This was difficult for them to wrap their heads around to figure out how they could develop the community plan to enhance the downtown core. Allowing single-family in Special Area 1 in Incline Village commercial core is going to be a tremendous negative impact to the community and its future. The town center is for commercial businesses, retail, and restaurants. During that first development they focused on that Special Area 1 and in the Tahoe Area Plan update that area was shrunk to a certain degree. Now to go back through this and allow this amendment, they are further complicating the downtown core and the development of the goals and policies in that. Goal LU-2 create land use patterns consistent with the vision to increase travel and walking in the community, focus on development towards town center, manage the town center overlay districts to provide a more focal point on commercial and specific activities, increase retail restaurant use, office and commercial use. This update that is being proposed has some of those characteristics, but it was never their intent to have residential in the downtown core area. Yes, in the downtown core area but in Special Area 1. If this is going to be done, then they have to find a way to make sure the commercial elements associated with the single-family in a mixed-use development are on the street level enhancing that downtown town center core. Adding ten percent of affordable units to the percentage is not acceptable. If you are going to do that, in the original Regional Plan it was over 20 percent with that percentage but that is much more not in the town center Special Area 1 but in the area surrounding the town center. Because if residential is allowed in the town center, we are taking away from that opportunity for that development and vibrant community. The downtown core, many of these developers are landowners that have commercial uses now, will tear those buildings down, remove the commercial elements with them and build condominium projects but all they have to do is throw in a single or a double unit in there.

Chris King full time resident of Incline Village who is concerned about this change to the plan. First, please go into this change with your eyes wide open. It's easy to predict how this is going to play out. Incline Village is going to look like Palisades in 20 years. It's going to be dominated by very expensive condominiums that no local will be able to afford. The interest in Nine 47 is coming from people who want to keep their \$3 million dollar houses in Incline and buy another \$1 or \$2 million dollar condominium as an investment. It's going to displace Christmas Tree Village and other small businesses because it will be more profitable. His second request has to do with workforce housing. One thing to consider is to eliminate Option 3b which is an enormous loophole. It's come up in discussion that those units will never be built. The economics won't work, and no one will enforce those and years from now people will forget that those promises were made. The last request is to not

approve the amendment. There are so many problems with it.

Alan Miller, Civil and Environmental Engineer and activist who testified earlier for Agenda Item No. VI.A that his public comments were suppressed online for that item. He submitted public comments for this agenda item which have also been censored and suppressed by TRPA staff to deliberately defraud the public in criminal violation of open meeting law. This suppression of critical public comment is standard operating procedure based on his experience. This meeting is being conducted in violation of open meeting law. His comments included the reputation of Mr. Marshall's unsupported assertions earlier today that the agenda was properly noticed. It was not available despite repeated attempts online until June 22, a day late under open meeting law requirements. He provided evidence which was suppressed for this item of the illegal noticing. He will testify by affidavit by sworn oath which is more than you'll ever get from TRPA. He can be reached at P.O. Box 7526, South Lake Tahoe, CA, 96158. He supported the comments in opposition to the approval today, particularly those of the League to Save Lake Tahoe and community residents. Ms. Regan spoke of 20 years of planning failures. TRPA is a criminal organization and doesn't care about these concerns of the community and public. TRPA will approve this project. There are appeal rights on the basis of illegal agenda noticing under open meeting laws and criminal suppression of that fact from the public view. Thank you to the public for their time and attention in this matter.

Ann Nichols, North Tahoe Preservation Alliance, 53 year resident, and California/Nevada Real Estate Broker. What is conspicuously absent in this discussion is how much are these four condominiums going to sell for? Her calculations are that it will be over \$1 million dollars. How does this meet the definition? She's happy today that there is a real discussion going on with the Governing Board. There's some skepticism by some of the members. She was a little unnerved by Mr. Hoenigman's comments, which were very pro sales pitch, not an assemblance of neutrality, he shouldn't be selling it. Ms. Hill said that there were great meetings and that all these people are for, what about all the meetings Ms. Nichols has been to where the community isn't for it. Then there was the conflict of interest with Ms. Hill and Ms. Gustafson. Ms. Hill is on the Tahoe Prosperity Center Board, the Tahoe Transportation District Board, TRPA Governing Board, Chair of the Washoe County Commissioners, Tahoe Living Housing, TRPA Local Government & Housing Committee & Regional Plan Implementation Committee, Federal Advisory CAB, and the IVCBA business association. Ms. Hill is voting on all of these issues with housing. And she says she's not taking money but she's voting. She wouldn't be on these things if you weren't a member of the Governing Board. I know you are trying your best, wonderful person but this is not neutrality. This is not a good idea and there are lots of loopholes.

Helen Neff said she is in favor of smart growth, smart development, complete streets, and vision zero. Parking parameters require more thought before implementation. There are many plans for improved mass transit in the Lake Tahoe Basin, but the reality is that currently residents don't have ideal mass or microtransit options for every situation. Especially trade workers who require a vehicle for work. Nor does alternative and municipal parking exist or should be built for extra vehicles. Winter restrictions regarding street parking for snow clearance and storage hinder the availability of street parking. There's no real parking enforcement in summer or winter leading to widespread illegal and unsafe parking. Removing parking requirements for affordable or achievable housing without taking current transit and parking conditions into account, creates inequity. She hopes TRPA recognizes this and doesn't penalize residents that need vehicles in order to work in the Tahoe Basin. Please think of think of the equity factor. Regarding enforcement for deed restricted housing, she appreciated the comment that said this is being addressed. It's important to have enforcement methods in place and policies regarding income requirements that may change over time defined before the term deed restricted is made part of any plan. Parcels formally identified as deed restricted in Washoe County

have fallen through the cracks due to non-enforcement and if enforcement is not addressed you are enabling that to happen again. Regarding walkable town centers. They will not be created with this amendment. In Incline their town center is divided by State Route 28 which is a highway with speeding vehicles going way over the 35 mile per hour speed limit. This has been proven with the Nevada Department of Transportation speed analysis that shows most drivers are travelling 42 miles per hour or more and that is not a safe walking environment. Safety needs to start with the intersection on the east entry to town at State Route 28 at Northwood and Southwood Boulevards. It's a dangerous intersection for vehicles, pedestrians and cyclists. There is no signal and is adjacent to the proposed condominium development. She witnessed a youth trying to cross at this intersection this morning. Cars whizzed by totaling ignoring the flashing lights if they were even working. She waited for a break in the speeding vehicles and used the car to block the intersection so he could cross. She was hit by a car when trying to cross State Route 28 in 2021. This situation happens all the time. Please do not approve an area plan amendment on the basis that it will create a walkable town center without addressing safety first.

Doug Flaherty, TahoeCleanAir.org said the proposed far reaching Tahoe Area Plan Amendments apply to over 40 plus parcels within Special Area 1 will open the flood gates to short term rental proliferation up and down Incline Village's Tahoe Boulevard, thereby, creating a significant, cumulative increase in human and roadway capacity, and vehicle miles traveled. This will further exacerbate the already unsafe roadway over capacity and will significantly and adversely impact resident and visitor public safety during a wildfire evacuation. Secondly, this is not about Nine 47 Tahoe, you are listening to red herring comments, this is about spreading over 40 plus parcels. The developers own paperwork states that there are approximately 44 trees proposed for removal with the project, 20 of which are greater than 24" in diameter. It's important because Code of Ordinances 61.3.7 states private landowners may fell, treat, or remove trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types provided the landowner follows one of the planning processes set forth in subparagraph C.

Subparagraph C requires an active or limited Forest Management Plan which the developer has not produced. There needs to be a Forest Management Plan that stretches and addresses 40 plus parcels. You cannot approve this today without some sort of cumulative impact assessment of how many 24" diameter trees are going to be cut down across 40 parcels. Until TRPA requires an area plan cumulative environmental impact statement in connection with the proposed Tahoe Area Plan Amendments and a supplemental cumulative environmental impact statement to the 2012 Regional Plan including a discussion regarding short term rental impacts and a roadway by roadway wildfire evacuation capacity evaluation, the proposed area plan amendment should not be approved. Over the many years, you have continued to use a desk top environmental checklist and here we are talking about an area plan, and you are escaping even an environmental assessment which is only one step above the initial environmental checklist. It is completely avoiding an environmental impact statement. It's reckless and dangerous.

Madelaine Gunders, 15 year resident, supported statements of the difficulty of ingress and egress from Incline Village. No recent analysis has not taken in tourism in the summertime when there could be a wildfire. We need to have a better understanding of that before we start building things on State Route 28. Looking at the maximums for affordability for affordable housing seems way above what they need to be looking at for the people who need affordable housing. Look at this past winter for the ability for people to walk around the area. Walkability is not major, no one is able to say that another winter of what we just had won't occur again with climate change happening.

Royal Kuckhoff, 53 year resident of Incline Village, supported the plan amendment to allow condominiums at Nine 47 parcels in Special Area 1. Incline Village is in desperate need of this investment. Without it, we can't improve the lake or our community. This area has been stagnant for more than 20 years due to old development code. The Nine 47 project and this amendment do everything required to deliver on TRPA's directive to incentivize environmentally beneficial redevelopment to reduce vehicle miles traveled and create a walkable town center. To be responsive to unique needs and opportunities of communities per Regional Plan Update, identify and remove barriers to redevelopment within town centers by providing amendments to the Tahoe Area Plan with mitigation. Promote economic activity for starting small businesses in the community, increase opportunities for economically viable projects that support housing options for a mix of income levels such as SFD's as air space condominiums. Don't let this empty parcel keep sitting there. It's time to bring environmental development and economic infusion to this area. There are dozens of people in their letters of support of this amendment and project who were not be able to be here today. Please listen to those of us who are part of the solution to improve our community as we raise our families and have full time jobs here.

Board Comments & Questions

Ms. Conrad-Saydah said the public comments provided today have been helpful. When they were discussing another project last year, they received a guarantee from the developer that we could receive annual funds to add in transit. With this proposal how can we potentially get more of that moved towards a certainty that the affordable housing will be developed. If there is anything that they can do to add that into the motion or get some voluntary commitment to that. As many have expressed today and she has concerns about, we need affordable housing. She would like to hear from other members of the Board about decisions made in the past and the developers what certainty can they provide that these other units will be built in a reasonable amount of time such that they can ensure that workers can find affordable housing in the basin.

Mr. Hoenigman said he is an advocate for this because when they first said that they had this other parcel and they intended to make it affordable, he thought that may not ever happen. The commitment that they are making to take a piece of land that they own, he doesn't know what a piece of land in Incline Village would assess for. Certainly, more than \$1 million and they are committing that because that land when you deed restrict it for affordable housing is not just zero but rather a negative value. You cannot build on it without putting more money into it. They are committing to at least these four units and a piece of land that can eventually be used. He wants every remaining unit to be affordable or achievable in the basin, but we need to be practicable to figure out what we can get. The Board recently voted for a community college dorm room at \$800,000 as a subsidy with free land. Sugar Pine Village was hundreds of thousands of dollars a unit with free land. These things are very expensive to build. We are now basically getting free land. Land that will be able to be used for this. We're not there, it is going to be a lift to get it there and find other sources of money. But we've cut out possibly millions of dollars of it so, we are a step closer. This is the right place for units.

People worry about units being added to the basin, those units are being added right now all over the forest. Trees are being cut down and luxury homes being built where they will never be walkable or transit service and being used as short term rentals. If we are going to do any units, he hopes that they are confined to the downtown areas because those areas need redevelopment. We need walkable communities, places where transit can stop to take people to the ski resorts because you can't just drive down the highway and assume someone is going to pack their stuff multiple blocks from their house built in the forest to get to that bus. This isn't a perfect deal but to him it's a good deal for us.

The developer made a big commitment to pledge this land. He's for this because it's a much better deal than we had a couple of months ago when they were considering approving it. He hopes we will do it and hopes we can help them make sure that those 40 units get built as affordable housing. And then get the rest of our units all affordable or achievable in our downtown areas in the future but we are going to need to provide more incentives than are available today, it doesn't make economic sense as things are today. He appreciated the staff's work, the developer coming to the table, and the comments of opposition that have helped them push for more from the developer.

Mr. Di Chiara asked if it were correct that there was no affordability provision in the current multi-family, if it were to be built as a rental, there's no affordability provisions?

Mr. Marshall said correct.

Mr. Di Chiara thanked the staff who worked on this. On behalf of the Secretary, a lot of the work that we've been doing over the past six months since he took office has been coming to terms with decisions that were made decades ago and then coming up with ways to modernize those systems. That is a priority of the Secretary and thanked Ms. Regan for wanting to take the Agency in that direction. It is important to get more affordable housing in the basin and we have to get whatever wins we can. This is clear that this is not everything that everyone in the community would want or even every member of the Board but in terms of building four story luxury apartments for rent versus including some affordable housing is the direction we want to go.

Ms. Aldean asked if any consideration was given to making single-family dwellings a special use. Previously, it was not included, but we went from not including it to allowing it. The concern seems to be what's going to happen to the rest of the 40 parcels and this would provide in pre scrutiny at some level.

Ms. Weiche, Senior Planner, Washoe County said that was not considered. The County processed the application as presented by the applicant which did not propose that as a special use. It was something that was brought up at the Board of County Commissioners meeting as an idea, but it was not something that they processed and put through the Planning Commission recommendation and Board of County Commissioners.

Ms. Aldean asked if the only reason that the idea of basically separating the two parcels that encompassed the Nine 47 condominium project from the balance of Special Area 1 was because of a concern about spot zoning. Was that the only reason the Commission or Washoe County was opposed to that?

Ms. Weiche, Senior Planner, Washoe County said correct. They reviewed a couple of different options and approaches. The amendment before you that was adopted by the Board of County Commissioners seemed like the cleanest and most appropriate way to move forward in order to look at the whole Special Area 1 and not piece meal or only add the permissible or allowable use to just two parcels. There was a concern from their legal counsel that would be considered spot zoning.

Ms. Aldean asked if the Commissioners talked about some of the concerns that have been expressed here today about the loss of commercial. If we are going to meet our thresholds with respect to vehicle miles traveled, they want to provide as many essential services as possible within the developed area of Incline Village and other areas around the lake. Was there any discussion about how we are going to address the concern that it might be more profitable to convert those

commercial uses to another use that is higher end and perhaps more lucrative?

Ms. Weiche, Senior Planner, Washoe County said that was brought up. She deferred to Ms. Hill who served on the Board of County Commissioners at that time.

Ms. Hill said that is a concern and was discussed. She doesn't want to speak for the full Board of County Commissioners but for herself she felt like they did as much as they could to require either a mixed-use development with single-family condominiums or that workforce housing piece as part of the area plan change that staff brought the Board of County Commissioners. Certainly, there are concerns about those commercial uses and are discussing some ideas and strategies with community members and business owners about how they can support them. What TRPA has done today to require additional floor area for commercial will also help even more than what the County Commissioners adopted.

Mr. Marshall said you can only subdivide if you are a mixed-use with a commercial component or 100 percent affordable. Those are the only two instances that they can move ahead with a subdivision.

Ms. Aldean said that is true, but they've provided a lot of latitude within these mitigation measures.

Mr. Marshall said correct.

Ms. Aldean believes that is the concern of the public. Some of these permissible uses really don't provide services to the general public. Some of them are specific to the development. Thinking about the importance of not letting the pursuit of excellence be the enemy of good. We are making some headway as the result of these amendments. It's not ideal but there's just so much we can control as an agency and as members of this Board. As Mr. Hoenigman pointed out, a lot of it has to do with economics. Just because you will it to happen doesn't mean it's going to come to fruition. She believes that the intentions of the developer are good and will to the best of their ability pursue this affordable housing opportunity with the assistance of Washoe County and perhaps with the assistance of TRPA looking for additional funding. According to statements made by the public and some of the online marketing information, if they are worth \$2.5 million each, that's a lot to sacrifice if it is deed restricted for achievable housing. That's an additional incentive for them to move forward with a truly affordable housing project on the land they've identified.

Ms. Laine said her concern is with this achievable. Is it correct that the slide showing achievable has no income measurement, it only requires employment in the area?

Mr. Stock said the achievable definition can be accessed if one household member that works at least 30 hours for a business or organization registered in the basin. Or alternatively if a person makes below 120 percent of the area median income. There is the work requirement option and the income cap option.

Ms. Laine said she gets a bit sideways on why we do area plans. We put so much energy into them and in this particular case, we decided in this area the preferable product was affordable housing. Then a developer comes along and buys the property. Thank goodness for the developers and stated that she's pro development. Then they have no way of requiring a couple of things such as ensuring that they are not short term rentals. They've been told that there is going to be some kind of agreement but what if the developer sells, maybe that agreement only pertained to this developer. She is concerned about how that is going to be enforced. Requiring the affordable to be built, there is no

way of doing that. She's seen so many examples in town. Near Safeway in town where they rebuilt and they had to retire some property to do it and they turned it into a little park, fenced it and it's now housing. This is where we get lost sometimes in our good intentions. The other concern is there a way that they could make this only applicable to this particular project if the Board chose to do that. Although, she's not totally in favor of that either. As opposed to the entire special area.

Ms. Holloway asked whether the applicant is proposing to limit short term rentals on the property.

Mr. Feldman said the applicant is proposing to deed restrict the property to prohibit short term rentals. Even if the CC&Rs which would provide against short term rentals were to be amended, they still couldn't be implemented. It is a deliverable from the developer's perspective. There's a multi-million dollar contribution of land here that can only be developed for affordable housing as the result of the deed restriction. He doesn't believe that has ever been done in the basin and Incline Village in particular in a commercial area. It is not a token gesture, it's a multi-million dollar commitment. Prior to much of this conversation, the developer reached out to Washoe County and proposed entering into a development agreement because this was an independent pursuit. The sincerity of bringing real workforce housing happened to get married to the project but its genesis was independent of the project and they welcome the opportunity to work with TRPA, Washoe County, and the state of Nevada to bring this to fruition.

Mr. Marshall asked if Mr. Feldman's client would object to a condition placed on the subdivision that would require a deed restriction for what Mr. Feldman described as no short term rental use.

Mr. Feldman said correct.

Ms. Aldean said which is an incumbrance on title for each of those units.

Mr. Marshall said it's something that they couldn't mandate out of this process because we're just talking about an area plan change but if there's a commitment here, they can take that forward and move it into the subdivision if this amendment were to be approved. They could then proceed with a subdivision for this project which under this agreement contains a condition for the requirement for a deed restriction against short term rentals.

Ms. Aldean asked if the subdivision is a staff level approval.

Mr. Marshall said unless directed otherwise.

Ms. Aldean said the Board could request that staff bring it to them for action.

Mr. Marshall said yes if the Board would like to hear this again.

Ms. Conrad-Saydah said with that restriction comes the need for TRPA or some organization to enforce and then there is no funding for that enforcement. She would like that requirement to come with enforcement authority and funding to ensure that those units are not used as short term rentals. If the developer is making that commitment in the same way that the developer made that commitment with funding for transit for other luxury condominiums that were approved. She's not sure that she would want it to come back to the Board. She's torn over this decision in part because while she recognizes that we need more housing in commercial corridors, the idea that the first 40 units will be luxury units in the same way they approved in December and cuts to the quick for our

need to put affordable housing in. It is a challenging decision to make and wants the public to know that they are weighing all this very carefully. She wants the short term rental requirement and to have TRPA or the County have the authority to enforce it.

Mr. Feldman said the developer will fund the enforcement and collaborate with TRPA to make sure that is an enforceable condition.

Ms. Aldean assumed that might be able to be added to the CC&R's. Will they have a manager for the association who can monitor the use of those units?

Mr. Feldman said correct. There will be an HOA and will be contained within the governing documents.

Ms. Conrad-Saydah said one other thing that they'd heard a lot about is the use of that multi-use for a sales office was a source of concern. What would it take in this motion to remove the sales office as an allowable mixed-use and or is that splitting hairs to do through a motion.

Ms. Aldean said there can be offsite sales offices but there is an advantage to having them onsite. Maybe the commitment should be to re-tenant that space when all of the units are sold to something that is more community oriented.

Ms. Conrad-Saydah said that could be acceptable.

Mr. Marshall said that could be an amendment to the Mitigation Exhibit B to Attachment C which is the adopting ordinance. That would be just for going forward. That particular requirement would not apply to the Nine 47 development unless the Board decides to change that term as well.

Mr. Hester said that's correct.

Mr. Hoenigman said when you build a condominium building the retail space is a condominium itself and someone will have to own it, pay taxes, and it could be sold. Once the building is sold out, it will become something else.

Mr. Hester said they could add after sales offices something like "only until all units are sold."

Mr. Friedrich said to clarify the current mitigation measure says lobbies, sales office, management office, and leasing office. Are we differentiating between those types of uses?

Ms. Conrad-Saydah said that would need to be clarified.

Ms. Aldean said when all the units are sold, it may be an association office or a management office for another project. She's unsure how much micromanaging we necessarily want to go through.

Ms. Conrad-Saydah said the challenge is there are some definitions in there but not all definitions. It seems like it might be better to be collapsed as a continuously occupied business intended for regular use rather than defining and splitting hairs over a lobby, a sales and management office. She agreed if you are going to have multiple units there will be a management office, but a management office doesn't provide retail in a mixed-use way that a commercial corridor was intended. If we really want to get to the purpose of the intent of this to keep this as a commercial corridor with mixed-use and

add housing in an area where we are not making a fire risk in the wildland urban interface to meet that intent. By defining some of the uses but not all of them or by not collapsing it to something that's more open, we're putting ourselves in a dangerous middle ground.

Ms. Aldean said sales office, management offices, and leasing offices kind of fall into the same category. She suggested defining it as a project office that would be specific to this project. And when all units are sold, they will be converted to a compatible commercial use.

Ms. Conrad-Saydah said that works.

Mr. Hester said lobbies, gymnasiums, project offices (only until all units are sold) maybe included if they are open to the public.

Ms. Aldean wants to ensure that the project office is not converted into a residential use. The objective is to have some retail component.

Mr. Hester said they'll still have to have 60 percent.

Ms. Aldean asked if the Board wants to make it specific that when all units are sold, the project office will be used for a community oriented retail purpose or do we want to just hope that's the case.

Ms. Hill said this is going to be owned by someone and they are going to do commercial use that works for the market. She wants to be careful that we are not restricting it so much that there are going to be issues later even though the Governing Board had good intent. She wanted to ensure that we are not doing something that will be detrimental to commercial use in the future.

Ms. Aldean suggested they indicate that once it's no longer used as a project office that it will be used for commercial purposes.

Ms. Hill said that is fine.

Ms. Conrad-Saydah said with Latitude 39 they didn't get the commitment for transit in the motion. Do we need to put that commitment for short term rentals and enforcement in the motion?

Mr. Marshall said they can't condition that project on your legislative action to approve this plan area amendment. When they get to the permitting spot, they will put those conditions that Mr. Feldman on behalf of the applicant has already agreed to.

Mr. Di Chiara said without bringing it back to the Board, can the approval be contingent on staff being able to secure that item so we're not making it a requirement but making staff approval incumbent on getting that provision.

Mr. Marshall said no. That's the same problem of conditioning this approval of the legislative act on a specific project decision. Staff could also report back to the Board. In general, the subdivision application will come to TRPA before they build the building.

Ms. Regan said she's heard the will of the Board and when that comes in, staff can make sure they are in communication with the Chair and Vice Chair to ensure that all these provisions are included.

Ms. Aldean said she doesn't know the applicant but has known Mr. Feldman for many years and he's never failed to honor a commitment. Staff is also very diligent about making certain the direction given to them by the Board is upheld and carried out. She's comfortable that will happen.

Ms. Holloway commended TRPA and Washoe County staff for what she heard earlier referred to as inclusionary housing and a step towards that. She also sits on the Tahoe Truckee Workforce Housing Agency Board and although it does give her a little bit of heartburn to talk about a conversion of a multi-family product into a single-family, she does realize the opportunities that it presents. Multi-family is a product that is affordable by design. There's a bit of hesitation from her perspective on that. Agreed that the additional affordable housing units in the future is a win for the basin. Also recognizing that this is a town center, Placer County is working hard on redevelopment of their town centers and that takes economic vibrancy and vitality. It's going to take a balance of not only housing, commercial, and all of the mixed-use components including residential to provide for the patrons for the town centers. This is a good balance and compromise for this project.

Ms. Regan said we've heard a lot of public comments and wanted to address two today. One is thanking staff, there was a lot of public comment which is loaded onto the meetings page of the website and is not something we did in the past. They've been available in writing, but we are trying to raise the bar on transparency. As has happened in the past related to web browsers, it's important for everyone to hit refresh in their browsers to clear the cache. If you go to a website frequently, it may not show what's just been uploaded and that is on the user's end. When looking at our website, particularly because it is a content heavy website to refresh that often.

At the Governing Board retreat they spoke a lot about evacuation and fire. A lot of work has been done by Dr. Kat McIntyre and other members of the Environmental Improvement Program team working with law enforcement which is the lead in any fire evacuation. Also meeting with sheriff representative throughout the basin in addition to the fire district agency professionals. We'll be doing a briefing in July on forest health and wildfire. There's a lot more work in the community that TRPA is helping to convene under the banner of the EIP and the catastrophic wildfire. They acknowledge those concerns and there is some good work that is being done.

Ms. Aldean said there was a suggestion made by Ms. Waller that we incorporate short term rentals into our tracking system; is that possible so we can see what the ongoing trends are?

Ms. Regan said they are tracked, and staff will get back to you on that.

Ms. Hill made a motion to approve A motion to approve 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 report.

Ayes: Ms. Aldean, Mr. Di Chiara, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Hill, Mr. Hoenigman, Ms. Holloway, Mr. Rice, Mr. Settelmeier, Ms. Williamson

Nays: Mr. Friedrich, Ms. Laine

Absent: Ms. Diss

Motion carried.

Mr. Marshall suggested Mr. Hester read his version of what the staff has captured. This is an amendment to Ordinance Exhibit B in the errata.

Mr. Hester said item number two, which is referred to as what can go into the 60 percent in item number one. It would read "Permissible pedestrian-oriented non-residential uses include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums and, only until all units are initially sold, project offices may be included if they are open to the public."

Ms. Laine said it states that requirements one, two, five, and six and two was what Mr. Hester just read. It says that if a permit has been received from TRPA on or before June 30, 2023, that these requirements one, two, five, and six do not pertain.

Mr. Hester said correct.

Ms. Laine said this change being discussed is going forward, it has no effect on the current development.

Mr. Hester said correct.

Ms. Aldean read the motion: A motion to adopt Ordinance 2023-___, amending Ordinance 2021-06, to amend the Washoe County Tahoe Area Plan as shown in Attachment C as set forth in the Errata distributed to the Governing Board as amended.

Ayes: Ms. Aldean, Mr. Di Chiara, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Hill, Mr. Hoenigman, Ms. Holloway, Mr. Rice, Mr. Settlemeyer, Ms. Williamson

Nays: Mr. Friedrich, Ms. Laine

Absent: Ms. Diss

Motion carried.

Ms. Aldean thanked everyone, including members of the public for being patient and participating in this. This may not be the outcome that some wanted but she's hopeful that this will provide us with some incremental progress towards more affordable housing in the basin.

VII. REPORTS

A. Executive Director Status Report

Ms. Regan said today's meeting was productive and appreciated the Board's discussion and the public participation. Next month, we'll be bringing a resolution for Bud Hicks and if you'd like to share any anecdotes, please send them to her.

Last week at Round Hill Pines about 20 partner entities came together to launch the Destination Stewardship Plan. Included in the plan addresses a lot of what they heard today and is an important element that underlies a lot of the public comment and frustration heard in the community. We need to work on these challenges together. All of us who have lived in the community for a long time have made a choice to live in a resort town. It's not always easy and the Destination Stewardship Plan tries to address that in a holistic way. She's proud of TRPA for the leadership in bringing that plan and working with about 15 to 20 partners. Collaboration is challenging with public, private, nonprofit, local

governments, the US Forest Service, etc. to get everyone on the same page to deliver that plan. it's now a priority for our basin partnership to put this into action.

She's now had the second of her "Coffee Talks with Julie" last week in Tahoe City. They'll continue those and engagement with the community with a lot of these concerns. Her commitment is to keep doing that and talk with the community ahead of our Board meetings to be more thoughtful in our dialogue. The Tahoe In Depth Summer issue is now out. We received our first \$2,500 contribution as a subscriber. Every issue, we receive financial support from subscribers. This shows the value of the paper.

There are three promotions being rolled out this week. Mr. Segan is going to be our new Chief Science and Policy Advisor who will be a part of the Executive Team. She made a commitment to elevate the role of science in policy making and to link our policies back more to evidence based policies. Ms. Fink will now head up our Community and Housing Plan under the Regional Planning Long Range Department. Karen has an incredible background at TRPA. With everything we talked about today, it's going to take skill and talent to modernize those land use policies and promote more workforce and affordable housing. Ms. Friedman who has worked both in the Environmental Improvement Program and Permitting and Compliance Teams will take on more responsibilities related to the Environmental Improvement Department.

1) Tahoe In Brief – Governing Board Monthly Report

B. General Counsel Status Report

Mr. Marshall said everyone should have received an email regarding the Measure T litigation for the City of South Lake Tahoe. If you have any questions, please contact him, Mr. Hester, or the City Attorney.

In addition, he thinks we have finally got a settlement agreement and dismissal with prejudice in the Dobbin's case which is a Glenbrook buoy appeal that had been brought to the Board. That should be resolved in the next month.

VIII. GOVERNING BOARD MEMBER REPORTS

Ms. Laine thanked Ms. Regan and TRPA for partnering with El Dorado County last week. The County along with the California Tahoe Conservancy and the League to Save Lake Tahoe sponsored a delegation from the state. They had three legislators visit and took them on the lake and discussed Aquatic Invasive Species and demonstrated how they measure lake clarity. TRPA led the way on that and appreciated their time and professionalism and was well received.

IX. COMMITTEE REPORTS

A. Local Government & Housing Committee

No report.

B. Legal Committee

No report.

C. Operations & Governance Committee

No report.

D. Environmental Improvement, Transportation, & Public Outreach Committee

No report.

E. Forest Health and Wildfire Committee

No report.

F. Regional Plan Implementation Committee

No report.

X. PUBLIC INTEREST COMMENTS

Ellie Waller said this is about pent up issues. At several meetings she's recently attended, she's experienced varying degrees of lack of decorum and disrespect to the general public and misrepresentation of facts. For example, we pick on you all the time Vince Hoenigman, outrageously calling us vocal minority. Steve Teshara at the April Advisory Planning Commission meeting stated that the public was misinformed. She says, agree to disagree, not misinformed. Mr. Teshara is on several boards and allowed nearly unrestricted time. His disdain for citizens using three minutes to express opinions needs to be addressed. At a Douglas County Regional Transportation Committee in April, a very disturbing profane conversation took place about her between two committee members; Governing Board member Mr. Rice and one member that doesn't know her. At a meeting, Mr. Hester stated that he didn't attend a legislative hearing on ACR 5 which supports the 7-7-7 plan. Mr. Hester understood that there was support by Board member Settelmeyer. She was there in person; she doesn't know if he was in another room. She's asked for written documentation of support to no avail. A member of the public spoke before the Natural Resources Committee to make sure the Incline Village citizens were heard and state that they were not represented by Ms. Hill who stated that citizens were in favor of the Incline Village Mobility Hub. Governing Board Chair Gustafson is trying to placate the public after a member of the public had asked to go first because she had another engagement. We all have other engagements. Is there a new process? You could be opening pandora's box. At the March 22 committee meeting, Mr. Hoenigman said that there has been a lot of public comments on certain issues which has been pushing the Governing Board to the point where they don't have a quorum and have to stop the meeting. She sees issues with applicant representatives like Lew Feldman given unrestricted time which pushes public comment to another area. Someone had Douglas County slapped by a Senator for not playing nice in the sandbox about a request for funding the South Shore Transportation Management Plan for the Events Center microtransit. That Senator pulled that after being enlightened. From the history books, in Placer County, when the Tahoe CEOs office representative hit "all" by mistake when answering an email and called citizens a bunch of F...ing idiots. A perceived disrespect to your own board member. Bill Yeates made a suggestion for reevaluation of VMT with a 1,298 count that was too convenient under the 1,300 count in her opinion,

requiring more scrutiny. It was suggested that it be reviewed before, and a robust discussion ensued, and Chair Gustafson had Gordan Shaw consult and many were not convinced. The continued poor behavior and mistreatment of the public must stop. And facts not supposition or assumptions must rise to the level of competence of our elected officials. She started in 2007 with the Pathway which led to the Regional Plan Update in 2012. The public comment environment was much more friendly. In 2017, there was a cast of a dark shadowed note In Placer County. Then Commissioner Uhler summed it up, thank you for your input were going to take the maximums on this area plan. Why would anybody want to continue to make public comments? She cares about Tahoe, it's now her backyard. She attends many meetings in many jurisdictions. Many of you wouldn't know Mike Donohoe who passed but wearing this badge today, she didn't know how important that badge would be to her, Tahoe is her backyard and is where she lives now.

Ms. Aldean said on behalf of the Governing Board and staff, we all appreciate your engagement. You are very considerate; you are not vitriolic and don't call us offensive names and we hope to return that favor by being respectful and allowing you time to express your concerns. Ms. Aldean spends a lot of time reading all the comments received and appreciated the history lesson Ms. Waller provided regarding things that have occurred in the past and the links to various communities who are experiencing similar issues with tourism. Those things don't go unrecognized.

Ann Nichols, North Tahoe Preservation Alliance regarding the Destination Stewardship is being promoted by 15-17 organizations, six of which are tourism businesses. Three of the five consultants are tourism organizations. Then civitas which is the entity that circumvents required referendums or votes by the public to increase taxes. The funding proposals are three and the only one that is possible is a PID, a tax on properties in certain districts. They want to tax our real estate owned properties to fund transit, infrastructure, whatever. This is so ill conceived; she can't imagine why TRPA is doing this. TRPA is funding tourism or promoting this association of people for tourism, for more more more. They've assigned things to the Tahoe Prosperity Center, what is TRPA doing anymore. It's all the same people on the same committees and boards. It seems to be an abuse; this is not going to help transit. It's just money and being ran by tourism agencies and they say that the public generally thinks tourism is not helpful and not good for the quality of life. Why are they in charge? We're not buying it.

Doug Flaherty regardless of the pat on the back comments from internal bureaucracy, the Lake Tahoe Basin it out of equilibrium and out of harmony. You've morphed into a pro tourism, pro growth, pro builder stance in almost everything you do, including the Tahoe Transportation District. He agreed and applauded Ms. Waller. Her story is not unlike many others from the abuse that the boards and committees dish out whether it's body language or disdain. The public has a right and a role to make comments. He'd like TRPA to consider that they've strayed from their mission statement. TRPA must cease and desist any future approvals of any projects that promote increased height, density, and coverage until you do a supplemental environmental impact statement connected with the 2012 Regional Plan that supported previous increases in height, density, and coverage. Talk to staff and ensure that when staff address your commissions and committees that they speak truthfully and objectively and not twist the facts. That has been happening for years. The supplemental EIS needs to include a roadway by roadway wildfire evacuation capacity evaluation and any future height, density, coverage, capacity increases need to be stopped until supplemental EIS is completed.

XI. ADJOURNMENT

Ms. Conrad Saydah moved to adjourn.

Ms. Aldean adjourned the meeting at 1:34 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

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

July 26, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 10:10 a.m.

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

II. PLEDGE OF ALLEGIANCE

Mr. Hicks led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan said Consent Calendar Item No. 1 will be removed for discussion and heard after Agenda Item No. VI.A

IV. APPROVAL OF MINUTES

The June 28, 2023, minutes will be in the August 23, 2023, packet.

V. TRPA CONSENT CALENDAR

1. Oliver/Pond/Howard New Multiple-Parcel/Multiple-Use Pier, 3230/3240/3250 Edgewater Drive, Placer County, APNs 093-072-039/093-072-040/093-094-001, TRPA File Number ERSP2022-0034

Ms. Gustafson said this item had written comments received by Mr. Miller.

Mr. Miller said this is a sad situation that he has to object to this project because TRPA hasn't done its due diligence and is continuing in the face of mounting evidence to approve without any evaluation additional plastic structure in the shorezone of Lake Tahoe. These plastics are subject to deterioration in the weather and the elements. This program has to change for the good of the lake. He's happy that there is a viable alternative to cease the use of plastic which is to use wood, stone, steel, and concrete. Cease the use of paint containing microplastics because these docks will degrade.

Public Comments & Questions.

None.

Mr. Furumoto represents the Oliver's, Pond's, and Howard's on this new multiple-use pier application. He read through Alan Miller's email. They designed the pier in accordance with TRPA's current standards. Mr. Miller said he would withdraw his objection if they are willing to change some of the materials. Currently they are proposing composite decking and are willing to replace that with untreated wood decking. The other objection was to paint on the piling. They've used black paint to comply with TRPA's color standards. They would like to keep the black paint on the piling but if that is going to keep them from getting approval, they are willing to leave all steel untreated and let it patina and darken over time if that's okay with TRPA.

Board Comments & Questions

Ms. Aldean said it was important to hear about this item. Based on a recent article that was released by the University of Nevada, Reno, the presence of microplastics in Lake Tahoe is troubling. She's read articles and periodicals from scientists who are not attributing them to any particular source. They are speculating that some clothing may be one source, but they've also discovered these microplastics at various levels in largely undisturbed lakes that are not significantly impacted by human activity. On the other hand, it is an emerging topic of concern. It sounds like the applicant is willing to make some concessions. She's not sure if there is an appetite to require them not to use the black paint. She understands it's done not only to preserve the metal piling but also to reduce the reflectivity from the metal to meet the scenic standards. She is willing to accept their concession on the decking.

Mr. Furumoto said if the steel is gone untreated, it's not going to be a reflective material. Most of the steel is already in a patina to a darker brown and is non-reflective before it's installed.

Mr. Settelmeyer agreed with Ms. Aldean on the concept of the concession on the decking. Whether we know what science is saying or not, it seems more reasonable to have more natural products. He would prefer to see the black paint because the concept of allowing metal to rust within the water doesn't seem too beneficial to the environment.

Ms. Laine said the applicant mentioned that they would be willing to do the latter if it met with TRPA's rules. Is that allowable?

Mr. Marshall said both elements are allowable. We have a scoring system to look at and measure the impact associated with new piers. The black paint is something that helps with reflectivity and increases scores. In this particular case, it would not affect the scoring for this pier. If it's the desire of the Board and applicant, then they can accept the bare steel.

Ms. Laine said the applicant has stated that it will be installed as non-reflective. With regard to Mr. Settelmeyer's comments about rust, is there any analysis by TRPA?

Mr. Marshall said there is no analysis of that. One pier is probably not going to make the difference in Lake Tahoe water quality as the result of rust. TRPA does require single piling piers and the only way you can do that is with steel. That would potentially be an issue down the road. They can look at that for the next pier and see if there is a concern regarding rusting and whether or not there's a water quality issue that they may want to address as a result of that.

Ms. Conrad-Saydah suggested for this one, we accept the wood decking and have staff work with the applicants to compare the paint versus the steel in a timely manner then make the determination once they have more information. At this point, none of us have enough information to compare the two. Is that acceptable?

Mr. Marshall said yes.

Mr. Hoenigman said the report about the microplastics in Tahoe was of concern as were the pictures that Mr. Miller shared about the degrading plastics on piers, docks, and floats in the lake. Is UNR going to be doing more research? Should we work with them to try and find out what these sources are because it seems like changing those codes would be beneficial in that these piers and other items we are permitting maybe causing some of those problems.

Ms. Regan said there is a lot of research underway. The Tahoe Science Advisory Council is setting up a working group on microplastics to dive into this issue. It's an emerging area of research and science. UC Davis and the Desert Research Institute have both been looking at this. It's the first time a study has been peer reviewed and published in Nature. It's still very new in the area of research and there was no conclusion about where those particles are coming from and what type of microplastics they were. It's a global problem and Tahoe is not immune from a global problem. The United Nations has set up an entire plastics initiative worldwide. Microplastics are probably in our bloodstreams today because it's how we live. It's many things we use in modern society even the clothes we wear. We don't know if the particles are traveling from atmospheric deposition from dryer vents, for example. In the era of wildfire, we know things are traveling through smoke columns into the basin. There are new invasive weeds and new issues that we are tackling. TRPA has already engaged with the science community and with the Lahontan Water Board, the Nevada Division of Environmental Protection, and the US Environmental Protection Agency to look at the environmental issues related to microplastics and the human health and drinking water concerns from Lake Tahoe.

Mr. Friedrich appreciated the offer to use more natural materials and is common sense not to introduce toxic paint into the lake. He's happy to look at the data and evidence and it does seem to suggest that we should relook at the material requirements for all pier applications. This comes up every time about the length. The analysis was 65 to 80 feet longer than any adjacent pier. How far is the end of the pier from the no wake zone.

Mr. Furumoto said he doesn't have that information at hand. What they are trying to do is have these piers be functional during low water conditions. This area is a very flat shelf and believes it's going out to about 6,220 elevation and are still in pretty shallow water there.

Mr. Marshall said it's about a 270 foot pier.

Mr. Furumoto said it's 236 feet.

Mr. Marshall said the no wake zone is 600 feet.

Ms. Gustafson said there is also quite a large buoy field in that area.

Mr. Friedrich said it seems like we are getting more and more multiple parcel large piers and doesn't know if that was anticipated or that's the outcome we're seeking. It impacts the non-motorized watercraft with having to go out further and is a safety issue. These are the rules we have and doesn't

know if there'd be an appetite in the future to look at this provision. He's troubled by having a string of these types of very large structures in the water of whatever material they are made of. Is the tradeoff worth it to have fewer piers side by side or one large intrusion. He understands that this application is done within the rules and would take the applicant up on both offered concessions to have the least artificial material impact introduced into the lake.

Mr. Settelmeyer said in an article published in January 2023, steel corrosion is a major contributor to climate change. This is the first study that quantified the environmental impact associated with steel corrosion. To him, is to do this once and not have to do it when it rusts out again. That reduces the amount of steel and energy required to make such steel.

Ms. Gustafson said this pier falls within the Placer County jurisdiction. She appreciated the applicant's willingness to change. She gets nervous about this agency based on an article without other science starting to make these recommendations. Many of the decks adjacent to the lake are made of Trex and other types of materials. We need to do a lot more research. She's thankful to the applicant to try and resolve this and protect the lake if it is a contributing factor but doesn't want to get into that without the scientists advising us on a policy that we should set.

Ms. Aldean said the primary components of Trex are reclaimed wood, plastic, and sawdust. She's a supporter of the belief that a pound of prevention is worth a pound of cure.

Ms. Aldean made a motion to approve the required findings, including a finding of no significant effect.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

Ms. Aldean made a motion to approve the proposed project subject to the conditions in the draft permit subject to the following changes: Instead of the use of composite material for the pier decking, a natural wood decking will be used and the applicant will confer with TRPA staff to determine the appropriate treatment for the steel pilings whether they be left unpainted and rust naturally or whether they be painted in accordance with the applicant's original permit.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

Ms. Aldean said she assumes that staff will take into consideration Mr. Settelmeyer's concern about rust particles entering the water body.

Presentation: <https://www.trpa.gov/wp-content/uploads/Consent-Calendar-Item-No-1-Oliver-Howard-Pond-New-Pier.pdf>

VI. ADMINISTRATIVE

- A. Resolution recognizing former Governing Board Presidential Appointee, A.J. "Bud" Hicks

Ms. Regan said it was her privilege to serve with Mr. Hicks and his five years on the Governing Board. As the resolution indicates, our work together goes back to the Angora Wildfire. Buds' leadership on the Bi-State Fire Commission (Blue Ribbon Commission) that changed the face of the Tahoe Basin's partnership around wildfire and response and emergency preparedness. He was a leader in that initiative and rolled that force into the Governing Board in his seat as an ex-officio non-voting member. That didn't stop him from making a huge influence on this policy board in the area of wildfire and chairing the Forest Health & Wildfire Committee.

Ms. Gustafson read the resolution into the record.

Board Comments

Ms. Gustafson said not only do we not get paid to do this job, but Mr. Hicks didn't even get a vote. Your guidance and wisdom are greatly appreciated.

Ms. Aldean said even though he didn't get a vote that didn't quail his enthusiasm for participating in Governing Board meetings. We've been blessed by having Presidential Appointees who take their jobs seriously even though they don't vote. Their wisdom and passion can also influence the decisions made by this Board.

Ms. Laine said she was fortunate to spend three years of her term on TRPA with Mr. Hicks. He was always prepared with his comments, had good insights, and is leaving behind big shoes for the new Presidential Appointee to fill. Bud's always been kind and had great perception and dedication to this position was well noted by others.

Ms. Conrad-Saydah said she appreciated Mr. Hicks' spirit of cooperation and working for the benefit of the basin without wearing a hat to achieve a certain end goal. He worked with everyone and embodied what we all tried to bring to the table.

Mr. Settelmeyer said in the short time he served with Mr. Hicks, he appreciated that he always came with reams of printed out information in order to have all the homework done. After knowing his son, he knows where he gets it from.

Mr. Friedrich said he had the privilege of serving with Mr. Hicks on the Forest Health & Wildfire Committee, as noted in the resolution his leadership on that committee and policy issues. A couple in particular were the Biomass energy pilot in South Lake Tahoe. Hopefully that leads to more as a win win solution for energy and forest health and mechanized treatment on steep slopes. In addition to collaborative and pragmatic, he's been effective and focused on accomplishments. He appreciated his way of being kind, collaborative, and gentleman. Thank you for the leadership.

Ms. Diss thanked Mr. Hicks for his passion and commitment to this agency. Even without getting a vote, he was always prepared and brought great commentary to the discussion. He was welcoming and supportive of all the new members when they joined the Board.

Ms. Williamson said Mr. Hicks always came with thoughtful remarks, particularly on the Legal and Forest Health & Wildfire Committee's. He was always so measured and his ability to not only make thoughtful comments but listen to others is exceptional. Thank you for your passion to the basin and the work you did here.

Ms. Hill said she'll be reaching out to him as they move forward with all these challenging efforts being put forward in the basin. She looks forward to continuing the dialogue.

Mr. Rice thanked Mr. Hicks for being so welcoming when he was elected four years ago. Joining this body was a little intimidating but Mr. Hicks took most of that away. He was kind and not condescending.

Ms. Faustinos said enjoyed all the committee meetings she shared with him and his leadership on Forest Health. At one of the strategic planning sessions, she was able to share some personal stories with Mr. Hicks. Ask him how one of his legal cases turned into a movie.

Mr. Hoenigman said Mr. Hicks' presence on the Board has been great. He's professional and diligent, and also very kind and welcoming.

Public Comments

Steve Teshara, Sustainable Community Advocates said he works closely with the Tahoe Basin Fire Chiefs and the leadership of the Tahoe Fire and Fuels Team. They are appreciative of Bud's work. They could go to him as the Chair of the Forest Health & Wildfire Committee and staff to bring items forward. There's been a couple of important policy changes that came forward and code ordinance changes that helped to streamline some of the work that's done in the Forest. Bud's recollection of his work on the Bi-State Fire Commission was outstanding. That was some time ago, and he never failed to be on point on how it happened, what happened, and remembering some of the things that had not been done that the Commission recommended that they were able to get done during his time as the Chair of that committee.

Steve Dolan, Incline Village resident, said on behalf of the public that has harassed you, he thanked Mr. Hicks for always having an open ear and working for the forest that we love so much.

Alan Miller said the legal genius Bud Hicks totally rolled him at the appeal hearing over the Ski Run tower with his legal recommendation. Despite all the cheerleading this morning, he has no reason to think that he was an outstanding Board member.

Staff Comments

Mr. Hester said you all have talked about the great job Mr. Hicks did and how well prepared he was. Bud's sense of humor showed at his first meeting. He stood in the doorway with his cell phone and said I'm Bud Hicks, I'm the new Presidential Appointee until I get a tweet!

Mr. Marshall thanked Mr. Hicks for his unwavering legal support for the Agency. His wisdom and openness to us coming to you and asking questions.

Ms. Chevallier thanked Mr. Hicks from the staff's perspective. On behalf of herself and Ms. McIntyre, it was a pleasure being able to prepare with him for agenda items. He was so appreciative and understanding of the work they were doing and helpful with getting them prepared to present.

Motion:

Mr. Settelmeyer made a motion to approve the Resolution recognizing former Governing Board

Presidential Appointee, A.J. "Bud" Hicks.

Motion carried-voice vote.

Mr. Hicks said he always appreciated public comment and doesn't take it personal. He thanked everyone on the Board, it's been a pleasure to work with all of you in addition to some of your predecessors. He came onto this Board with a little bit of skepticism because he'd been around Tahoe for many years and bumped heads with TRPA about 25 years ago. This Agency has really evolved, it's a wonderful agency and you have great staff. It takes a lot of time and dedication to be on this Board. Thank you to the staff who have been wonderful to work with, Julie and before you Joanne, John, John, Chris, Kim, and Kat. He welcomed Ms. Hays to the Governing Board and said people in our position may not have a vote but we have a voice.

VII. PLANNING MATTERS

A. Briefing on the Forest Health Program and Emergency response coordination

TRPA staff Dr. McIntyre provided the presentation.

Dr. McIntyre said slide 3 shows Mt. Tallac in 1914 and then again in 1994. This exemplifies the amount of trees, density, and size of trees and how much they have increased over the past century in the Tahoe Basin.

Forest Health in the Tahoe Basin: Historically that has been a less dense forest that is vertically diverse, that's multiple age classes, seral stages of forest and also horizontally diverse. Horizontal heterogeneity forest and across the landscape, in the Sierra Nevada and our area it's called clumpy groupy. They are looking for clumps and stands of forest with open pockets, not a lot of pattern to what that looks like. In order to achieve that after decades and a century of fire suppression, they use treatments or forest restoration. Those can include items such as mechanical and hand thinning, mastication, lob, and scatter or chipping, replanting of native species either or soils stabilization, habitat improvement, restoration, or prescribed burning included broadcast and pile burning. They see all of these occurring in the Tahoe Basin today.

Why do we treat the forest other than that century of fire suppression, we have insects and disease that are a natural part of the ecosystem that attack more dense forest. We have a reduction of fire risk, competition when there are too many trees, and habitat improvements or restoration. Forest health encompasses all of these, and you can be doing all these different management strategies at the same time to hit a variety of different reasons. It's not a thing for one purpose.

Forest health and the Forest Health Program of work in the Tahoe Basin falls under the Environmental Improvement Program. Slide 5 shows the hierarchy of how that works. The Tahoe Fire & Fuels Team is the on the ground, fire districts, land managers, and regulatory agencies. They are the ones doing the work, making the regulations, determining every year what the priorities are going to be. They take direction, recommendations, and supervision from the Multi-Agency Coordination Group (MAC). Chief Lindgren is the Chair of the MAC, and Chief Layton is the co-chair. The group includes the fire district chiefs, the Forest Service, along with a variety of executives. The Tahoe Fire & Fuels Team is a working group of the Tahoe Interagency Executives Steering Committee (TIE). All of the work that occurs at TIE involves forest health funnels into the Tahoe Fire & Fuels Team. The work is done through the Forest Action Plan that was created in 2019. It's a three pronged approach to getting work done in the basin and includes capacity and workforce development, technology and data, and looking at larger

landscapes. The goal is accomplishing 22,000 acres of wildland urban interface (WUI) treatment by 2025 in the Tahoe Basin. If we are able to accomplish that we'll have achieved initial entry on all WUI acreage in the Tahoe Basin.

The national cohesive strategy came out of the Federal Land Assistance, Management, and Enhancement Act (FLAME) of 2009 and outlines three broad goals or strategies to comprehensively address wildland fire across the United States. This was developed collaboratively by federal, state, local, tribal governments, and the science community that outlines three goals and is how she breaks down projects. The Tahoe Fire & Fuels Team and the implementors in the work they are doing focus on trying to get that comprehensive picture and hit all of the three goals. It restores and maintains landscapes, fire adaptive communities, and wildfire response.

Fire Adaptive Communities: Slide 8 shows some examples of events and communication that is going on in the community. The Tahoe Basin Wildfire Annual Wildfire messaging campaign. This gets pushed out to all of the partners. Protect our home and prepare for wildfire. The website will direct you to your fire district, how to be ready, set, go if a wildfire should happen. Defensible space, home hardening, it's a great one-stop shop.

They've made great advances in the fire adaptive communities' program that is run through the Tahoe Resource Conservation District. Right now, there are 25 fire wise USA recognized neighborhoods and sites around the Tahoe Basin. There are 67 neighborhood leaders and are people who have taken the initiative to work with their neighborhood to talk about what home hardening and defensible space looks like. There were a record number of defensible space inspections for the Tahoe Basin this year at almost 8,000. A majority of those come from the City of South Lake Tahoe Fire and Rescue. Lastly, TRPA Forester, Mr. Barr issued 1, 234 tree removal permits in the past year. It's up to 500 to date this year.

In 2022, they were able to complete approximately 2,000 acres of treatment. The Tahoe Fire & Fuels Teams and basin partners are about halfway of meeting the goal of the 22,000 of initial treatment in the wildland urban interface by 2025. They've been able to treat almost 90,000 acres since the Angora Fire.

There were two broadcast prescribed fires done this past season. The pictures on the left on slide 12 are from Sugar Pine Point State Park which was done last year. The two pictures on the right are the Forest Service prescribed burn on Pioneer Trail near Golden Bear which was about 13 acres.

The Nevada Tahoe Resource Team has been busy with several projects. The Bond Plan project has been going on for about 1.5 years. Currently, they are thinning in the area and burned piles this past winter. This project is jointly funded by the Lake Tahoe Restoration Act and Nevada General Obligation Bonds. The Urban Lots Fuels Reduction Program is a partnership with local fire districts to complete hazardous fuels removal in those wildland urban interface urban lots owned by Nevada. Over 58 acres were treated in 2022 and another 60 acres slated to go this year into next. That project is funded through the Lake Tahoe Restoration Act and the Nevada Division of State Lands funding. Spooner Front Country hazardous fuels reduction has been completed. Approximately 200 acres were treated for fuels reduction and hazard. Lastly, the Marlette Summit Hazardous Fuels Reduction project has not begun but will be 420 acres that will modify fire behavior and improve forest health. This project recently received a \$1.4 million investment from the Southern Nevada Public Lands Management Act (SNPLMA).

Slide 14 shows the land ownership matrix that they often encounter in Tahoe neighborhoods. The

dark grey projects are owned by the state through the California Tahoe Conservancy. As part of that the CTC has been able to set up a community forestry and fire protection project which will start with the North Upper Truckee project this year and is one of the first to go under the Tahoe Programmatic Timber Environmental Impact Report (PTEIR). The big news out of the CTC is the capacity building grants that they've been able to get out to the community. The first is about \$3.3 million to the Lake Valley Fire Protection District and the City of South Lake Tahoe Fire and Rescue. That will be to plan and oversee projects to reduce fire risk on the South Shore. The second one is about \$1.3 million to the Tahoe Resource Conservation District to provide professional forestry services including environmental review and prescriptions to all different land ownership on the California side. Lastly, there was about \$300,000 to the Washoe Tribe to build capacity for restoration crews and increase cultural burning in and out of the basin.

The Nevada and California resilience corridors brought highlights of these projects historically. A resilience corridor is about 1,000 acres of varied treatment along each side of a power line. It provides a variety of benefits including shaded fuel breaks, reduced fire risk, improved forest health, as well as removing ladder fuels and competition. The Liberty Resilience Corridor from South Lake Tahoe up along the West Shore. About 300 acres of hand thinning will occur this season and 500 acres of mechanical thinning will be laid out in the South Shore area. The Nevada Energy Resilience Corridor has had 570 acres treated so far between state, private, and federal partners and lands.

Lake Tahoe West Restoration Project was a large landscape comprehensive collaboratively designed restoration project to treat the West Shore both in terms of forest health and watersheds and water quality. It originally involved three lead agencies: the Tahoe Regional Planning Agency, the Forest Service, and the California Tahoe Conservancy. There's been some challenges, but the project is moving forward, and planning will occur separately and in house with each agency. The national forest system is currently working on the National Environmental Policy Act (NEPA) for their lands on the West Shore. Nonfederal lands are going to be planned or implemented under the PTEIR or other California Environmental Quality Act (CEQA) authorities. They are going to be utilizing the CEQA authorities on national forests system lands. When you are doing a project on national forest system lands and it's a Forest Service project if you receive state funding that can often trigger CEQA. These two authorities allow for that streamlining. Senate Bill 901 allows for CEQA exemptions for forest health and fuels reduction projects on national forest system lands as long as NEPA has been completed and Senate Bill 155 creates a streamline CEQA compliance process for watershed restoration projects on both federal and non-federal land. While Lake Tahoe West hit some bumps, work has still occurred in this region including the Meeks Meadow Restoration and the West Shore WUI projects.

Response to Wildfire: There's been several projects going forward under the Tahoe Water for Fire Suppression partnership. This partnership was formed in 2007 to address firefighting water infrastructure deficiencies within the Tahoe Basin. Recently, the partnership was awarded \$2.1 million in Lake Tahoe Restoration Act funding and was the first time they were allocated funding from that. This funding went towards five projects which have all been completed and or are near completion in the next year. That money went immediately out to partners and in the ground. Projects included the Tahoe City Public Utility District projects, South Tahoe Public Utility District projects and spread around the basin on five projects.

The fire protection districts are going to start doing demonstration shaded fuel break projects. A shaded fuel break is a break built in timbered areas where trees on the ground are thinned and pruned to reduce the fire potential yet retain enough crown canopy to make it less bearable to

microclimates for surface fires. The Tahoe Douglas Fire Protection District is looking at the Skyland shaded fuel break of 23 acres of Forest Service lands, hand treatment and mastication. The Lake Valley Fire Protection District and the City of South Lake Tahoe Fire and Rescue are looking at a similar project around Golden Bear which is about 19 acres and will involve similar treatment types.

Capacity Building: Partners have done a lot of great work in terms of trying to build capacity to get more work done and places to send products. The Lake Tahoe Community College Forestry Program kicked off this year. It was a collaborative community approach involving the California Tahoe Conservancy, the Tahoe Fund, TRPA, and the Tahoe Resource Conservation District. Slide 21 was a class trip to the Blodgett experimental forest near Georgetown. The class learned about different machines, how to survey different trees, and forest inventory. Many of these students have already started working at agencies within the basin. Several students are working at the Tahoe Resource Conservation District on their forestry crews.

In terms of biomass utilization there are multiple opportunities coming up. The first one is around energy and heat production. The South Tahoe Refuse is currently working on the environmental analysis and design for their biomass project. The other one is the Northstar Community Services District is pursuing the implementation of a biomass facility that would produce heat for one of the Northstar buildings. The picture on the left side of slide 22 is the Carson City Sawmill. The Washoe Tribe of Nevada and California has partnered with Tahoe Forest Products and anticipates producing about 50 million feet of lumber per year and employ about 40 people year round. It's currently focusing on purchases of Caldor Fire salvage and cleanup. Focused on large logs with the idea and potential to retool for smaller logs in the future.

Funding and Prioritization: We have been fortunate to have record levels of funding for forest health and fuels reduction in the Tahoe Basin. In terms of federal and the Lake Tahoe Restoration Act they received \$5.5 million in fiscal year 2023 funding for forest health. Close to \$1 million of the Southern Nevada Public Lands Management Act (SNPLMA) funding was invested in 2022 and 2023 on three forest health projects. Round 19 was approved in 2023 and is going to allocate another \$12.8 million for forest health projects including Lake Tahoe West resilience corridors and the Marlette hazardous fuels reduction project. The state of California and Nevada you saw on the California Tahoe Conservancy slide that there's been millions of dollars in California funding going to capacity building and as always Nevada continues to fund forest health work through their bonds and license plate sales making a huge impact on the East Shore. There have been private investments such as South Tahoe Refuse to help bring the biomass up to speed. Nevada Energy and Liberty Utilities are both investing in leveraging federal and public dollars to those resilience corridors. In terms of nonprofit there are the Tahoe Fund and the League to Save Lake Tahoe. The League participates in forest stewardship days where they get volunteers out in the field. The Tahoe Fund has been able to provide seed money for undergrounding of utility lines, specifically in Glenbrook. It's bringing all of the partners and different funding streams together to get a comprehensive amount of treatment done in the Tahoe Basin.

We've heard a lot about evacuation planning, and we'd be remiss if we didn't do due diligence and work with our partners to understand the system and report back to the Board. There are clear roles and responsibilities in this system. Planning for and conducting evacuation especially in the Tahoe Basin involves many critical players. The local fire service can include fire protection districts, state, and federal resources. Their job is evaluating and monitoring incidents and fire risk. They are the responders going to the fire. Then the local law enforcement are the ones who are authorized to call and conduct evacuation orders. TRPA's role is to support our local law enforcement, fire service, and emergency response service as needed or requested. Whether that's information sharing and

convening for lessons learned.

Dr. McIntyre participates in the Tahoe Fires & Fuels Team, TRPA is on the Multi Agency Coordination committee. Key themes from meeting with the fire protection districts and sheriff's offices: evacuation is dynamic and depending on the hazard it becomes even more complicated and dynamic. It's important that all options are on the table with evacuation planning. Everyone mentioned that there is strong regional coordination, communication, and relationships. Working through the MAC, the Regional Lake Tahoe Fire Chiefs Association, and trainings, they are building those relationships and lines of communication and all feel whether it's across county or state that they have good working relationships with their partners. There are preattack plans that are created and kept internally that identify all major roadways out, temporary refuge areas, critical infrastructure for protection and everyone is participating in some level of unified command training or exercises often. Defensible space around infrastructure is key. This is evacuation routes, neighborhoods, temporary refuge areas. It's important that they maintain and implement defensible space around all of those key pieces if an evacuation were to happen. It is imperative for individuals to be ready, set, with a go bag and have a plan in the event that an incident or evacuation.

While the Tahoe Basin has a challenging geography and includes multiple counties and states, they do have a lot of resources and are able to pull a lot of resources from Reno, Carson City, Sacramento, etc. All these partners are experts and continuously training and practicing their skills including that coordination and communication. The Tahoe Basin critical incident and fire preparedness training exercise just occurred in Olympic Valley last week that involved Placer County Sheriff's, Cal Fire, Placer County Office of Emergency Services, the Town of Truckee Police and Fire, California Highway Patrol, Liberty Utilities, etc. They went through scenarios including three regarding wildfire. Next month, Incline Village is going to have an evacuation exercise for the Second Creek neighborhood and involves North Lake Tahoe Fire Protection District, and Washoe County Emergency Services. This will be a great opportunity for the public to participate in that exercise. Lastly, the South Shore Public Information Officers are setting up a joint incident command training and practice on how to communicate and get messaging out to the public during emergencies.

There's always lessons to be learned. After each fire in the basin, they've made improvements and grown as a partnership and individual agencies. For example, the Blue Ribbon Commission was established after the Angora Fire. They were able to produce the emergency California Nevada Tahoe Basin Fire Commission Report. That report outlined 90 plus recommendations across six categories including things like governance, community homeowner and fire prevention, fuels management, and fire suppression. Over 90 percent of those recommendations have been completed or on going. The Tahoe Living With Fire website, <https://www.tahoelivingwithfire.com> is a great place to get information on preparedness, fire districts links and websites, how to get ready for a wildfire, information on defensible space, and home hardening.

Chief Lindgren, Tahoe Douglas Fire Protection District said we have a good cooperative relationship. Lake Tahoe is complicated, two states, five counties, multiple jurisdictions but we all work together very well. The Tahoe Fire & Fuels Team is a great resource for that. The Caldor Fire was predominately on the California side, El Dorado of the Lake but it affected everybody around the lake. They're trying to get messaging on the same page, especially when it comes to evacuation. The authority of evacuations lies with the Sheriff's Departments. Each of those local county sheriffs have the individual authority to use whatever terminology they want and can cause problems in the public if you have multiple counties affected by one incident if the terminology is not the same. There's been a lot of work done trying to get that terminology the same.

There's also been a lot of work done to try and have reverse 911 systems and pre planning systems for evacuation on the same page. There's a new one called Perimeter Solutions that four of the five counties around the lake are going to use. It's a good program for evacuations. It's not an app rather a website that gets blasted through social media. A person can click on that link, and it will show someone where they are in proximity to the emergency and identifies areas that are being evacuated and what route to take. In the public's eye, everyone is concerned about evacuations, we need to be concerned about wildfire and evacuations in the basin because there are only a few ways in and out. But everybody seems to want a simple solution with a pre plan if there's a fire, everyone goes this route, for example. All emergencies are fluid, and you can't have that one route already predesignated because you might not be able to go that way. During the Caldor Fire, you couldn't go State Route 89, 88, Highway 50 south towards Sacramento, about the only way to go was Highway 50 eastbound. They have to be able to adjust to those types of things on the fly and that is where communication comes into play. They learned a lot of lessons during the Caldor Fire. Some people would say it was a very successful evacuation of over 20,000 people in less than five hours. Actually, not a very successful one because it gridlocked the system on Highway 50, it happened to not be very well communicated with the cooperating agencies in Nevada and the surrounding counties. Even though they were having meetings twice per day, everyday at the incident command post with all of the players, it happened independently and that caused a lot of confusion. There were a lot of lessons learned that brought all of these counties and everyone together to plan better. That's how Perimeter Solutions came about. No one wants to burn up during an evacuation like the Paradise Fire. That's a possibility in the Tahoe Basin in certain areas. They want to concentrate on doing some fuels reduction along the evacuation corridors. That is a number one priority for the Tahoe Fire & Fuels Team with the fuel break program that they are working on. They have to be able to get people out safely and they have to have a coordinated effort, but they are limited on which ways they can get people out.

Deputy Almos, Office of Emergency Services for El Dorado County said he's been here 22 years and has been through every major fire here. He was on the Angora Fire as a first responder. Since 2007, the fire fighters, Cal Fire, the Forest Service has created incident tactics under the incident command system and has worked well. Dynamic is the key word in these events, when they occur, sometimes they happen very rapidly. They can be chaotic in the beginning and then as they grow, they come together and battle that incident. Unfortunately, the stars aligned for what happened in the Paradise Fire. There are a lot of places around the basin that are on their radar all of the time such as the West Shore which is very vulnerable. Getting people out to the south or north depending on the time of year is challenging.

They have a lot of pre plans within the County. They meet regularly with not just the Lake Tahoe Basin Chiefs, but they also represent the west slope where they meet with all the Chiefs including a representative from the basin chiefs is a part of that. They discuss pre planning and how they are going to respond. On the western slope they go to fires almost every single day. The Office of Emergency Services is a little unique within El Dorado County. They have someone on seven days per week between five of them. Sometimes it's showing up and everything is under control but the other day they had one in the south county area where they had to evacuate a couple of streets. They do that a lot. When you talk about a large evacuation like the Caldor Fire that typically falls under that incident management approach and not just done in a bubble. There were about four days of pre planning for the Caldor Fire but unfortunately in those circumstances it got triggered very quickly based on the characteristics of that fire. They saw gridlock but you see that in just about every major event throughout the United States with hurricanes, etc. Under his guard for the past 22 years, they've never lost a soul and want to keep doing that. It is important that we continue with what we

are doing.

Chief Lindgren, Tahoe Douglas Fire Protection District said he doesn't want to make it sound like they are all patting each other on the back. They have a long way to go to protect the Tahoe Basin and our citizens with fuels reduction and evacuation planning. They've learned lessons and done a lot of prework and have good relationships, but they have to stay after it and keep it at the top of the list year round. We got lucky during the Caldor Fire, we got a break in the weather, aggressive fire fighting that took place to stop it, and they got a break in the topography of where that fire was at. It all aligned and stopped at the right time but if it hadn't, it could have been a lot worse. They need to take those lessons and learn from them. The need to keep the communication going, keep planning and step up our fuel's reduction and programs in the wildland urban interface and surrounding the WUI. A lot of those acres that Dr. McIntyre spoke about are great and they're talking about different private and state lands throughout the basin. The majority of the land in the basin is in the National Forest and they have not done a lot of work on the National Forest. They have to stay after that where the neighborhoods come up to the National Forest. When they talk about the Tahoe Fire & Fuels Plan for fuel breaks, they need to get in some fuel breaks that connect the dots around the basin. There need to be continuous fuel breaks. Once they get approval from the Forest Service are doing the fuels reduction along the evacuation corridors. The second priority is the protection of the infrastructure around repeater sites and radio and cell phone sites. They've done some work around those sites but need to improve it. The third is fuel breaks around all the communities that are on that Forest Service land to protect the communities from untreated forest. Lastly, are some strategic locations of fuel breaks to get ahead of large fires like the Caldor Fire.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIIA-Forest-Health-Program-and-Emergency-Response-Coordination.pdf>

Board Comments & Questions

Ms. Conrad-Saydah thanked the presenters for their candor and the work that remains and how hard it is to coordinate across five counties and organizations and bringing together these multiple sources of funding. Over the past month or two, she's seen prescribed burns by the Forest Service Lake Tahoe Basin Management Unit. There's so much land under the Forest Service and is a drop in the bucket to some level but have seen them active.

Chief Lindgren, Tahoe Douglas Fire Protection District said that was a coordinated effort through the Tahoe Fire & Fuels Team.

Ms. Conrad-Saydah said we hear it so often from public comments that the Forest Service is doing nothing that she wanted to reflect that there is coordinated action is happening. Once they get the work done for evacuation corridors and fuel breaks around infrastructure, how do they prioritize the next level of treatment that needs to be done? She understands that will take a long time but if there's enough funding for concurrent action, how are they working to identify those next priority areas?

Chief Lindgren, Tahoe Douglas Fire Protection District said that's a good question because of the fact that it's multi-faceted in multiple jurisdictions, everybody has their own priorities within those jurisdictions and their own limitations on what they can or can't do. The priority is actually doing the fuels reduction first but then they have to have a plan to maintain it. You have to come back and do it again. There is a lot of area in the Tahoe Basin that was treated in 2008/09 and now you can't even tell

it was treated. One of the keys to maintaining it is once they get the initial work done, they have to have a plan that every second or third year that they are coming back and redoing it. Broadcast burning for instance, they have too much fuel in the Tahoe Basin. Their fuel loading is too dense. Meaning if they were to try and do that broadcast burning, it would generate too much energy and kill a lot of the drought stricken timber that is still drought stricken because it wasn't able to absorb all the moisture needed out of one winter. That fuel has to be reduced first by hand thinning, pile burning, mechanized equipment for hauling it out and then you go back, and broadcast burn low intensity. What's been nice this year is that there's a bigger window of opportunity. Typically, there's a small window to get those burns done. Where you can get it to burn and then have it burn before it gets to the critical time where it will scathe. This year they've had a bigger window and seen more burning done in June and July when they have not seen that for years. Studying those priorities of the area based on the threats is what they are trying to do and also trying to pick some low hanging fruit because sometimes the NEPA and CEQA processes bog things down.

Ms. Conrad-Saydah said it seems like they've taken advantage of some of the California laws where CEQA can be bypassed in the high priority areas. What's their relationship with the Forest Service Ecologist and some of those who are identifying those high priority areas and updating those maps overtime, are they regularly engaged with their groups as well.

Dr. McIntyre said the wildlife biologists are not but they through the representatives that they have from the Forest Service. Vic Lyon and Brian Garrett both are members of the Tahoe Fire & Fuels Team.

Ms. Conrad-Saydah agreed that we see these fire return intervals that are significantly greater and appropriating budgets there's the idea that you treat it once and you are done. The more that we can have this messaging around what an annual budget looks like for management and maintenance the more they will be able to advocate for that. Is that every 7 to 15 years in wildland areas and 2 to 3 years in WUI areas?

Chief Lindgren, Tahoe Douglas Fire Protection District said that's a good point but is a hard one to make because the weather, the fuels, the topography all changes when you can do those things.

Ms. Conrad-Saydah said the challenge is when it comes to budget appropriations no one wants to hear those nuances and don't want the uncertainty. The more we even have a ballpark number with a range on it can be helpful.

Chief Lindgren, Tahoe Douglas Fire Protection District said a point to be made is with the funding that comes in for this, everybody wants to know how much did you get done. It shouldn't be about the quantity but rather the quality of the work in the right locations. When he was with Cal Fire, they and the Governor's office set quotas of how much they had to get done and they were told to get as many acres done as possible. When he was with the Amador/El Dorado unit of Cal Fire, they would go down as on the west slope of El Dorado County, Sacramento County, and San Jaquin County and burn off a couple of thousand acres in an afternoon of cattle land because they could get that acreage quickly. It was beneficial in getting some of the noxious weeds, vernal poles with endangered ferry shrimp. The ranchers loved it because they got better feed for the cows but is it truly fuels reduction or a fuel break in the WUI. The same unit, specifically in El Dorado County they were focused fuels reduction around Jenkinson Lake and Sly Park Lake in the Pollock Pines area took a long time to get done, it took 3.5 months to get 17 acres done but that was critical fuels reduction that made a massive difference during the Caldor Fire.

Ms. Gustafson said she thinks that is going to change because they've done an extensive shaded fuel break from Colfax to Auburn and the North Fork which was led by Cal Fire effort.

Ms. Diss said we get a lot of public comment about the roles and responsibilities of this. She would like to hear more about the interaction between the Tahoe Fire & Fuels Team, the MAC and the planning processes. What they often hear is that every single project that comes to us there is a big concern from the public that we are increasing difficulty in evacuations. But we don't always get to hear from the first responders to tell us whether that is true. Is approving a new hotel or new multi-family dwelling contributing to problems with evacuation. The role of the Regional Plan and how these groups interact and provide feedback to the extent necessary when they area plan amendments, etc.

Ms. Regan said after the Blue Ribbon Fire Commission, even preceding that they were actively engaged in creating a ten year fuels strategy and was the first big chunk of work of the Tahoe Fire & Fuels Team and the fire agency service professionals in the basin. With TRPA, the Lahontan Water Board and all the agencies together. That was groundbreaking and was building on the work of community wildfire protection plans, looking at high hazard zones around the basin and focusing the limited dollars at first into those high priority areas. TRPA secured the very first dollars from the Bureau of Reclamation to get those community wildfire protection plans going then to help the Tahoe Fire & Fuels Team. Then after the Angora Fire it changed everything and got that partnership to see the urgency of coordinating the land use and all the other elements. Although, the Forest Service is not here today, they've coordinated with them on this presentation and \$170 million in Federal funding has supported those 70,000 plus acres of treatments since the Angora Fire. Of the 10,000 acres that burned in the basin, roughly one third of those had been treated. We got lucky but were also more prepared in the west when that fire burned into the basin.

Ms. Gustafson said it would be helpful to understand state responsibility areas and national because on the chart there's been a lot of talk about local fire service but there's everybody's emblems. There are roles for state responsibility areas as well as the local.

Assistant Chief Bob Counts, Nevada-Yuba-Placer Unit, Cal Fire said there are three different areas of local responsibility area (LRA) which is typically city centers and around city limits. State responsibility area (SRA) and then there's the federal responsibility area (FRA). Those three factors come into play and in the basin there's a large amount of federal responsibility area and a smaller amount of local responsibility area, and then the state responsibility area. All three are protected and members of the Tahoe Fire & Fuels Team where a lot of these ideas originate from, and we all collaborate with them.

Chief Lindgren, Tahoe Douglas Fire Protection District said it does change from California to Nevada on those things that Chief Count talked about The LRA, FRA, and the SRA are California terms. On the Nevada side it boils down to jurisdiction. There's not a lot of that same kind of thing in Nevada. The Lake Tahoe Basin Management Unit of the Forest Service, who has a big chunk of that land, have to adjust the different rules when they cross the state borders because they are different but do work together very well.

Dr. McIntyre said in terms of the Tahoe Fire & Fuels Team projects and what comes through them are primarily focused on forest health and treatments. Those projects in terms of TRPA planning and permitting, either can go through a Memorandum of Understanding (MOU) and if they don't have an MOU with one of the partners, they have a separate path that they go through in terms of submitting a plan and review. Even if they have an MOU those plans still sometimes have to go through the TRPA Forester for review and other appropriate TRPA staff for approval. When they talk about the forest

health piece and the Tahoe Fire & Fuels Team that is how the planning works at the TRPA level. Development projects don't come through the Tahoe Fire & Fuels Team. A brand new hotel would not go through the Tahoe Fire & Fuels Team. It goes to TRPA, and they'll be tapped as subject matter experts. She would review the forest health component and Ms. Glickert might be asked to review the transportation piece. It's also at the local level in terms of local jurisdiction permitting, Fire Marshall's see projects see projects before they go forward.

Mr. Marshall said fundamentally there's questions within our initial environmental checklist that triggers looking at evacuation and the impact of any programmatic or individual project on those set of plans. You have to disclose whether or not there will be a substantial adverse impact to any of the evacuation planning. Most recently they did that on a programmatic basis 2020 Regional Transportation Plan. There was an initial environmental checklist and an initial study under CEQA that was done and can provide you with an explanation of how any adverse impacts to evacuation planning were examined. It was treated specifically in that expanded environmental checklist. Each project that the Board sees has an initial environmental checklist or an environmental analysis associated with it that also looks at whether or not that individual project has an impact. On the California side that's done under both CEQA and TRPA Article VII and on the Nevada side it would under just TRPA. However, local jurisdictions are also looking at that impact and in consultation with their local sheriffs and fire as to whether or not there could be any potential impacts associated with any development project that might be considered by this Board.

Mr. Hester said from a recent project on the North Shore that both the Sheriff and Fire District showed up to provide comments. Also, as part of the building code there is a fire code and when the local jurisdictions look at the specific buildings. We are not subdividing any new land and spreading out into any new areas but what they are trying to do in the longer term is to look at intelligent transportation systems. That's coming up a lot in the Destination Stewardship because if you are looking for parking lots, that same system, if you had one system where you could find a parking lot during a peak, that same system can be used to tell people where the should or shouldn't go during an evacuation.

Ms. Diss said she wanted that information to be on the recorded because the Board has a lot of awareness about all of this happening before it comes to us, but the public doesn't necessarily always know all of that information and there's a real fear there. To the extent to what you all have described does not look at or assess this sort of idea of the cumulative impacts is what we hear from the public. She would be better equipped to answer those questions from the public if they had a "yes" we are looking at the cumulative impacts. One county's Fire Marshall saying this meets that county's standards does not necessarily answer the question of whether it's creating a cumulative problem for a basin that has seven exits.

Ms. Gustafson said they talked a lot about contraflow and highway capacity yesterday at their Board of Supervisors meeting.

Sergeant Conners, Placer County Sheriff's Emergency Management said this is a new position for Placer County. The County adopted a new model when it comes to emergency management with a county representative, a fire representative, and a law enforcement representative full time in the OES. Yesterday he did a presentation to the Placer County Board of Supervisors and talked a lot about evacuations and preparedness. State Route 267 is over 50 feet from one side of the asphalt to the other. When you look at the contraflow of turning a two lane road into a four lane one way road it helps with the overall direction of traffic.

It's also having a consistent message for notifications. They are starting with a media campaign trying to get people up to speed and prepared and understanding how you'll get those notifications if you are in Placer County. They just had their first media post from a victim of the Mosquito Fire talking about being ready and putting that ownership on the homeowners to understand their area and knowing how to get out along with the temporary refuge areas. They are also working on their pre incident maps to identify those infrastructures and if they have mutual aid coming in. The maps will identify all of this for people to know how to proceed with their planning.

Ms. Aldean said it's unfortunate more people who have concerns about evacuation are not in the audience today and hopefully they are online and listening in. Educating the residents is one thing and educating visitors is different. Visitors may be coming up for the day or staying in a local hotel. Mr. Hester alluded to a parking app for emergency alerts. Is that in its infancy or is it something that can be used to contact people within a certain geographical area through this system?

Mr. Hester said last week, the Forest Service and TRPA staff met with the Central Federal Lands people and talked about developing such an app and they said to apply for a grant. He spoke with TRPA's Research & Analysis staff who do the boating app, and they could do one that shows where you are, but the trick is getting real time information from each parking lot. You could find them all but wouldn't know how full they are. That's something that they could work on. It's also part of this intelligent transportation system concept in the Regional Transportation Update. It's coming, it's not there yet.

Ms. Aldean said her concern is that if a family is on the beach and there's a situation a few miles away and all of the sudden they get an emergency alert system. How do we advise people proactively that there is a risk of fire when you come to mountainous areas like Lake Tahoe. We have narrow roads even if we use them as one way streets to evacuate people. An ideal situation there'd be something like the emergency alert system. She's not as concerned about people being able to find a parking space but more concerned about advising them of a serious threat to human health.

Mr. Hester said it's the same infrastructure. It would probably be multiple tiers, something like the signs on the freeway warning drivers of a situation. It would be that when you are outside of the basin and when you get into the basin it would probably be on your cell phone. You can do geofencing to apply to a certain area.

Greg Almos said in El Dorado County they use a platform called Rave it's offered by the California Office of Emergency Services to them. Placer County uses a platform called Everbridge. All of these platforms are designed where a visitor can register for the time that they are in the basin. They would get a subscribed message. In addition, if an event requires the notification of mass amounts of people, they can do an all hands where it goes over a cell phone to every provider out there. They don't do that in El Dorado County very frequently because of the five counties and two states. If Tahoe Douglas decides that they want to announce that it goes off Cave Rock and will hit every person on the western shore and does create confusion. They have experienced that in Washoe County. They had a fire in Washoe Valley and did the same process and it ended up going off some towers and people in El Dorado County were getting a message that there was a fire and they needed to evacuate. The other option is through Rave where you can subscribe to the app. If you are visiting, you could subscribe to the app, and it would tell them whether there's a fire in El Dorado or Placer County. He's participated with Lake Valley Fire with trying to message the visiting industry to have this messaging system within the homes. They're advocating that if someone goes into a home within El Dorado County there's information for example about registering with El Dorado County Emergency Alert

System or Placer County. They have QR codes that someone can do. If there is a movement on your part here to have an independent notification system under parking for example, that you work with your local law enforcement so that's done partnership. They do not want independent messaging out there. Any disaster notification system should fall under the law enforcement role or the incident management system. Social media kills them during incidents. They have a full time Public Information Officer to monitor what is being put out on social media.

Ms. Aldean said it's a shame it's not possible to override any of these conflicting messages. Hopefully, we'll come up with a solution that meets everyone's needs.

Sergeant Conners, Placer County Sheriff's Emergency Management said during the Board of Supervisors presentation yesterday he had graphic showing the Tahoe Basin and the counties involved around the basin. He's trying to contact all the different entities around the basin to create a graphic map that could be posted at a bus stop or anywhere with a QR code that would show someone where they are at in the basin and direct you to where to sign up for that notification. Once you've registered through Placer Alert if you are within the boundaries of the zone that's created for the evacuation order or warning you'll get the notification. You won't get all notifications, only the ones within the boundaries of that zone that's created.

Deputy Almos, Office of Emergency Services for El Dorado County said they are also trying to make the vacation rental industry the ambassadors of their home and make them a part of the neighborhood. If it's a second home, they would still register that home to themselves so they will get that alert notification and they can notify their own guests.

Ms. Gustafson and requiring land lines in short term rentals.

Mr. Hoenigman said TRPA is an odd entity composed of multiple counties, two states, and the Federal Government in a basin where most of our land is managed by the Forest Service. Is there anything we can help with?

Chief Lindgren, Tahoe Douglas Fire Protection District said being a part of the Tahoe Fire & Fuels Team and all the efforts they are doing together is making that work. Evacuations are not the jurisdiction of TRPA but here we are having a discussion about evacuation, it shows that you are stakeholders. We're heading in the right direction already and we have a good working group. If we have an issue within a specific state or county, we go to each other and communicate. The cooperation over the past ten years with the Angora Fire changed that but that spurred the Blue Ribbon Commission in the right direction and where we are at today is a good group of people that communicate.

Ms. Hill said she's excited that Washoe County is doing an emergency evacuation test in Incline Village on Wednesday, August 16. It's also a preparedness fair where community members can come out to the Rec Center from 9:00 am to 12:00 pm and learn how to be prepared. Ms. Hill said that there's only one HOA that is registered with Firewise USA. There's a lot of opportunity to push that message to ensure that neighborhoods also take some of this accountability and educate their community members.

Mr. Friedrich said thinking about the Paradise Fire where people are stuck and the fire is raging around them and they can't get out. He'd imagine there's a concern about the coincidence of high visitation days and road congestion scenarios whether it's driven by development projects or day visitors and say red flag or high fire risk days. Is that monitored or is there any kind of analysis on what level of potential road congestion exists that coincides with very extreme high fire risk days?

Deputy Almos, Office of Emergency Services for El Dorado County said he's in the basin Thursday through Sunday which are generally the highest visitation days. Most every day he's contacting his partners with Cal Fire and the locals, especially if it's going to be a red flag day. The local fire departments publicize that by email.

Chief Lindgren, Tahoe Douglas Fire Protection District said regarding the road construction projects, they do not coordinate those on red flag days and probably should look at that. It's going to boil down to costing that project money, but it could be a significant impact on their evacuation if they aren't planning ahead with that.

Ms. Gustafson said in the end, isn't law enforcement able to shut down the project?

Deputy Almos, Office of Emergency Services for El Dorado County said it's very difficult to shut down a state highway. During the Caldor Fire, Cal Trans was a part of the incident management team the entire process. They are not going to shut it down because they think there might be a fire. They'll collaborate and communicate with them and keep a watchful eye on it.

Chief Lindgren, Tahoe Douglas Fire Protection District said on a daily basis they coordinate pretty well with the construction projects because they are running emergencies every day with small emergencies. Each of those construction sites that do the metering of the traffic pay attention to the emergency vehicles coming through there. On a larger scale it could be something else to coordinate a little better.

Assistant Chief Bob Counts, Nevada-Yuba-Placer Unit, Cal Fire said they talk about unified command where the Sheriff's office has the jurisdictional authority for evacuation. They make coordinated and informed decisions. There's also coordination between the California Highway Patrol and the Nevada Highway Patrol for traffic control points where they might set up contraflow in certain areas. And they do have the authority to shut down those highway projects if necessary.

Mr. Friedrich said if we had an idea for example, this many cars could be safely evacuated even with contraflow and on peak visitation days, we're exceeding it by 20 percent. Is there any thought to management responses or preventive education? We send messages out not to visit during winter emergencies or Covid emergencies, should we be messaging to carpool or reduce the glut of cars coming into the basin during high fire risk days? The public is often asking if we are doing a cumulative impact analysis to see how various developments all lead up to increasing risks on peak traffic congestion times and understanding how that relates also to the capacity for evacuations. Maybe that's a harder nut to crack than what we do about letting people know that they are going to contribute to a risky fire situation. It's a red flag day and we're 20 percent over the number of cars that can safely get out even with all lanes going out. Is there any thought to messaging or management strategies to prevent that risk as opposed to messaging people what to do once the fire happens?

Ms. Regan said Mr. Hoenigman asked a good question of what we can do to help as a Compact agency. The makeup of the Governing Board is very well situated to add value. Well before the mandatory evacuation for the Caldor Fire they were in touch through the members of this Board. Director Settlemeyer's predecessor, Brad Crowell, through Governor's office and as a result construction on State Route 28 did shut down. It was through the communication with that unified command and the incident team through the Tahoe Fire & Fuels Team and the public information

teams. We have a valued added role and all of you would be essential in some of those examples and have been in the past. That is a big theme in the Destination Stewardship Plan in bringing the visitor's authorities together with local government officials, plus the nonprofits, representatives of the community, TRPA helped convene that group. As we've heard, we have a lot of entities and mixed messages that can cost people their lives. Communication was a huge discussion in the Blue Ribbon Committee. They've made a lot of progress since then with those notification systems but need to be careful about those messages and making sure that we communicate clearly and succinctly and in coordination with those that are in charge. They are working on that through Destination Stewardship, Take Care. In addition to discussing red flag days and how to best message that with the public information team.

Ms. Gustafson said in particular if you could address phasing. Yesterday, they talked a lot about what are the odds that you'd ever evacuate the entire basin at one time. The Mosquito Fire and others did phased evacuations, they phased the priorities and the zones, and how to get people out.

Deputy Almos, Office of Emergency Services for El Dorado County said it's a two part answer. Are they always worried about that, yes. The City of South Lake Tahoe was concerned that they were sending a message that the Lake Tahoe Basin was closed due to the impacts of the winter storms. This is a ski industry, and it thrives on snow. The balance has to be met on what is the right message. Educating people to be prepared, understanding the diversity that Lake Tahoe presents itself in the winter or summer. Restricting the amount of cars that would need to be his Sheriff speaking on that. He's lived here for a long time and hears that we need to put a park entrance at Echo Summit. This is everybody's land. Stewardship is the key word to finding that balance on how we provide the recreation, the skiing industry, hunting, etc. All of these factors that come into play with these lands that everybody owns comes together. As an emergency agency, he feels that they are prepared if we have to evacuate the entire basin.

Sergeant Conners, Placer County Sheriff's Emergency Management said when it comes to a systematic evacuation, trying to do everyone at once will create that congestion and is where the traffic control points come into play. Working on the unified command with the fire partners knowing and understanding the fire behavior is going to dictate what areas are going to be an evacuation order and which ones should be going into a warning to pre plan for the future of maybe pushing into another order on a zone. Doing it systematically and working with the unified command to keep that communication going helps with the fact that they're not just doing a mass exodus all at one time.

Mr. Rice said when the Caldor Fire happened, he was receiving calls because people had left the hill to rent larger vehicles to evacuate their home and then they couldn't get back. That was a big concern because the rest of the family was still up here on the hill and they're off the hill with this large vehicle that they can't get back up the hill in.

Sergeant Conners, Placer County Sheriff's Emergency Management said during the Mosquito Fire people were evacuated immediately because it had a run and people went to work and then couldn't get back. Again, that's the messaging through the unified command. Because they had kids that were left home, and parents were not able to get back. Having communication with the unified command they could go get the kids or do an escort. As soon as you send the order and you leave and can't come back, that's what they all work together on with all the partners to try and solve the situations. Life saving medications that were left behind because they weren't prepared or because they couldn't get back in. Livestock is another item they deal with. That's part of the education too is when you go under the evacuation warning, if you do have a lot of livestock or animals, transportation assistance

needs, or the elderly, evacuation warning time is probably the time to leave and not wait for an order.

Mr. Rice said one of the situations in Douglas County which has been resolved was that the Nevada Department of Transportation was talking about reducing the lanes in certain parts of Highway 50. In the event of an evacuation instead of having four lanes there would only be two. He asked Chief Lindgren how the program was coming along in trying to get the helicopter.

Chief Lindgren, Tahoe Douglas Fire Protection District said this is a cooperative effort with 21 different partner agencies in and around the Lake Tahoe Basin that have come together and are trying to stand up a dedicated fire rescue helicopter for the Tahoe Basin. This would also serve other areas as needed. It's a big project trying to raise money and get grants. The 21 agencies consist of one law enforcement and 20 fire agencies working on this. It would be something that would aggressively help keep fires small. The Tamarack was a fire that they could have kept small for 14 days before it exploded. We need those types of resources that we don't have in the Tahoe Basin or surrounding areas. They come from a long way away. More agencies are coming to the table and will probably end up being a Joint Powers Agreement (JPA) that brings all those agencies together.

Ms. Gustafson said Placer County has prepositioned one with Cal Fire one at that Town of Truckee Airport.

Public Comments & Questions

Steve Dolan, Incline Village resident said this issue of peak impact days when travel is here, and cumulative analysis based on all of the different proposed developments is a very important question. Regardless of whether it's a red flag day that's the perfect storm that could happen. He's in agreement with the native American burns, ladder fuel, and venting the forest is a great plan. There is a unique education area for you that will help reinforce your proposals and actions. It's up at Third Creek about $\frac{3}{4}$ of a mile south, southwest of the old Incline Lake. There was an avalanche there pre contact, pre clearcut, there are some trees that are 600 years old and it shows the same trees that seeded that were knocked down during the time of the Donner Party, and giant storms. This avalanche shows the footprint of the ancient trees. The forest before contact. You can look at that and find the size of these trees, the space between them, and they are all pointing the same direction because of the avalanche and haven't decayed because of air and elevation. You could use Google Earth to reinforce your spacing with regards to forest venting.

Nick Exline on behalf of the Sierra Sunset residents said there's been some changes to the ingress and egress for Round Hill Pines. Unfortunately, things that result in negative consequences, in particular for the abutting neighbors at Sierra Sunset. They've gone through the environmental review and documents pertaining to Round Hill Pines. It was lacking discussion regarding trips, transit, and safety which has put the community at Sierra Sunset in a tough place. They would like to work with TRPA staff and other agencies to see how we can address the environmental concerns created through the overuse and the excessive parking within the right-of-way. The safety issues that are caused by parking within the right-of-way with people running back and forth across the road and the challenges with the residents of Sierra Sunset to exit their properties in a safe manner. They would like to see how to utilize things that TRPA is already working on in terms of transit and other methods that start to address the concerns.

Julie Chaiken, Sierra Sunset resident said there are hundreds of cars parking on the highway. There's a safety concern when you have people running across the highway. This is a new problem since they moved the driveway and with unintended consequences the situation is now worse than ever. It's

only a matter of time before someone gets hit and that there's more damage done to the lake. She would hope you consider looking at the parking app reservation system that's being implemented elsewhere in the basin and not allowing people to park on the highway stirring up dust and causing danger to those crossing the highway. In addition, by the end of the day on the water at Round Hill Pines there's a scum of sunblock by the end of the day on the water. She would like to know how that can be addressed.

Ann Nichols, North Tahoe Preservation Alliance said regarding Ms. Regan's comments about the Governing Board being a big help in the last fire. Most of the Governing Board doesn't live here and doesn't make us feel any safer. As far as the Tahoe Stewardship helping with this, it's a bunch of tourism agencies getting together to fill up the shoulder seasons. These kind of comments don't help with the community's angst. For the Governing Board to say well, that these people are so concerned, they are concerned, and it's a bit patronizing to say gee, I wish they were here to listen. You keep approving projects and you won't deal with capacity and cumulative impacts. What's missing here is critical thinking. It's a lot of back slapping, except for a couple of you who really think about it.

Beth Davidson, Incline Village resident said the condominium development where she lives is unlikely to be able to get fire insurance this coming season. She thanked everyone for the superb presentation by fire and law enforcement. Glad to hear that you are planning to quality clearing along the evacuation routes. The idea of maps will be very helpful. She hopes TRPA at whatever level necessary will be looking at the people who are here and the insurance considerations that already exist because perhaps the insurance industry has information that will feed into the data that you are collecting. Redfin had an article about the wildfire prone counties in the United States. That should be helpful to people buying property. There was an article in the Financial Times about fire throughout the world and how it is impacting decision making.

Doug Flaherty, Incline Village resident and former Fire Battalion Chief in Southern California (Santa Ana Canyon). Today, he'll also be making comments at the end of the meeting about the need for a roadway by roadway fire evacuation capacity evaluation. For now, thank you to Mr. Friedrich and we're privileged Chief Lindgren as part of the Tahoe Basin Fire Chiefs. He seems to be a proponent of aggressive and undeniable initial attack. You're talking about evacuation issues that are going to be set in place as to whether or not they fail or are successful within the first 60 to 90 minutes of a fire. Slope and wind fires can shoot burning branches one to three miles ahead of the fire causing multiple fires. He applauded the law enforcement and fire departments for all of their efforts and will do whatever they can humanly do to provide safety to us during an evacuation. However, a fast moving fire and the messaging that is adopted by the public, some of that will take place on an app that you send out. However, social media will drive the public perception. Social Media and an overcapacity Tahoe Basin during a wildfire such as Paradise moved seven miles in the first 90 minutes from the source to Paradise. Social Media will dictate actions that will cause panic and chaos. You need to consider why TRPA is so reluctant to provide a roadway by roadway fire evacuation capacity evaluation. You are doing everything to prevent that. He hopes the Board will provide leadership and start to protect lives. Once you do that, the game will be up on approving increased height, density, and coverage over capacity. He's pleading to the Board members on who is going to step up and protect the public. If we continue to allow this overcapacity it is negligent.

B. Annual Work Plan

Ms. Regan said the work plan is where the work comes together. We're building on from a lot of leadership at the Board level and past leaders of the Agency. Two key messages are that we have

an incredible staff and the goal is to retain that staff. We have no opening right now other than some new positions. That takes a lot of hard work in the challenging times that we operate under with staffing shortages across the nation. The other key message is that we are getting stuff done. This plan is aggressive and want to make some bold changes. It may not be quick enough for some, we have a very big regional constituency and want to bring the community along with some of these changes and all this will take time. We have given ourselves a recipe for success in delivering and not taking on more than we can deliver. In terms of staff retention, none of what we do as an agency is possible without the hard work of the team and we cannot achieve the goals of the Compact nor our mission without our staff.

It's interesting how the Compact sets us up to be that regional convenor as the interstate compact. We are responsible for legislative intent of the Compact which is probably one of the most visionary conservation pieces of legislation in the history of the United States. It puts us squarely in the accountability seat to achieve and maintain our threshold standards to execute on a Regional Plan, but we cannot do that alone. We have to rely on our partners and the Compact is clear in many sections about the collaborative nature of the watershed and the shared governance model. She's been talking to the community about all manner of things of the future of Tahoe. She's constantly getting questions, especially from newer members of the community that are confused about who to call for particular items. It's not a black and white answer and the Compact recognizes that in the shared framework of two state, nearly 80 percent of the land managed by the US Forest Service, about ten Federal agencies that work in Tahoe, six local jurisdictions, the private sector, the Washoe Tribe, the science community, the nonprofit partners, etc. We work in this partnership model but also makes us rely on our partners to deliver on the Regional Plan and to achieve and maintain our thresholds. That comes with a lot of core day to day activity.

As discussed in the April Retreat and then again in May, the achieving and maintaining thresholds are in the center of the wheel. That is our core function, the Compact directs us to set the standards and to have a Regional Plan to achieve and maintain those. We do that in a way around the wheel looking at preparing that plan, implementing that plan through Permitting and Compliance. We are not just a regulatory agency. We have a broad authority that gives us land use authority across watershed, the authority to implement but we go beyond that in projects and programs. We now have this almost 30 year partnership around the Environmental Improvement Program which is the capital investment strategy to achieve the Regional Plan.

Water Quality & BMPs: The lake is our touchstone. At the end of the day, it's about Lake Tahoe. There are ten threshold categories from air quality, scenic resources, recreation, soils and vegetation. It rolls around to the touchstone to what people care about. It's keeping Tahoe blue, making sure that those who come after us look out at the splendor of the lake that they see the same incredible specter that we did. Water quality is job one. They've approached that through Best Management Practices. We have an incredible team that works with our local jurisdiction partners. We have the Total Maximum Daily Load adopted by the US EPA in two states more than a decade ago. Because Tahoe developed as just a seasonal community of a lot of cabins, we didn't have stormwater infrastructure, we don't have stormwater utility functions with our local governments. We've gotten ahead of that with doing parcel by parcel BMPs but know that the solutions have to be bigger.

They've been recognizing that with the Regional Plan and certain policies that are directed at that. We also know that science is evolving on water quality. She went to the UC Davis State of the Lake Report at Granlibakken last week. UC Davis has also been doing the Secchi readings on the lake for more than 50 years. The lake is changing, and we know this. In 2022, we had some of the best clarity that we've

had since the 1980s. That can be largely driven by ecology and the food web. There's differences of opinion and scientists are still working on that. We do know that with climate change and some of the stresses we're seeing across the board, the water quality challenges are not getting any easier. Fortunately, we have this incredible program to go back on and staff have been working tirelessly to make this more a part of our daily ethos and how we do things at Lake Tahoe. When you hear about the complete communities concept, we're getting Best Management Practices but we're just taking it to the next level.

Transportation: There are some basic fundamentals that we have to fulfill under the Compact. Reducing dependency on the private automobile. It's been a challenge for this community. Traffic has always been a part of the resort town that we are and has always suffered from being a small rural community of less than 60,000 people that swells with visitation. Managing that in the face of not a lot of funding in the scheme of big transportation destinations is a challenge. We are fortunate to get designated as a so called large metropolitan planning organization after we got the first MPO. The interesting thing about the Compact is that it does give us an authority and jurisdiction to connect land use and transportation. That's different in most MPO's, most just do transportation planning but they don't manage development and connect those permitting authorities together.

Permitting and Compliance: This is the largest department at TRPA. These folks approve more than 1,000 permits per year and doing that in a way that enforces our Regional Plan, maintains the thresholds and makes sure that the development that does come online which have all been analyzed. What you see at the Board level and what is going on at the staff level in terms of our permitting or our local jurisdiction partners have all been contemplated in the existing Regional Plan of 2012. Those development caps are set and are what we are executing on. We can talk about whether those are the right sets of numbers today, ten years later but our team is going off of the rules that we have today. Some of them need to be updated and we'll talk about that.

Real estate values have grown in Lake Tahoe in recent years. Tahoe has never been inexpensive, but we went to bed Tahoe before Covid and woke up as Aspen after Covid with the increases in home costs and rental. Right now, we are almost at the \$30 billion assessed valuation of assessed parcel data in the basin. That's just assessed values not market values. A third of that is in El Dorado County and the City of South Lake Tahoe because there are more parcels, and a lot of the newer development are in the in the southern end of the lake and larger homes are expensive and is part of what we are trying to look at. The team is working hard to honor the public service request that we get to serve the community well. One of the new positions being added is for the front desk to have a very robust customer service program. Our rules are complicated, and our goal is to have folks come to us to work through the process, not necessarily have to hire a consultant who do a good job, but we can do that for no charge.

Science and Monitoring: We talked about the microplastics study that got worldwide attention. Thirty eight different lakes around the world were sampled with a snapshot survey. It was one day of three samples on Lake Tahoe. That is why more research needs to be done. It's there and it's consistent with other research that they've seen that microplastics are on the beach and water. They are in everything we do in our modern day society but there is a lot more work to do. The Science Council is standing up this working group on microplastics. There's been a lot of comments from the community on thresholds. We are more than 60 percent in attainment of the standards that we have and some of which have not been able to measure but those that we do, the majority of the standards we have the data and at 60 percent attainment. In 2023, we'll be doing an update of that threshold evaluation and then in 2024 it will come back to the Board. Staff are also busy doing hundreds of samples of stream

zone areas. Looking at Aquatic Invasive Species, even doing long term data collection on bike and pedestrian activity on trails. This is part of the work that we do on a day-to-day basis.

Then we boil all that up into three categories. At the retreat in April, the Board discussed the six initiatives, and we ended up into three main categories. The fourth was the thresholds and update of our standards which we have an ongoing process. It was decided that it should be embedded in everything that we do. Tahoe Living Initiative; Keeping Tahoe Moving; Restoration and Resilience is the Environmental Improvement Program and the things that we're doing in the broader partnership around restoration and planning for more extreme weather events in the future. There were a lot of great ideas at the retreat. Staff went back and looked at all of them and tried to draw a clear line in the work plan. Those ideas are folded into these categories and for those that aren't they are still on the table, and we have finite resources for anything that we do differently, folding out of this conversation we have to move resources somewhere else.

On page 85 is more detail on these three initiatives and three strategic priorities. The Regional Plan Implementation Committee is one of the most familiar with the Tahoe Living Working Group, but they've tried to vet those discussions at the full Board. We know that we are living in an affordability crisis in the Tahoe Basin. We're looking at modernizing our land use practices and making some serious reforms and looking in the mirror at what have the consequences been to limiting growth and development in the way that we have to drive prices up. What can we do to release friction to get more affordable units on the ground. Not just in Tahoe but in resorts across the west, the prices have been driven high and largely tending to be this high upper end single-family home. We want to see more multi-family and smaller homes. We have a plan to deliver complete communities. We've been working on the complete streets for a long time where you don't just build a road for a car, you build it for a sidewalk, pedestrian, or a Class 1 trail for a bike. You put in lighting and landscaping to make it a more complete experience. We want to do the same thing with our communities on the land use side and look at things like stormwater infrastructure, more walkability, mixed-use commercial on the ground floor, and parking management.

All of this fits in the framework of the Tahoe Living Working Group. A lot of conversations she's been having are around some of the Development Rights Working Group Initiative. About two years after that initiative, we went into Covid and nothing was happening. We're coming out of the pandemic and some of the policies that we initiated are just starting to come out the other side. Yesterday in the news there was something called the long and variable lag of Milton Freedman's economics of the writings of the 1960s. The idea is that you could put a policy in at a scale of the United States economy on one day and it might take six months, one to three years for it to work its way through impacts. She believes that is something happening today with the policies of the Regional Plan and the Development Rights Working Group that we are now starting to see on the ground examples of some of those and maybe we need to refine that and is reflected in the Tahoe Living Initiative.

Keeping Tahoe Moving: This is the transportation and the sustainable recreation initiative strategic priority area. She thanked the commenters from the last item that mentioned the Round Hill Pines Resort. We need to work with our partners on that. We're not there yet in terms of the solution around Highway 50 on the South Shore, nor are we there on the State Route corridor as well. That will take a lot of initiative of funding and investment. We have unprecedented opportunities from the Federal Government and states to invest in transportation solutions. Destination Stewardship is working hard, and a lot of work is underway in this initiative with the intelligent transportation systems. Staff was also brainstorming after that last discussion about incorporating some of the ideas that we just had in the last hearing into our work plan for this priority and the Environmental

Improvement Program. One item in the work plan is the update of the Regional Transportation Plan kicking off next year and will come back for action in late 2024 or early 2025. That reflects our new VMT and transportation and sustainable communities threshold standard to reduce vehicle miles traveled by just under seven percent by 2045.

Restoration and Resilience: This encompasses all of the Environmental Improvement Program and the team that works with the community with our 80 plus partners that are doing the projects. We are almost at 800 projects. At the first Summit of 1997, we had a binder of 900 projects and now to say we are almost at 800 projects. The goal at that point was \$900 million and we are almost at \$3 billion invested from federal, state, local, and private sectors. At that Summit, Jim Baetge, TRPA's Executive Director in the 1990s stood up at that Summit and heralded this as the new strategy for the restoration of the basin and for achieving our thresholds. What we found in the 1990s is that regulation alone was not getting the job done. So much of the land use developed before we had a Regional Plan and before we had these conservation standards that we couldn't expect in our lifetimes to achieve some of these thresholds. The EIP was born and are proud of those accomplishments with a lot more work to do and we have a great partnership to do that. This work plan is getting us down the path of taking our heavy regulatory approach from the 1980s and 1990s then add in the restoration EIP to 2000s to present and marrying them up. There'll be some reference in the work plan to link the EIP more with development projects. Very routine projects to bigger projects such as getting more microtransit from the Event Center for example.

Slide 12: Organizational Chart. There are about ten promotions in the Agency, and they've been solidifying a lot of these positions. We're elevating the role of science was important to her coming into this position. Mr. Segan is working to make sure that we are accounting for the latest available science in the work that we are doing to bring policies to you for recommendation. In the next presentation on the budget, we are looking at 74 permanent positions and two of them are part-time, plus the seasonal boat crew, and three interns. We are looking for a new Front Desk Public Service Specialist to make sure that we are open to the public five days per week. We've only been open four days per week in front and in this budget, we'll be open five days per week. The trend of online permitting will continue. We are adding a staff attorney and have two planners to assist with the housing work. One may be an AmeriCorps position that's funded differently. This reflects the vision forward that the Executive Team and Operations Managers Group have for pulling this together. We're trying to envision things differently to do it in a more efficient way but recognizing that we short positions. Before the recession, TRPA was at about 100 employees and has been gaining ground on that ever since. This budget isn't getting us all the way to where we need to fill some critical staff needs but it's moving us in the right direction to get us to our mission and to make sure that the staff don't get burned out.

Looking forward, this is our opportunity to advance our mission, budgets reflect priorities, budgets reflect the will of the policy makers. This also keeps us firmly in the partnership model of epic collaboration. The budget has substantially increased revenues in this budget and is fully to implement the EIP through our partnership.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIIB-Annual-Work-Plan.pdf>

Board Comments & Questions

Ms. Aldean referred to page 95, Strategic Priority Description of Tahoe Living. Under the timeframe

and action table there is a reference to the current efforts underway to increase density, height, and coverage to facilitate the development of deed restricted housing. Even though it is not mentioned, she's assuming that part of the mission is going to be to look at creative ways of encouraging the private sector, especially the large private sector developments to incorporate employee housing onsite. She appreciated that Palisades has acquired a couple of buildings in Kings Beach for employee housing but that still requires those employees to travel from Kings Beach to Palisades. Is that going to be an integral part of this for example, if a major employer comes in for a permit, that would be the opportunity to talk about the importance of large employers providing onsite housing.

Ms. Regan said a couple of the big projects that are in the pipeline with the Waldorf Astoria will have onsite employee housing. She met with the new ownership group of Cal Neva, and they are planning for employee housing onsite. It has to be a strategy going forward.

Mr. Hester said it's in the Tahoe Living Working Group. We just piloted inclusionary in Incline and that's the model we are going to develop and bring back to you.

Ms. Aldean said she wanted to ensure that it is part of the program going forward. It's an opportunity to address the workforce housing needs onsite. That's far better than having those units scattered throughout the basin and not in close proximity to where they are needed.

Ms. Gustafson agreed and said the local jurisdictions are doing that work moving forward. It's how we make up for past developments and those people were housed in a variety of locations for that particular ski area.

Mr. Hester said what they're looking at bringing to the Regional Plan Implementation Committee in September is the code amendments you mentioned. Part of that will be what is the need jurisdiction by jurisdiction. They are looking at different ways to measure that. One is the regional need is 5,000 which is ten percent. There are the Regional Housing Needs Allocation (RHNA) numbers from the California jurisdictions, there's the Mountain Housing Council and the Tahoe Prosperity Center numbers. Those code amendments are a baseline for what the market will deliver in terms of achievable. This would be what the jurisdictions could get with the default set of code amendments. They could propose an option to get the same amount a different way. For inclusionary, they've heard loud and clear from Placer County and the City of South Lake Tahoe, we've got programs can we substitute ours if they are working for what you come up with.

Ms. Aldean referred to page 109, under Preserving Existing Housing, Outputs: Through a third-party contractor, process compliance forms for all five operational deed-restricted "achievable" units. Five is rather a small subset. What does "operational deed-restricted achievable units" mean? Then it goes on to say "audit 10 percent of deed-restricted affordable/moderate/achievable units for compliance with existing deed-restrictions. How did they come up with that objective?"

Ms. Fink said in 2018, we established our official compliance program for deed restricted units moving forward. Any deed restricted unit that was permitted after 2018, received a deed restriction that specifically said that they would need to fill out a compliance form. Only five units have actually been constructed and has someone living there that need to meet that program. They've permitted a lot more and more are under construction such as Sugar Pine Village, but people are not living in them. Those were the five that they specifically requested to fill in the compliance form online. Next year, they expect that there will be more. The other element to the compliance program that they added when staff came to the Board in April 2023 to update the language for the achievable definition was,

they also specified that they could audit any of the other deed restricted units. If they audit them then they need to send in documentation such as a tax return, pay stubs that verifying that they are in compliance.

Ms. Aldean said under Expected Outcomes, it states 100 percent compliance for deed-restrictions issued after 2018 based on the ten percent audit?

Ms. Fink said based on what they say in the compliance form. We will audit the entirety of our deed restricted units, which is about 250, including those five new ones. They may or may not be the ones that they asked. This year, they focused their audit on the Incline Village units because they heard some concerns about it.

Ms. Aldean asked if it were correct that it would be 100 percent compliance of that ten percent that are audited.

Ms. Fink said no. Of those five units that are new that have to turn in the compliance forms, we expect that 100 percent of them will be in compliance based on the self-certification on the form. Then they need to audit the entirety of the other units and based on the fact that particularly those units in Incline Village they anticipate at this time, about 85 percent of the audited ones would potentially be in compliance and will follow up with them on a case-by-case basis to bring those not in compliance into compliance.

Mr. Hester said there are about 250. Five of them are the new type, 245 are the old.

Ms. Aldean referred to the Compliance Program on page 115 where it states Compliance quickly and effectively resolve and abate any problems associated with code violations. There doesn't seem to be a reference to any effort to acknowledge receipt of a complaint within a certain length of time, such as 48 hours for example. On the following page it talks about reviewing applications, all general emails responded to within two working days, all general phone calls responded to within two working days. She assumes the same thing applies that when you get a complaint, the objective would be to hold ourselves to the same standard and acknowledge receipt of that complaint.

Mr. Hester said yes, that's correct.

Ms. Aldean referred to page 126, Lead Community Engagement, Expected Outcome it states that TRPA is recognized as a community leader that is engaged, gives back, and fosters environmental stewards. She suggested adding the "TRPA is recognized as a national and regional community leader." The work that we do has greater implications than just the local community.

Ms. Aldean said under Finance and Administration one of our objectives is to advocate for fiscal accountability. That is an important aspect of what our Finance Department does.

Mr. Friedrich referred to the Tahoe Living section. Noting Ms. Regan's comment about before Covid we were Lake Tahoe and after Covid we were Aspen, this does suggest some need to revise the way of doing things in response to the affordability crisis. On page 94, Equity and Climate Assessment that covers a number of key items that could be considered in the tradeoff category of are we using our development rights for "luxury" development on limited development sites? Are we using it for affordable and achievable housing? This talks about the limited pool of development rights, is that aligning with regional workforce housing goals and mitigation requirements? This section also talks about looking at the growth management system conversion and transfer of development, and

mitigation fees.

To him, these are all critical now in response to the crisis of waking up to Aspen issues. These get to the heart of as we're thinking about being more expansive in our allowances for affordable housing density, height, and coverage and associated, presumably some more impacts for coverage, traffic, etc. and to maintain the focus on protecting the lake. There needs to be some tradeoffs and to him that would be in this section looking at those tradeoffs to say how are we prioritizing the development we need and want and disincentivize the kind of development that we don't necessarily need for workforce housing. Are there actions that we can take in the shorter term? Some of these were in the longer term such as scaling development rights to include equity and climate update of TRPA programs, permitting and mitigation fees to include equity and climate update of TRPA programs, etc. that probably square with the phase three of the Tahoe Living and Working Group. In response to this crisis are there some things that we can front load to move faster to address this crisis such as some version of a basin wide inclusionary housing ordinance? That's what he would want to see evaluated.

Requiring tourist accommodation units for vacation rentals. They've talked at various points about looking at our fee structure. RUU's, it doesn't matter the square footage if it's an accessory dwelling unit or a monster home. He believes it's the same air quality and water mitigation fees or development fees. In the climate code workshop, they talked about an energy fee for very large homes. Things that incentivize very low fees and cutting the green tape for family size housing. If you are going to build a huge home that's market driven and doesn't need a workforce need. Or eventually looking at our we are carving out a larger amount of our development rights for affordable and achievable housing. He tends to agree with Mr. Hoenigman stating that all future development should be those if we're talking about meeting needs. Are there some number of those type of items that we could front load for more immediate action? The climate and equity assessment was a three year study, some of these could be done faster, inclusionary housing, changing the fee structure, looking at the TAU for vacation rentals, some of those kinds of things that don't require an environmental impact statement in his view.

Ms. Regan said the Regional Plan Implementation Committee is bullish on these progressive policies. What they've tried to layout is this three year plan which was funded through the state of California through the housing and community development. Thank you to Ms. Conrad-Saydah, Mr. Hoenigman, and others who supported us in Sacramento to get the \$2.5 million that it will take to do that work. These aren't easy lifts, and we are going to need to work with the communities to bring folks along. There may be different strategies that we can use to get to the overall end goal. Overall, it will be up to the Board if we want to move things around in the timeline of the Tahoe Living Working Group.

Mr. Hester said we're probably toward the end of the year and the beginning of 2024 to finish up the code amendments that we have now which will give us in a sense one form of requirement for all the local governments. He wouldn't call it inclusionary but it's use of this code or come up with some code like it that will get this amount of achievable. Not everything in phase three is going to take three years. There may be a 3a and 3b. They could look at some of those things that don't require an environmental analysis or that there might be agreement on. Giving all the unused development rights to affordable housing doesn't have total agreement with the Board. Some of those things may take longer to work out.

Ms. Gustafson said some may also require additional study.

Mr. Hester said correct.

Ms. Gustafson said we all need to be briefed on what everyone is doing before we jump in thinking that we need a regional fix.

Mr. Hester said some of the climate smart codes are being worked on now and will be coming to the Board this fall.

Ms. Faustinos agreed with Mr. Friedrich and it's critical that we try to move those issues up as quickly as possible. We've had to take some actions based on prior approvals but need to address these issues more comprehensively.

Mr. Hester referred to page 110, Regional Plan administrative & Code maintenance, Output is where the climate code is mentioned. It also mentions mixed-use and process improvements. The Regional Plan Implementation Committee will hear the process improvements in August.

Mr. Friedrich said one upshot on that back and forth, there are some items like inclusionary housing that we need to look at how that fits with what jurisdictions are already doing and how it would work basin wide and think there are some items that we could take faster action on like fees. Can we scale fees based on the size of the unit for example.

Mr. Hester said the concept is easy to say but actually coming up with numbers will take some time.

Mr. Friedrich said that wouldn't have any environmental study in his view. Send a price signal that says we are encouraging community supporting workforce housing and discourage the market based mega luxury developments.

Mr. Hester said then it would be turning those into a code with numbers.

Ms. Gustafson said the approach from her history with the Agency prior to joining the Board is looking at carrots more than sticks because then you avoid litigation. If you start trying to set fees as disincentives versus discounting fees to incentivize. Some of the concepts that are being thrown out could end up in property right disputes and taking away development rights. We've seen those efforts; we need to make sure that we think of that as a Board and how to incentivize and encourage. She appreciates what we're trying to do. How do we incentivize and buy out housing and unlock the current housing are some of the programs they are working on in the North Shore.

Mr. Friedrich said for example, the City of South Lake Tahoe is looking at inclusionary housing ordinances that would be scaled such that the impact fees are very low for under 2,000 square feet for example and ramp up from there. The monster house on Johnson Boulevard would pay more for taking up that square footage and having those impacts. Same with building permit fees, they would be on a scale where you are incentivizing those who are building smaller family supporting homes and if you are going to build something that's not that, you are paying more for that privilege. He would look at it as both.

Ms. Gustafson said we're going to have to prove that those impacts are greater for some of those larger houses. There are people who can afford to live in a much bigger house but may not have any more people or impacts on the environment.

Mr. Hester said this dialogue illustrates the point that this is going to take time to get consensus.

Ms. Gustafson agreed that the staff is not going to easily be able to resolve all of these issues quickly because they do have profound impacts on people's private property rights as well as our public discourse.

Mr. Friedrich said it would be good to bring some of these things as soon as we can. There may not necessarily be consensus upfront but that's the point of a board to have these discussions.

Ms. Conrad-Saydah suggested a brainstorming session to think about some of these fees and in light of inflation. We're trying to raise employee salaries and there is an inflationary cost of just doing business. We should have this pricing discussion across a variety of topics. Maybe everyone could send their thoughts in ahead of time and do a visioning strategy versus a reduction strategy.

Ms. Gustafson asked if there is a place for the Advisory Planning Commission planning professionals to weigh in. Where the Board may give them direction to come back with recommendations or working groups to bring back recommendations.

Mr. Hester said the Tahoe Living Working Group has four Governing Board members on it and is chaired by the Advisory Planning Commission Chair. It's where most of the work starts. Last July, we had a workshop with the Board that led to this set of amendments that they are looking at right now.

Ms. Regan said staff will do as much as they can as fast as they can. Some of these will take some time but we'll speed it up where possible.

Ms. Aldean said maybe there should be a system where you can only import coverage if you are developing affordable or achievable housing. A lot of these mega mansions are being built with increased coverage that is purchased. It will have an adverse impact on the sale of those commodities.

Mr. Friedrich liked that idea. One could imagine the commodity conversion. You would only allow conversion of commercial floor area and tourist accommodation units if it's being converted to an affordable, achievable, or moderate housing and not for a luxury development. It would take more time to analyze than whether we are putting higher fees on different size houses. The report states that there are limited development rights and sites and limited commodities. There are different ways to control how those are used. You can buy them on the open market but if you limit how those can be converted then that focuses the scarce development rights, land, and coverage for the purposes that we need. There is a lot more need than we have current residential allocations and the more we can do to carve out and make it a benefit, the better.

Mr. Friedrich said regarding Keep Tahoe Moving, along the same lines, are there things that we can bring back sooner. One if the situation near Round Hill Pines and Zephyr Cove that we've heard comments about. We certainly see the same around Emerald Bay. Could we bring something back to prohibit parking in those areas around the lake? That would be an example of more of an immediate Destination Stewardship transportation management action that would be important. Most of our development projects that we contemplate have a traffic analysis and a mitigation requirement and we base approvals on those anticipated mitigation measures. What are the plans to enforce those mitigation measures? For example, the Event Center was approved with a requirement to have 15

minute headways for fixed transit or on demand transit. What are the plans for enforcing those mitigation measures that are used to approve projects?

Ms. Regan said we all agree there is a lot of work to do regarding parking on the roadways. It is not sustainable. On page 97, Keeping Tahoe Moving, bullet points for Destination Stewardship and Corridor Plans are where those live in addition to the Transportation Action Plan that we're trying to fund through the 7-7-7 funding strategy where each sector contributes more. We're looking hard at the Destination Stewardship at the big land managers like the Forest Service. They've agreed to co-chair the new stewardship council that will flow out of the Destination Stewardship Plan and look at reservation systems. Working with local law enforcement and judges in terms of what ticket fines are for illegal parking. It's a complicated issue and we need to do better on shuttles. They're working with partners in those two areas. Regarding the mitigation on the Events Center in particular, the microtransit Lake Link launched a year before the center that's not even open yet. There's a stakeholder group that meets to make sure that when that center is open the mitigation measures will be implemented. That service has been successful, and we need more vehicles. The City of South Lake Tahoe is looking to get involved and El Dorado County and maybe expanding that all the way to the Y. Now, it's from the Lake Tahoe Community College to Stateline.

Mr. Marshall said regarding the Events Center, the mitigation obligation is linked to when they open so, there is no active mitigation requirement for 15 minute headways on the fixed route to Round Hill and back. They'll be looking at that project when the obligation is required to be met that they are implementing those transit programs.

Mr. Friedrich asked if that mitigation measure for 15 minute headway was a requirement before the Event Center opened. It was a condition of opening. As an example, it seems important if we are approving projects based on those kinds of conditions that we have a way to follow through on them to make sure that they happen and determine what resources are needed. Do we need to increase Lake Link funding from ticket fees or whatever to fulfill those measures. Presumably, that traffic impact was judged to be zero or less than significant based on that condition among others. It's important that we enforce or fulfill those mitigations for that and other projects through funding.

Ms. Gustafson asked if Mr. Friedrich wants enforcement of the conditions as part of the work plan.

Mr. Friedrich said monitoring and consequences and maybe it relates to the budget discussion or future budgets. Do we need more staff for those purposes? Anytime we are evaluating a project on its traffic impacts we need to take a critical eye towards our ability to have those measures enforced.

Ms. Faustinos said this is the best strategic plan yet and puts the issues squarely in front of us in a very compelling way so that we understand what the priorities are and the expected outcomes. How we engage with the Tribal partners has always been an important issue for her. It doesn't show up in the work plan in any significant way. One of the long term objectives that we should be thinking about is how we make sure tribal interests not only participate in committees at the local level, but also have a seat at our table. Being a Board member is critically important to making sure we are addressing tribal issues in an affective and equitable manner. The whole issue of co-led management and land back is something that we've ever touched on and would like to get a better understanding about our role may or may not be. How are tribal interests engaged in all of our initiatives.

Ms. Regan said the Washoe engagement shows up in a couple of ways. First, the Washoe Tribe has a seat on the Advisory Planning Commission. The Tahoe Interagency Executive Steering Committee on

page 120 is where most of the Tribe's engagement flows through the EIP because they also have a seat on the TIE committee. In recent years, staff have been much more actively engaged with the Tribe and under the leadership of Chair Smokey they are much more engaged than they have been. We are doing it in a number of ways. Ms. Laine brought the Chair to a field tour that we had a couple of weeks ago with our California delegation from the Legislature. They are actively engaging them on the Meeks Bay restoration project and the Destination Stewardship project. We also have a land acknowledgement and a new conference room that we are dedicating to the Tribe. We will make that more explicit because it didn't really pop out in the work plan. Staff member Ms. Ortiz is TRPA's liaison with the Tribe.

Ms. Chevallier said they are working with the Tribe quite a bit through the Environmental Improvement Program. One of the ways is getting those capacity building grants to the Tribe. They would like to get more involved in co-management of some of the historical land including cultural burning, tending gardens, and are engaging with the Fish & Wildlife Service on the reintroduction of the Lahontan Cutthroat Trout. The Bi-Partisan Infrastructure law has given them some funding as well. A lot of it is building the capacity to engage.

Ms. Faustinos said funding is cyclical and right now we have an administration at the Federal level that is funding these kinds of activities. But for the long haul, organizations like ours which have a permanent responsibility and statute need to engrain these issues into the baseline way that we do our work and not rely on funding to sustain this kind of work. How do we change our practices so that we are actually providing the capacity not only for tribal participation but community members that aren't going to have the ability to participate actively in these things because they have two jobs. There's been a lot of work done on this issue and we need to continue to focus more attention on figuring that out.

Ms. Faustinos said in the EIP one of the important things for us to acknowledge is that large landscape issues are important for resource protection and watershed improvement. But she also thinks about those local parks that need to be within walking distance of communities in particular the town centers. She understands that is not our role but want to be sure that we elevate those issues that there's a recognition that access to recreation and open space is critical at every level. Encouraging that as part of the work plan would be desirable. Also, given all the work that we've put on the transportation department, it only looks like a couple of staff members supporting it.

Ms. Regan said the Transportation Improvement Team of Mr. Haven and Ms. Weber is now under the EIP and is a new shift. Mr. Haven is the Metropolitan Planning Organization Director because there is so much emphasis on funding for transportation the programming of the Federal Transportation Improvement Program which is a \$100 million program of work. Mr. Haven and Ms. Weber does that under the team of EIP. Under the Regional Planning Department are ten members of that team and is where the MPO planning function is combined more with the Long Range Planners. Still there are only a handful on that team as well and the amount of requirements that we have as an MPO are substantial. Ms. Glickert and her team are working on active transportation and commute Tahoe, and some of the traditional MPO functions are under the Regional Planning Department reporting to Mr. Hester.

Ms. Gustafson mentioned some of the other efforts such as the parking studies that are being done by the Tahoe Fund with 38 partners. She suggested an organizational chart explaining all the advisory groups and the collaboration that's happening would help the Board members. We are not doing this work alone. Others such as the local jurisdictions, states, nonprofits, etc. are helping and then the

culmination may come for recommendations for policies from us. Where do we stop informing that there is an effort on phase two of that parking management study, but it includes both states, and local law enforcement. There's a lot of effort on these things that isn't necessarily being driven by just TRPA but are involved in those efforts. It's important to know those as we look at all these issues in the basin. That is something to consider putting in the work plan on how much we rely on our partners and advisory committees.

Mr. Hester said he and Ms. Chevallier are working on that for the next retreat because staff wants the Board to look at their committee structure as well.

Public Comments & Questions

Alan Miller said he had his hand raised for an earlier item but wasn't acknowledged which followed after he had been acknowledged. All he said was I don't intend to speak during this item then I could no longer speak when I changed my mind. This is just a check in. Thank you to the Board for the annual work plan. He intends to speak during the public comment period at the end of the meeting.

Gavin Feiger, League to Save Lake Tahoe thanked everyone for their work on this, the work plan does show the breadth and depth of issues being worked on. Their role in the basin as a partner and collaborator, they keep pushing on what they see as the most pressing issues. The Compact directs TRPA to develop, achieve, and maintain the thresholds. A lot of those thresholds are achieving, maintaining, and updating thresholds are folded into the work plan but there are three that the League thinks need focus this year. First is Forest Health. The threshold update initiative started in 2017 and not that many thresholds have been updated yet. They realize that they are partially responsible with the long and ongoing vehicle miles traveled threshold update. They have some staff time dedicated to supporting the work on Forest Health. Stormwater and BMPs, they believe that this is going to happen around the Tahoe Living Group and especially coverage they are going to have to figure out how to treat stormwater if there's any consideration of increasing coverage allowances in and out of town centers. The last one is the VMT Threshold. In Spring 2021, the VMT Threshold was approved. They supported it because the 2020 Regional Transportation Plan had to be approved too. There were two pieces that still had to be done. One was a project impact assessment tool and it's still not done. It's starting to cause problems as projects come in and look at whether they screen, what the impact is, how much they pay, and how much they have to mitigate. It's a core piece of the VMT Threshold that's not done. Now we are starting to update the Regional Transportation Plan again. The transportation staff are fantastic and have so many projects they are working on, but we need to take care of this unfinished business before taking on new challenges.

Steve Dolan, Incline Village said in the presentation there were comments about tradeoffs. We can't have any tradeoffs when it comes to preserving Lake Tahoe. In his handout, Mr. Green's article that involves Thoreau in philosophy is relevant and representative of our community. There's a balance that needs to be made but cannot ignore our heritage in regard to Tribe and lake clarity and quality. Part of the edict for the group is that you try and enhance public enjoyment of the lake, but the Native Americans say if the land suffers, the people suffer. Take care of the land first. That's what brought us here and is going to keep us coming back. Too many people are not. Our trust is in you and funding and results are part of the requirements to earn that trust. The Tahoe Daily Tribune July 14th published this article. They are pretty good at focusing on the feeling of the community when they put their articles out.

Staff Response:

Ms. Regan said the VMT implementation is still in the work program, and they'll be bringing that back to the Regional Plan Implementation Committee this Fall. They've been doing a lot of work with stakeholders. They didn't get a lot into the transportation funding 7-7-7 that's linked to the VMT. There is a lot of thresholds work underway. By the end of the year, they plan to bring back some updates in the area of Aquatic Invasive Species and stream environment zones. Forest Health is still being looked at and the stormwater, BMPs and coverage is included in the Tahoe Living Working Group work.

Motion:

Ms. Williamson made a motion to approve the Annual Work Plan.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

C. Fiscal Year 2023/2024 Annual Operating Budget

Ms. Regan thanked all the members of the Board who have supported our work. To have Nevada be at the one third share of our general appropriations fund and two thirds California. We had a great show of support from our Nevada delegation in the Legislature. The same in California, the new grant funding and to be whole in times of budget crisis in California, thank you to the California delegation as well. There's been a lot of federal money coming into the basin and is a real testament to our ability to move those dollars into areas of critical need.

Mr. Keillor said the Budget funds the work plan strategic priorities: Tahoe Living, Keeping Tahoe Moving, and Restoration and Resilience.

The Budget is net zero, it's balanced except for two areas. One is a small deficit in the Shoreline fund and will be paid for out of prior fees that have been accumulated in a small reserve. The other is about three years ago we refinanced the long term debt that we used to acquire the building. We set aside \$500,000 to do long term maintenance and upgrades on the building. We still have about \$250,000 of that left. There are four new positions and possibly three if we do the AmeriCorps volunteer for the HIT grant. That would take us to either 73 or 74 permanent staff.

There's \$27.2 million in revenues and \$27.5 million in expenses. We are up \$5 million from FY 2023, and the Agency's revenues have tripled over the past ten years. The negatives on slide 3 are the Shoreline and spending down the balance of the bond money gives the impression of a negative, but that is all money in the bank. The Planning Fund does not cover all its costs, but the shortfall is really admin and overhead costs we allocate to the fund. That reflects the support from Legal, Executive, Finance, Building, IT, Human Resources etc. We are talking about fixing that in the long term but that would require almost a 50 percent increase in planning fees to zero that out and are not proposing that at this point. On AIS under special funds, most of that is paid for by grants. AIS includes \$750,000 in state funding that is earmarked for that. \$5,944,000 in Grants and almost \$1 million in fees." The grant funds are for both prevention and treatment.

Grants are now 52 percent of the revenue and are up from 46 percent last year. Nevada because of the success in the budget, we are up to two thirds, one third ratio for the first time in about 12 years. When you add in additional monies that they gave us for staff salary increases and for our scanning project, we're ahead of two thirds, one third ratio. There's one open item on the state funding is we are going to be asking California in Fall if they will kick in some money for those staff salaries as well. On slide 4, the "other" category is the local government contributions and outside rent for the tenants in the building. What's not on these numbers is we did get \$330,000 from Nevada for the Tahoe Transportation District. The auditors have indicated that we may need to show that as a revenue expense for us.

Slide 5 shows the comparison for two years. The general fund is up \$1.2 million and is mostly the Nevada contribution. Our outside rents are a little bit larger and interest rates are up so we're getting more interest. Planning fund is showing an increase. Every two years we do a pier lottery. The annual fee for a buoy or pier goes into the Shoreline fund and that fund pretty much pays for the administration of that program. The online permitting system, the enforcement side of the Shoreline program and we do a lot of outreach mostly in the area of motorized and non-motorized conflicts. When you apply for a new pier or buoy is a planning action so there is shoreline activity in both funds.

The AIS funds are down about \$500,000 because last year the Tahoe Keys Demonstration Project put a major effort on herbicides and as part of that was a substantial monitoring program with a series of total of three contracts for \$1.4 million. There will not be any herbicide testing this year or next. If you take that out, we are actually up a little bit in AIS. In the past our EIP grants have been nit picky things here and there and because of the Lake Tahoe Restoration Act money, we have a couple of large grants that came through LTRA in the areas of forest fuels and area wide watershed restoration. That's what is driving the EIP numbers so high.

The Transportation line combines both transportation and formally Long Range now Regional Planning. This is Ms. Fink's REAP grants for housing and items like that. In that EIP money a lot of that will be passed down to other entities, it's not so much driving TRPA expenses.

Slide 6 shows the grant awards rather reflecting the actual amount of effort we are putting into the current fiscal year. Over the past 12 months, we've brought in over \$18 million in new grant funding for various projects. It's primarily dominated by the LTRA monies, REAP money, and some money in the infrastructure bill for Fish & Wildlife Service. A lot of this money will be passed on to the partner entities.

Slide 7: Traditionally we've kind of 50/50 split between contracts and labor but because of all this extra funding that we are bringing in and parsing out to partner entities we are now up to about 62 percent contracts and the balance in compensation.

Slide 8: Year to Year Comparisons: The general fund increase is mostly head count related, new positions, plus the salary increases. Also, in the planning and permitting side the increases in special funds are primarily contracted out, except for the added headcount in the Housing area.

Slide 9 shows the dominance of the contracting effort that with the AIS Program and EIP. The AIS is the biggest contracting area, the largest part of that is the contracts with the Tahoe Resource Conservation District. These contracts are both the prevention side with the inspection and decontamination station and also play a major role in the treatment side as well. We are looking at

changing that relationship this year to be less of a contractual relationship and more of a partnership. There are other contracts under AIS such as the ultraviolet light that continues to have a lot of work on that.

Research & Analysis is \$1.3 million for the ongoing monitoring in the basin. The balance of the money is also for various process improvements. It's to keep the LT Info platform, the GIS work, and Accela permitting software.

Transportation is the Overall Work Program, and the Regional Planning is the REAP grants.

Slide 10 is labor. The chart on the left is the headcount chart by department and on the right is how we pay for that. The Permitting and Compliance and the General Fund together are just under 80 percent of our total compensation costs. EI, 7 percent is the grant funded portion of the EI Department and in total is about 14 percent of our expenditures on the labor side.

Staff is requesting approval on the following:

- Approval for the overall expenditures of the agency.
- Approval for the grant agreements incorporated in the budget.
- Approval of the contract expenditures included in this budget.
- Approval for the staffing levels identified in this budget.
- Approval for an average 5% salary merit review for staff.
- Approval of an inflation increase (budgeted at 3.5%) to current planning fees (subject to final review by the Operations and Governance Committee in October).
- Authorize staff to make technical corrections to the final budget.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIIC-Fiscal-Year-20232024-Budget.pdf>

Board Comments & Questions

Ms. Conrad-Saydah said we were looking for that 3.5 percent increase for permitting but it's been mentioned before that there is not enough even with that increase to cover the actual costs. Is there an escalation plan to get to a point where we can break even? Given what inflation is, 3.5 percent seems like a drop in the bucket and is there a way to propose a higher increase?

Mr. Keillor said we could, our Rules of Procedures state that we use the Western States CPI Index for the annual inflation adjustment. We can adjust the rates at any time. Mr. Stockham, Stockham Consulting has been looking at this as part of the permitting improvement processes and will have a few changes but before we make a full leap to increasing planning fees it's probably a good idea to finish the process improvement work that he is doing. They are also starting a process that will be about two or three years of doing some operations and research to have a better concept on how much time is spent on different types of permits. Mr. Stockham has noted that some of the fees are not correlated to the amount of labor effort required on some of the permits.

Ms. Conrad-Saydah said the work is being performed in direct response to a request from the public and that we are compensating the public sector for the work that we are doing on behalf of a private request is important. We need to be mindful about the way we are spending public sector dollars. She's glad they are truing up the accounting and making sure that we know better what the actual

costs but suggested a slightly higher increase that might move us closer a little faster to what the actual expenses are.

Mr. Keillor said one of the reasons for the gap is that after the recession we held off on raising fees for many years.

Ms. Aldean said she recalls that the original proposal was to increase the amount related to inflation to 6.4 percent and we backed off to 3.5 percent. Was it strictly in connection with the fact that we haven't finalized our process changes?

Mr. Keillor said the original 6.4 percent was because when we started the budget process that's what the inflation number was, but it's come down quite a bit in the past few months. The Western States Index is at 3.5 percent.

Ms. Aldean asked what the Western States Index includes in their evaluation.

Mr. Keillor said it's the general CPI that includes all of the western states.

Ms. Aldean said sometimes they exclude certain costs. Is it costs based?

Mr. Keillor said yes, its costs based but there are other CPIs that are more consumer or capital goods oriented, this is the general CPI.

Ms. Gustafson said that's what is shown as our procedure, but we could adjust rates and fees if we've fallen behind beyond that.

Mr. Keillor said we can change fees at your discretion as long as we follow the Rules of Procedure.

Ms. Aldean said it's a delicate balance between discouraging people from making applications based on the fees and wanting them to make the applications so we can collect those fees to compensate for the work we do. She agreed that we need to have a robust cost recovery plan. The Operations and Governance Committee heard a similar presentation this morning and recommended unanimously to adopt this 2024 Budget.

Public Comments & Questions

None.

Motion:

Mr. Settlemeyer made a motion to approve the Fiscal Year 2023/2024 Annual Operating Budget.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settlemeyer, Ms. Williamson

Motion carried.

D. Transportation Equity Study Proposed Policies Endorsement

TRPA staff Ms. Smith provided the presentation.

Ms. Smith said today's presentation will include a set of policies that were developed through the Transportation Equity Study for the past 1.5 years. Staff is requesting the Governing Board endorsement for the set of policies which will later be formally adopted into the next update of the Regional Transportation Plan.

TRPA kicked off the Transportation Equity Study following a recommendation from the 2020 Regional Transportation Plan Environmental Justice Assessment. This is the first focused effort on transportation equity for the Lake Tahoe Region. While this effort was born from the RTP, development of this study and the set of policies was critical for our region to both identify transportation barriers and burdens and to remain competitive for transportation infrastructure funding. They are seeing that more and more funding opportunities at the federal and state levels are increasingly tied to equity and communities must demonstrate how their transportation investments will benefit disadvantaged communities. For example, the Justice 40 Initiative requires that regions prove that 40 percent of their funding will go to supporting disadvantaged communities, but the Federal Government doesn't provide a very clear definition for what that means.

Through this study, we were able to clearly define who our transportation disadvantages communities are and set policies to ensure that we can equitably distribute transportation investments.

This project and development of the policies kicked off with the adoption of the Regional Transportation Plan in April of 2021. About a year later they contracted with project consultants DKS Associates in February 2022. They spent most of the next year conducting public outreach and had the policy workshop with the Board in February. At that workshop they brought forward a set of policy ideas that were generated through analysis and public outreach. The Board vetted those policy ideas in February and staff have since been working to develop them into the policies presented today. With an endorsement staff will incorporate these policies into the Regional Transportation Plan Update which will be ongoing in 2024 and into 2025.

This project included extensive public outreach and stakeholder engagement. They spent nearly one year meeting with community members and representatives of the most transportation disadvantaged communities. This level of community engagement was necessary for this project to see them through policy development and to the final set of policies that we have today.

While they were meeting with the community they were also conducting an equity analysis to determine focus areas within the Tahoe Basin for transportation access. They wanted to better understand where the priority communities, seniors, people with disabilities, zero car households, youth, people of color, and low income households, were facing the greatest challenges accessing essential services such as grocery stores, health care, and public recreation sites. By examining the relationship between population density of these priority communities and distance to certain locations, they were able to identify certain hot spots. One example is looking at the distribution of zero car households and the distance from grocery stores. Through a spatial analysis they can put those two variables together to see which neighborhoods have a higher density of zero car households and are further from grocery stores. Then they can focus on certain transportation improvements such as expanding transit access or building sidewalks within these areas. This method

of analysis is a starting place and do plan to expand upon this in the next RTP. For this study, these analyses helped the community engagement on certain hot spots and provided data based evidence to support what they were hearing from the community about access issues.

In developing the list of policies, they used a mix of qualitative data, what they heard from the community in quantitative data and what they learned through that spatial analysis to inform these new policies. The 38 new policies are organized into six categories.

Engagement Policies: There are nine proposed engagement policies aimed at improving TRPA's outreach tactics and ensuring that marginalized communities have a voice in transportation decision making. The first one is to improve the communication channels with underserved communities by focusing on place-based engagement. It could mean that TRPA conducts more boots on the ground outreach at Farmers Markets or community centers rather than relying solely on passive engagement through online surveys. The second one is to review our contracting processes to identify barriers that might be onerous for smaller consulting firms or disadvantaged business enterprises from working with TRPA.

Year-Round Access Polices: These policies are aimed at addressing critical transportation access issues and ensuring that our most transportation disadvantaged populations have access to services and access to the decision makers. The first policy speaks to snow removal. This is an issue that they heard a lot about through the public outreach efforts. Where they can through the Regional Transportation Plan, permitting, and project funding they want to help local jurisdictions prioritize sidewalk clearing, snow removal, and installation of transit shelters within community priority zones. The second policy is to support opportunities for appointed officials associated with TRPA such as the Governing Board to connect more with community members within the basin. The local community was excited about this as a possibility of being able to elevate their voices to decision makers.

Infrastructure Policies: This includes 11 new policies aimed at improving the way that we prioritize infrastructure investments by considering equity in every stage of project prioritization and selection. The first policy is to ensure that proposed transportation projects are beneficial to disadvantaged communities and speaks to the Justice 40 Initiative in identifying beneficial projects and ensuring that funds are distributed to the disadvantaged communities. They could do this by incorporating equity into our project evaluation processes. The next two policies are more specific in setting goals to expand electric vehicle charging infrastructure around the basin, specifically targeting installation within community priority zones.

Service Policies: There are seven new policies in this section and are primarily focused on improving transit services and working to ensure that our priority communities have sufficient access to transit. The first policy is to ensure that transportation services and programs are affordable. On average, Tahoe residents spend about 28 percent of their income on transportation and that's even higher for low income residents. To implement this policy, they could establish transportation affordability targets and implement services and programs that can help meet those targets. The second policy is to support opportunities for crisis training for bus drivers.

Environment Policies: There are three new policies aimed at addressing environmental preservation and considering the climate resiliency needs of our priority communities. The first policy is to expand the educational programs to encourage alternate modes of travel. They could do this by continuing to promote programs like Tahoe Bike month or working with transit operators to provide travel training for seniors and people with disabilities to be able to use paratransit services. The second policy is to provide an opportunity for local jurisdictions and transportation agencies to begin

coordinated discussions around evacuation planning. They heard a lot from the community and Board during the workshop about concerns surrounding evacuation. While determining what TRPA's role might be in evacuation planning, this policy speaks to their commitment to being part of that conversation.

Technology Policies: There are four new policies that aim to advance the intelligent transportation systems infrastructure within the basin while ensuring that our priority communities still have access to and benefit from smart services and systems. The first policy is to continue to deploy ITS solutions around the basin to improve public information. A future action could be also to explore more bilingual messaging and information sharing. The next policy is to coordinate with Caltrans and NDOT through a Memorandum of Understanding to install transit signal priority to help transit to become a more competitive option for those who depend on it.

This was a preview of a portion of the 38 new policies included in the report and with endorsement they will be included in the Regional Transportation Plan. Some of the policies could replace some of the existing policies and some could be additional but there are still opportunities to adjust some of these policies when they go through the RTP update.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIID-Transportation-Equity-Study-Proposed-Policies-Endorsement.pdf>

Board Comments & Questions

Ms. Laine said under Year-Round Access Policies, Policy A-1 states that community priority zones have adequate or comparable snow removal and other services to ensure year-round access. There are all different groups that manage during the winter and it's not TRPA. What is TRPA's role in ensuring that it's getting done.

Ms. Smith said there are opportunities to explore different options to support the local jurisdictions. One is that operations and maintenance is a major project list category in the Regional Transportation Plan. If they can identify opportunities to increase the amount of operations and maintenance funding that local jurisdictions receive is one way that they can help support. That's probably the most significant way. Also, in working with the local jurisdictions when they are permitting these projects ensuring that there is a maintenance plan for snow removal.

Ms. Laine said one of the problems that we're having on the South Shore is the County or City for example, are clearing the bike paths and then Caltrans especially on Highway 50 leading from Meyers into the Y has no where to store the snow except on the sides of the road. Then they are repopulating the sidewalks and bike paths with snow that they've just cleared. Funding is a big issue especially when there's a lot of snow. That's great if TRPA is also going to provide that level of support.

Ms. Smith said we had a historic winter that elevated this an issue and there are a lot more conversations needed. Acknowledging that this is a big equity issue within the community and to continue to be part of those conversations and supporting local jurisdictions wherever possible.

Ms. Regan said tomorrow there's a meeting with the Caltrans regional representatives in Tahoe that will include some of the local jurisdiction staff and the California Tahoe Conservancy. Thanks to Secretary Crowfoot's leadership has invited the Secretary of CALSTA to Lake Tahoe in October. It's a

good example of where our Board can keep that elevated at the highest levels for those kinds of needs.

Ms. Aldean referred to Engagement Policy, E-3. This may have just been an oversight but shouldn't some of these advisory bodies, committees, and commission's include voices of communities of color, Tribal communities, include seniors as well as people with disabilities. Under Service Policies there is a distinction between seniors and people with disabilities. She suggested adding "seniors" after Tribal communities. Under the Equity Index Scorecard under Environmental Impacts, projects and programs that reduce quantities of air pollutants reduction, 40 level of physical activity. What does that mean?

Ms. Flint, DKS said that is a typo. It should be "for the level of physical activity." You don't want to have an increase in pollution in areas where people are going to be walking, biking, or doing physical activity.

Ms. Aldean referred to the Technology Policies, T-2, cloud-based Transit Signal Priority, giving priority to transit buses, would that be in lieu of transit lanes because in some locations they don't have the width to accommodate a third lane.

Ms. Smith said she believes that would be in lieu of transit lanes. She's not sure if they have bus only lanes planned anywhere in the basin aside from State Route 267 and 89. TSP is a priority along Highway 50. Caltrans and NDOT are actively working on these projects and doesn't know their implementation time.

Ms. Aldean asked how does that work, does a transit bus move into safe lane?

Ms. Smith said there is a sensor on the bus that communicates with the signal and as the bus is approaching, the signal will turn green quicker than it typically would.

Ms. Aldean said it would be like an emergency vehicle being able to manipulate the signal to allow them to pass through.

Ms. Conrad-Saydah said the verbs are a lot like "ensure" and "explore" in other cases. When dealing with resorts and the third party entities that are a part of the massive draw for tourism in the winter, it was words like "explore." She's interested in being more strident with the resort operators and having TRPA engage more directly with them. Palisades has announced parking reservations, and, in that announcement, they said and we're looking at ways to have shuttles available when parking reservations aren't there. The resorts need to beholden much more to finding those alternatives and work proactively to get them in place before they make announcements like that. She encouraged TRPA to set an example for what we want the desired future conditions to look like of winter travel and accessing the resorts. She loves where it states "ensure" in some places but with specifically a lot of these private sector entities we need to push them a little bit harder.

Ms. Faustinos said one comment has to do with access. The recommendations are great but what she is concerned about is an employee population that might not have a formal employer. How can we develop incentive programs that are not necessarily business or resort industry based. Has there been any thought on how to address that issue?

Ms. Smith said TRPA is actively building our Commute Tahoe program and until now focused

primarily on working with larger employers and encouraging them to provide incentives for their employees. There's more work to be done and will be looking at updating our employer based trip reduction ordinance within the next year or so. That is something she doesn't know that they've looked at before but maybe something they can look at when they update that ordinance.

Ms. Faustinos said it would be the same for small businesses. In terms of the Engagement Policies, she wants to understand these five focal areas that were identified, makes sense the way that they were analyzed and determined. She does have a concern about the significant population of low income employees in the basin come from outside of the basin. How was the input from that group captured?

Ms. Smith asked if she was referring to the community priority zones.

Ms. Faustinos said yes. She understands how they got to that but in the engagement process in terms of getting input from external users, how did we get input from people living outside of the basin but work in the basin that are low income or people of color that would be impacted by a lot of these issues.

Ms. Smith said they focused a lot of the outreach within the community priority zones within the neighborhoods but exclusively conduct outreach within our community priority zones. They worked a lot with the Washoe Tribe, the majority of them work outside of the basin. They had a lot of pop up booths to do surveys such as Farmers Markets. They went to neighborhoods and large employment centers surveying community members. The surveys were available in English and Spanish. They also utilized data from our most recent onboard surveys with TTD and TART buses. Those surveys captured a lot of those voices, specifically commuters who rely on public transportation to access work in the basin.

Ms. Flint, DKS Associates said they spoke with a number of the larger employers in the basin because there are a substantial number of folks coming from over the hill in California and Nevada. They talked with union representatives that had a lot housekeeping, food and beverage, local hospitals, and the Chamber of Commerce. They tried to capture as many as possible and were able to access some of the data from the Destination Stewardship effort because there were a lot of people coming from the valley that were in travel tourism positions. They can't represent that they were able to get to everyone but did get to a substantial number of the population that would be affected by these types of commute patterns.

Ms. Faustinos said the worry is getting to the folks that never make it into the basin and how to capture those opinions.

Ms. Hill said this is information that a lot of her constituents are asking for as part of transportation strategies. In reviewing the equity analysis that was put together, is there a more granular detailed survey result that can be sent to the Board. With density and distance and what our focus areas are and doesn't see Incline Village being a part of that. Although, you can see some of the "red" spots as part of that equity analysis.

Ms. Smith said they will be putting a lot more of that information into the final report. They have the policies ready to go but they are still working on the report and includes adding a lot of that information and some of the analysis done. They looked at different variables and the example that she showed was just one of the relationships between two variables looked at and they have many

maps. They are hoping to have the final report in addition to the policies within the next month or so.

Ms. Faustinos asked what follow-up is with the community. Gathering all of this information is one thing then having some recommendation policies. Is there a plan for communicating this back to the participants in this survey?

Ms. Smith said they've been in contact with many of the stakeholders that they engaged with throughout this process. They are aware of this report and staff will be communicating the Board's decision today. They will work closely with Ms. Fink on the HIT grant and will be putting out a Request for Proposal soon to conduct a comprehensive community engagement plan and many of the policies that are developed as part of this study will be incorporated into that plan. They will also update their Public Participation Plan in advance of the Regional Transportation Plan and will be more opportunities for us to engage with these communities but do not plan on stopping their continued engagement with this community.

Mr. Friedrich echoed comments by Ms. Faustinos about thinking of equitable access for folks without cars outside of the basin. There's been discussions in the past about Governor's don't like the idea of basin entry fees because of the equity issue. These are people who have cars and spend a lot of money on gas and theoretically you could fund access to people who could never visit the basin because they have no car in the first place. That would be an interesting element to add. Regarding Infrastructure Policy, I-1.1, Ensure all proposed transportation projects, programs, and policies meet the transportation needs and minimize negative impacts for all communities, particularly disadvantaged communities, and people with special needs. Might that mean that if the Governing Board were to evaluate a proposed road bypass or other transportation infrastructure project that this policy would be used to evaluate the impacts on a disadvantaged community if that were the case for that project in a way that it is not being looked at now?

Ms. Smith said once we adopt this policy into the Regional Transportation Plan that could be one application. They're also looking at ways that they can incorporate equity into the project evaluation processes. She doesn't know if they've nailed down specifically what metrics that relate to equity that they would use to evaluate. There's room for more conversation on this.

Ms. Gustafson said in the community priority zones, Placer County is looking at housing in some other areas that currently aren't being reflected there and obviously will want to reach out to those individuals in the future if they are successful in getting achievable and affordable in some other areas that aren't currently shown on the map. As they're developing new housing projects, those zones may expand.

Public Comments & Questions

Alan Miller, South Lake Tahoe resident has a friend who rides a bus on the South Shore. He's told Mr. Miller that it is very inconsistent service. There are long lag times between stops and it's unreliable. We have this sports complex coming online and this service has to be improved.

Motion:

Mr. Friedrich made a motion to endorse the proposed transportation equity policies included within Attachment A for inclusion in the Regional Transportation Plan update.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Mr. Hoenigman

Motion carried.

E. Tahoe Regional Trails Strategy Update

TRPA staff Ms. Smith provided the presentation.

Ms. Smith said this is an informational presentation for the Trails Strategy that was recently completed for the dirt trails in the Tahoe Basin. This is the first ever trails strategy for the basin. The Trails Strategy was a recommendation that came out of the Sustainable Recreation Working Group before they became the Destination Stewardship Council. Dirt trails are also included in the Regional Plan as a solution for more walkable, bikeable communities but there hasn't really been a coordinated effort to create a long term vision for dirt trails the way that there has been for paved trails and transit. About 90 percent of the land in the basin is publicly owned by multiple land managers and other agencies working on trails often focus their work in silos. All of these agencies and land managers have cited the need for a shared long term vision. Trail funders have also voiced the need for a shared vision to better support regionally beneficial projects. TRPA agreed to act as a convener to facilitate the planning process for the first ever Tahoe Trails Strategy.

The process was started a little over two years ago by forming a steering committee. TRPA's involvement in this process was to bring regional partners together. The steering committee was ultimately comprised of a mix of land managers, funders, trail stewardship organizations, and Achieve Tahoe which is a disability advocacy group, and the Washoe Tribe. In addition to the core planning group, they also conducted extensive community engagement with various trail user groups such as equestrian, off highway vehicles, homeowners, and residents in areas where trails are adjacent to homes.

The specific contents of the strategy include a 15-year vision for a regional trail network for Tahoe. A list of new trail projects, conceptual trails, trailhead improvements, maintenance projects, and trails to be decommissioned. The strategy also includes a map to inventory of the existing trail and trail network which was a massive undertaking because there was no mapped inventory before. Digitizing over 500 miles of trails was no easy feat. The strategy also includes funding strategies and a list of possible funding sources to pursue for trail projects in the basin, signage, and way finding recommendations.

The goal of the strategy was to better understand what each land manager's priorities were and as a group to help screen and prioritize trail projects based on regional benefit. This trails strategy does not include any environmental documentation. It's a precursor to that, it's mainly just a vision document. All of the individual trail projects that are included in this strategy will go through some sort of environmental review or have already gone through that review and there is an additional public process associated with each of those environmental reviews.

As part of the multi-year process working on this trails strategy they went to stakeholders and the public to help determine what should be included in the strategy and to identify where there are opportunities for improvement within the trail network. They heard from the community about the

barriers they face accessing trails and about which trailheads they most frequently access. They learned a lot of other interesting facts from the community about their needs and wants. They did a public survey and received almost 1,000 responses. That survey was available in English and Spanish, they did pop up booths at Farmers Markets and into neighborhoods, and popular recreation sites and trailheads distributing the survey. They also presented to the local high school to gather information from students about trail recreation. All this information helped inform the goals of the strategy.

In order to determine which projects would be more regionally significant and should be prioritized in the strategy, the steering committee came up with five goal areas for projects that were informed by and vetted with public input.

Environmental Sustainability: Projects should be sustainable and culturally respectful. Projects that could be accessed without a car (via transit or paved path connection) and did not cross sensitive wildlife habitat scored higher. Projects that could be accessed by transit or paved path connections and did not cross sensitive wildlife habitat scored higher in this category.

Connected: Create a seamless, connected, and navigable trail system. Projects that would create connections to the existing dirt trail and paved path network scored higher.

Equitable: Improve trail options and accessibility for all, especially for people with disabilities, underserved communities, and tribal members. Projects that would provide multi-use access, were located near a Community Priority Zone, and would be constructed to allow people with physical disabilities scored higher.

Enjoyable: Create a positive experience for Tahoe's diverse set of trail users. Projects that would provide scenic vistas, lead to points of interest, or provide a unique experience scored higher.

Feasibility: Ensure the long term feasibility of the trail system through ongoing coordination of priorities, resources, and funding. Projects that would be constructed by one land manager, had broad public support, and did not have conflicts with private property owners scored higher.

The project screening process included first understanding everyone's priorities over the next 15 years. They spent a lot of time mapping out all of the potential projects. The projects that community members proposed and screened each of the proposed trail projects against the goals. They started with about 80 possible projects and narrowed it down to about 30 using this screening process. Based on the screening process over the next 15 years, partners are expected to implement approximately 53 new miles of trail connections, reroute 4 miles of existing trails to more sustainable alignments, formalize 7 miles of social trails, improve trailhead amenities at 26 locations, and 6 new trailheads.

There are a lot of projects that are included in the trail strategy and will highlight just a few of them. The first project is the Emerald Bay to Meeks single track trail. This trail will be a new single track connecting Emerald Bay to Meeks Bay providing an alternate route for trail users outside of Desolation Wilderness. This trail will utilize some existing trails and roadbeds in the area and will become a cornerstone section of the Lake Trail which would enable a bikeable single track route around Lake Tahoe. This project is expected to be constructed within the next 5 to 15 years by the Lake Tahoe Basin Management Unit and the Tahoe Area Mountain Biking Association.

Maintenance of existing trails and identifying funding for maintenance projects is a major goal of the

trails strategy and all the partners agreed on. One of the more significant maintenance projects that is upcoming is maintenance of the Flume Trail. That maintenance project will be to help stabilize the slope and repair landslides. That work will be done by Nevada State Parks.

High Meadow Trailhead experiences high use in both summer and winter. Parking at the existing trailhead is an issue, especially in the winter for the neighborhood. The neighborhood and the Forest Service are supportive of an expanding trailhead access by building a small parking lot up the Forest Service access road. Through outreach and partner conversations, they've also learned that there is interest in developing a public private partnership with a local organization to maintain the trailhead and plow it in the winter.

There are 33 proposed trail projects and 32 proposed trailhead projects. The strategy includes information on each of those projects with a description, the project proponent, the land manager, the anticipated costs, and the volunteer hours needed to construct the projects.

Projects are organized into two phases, projects that would expect to be constructed within the next 5 years and projects in the next 5-15 years. Projects in the zero to 5 year phase will be added to the Environmental Improvement Program Project List. Also, included in the EIP Tracker and available to the public. By including these projects in the EIP, it will open up opportunities for regional partners to lobby for additional funding for recreational trails. And as part of the process a new EIP Working Group focused on trails will convene and update the priority list annually. The project list in this document is meant to be a living list and this trails strategy is a report out on what this coalition has been working on over the past two years. Ms. Friedman, TRPA will be co-leading this working group with the Forest Service.

In addition to the specific projects that are included in the strategy and based on the public feedback that we received throughout this process. The steering committee also developed a set of general recommendations that could be implemented with the strategy.

The first one is to maintain what is already built. Trail maintenance of the existing trail system is a big priority for all the land managers and stewardship organizations. Another recommendation is to communicate more often with trail websites like All Trails and Trail Forks which are platforms where a lot of the members of the public receive information about trail recreation. Another key goal of the strategy is to improve trail options and accessibility for all, especially for people with disabilities. There are recommendations about including accessibility upgrades in new trail design and construction projects and recommending that at least the first mile of trail should be fully accessible to further expand trail offerings for people with disabilities. As part of the inventory, they also were able to identify physical barriers that exist at some trailheads that can often be overlooked. These might be boulders or gates that might prevent someone in a wheelchair from accessing the trail. The planning process identified where these barriers exist and includes recommendations to remove them at specific trailheads.

In locations with high visitation or at new trailheads they should be considering reservation and paid parking options. That would also be paired with transit access. These are efforts that can be explored in the Regional Transportation Plan. Another recommendation is to provide priority access to trails for indigenous people and could potentially be accomplished through a parking pass or Tribal identification. Another is to provide safe crossings at trailheads that are adjacent to major highways. These are also options that can be explored in the RTP and Active Transportation Plan Updates and working with Caltrans and NDOT. Another is to improve way finding and signage for trailheads and

especially for trailheads that are accessible through neighborhoods to ensure that people can find them and not disturb neighbors. Finally, they included recommendations for future iterations of this strategy to look closer at winter recreation access at trailheads and look at decommissioning unsafe or unsustainable user trails.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIID-Tahoe-Regional-Trails-Strategy.pdf>

Board Comments & Questions

Ms. Aldean asked if there is a user conflict how would a person submit a complaint.

Ms. Smith said she believes that they would need to contact the land manager.

Ms. Aldean asked if it were correct that TRPA is not coordinating the receipt and distribution of those comments.

Ms. Regan said in practice if the Forest Service is the largest land manager would address those kinds of issues. Sometimes law enforcement gets called too.

Ms. Aldean asked at the very least could TRPA in connection with our trail strategy, post numbers and contact information and note who has primary jurisdiction so a person doesn't have to look far to find a resource that they can use.

Ms. Regan said yes.

Ms. Gustafson said it could be part of the information at the trailhead.

Mr. Friedrich said you mentioned transit options to trailheads or paid parking. Can you provide an example of how that would be implemented or any thought to a pilot project? If there were to be paid parking at a trailhead and connect with some kind of transit option what would be the steps to make this happen and what's our role vis-a-vis the steering committee members.

Ms. Smith said a lot of that work is being worked out through the Destination Stewardship Council. When they started working on these trails strategy, they talked about what it is and what it isn't so they can make recommendations through these other venues like the Destination Stewardship Council or the Regional Transportation Plan Update.

Ms. Regan said they also look at this through the corridor plans through the Regional Transportation Plan, now adopting the corridor plans as amendments. For example, the East Shore Trail, Sand Harbor to Incline is looking at that right now as a pilot. Working with the Tahoe Transportation District and the Nevada Department of Transportation and all the implementors involved.

Ms. Laine said you listed the High Meadows Trail as having some parking opportunities. Is there any discussion as to when that might occur?

Ms. Smith said she can check and get back to her.

Ms. Laine said she and Mr. Hester attended a meeting Fallen Leaf folks recently and they were talking

about an app people are using when they hike. The app is becoming problematic because it traces a person's excursion, and a lot of these people are forming their own trails and then it's creating a trail. Are they aware of that or have any thoughts on how that might affect what they are trying to do here?

Mr. Hester said it was Trail Forks.

Ms. Smith said that came up in this process that the steering committee, land managers, the trail stewardship organizations are all concerned about. One of the things that they did early on was creating that GIS inventory of the trail system. She believes that they will be able to work directly with those app providers and upload their official route system to their app.

Ms. Conrad-Saydah asked if there are any private sector funds that are like "Adopt a Trail" funds to help manage and maintain the funds.

Ms. Smith said yes, the Tahoe Fund recently established their Tahoe Trails endowment and is primarily to support maintenance of trails.

Ms. Gustafson said she believes we all understand why we need to disperse and make accessible public lands for public recreation in the basin. But the impacts to communities come in the form of three issues. You've dealt with one in trying to look at the trailheads for parking. Trash is huge and we have some public agencies that aren't as well funded for trash pick up as local agencies are. Placer County has been trying to work on that issue. Five Lake just outside the basin has no restrooms, not a very good trailhead and gets tremendous use. She would encourage us to work with our larger basin wide partners to find those ways. People need to have adequate services, so they are not an impact to the environment and also to the neighborhood. We need to adopt a strategy or whatever it is that is going to help us mitigate those concerns.

Ms. Smith said one of the things that they did as part of strategy was inventory all the existing amenities at all the trailheads within the basin. They even counted the number of trash cans at the trailheads and which trailheads people are accessing most often.

Ms. Regan said this is groundbreaking but it's just the beginning. To be able to now inventory 570 miles of existing trails that were not mapped or coordinated among all the land management agencies. We need to take care of what we have, we are not looking to add a lot in this space. The volunteers that worked on this with our team were amazing. Ms. Smith and Ms. Bettinger had the opportunity to present this at the Nevada Division of Outdoor Recreation meeting. This will dovetail into the Destination Stewardship program.

Public Comments & Questions

Ms. Gustafson said the Board received a written public comment on this item.

Ms. Regan said Mr. Grubb was here but had to leave.

VIII. REPORTS

A. Executive Director Status Report

1) Tahoe In Brief – Governing Board Monthly Report

Ms. Regan said everyone should have received an invitation to the Lake Tahoe Summit. Please let Ms. Ambler know if you'd like to attend.

Our team is also leading a tour on the West Shore and North Shore with our partners through the Tahoe Interagency Executive Steering Committee partnership the day before for Congressional staff.

On Tuesday, the Lake Tahoe Community College is having their groundbreaking ceremony for the student housing project. Governor Newsom has been invited to attend.

At the Douglas County Board of Commissioners meeting last week, NDOT was in attendance and let everyone know that they are putting lane configuration changes on Highway 50 on hold. They will not be doing the pilot program and will go back to the drawing board and community to look at other solutions to improve safety.

On August 17th, Ms. Regan will have her 5th community conversation in Incline Village at the UNR Tahoe Campus in the Science Center.

Ms. Aldean presented TRPA staff member Steve Biddle with a cutting board that reads "Biddle's Biddle's." This is in recognition of all the wonderful meals he provides for the Board.

B. General Counsel Status Report

Mr. Marshall said Reziapkin enforcement case for an illegal mooring for commercial boat rental purposes. We had a judgment entered in our favor in the amount of \$75,000 civil penalty and an injunction to stop him from future illegal activity.

IX. GOVERNING BOARD MEMBER REPORTS

No reports.

X. COMMITTEE REPORTS

A. Local Government & Housing Committee

No report.

B. Legal Committee

No report.

C. Operations & Governance Committee

No report.

D. Environmental Improvement, Transportation, & Public Outreach Committee

No report.

E. Forest Health and Wildfire Committee

No report.

F. Regional Plan Implementation Committee

No report.

XI. PUBLIC INTEREST COMMENTS

Ms. Gustafson said they've received a number of public comment letters and take those into account as we're moving forward with staff.

Alan Miller, South Lake Tahoe resident and Professional Engineer thanked those members of the public listening today. He's optimistic, the Board has his comments online. My litigation Miller v. TRPA. He's an activist against both the wireless on slot and microplastics both of which TRPA has allowed with no planning whatsoever in the public sphere. Now that microplastics are an identified scientific concern for Lake Tahoe, only he has publicly identified structures in the Shorezone. Most obvious as sources primarily associated with recreational boating. When a water supply for millions are at stake all reasonably controllable sources must be controlled. That includes these ridiculous fake pine macro towers with their industrial scale uncontrolled plastic trash and microplastics in the tens of tons annually. All reasonably controllable sources must be controlled under prohibitions long established from water quality standards you shall not cause violation of. Fortunately, a partial solution to source control exists in exchanging toxic forever plastic and microplastics in the Shorezone for natural wood, metal, and set concrete or stone. TRPA must comply with the Compact by preparing environmental impact statements for both any new authorization of plastic structures in the Shorezone and for the decades long unfettered role out of the wireless on slot inclusion with the telecoms. To those concerned with fire safety and control he'd say more more more land lines would be much safer in a fire or other emergency. Including a macro tower collapse or fire as he's long testified to this criminal institution. There are safer alternatives. Hardened wireless facilities against emergencies and more connected land lines. That's why he'll continue his refrain to roll back the rollout of this wireless on slot and no more monopines. He's grateful to the public for their support in the face of criminal obstacles including putting this public interest comment item only at the end of the meeting. In closing, a letter written to Dianne Feinstein that he never sent.

Ronda Tycer, 32 year Incline Village resident said the proposed amendments to increase density, height, and coverage of town center buildings and to allow accessory dwelling units must be conditional upon the safety of our community. You are well aware of the efforts being made by Washoe County and our fire district to prepare Incline Village for a wildfire emergency. She's concerned that all of the ongoing preparations for dealing with fire will not save us when disaster hits. She says this after listening to the video "Lessons Learned" made by Butte County Emergency personnel after the Camp Fire in Paradise. Incline is nothing like Paradise but that's not the point. The point is that Butte County Emergency personnel believed they had done all they could to prepare for a wildfire, but 1,900 structures burned and 85 people died. After a fire in 2008, the Butte Emergency personnel redid their evacuation plan. They said they thought they had fixed the flaws. They were confident they had a robust plan. They put the information out to the public "We were one of the best prepared counties. We did drills, tabletop exercises, we communicated with our residents about where to go and what's your zone for evacuation purposes. We pushed code red, all those best laid

July 26, 2023

plans. Nothing compared what actually happened.” We can’t prevent forest fires in the Tahoe Basin and in spite of defensible space and hardening our structures and practicing emergency drills, this won’t be enough. Incline residents can’t be prepared enough. Our only chance to lessen the likelihood of disaster is smart land planning. We rely on TRPA and Washoe County for that. Increasing the density of people and residences in Incline increases the likelihood of catastrophe. We don’t need to increase the number or density of residents in Incline Village to solve their affordable housing crisis. We can rebuild, redevelop, and redesign housing for our employees without endangering them and the rest of the residents. But we cannot prevent acts of god. We are doing our best to prevent short, sided decisions that tempt fate. Thank you, TRPA, for putting our safety first.

XII. ADJOURNMENT

Ms. Laine moved to adjourn.

Ms. Gustafson adjourned the meeting at 4:41 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.



STAFF REPORT

Date: August 16, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Tahoe City Public Utility District and Tahoe Cross Country Ski Education Association, Recreation Cross Country Ski Lodge Modification, 3001 Polaris Road, Tahoe City, California, TRPA File Number ERSP2018-0878, Assessor’s Parcel Numbers (APNs) 093-600-001, 093-160-036 & 093-160-064

Summary and Staff Recommendation:

The proposed Tahoe City Cross County Lodge Modification Project is a new building that will replace the existing cross-country lodge proposed on property located on Polaris Drive in Tahoe City. 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 Tahoe City Public Utility District and Tahoe Cross Country Ski Education Association Ski Lodge Modification project, subject to the conditions in the draft permits (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 new recreation facilities involving more than 3,000 square feet of building floor area.

Project Description:

The existing Tahoe Cross-Country Lodge, which also serves as the Highlands Community Center, is owned by the Tahoe City Public Utility District (TCPUD) and operated by the project applicant and concessionaire, the Tahoe Cross-Country Ski Education Association (TCCSEA). Recreation and uses at the current site began in the 1970s with initial nordic trail grooming and grew into diverse recreation and community uses through limited expansion of the Highlands Community Center approved by TRPA in 1989. Today the year-round operation encompasses cross country ski uses, mountain bike rentals, youth and adult recreation programs, recreation oriented special events, outdoor environmental education programs including a summer day camp, organized group gatherings such as Boy Scouts and homeowner

association meetings, accessory activities such as gear rental, retail, and food and beverage sales, and general community uses.

The proposed project will relocate the Tahoe Cross-County Lodge use to a new location within the project area and will utilize the “old Tahoe” Schilling Lodge residence that was deconstructed and donated to the TCCSEA. The proposed project will address existing operational deficiencies relative to circulation and parking, storage, staff facilities, and community space; better accommodate existing recreation demand; and improve the quality of the recreation user experience at the lodge.

Reconstruction of the lodge will consolidate the existing accessory buildings into a single facility and would provide more amenities to serve guests and employees. In addition, the types of activities at the lodge could be expanded to better serve additional recreational opportunities and community needs. Reconstruction of the lodge would adaptively reuse and interpret elements of the deconstructed Schilling Lodge, constructed as a private residence on Lake Tahoe’s west shore in 1936, and would eliminate or minimize spillover parking on residential streets. No changes are proposed to the existing Highlands Park trail system or adjacent trails on state property and no increase in recreation use is proposed.

The proposed Tahoe Cross-Country Lodge would be owned by TCCSEA and operated under a lease agreement for the underlying TCPUD land. The current Highlands Community Center would be retained with limited existing uses continued.

The specific project details are:

- New structure 10,365 sq. ft. with entrance/ticket area, rental equipment space, locker room with a single shower, waxing room, first aid room, recreation retail, café kitchen and café front, restrooms, staff offices, youth ski/mountain bike team room, secure storage, and reconstructed historic rooms including Great Room, Dining Room, Mezzanine, and Community Room.
- New parking lot with 70 spaces (including six carpool only parking spaces), six Americans with Disabilities Act (ADA) accessible spaces, six EV charging spaces, and two school bus pull-out spaces. A connector driveway to the existing North Tahoe High School allows shared parking to meet total project peak parking requirement of 100 spaces.
- 98 solar panels in three locations on site to generate 46 kwh.
- Retain limited community uses at the Highlands Community Center at the existing site, including assumption of gatherings of 30 people and four staff daily in the winter and 15 people and two staff daily in the summer.

Operation of the relocated and expanded facility follows direction provided in the Tahoe Cross Country Lodge Management Plan (2021). Following extended collaboration and negotiation with neighbors and the broader community, the project incorporates specific limits on the nature and number of special events held at the proposed facility. TCCSEA and TCPUD agree to maintain the existing community-oriented character of events and limit the size and number as follows:

- Outdoor Recreation Events: one winter and one summer event, not to exceed 500 people except for the Great Ski Race, an existing long-time event that is the primary fundraiser for Tahoe Nordic Search and Rescue. Established events to relocate to new location: one winter (Great Ski Race).
- Large Special Events: not to exceed seven events per year or 250 people/event. Existing events in this category to relocate to new location: two winter (Alpenglow 20k, Olde Skool Race), one summer (Great Trail Race), one off season (ski swap).
- Gatherings: approximately 80 people each, not to exceed 57 per year (including community and private events). Established events to relocate to new location: two winter (Laser Biathlon, lecture series), two off season (trail workday, lecture series), three summer (summer camp, lecture series, homeowner meeting).
- Small Meetings: approximately 15 people each, not to exceed 27 per year (including community and private meetings). Established groups who use facility that will relocate to new location: all seasons combined (Boy Scouts, trail running club, mountain bike groups, reading group)
- TCCSEA will not host weddings or wedding receptions at the new lodge.
- TCCSEA will not engage in the retail sale of alcoholic beverages. (Special events can sell alcoholic beverages under provisions of a one-day ABC permit as allowed by State law.)

The project will utilize allowable land coverage and includes a 12-foot, four-inch excavation. A total of 168 trees targeted for removal within the development footprint and additional trees will be removed for defensible space purposes and for the protection of life and property (hazard trees).

Site Description:

The project is located along the northwest shore of Lake Tahoe in the Highlands neighborhood near Tahoe City in Placer County. The Highlands Park and Community Center that serves as the existing lodge and trailhead for Tahoe XC is located at the Community Center at 925 Country Club Drive and provides as an access point to 65 kilometers (about 40 miles) of trails that extend through forests and meadows. The cross-country ski trails are located on TCPUD, California Tahoe Conservancy, (CTC) and California State Parks lands. The Tahoe Cross Country Ski Education Association (TCCSEA) has access to use Conservancy and California State Park lands through TCPUD-managed License and Operating Agreements, respectively. The project area is generally flat and well vegetated with shrubs and trees of varying heights. The site is bordered immediately to the west by North Lake Tahoe High School, with single family residential uses located to the south and east and undeveloped US Forest Service land and single-family residential uses to the north.

Placer County Approval:

The Placer County Zoning Administrator approved the project on May 18, 2023. Placer County's approval was supported by an Environmental Impact Report prepared pursuant to the California Environmental Quality Act which did not identify any cumulatively considerable or significant and unavoidable impacts. The decision to complete an EIR was based on the desire by the TCPUD Board to analyze two site alternatives equally and the extent of neighborhood interest in the project. The Final EIR was certified by the TCPUD Board in February of 2021, and the proposed project site was selected for the proposed new facility.

Tree Removal and Defensible Space:

A tree removal plan was prepared for the project by a Registered Professional Forester since the project includes substantial tree removal as defined in the TRPA Code of Ordinances. TRPA Code Section, 61.1.8: *Substantial Tree Removal*, states that substantial tree removal is activities on project areas of three acres or more and proposing the removal of more than 100 live trees 14 inches dbh or larger and that substantial tree removal projects shall be processed by the appropriate state and federal agencies in coordination with TRPA. Substantial tree removal on public parcels may be done in accordance with an MOU or a plan must be prepared by a qualified forester and reviewed and approved by TRPA. TRPA Code, Section 2.2.1.A.h, requires the Governing Board approve substantial tree removal.

There is a total of 168 trees targeted for removal within the development footprint. Of the 168 trees assessed within the site's footprint, 43 trees are under 14 inches diameter at breast height (dbh). Additional tree removal will occur in the 100 feet of defensible space around the development footprint (7 acres), where tree removal will only focus on those trees that are considered ladder fuels (less than 14" DBH) and larger trees that are hazards to life and property. Tree removal in the remaining forested area will focus on those trees that are considered a threat to life and property.

TRPA's Forester reviewed the plan and recommends the Governing Board approve the substantial tree removal, subject to the condition that the permittee comply with the recommendations in the Plan and all California Forest Practice rules.

Parking:

Parking will be provided on site in a 70-space parking lot for regular recreation use, special events, and community uses. The parking lot includes Americans with Disabilities Act spaces and bus parking. The project provides more parking than is available at the existing lodge and aims to reduce overflow parking onto neighborhood streets which regularly occurs in the existing conditions. Additionally, the project applicant will enter into a shared parking agreement with the Tahoe Truckee Unified School District (TTUSD) to allow for use of parking at the school by TCCSEA during high-use events that occur outside of school hours. The parking lot at North Tahoe High School has a total of 215 parking spaces. To accommodate the shared parking arrangement between the two sites, a connection between the school property and the proposed Project site would be constructed, replete with a locking gate for safety during school hours.

Under the agreement, visitors to Tahoe XC would only use school parking areas outside of school hours (For example, during weekend events such as the Great Ski Race or the Great Trail Race). For North Tahoe High School and North Tahoe Middle School, the proposed Lodge parking lot would be available for use by spectators and buses during school-sponsored sporting events.

Noise:

Activities associated with the proposed project would be similar to what occurs in the project vicinity under existing conditions. Long-term increases in noise would be associated with outdoor recreation and periodic special events at the Schilling Lodge. The increases in noise would not exceed applicable Area Plan noise standards (i.e., 55 dBA CNEL). Use of amplified sound would be required to comply with TCPUD rules and regulations and Placer County noise ordinance for operating hours; however, the use of amplified sound at the Schilling Lodge could result in exposure of sensitive receptors to noise levels that exceed the Placer County daytime (7:00 a.m. to 10:00 p.m.) noise standard of 50 dBA Leq for amplified sound sources. The EIR prepared for the project identified mitigation measures that would reduce the impact to less than significant. Operational event noise, mainly outdoor recreational and

sporting events, was determined to have a less than significant impact with the application of mitigation measures. The following mitigations, which are included as conditions of approval in the draft permit, are proposed to reduce this impact to less than significant:

- Building design and layout shall be such that any outdoor amplified speakers face away from offsite sensitive land uses and oriented/located such that the building structure is between the receiving land use and the attached speaker. Building design, layout, and final speaker location shall be identified in final site plans and approved by Placer County before issuance of building permits.
- To ensure receiving land uses are not exposed to noise levels that exceed Placer County daytime noise standards of 50 dBA Leq, outdoor speakers shall be tuned such that combined noise levels from all proposed speakers do not exceed 71 dBA Leq at 50 feet from the source. Sound levels shall be measured in accordance with Placer County Code Chapter 9.36.040 and proof of acceptable noise levels shall be provided to Placer County at the time of final building inspection.

Traffic noise increase would not result in an increase that exceeds applicable Area Plan noise standards (i.e., 55 dBA CNEL), and no increase in noise would occur on SR 28.

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 340 VMT, below the screening level for its location (715 VMT) and therefore no mitigation is required beyond payment of the Mobility Mitigation fee. The VMT calculation accounts for the existing trips and associated VMT from the existing recreation facility use that will be reduced to a limited number of events upon completion of the new lodge. A condition of approval requires events held at the existing facility, and at the new facility, be limited to those analyzed in the traffic analysis to ensure the VMT generation is consistent with the assumptions and conclusions in the traffic analysis.

Impacts to the level of service (LOS) and intersections evaluated in the traffic study were determined to be less than significant. Therefore, no mitigation is required.

Persons AT One Time (PAOTs):

The project does not propose the expansion of the existing ski area and therefore the allocation of PAOTs, which is a measure of recreation capacity, is not required.

Regional Plan Compliance:

The existing uses at the site consist of a cross country ski course and outdoor recreation concession (summer mountain bike rentals) which are allowed used in the Tahoe Basin Area Plan. Existing uses also include the use of the site as a community center, previously approved by the TRPA Governing Board in 1989. The continuing use of the site as a community center is secondary to the primary recreation uses at the site.

The proposed project is consistent with the Regional Plan, Recreation Sub element, Goal R-7: Provide Sufficient Capacity for Local-Oriented Forms of Outdoor And Indoor Recreation In Urban Areas. Language supporting the goal states “The specialized recreational needs of the Tahoe resident need to be considered apart from the more general demands of the tourist.” The proposed recreation center will primarily serve the local community. The subject parcel is part of the North Tahoe High School Recreational Subdistrict in the Tahoe Basin Area Plan. The purpose of this subdistrict is to “continue to provide developed recreational facilities for the local residents”.

Contact Information:

For questions regarding this agenda item, please contact Paul Nielsen, Special Project Manager at (530) 318.6025 or pnielsen@trpa.org.

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. [Site Plans & Elevations](#)
- D. Initial Environmental Checklist
- E. V(g) Findings

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, 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 TRPA 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 \$137,208.48 water quality mitigation fee. A condition of approval requires the permittee to submit a BMP retrofit plan and schedule for the existing lodge/community center building and parking lot. The project is also required to comply with all Placer County and Lahontan Regional Water Quality Control Board requirements. The project is also subject to a \$7,412.00 Mobility Mitigation fee. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

3. Chapter 33 - Excavations

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

The proposed project proposes a maximum depth of 12 feet, 5 inches. A soils hydrologic report was prepared by Nortech, qualified professionals in the field of groundwater investigations (TRPA File LCAP2022-0741). The report found groundwater will not be intercepted.

- B. The excavation is designed such that no damage occurs to mature trees, except where tree removal is allowed pursuant to subsection 33.6.5: Tree Removal.

A condition of approval requires excavations below five feet to be limited to the building footprint which will eliminate impacts to mature trees.

- C. Excavated material is disposed of pursuant to subsection 33.3.4: Disposal of Materials, and the project area's natural topography is maintained pursuant to subparagraph 36.5.1.A.

A condition of approval requires excavated material to be disposed of at a location approved by TRPA.

4. Chapter 37 – Findings for Additional Height

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

The proposed project is not visible from state highways, scenic turnouts, public recreation areas or Lake Tahoe.

- 2) When outside a community plan, the additional height is consistent with the surrounding uses.

The location of the proposed two-story structure is in a residential neighborhood with one and two-story structure and is immediately adjacent to the North Tahoe High School that includes large two-story buildings and therefore, the height of the proposed structure is consistent with surrounding uses.

- 3) With respect to that portion of the building that is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

The proposed project site is within a forested neighborhood that does not offer views of background ridgelines or other scenic resources from adjacent roadways.

- 8) The maximum building height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height.

The maximum building height is 37 feet and the maximum building height at any corner of two exterior walls of the building is approximately 12 feet, which is less than 90 percent of the maximum building height.

5. Chapter 61 – Substantial Tree Removal

- A. 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 Chapter 61 and the Code. TRPA may delegate permit issuance to a federal, state, or other qualified agency through a memorandum of understanding.

A tree removal plan was prepared for the project by a Registered Professional Forester since the project includes substantial tree removal as defined in the TRPA Code of Ordinances. TRPA Code Section, 61.1.8: *Substantial Tree Removal*, states that substantial tree removal is activities on project areas of three acres or more and proposing the removal of more than 100 live trees 14 inches dbh or larger and that substantial tree removal projects shall be processed by the appropriate state and federal agencies in coordination with TRPA. Substantial tree removal on public parcels may be done in accordance with an MOU or a plan must be prepared by a qualified forester and

reviewed and approved by TRPA. TRPA Code, Section 2.2.1.A.h, requires the Governing Board approve substantial tree removal.

There is a total of 168 trees targeted for removal within the development footprint. Of the 168 trees assessed within the site's footprint, 43 trees are under 14 inches diameter at breast height (dbh).

Additional tree removal will occur in the 100 feet of defensible space around the development footprint (7 acres), where tree removal will only focus on those trees that are considered ladder fuels (less than 14" DBH) and larger trees that are hazards to life and property. Tree removal in the remaining forested area will focus on those trees that are considered a threat to life and property.

Attachment B
Draft Permit

**Attachment B
DRAFT PERMIT**

PROJECT DESCRIPTION: Cross Country Ski Lodge Modification

APNs: 093-600-001, 093-160-036 & 093-160-064

FILE No: ERSP2018-0878

PERMITTEE: Tahoe Cross Country Ski Education Association

COUNTY/LOCATION: Placer County / 3001 Polaris Road, Tahoe City

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on August 23, 2023, subject to the standard conditions of approval attached hereto (Attachment Q), and the special conditions found in this permit.

This permit shall expire on August 23, 2026, 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 ERSP2018-0878
APNs 093-600-001, 093-160-036 & 093-160-064

Water Quality Mitigation Fee (1): Amount \$137,208.48 Paid _____ Receipt No. _____

Mobility Mitigation Fee: (2) Amount \$7,412.00 Paid _____ Receipt No. _____

Off-site Coverage Mitigation Fee (3): Amount \$7,369.50 Paid _____ Receipt No. _____

Project Security Posted (4): Amount \$ _____ Type ____ Paid _____ Receipt No. _____

Project Security Admin. Fee (5): Amount \$ _____ Paid _____ Receipt No. _____

- (1) See Special Condition 3.F below.
- (2) See Special Condition 3.G below.
- (3) See Special Condition 3.E below.
- (4) See Special Condition 3.H below.
- (5) 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 relocation of the Tahoe Cross-County Lodge use to a new location within the project area and will utilize the "old Tahoe" Schilling Lodge residence that was deconstructed and donated to the TCCSEA. No changes are proposed to the existing Highlands Park trail system or adjacent trails on state property and no increase in recreation use is proposed.

The proposed Tahoe Cross-Country Lodge would be owned by TCCSEA and operated under a lease agreement for the underlying TCPUD land. The current Highlands Community Center would be retained with limited existing uses continued.

The specific project details are:

- New structure 10,365 sq. ft. with entrance/ticket area, rental equipment space, locker room with a single shower, waxing room, first aid room, recreation retail, café kitchen and café front, restrooms, staff offices, youth ski/mountain bike team room, secure storage, and reconstructed historic rooms including Great Room, Dining Room, Mezzanine, and Community Room.

- New parking lot with 70 spaces (including six carpool only parking spaces), six Americans with Disabilities Act (ADA) accessible spaces, six EV charging spaces, and two school bus pull-out spaces. A connector driveway to the existing North Tahoe High School allows shared parking to meet total project peak parking requirement of 100 spaces.
- 98 solar panels in three locations.
- Retain limited community uses at the Highlands Community Center.

Operation of the relocated and expanded facility follows direction provided in the Tahoe Cross Country Lodge Management Plan (2021). Following extended collaboration and negotiation with neighbors and the broader community, the project incorporates specific limits on the nature and number of special events held at the proposed facility. TCCSEA and TCPUD agree to maintain the existing community-oriented character of events and limit the size and number as follows:

- Outdoor Recreation Events: one winter and one summer event, not to exceed 500 people except for the Great Ski Race, an existing long-time event that is the primary fundraiser for Tahoe Nordic Search and Rescue. Established events to relocate to new location: one winter (Great Ski Race).
- Large Special Events: not to exceed seven events per year or 250 people/event. Existing events in this category to relocate to new location: two winter (Alpenglow 20k, Olde Skool Race), one summer (Great Trail Race), one off season (ski swap).
- Gatherings: approximately 80 people each, not to exceed 57 per year (including community and private events). Established events to relocate to new location: two winter (Laser Biathlon, lecture series), two off season (trail workday, lecture series), three summer (summer camp, lecture series, homeowner meeting).
- Small Meetings: approximately 15 people each, not to exceed 27 per year (including community and private meetings). Established groups who use facility that will relocate to new location: all seasons combined (Boy Scouts, trail running club, mountain bike groups, reading group)
- TCCSEA will not engage in the retail sale of alcoholic beverages. (Special events can sell alcoholic beverages under provisions of a one-day ABC permit as allowed by State law.)

The project will utilize Class 6 allowable land coverage and includes a 12-foot, four-inch excavation. A total of 168 trees targeted for removal within the development footprint and additional trees shall only be removed for defensible space purposes and for the protection of life and property (hazard trees).

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) Sand and oil separators for parking lot pre-treatment systems.
 - 2) 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."
 - 3) Designated snow storage area.
- 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 permittee shall submit a \$7,369.50 off-site coverage mitigation fee based on the creation of 867 square feet of off-site land coverage ($\$8.50 \times 867 \text{ sq. ft.} = \$7,369.50$).
 - F. The permittee shall submit a \$137,208.48 water quality mitigation fee based on the creation of 73,768 square feet of new land coverage ($\$1.86 \times 73,768 = \$137,208.48$).
 - G. The permittee shall submit a \$7,412.00 Mobility Mitigation fee based on the creation of 73,768 square feet of new land coverage ($\$21.80 \times 340 = \$7,412.00$).
 - H. The security required under Standard Condition A.3 of Attachment R shall be determined upon the permittee's submittal of required Best Management Practices Plan(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.
 - I. The permittee shall submit a Dust Control Plan to be implemented during construction.
 - J. The permittee shall submit a final exterior lighting plan consistent with the requirements of the TRPA Code of Ordinances.
 - K. Provide elevation details solar array

- L. The permittee shall submit final building color and material samples.
 - M. The permittee shall submit final building material storage and construction equipment staging plans.
 - N. The permittee shall submit a BMP retrofit plan and schedule for the existing lodge/community center building and parking lot.
 - O. The permittee shall submit a final signed shared parking agreement with the North Lake Tahoe High School District.
 - P. The permittee shall submit a project construction schedule.
 - Q. The permittee shall submit final construction plans.
4. The permittee shall limit the number of events at the existing lodge site to the events listed in the table below to ensure consistency with the traffic analysis. The permittee shall maintain a list of types of events held, number of attendees and number of events held each year and shall provide the list to TRPA upon request.

| Type | Number of Attendees | Number of Events |
|------------------------|---------------------|------------------|
| Winter Events | | |
| Meeting Room | 20 | 8 |
| Lounge | 80 | 4 |
| Lounge - Dinner | 50 | 4 |
| Spring Events | | |
| Meeting Room | 20 | 1 |
| Lounge - Dinner | 50 | 1 |
| Summer | | |
| General Gatherings | 15 | 21 |
| Fall | | |
| Other Events | 250 | 1 |
| Meeting Room | 20 | 3 |
| Lounge - dinner events | 50 | 1 |

- 5. Prior to the opening of the new lodge the permittee shall discontinue all use of the existing lodge/community center except as specified in the project description to ensure Vehicle Miles Travelled (VMT) is consistent with the traffic analysis prepared for the project. Any proposed future use of the existing ledge/community center building beyond the approved type and amount of approved use is contingent upon review and approval of a TRPA Change in Operation application.
- 6. All tree removal activities shall be consistent with the Tree Removal Plan prepared by Kevin Whitlock, Registered Professional Forester # 2436 dated June 29, 2023.

7. 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.
8. Excavations are limited to 14 feet four inches below ground surface pursuant to the TRPA Soils Hydrologic Waiver LCAP2022-0741.
9. Creation of land coverage on the adjacent North Tahoe High School requires separate review and approval which shall be obtained prior to commencement of construction activities associated with the new lodge.
10. The hosting of weddings or wedding receptions at the new or existing lodge is prohibited.
11. All utility connections for the proposed project shall be undergrounded.
12. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.
13. The construction of a concrete washout facility is prohibited unless approved in writing by a TRPA Environmental Specialist.
14. New signs are subject to Placer County review and approval in accordance with the Placer County/TRPA MOU.
15. 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.

16. 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.
17. 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.
18. 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.
19. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season.
20. 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.
21. All Best Management Practices shall be maintained in perpetuity to ensure effectiveness which may require BMPs to be periodically reinstalled or replaced.
22. 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.
23. 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.
24. Fertilizer use shall be in accordance with the Fertilizer Management standards in TRPA Code 60.1.8.
25. 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.
26. 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.).
27. 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

DRAFT

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

Attachment D
Initial Environmental Checklist



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HOURS
Mon. Wed. Thurs. Fri
9 am-12 pm/1 pm-4 pm
Closed Tuesday
New Applications Until 3:00 pm

Print Form

**INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT**

I. Assessor's Parcel Number (APN)/Project Location

Project Name County/City

Brief Description of Project:

The project applicant, the Tahoe Cross-Country Ski Education Association (TCCSEA), is proposing the Tahoe Cross-Country Lodge Replacement and Expansion Project (Project), which repurposes a deconstructed residence known as the Schilling Residence for use as a year-round recreation facility, with adequate size and site amenities to serve existing and future anticipated public recreation use. With implementation of the Project, the Highlands Park and Community Center (Community Center) would no longer serve as the lodge for the cross-country ski area; instead, the relocated and reconstructed Schilling Residence would serve that purpose. The Community Center would be retained in its current located and operated by the Tahoe City Public Utility District (TCPUD).

Adaptive reuse of the Schilling Residence by TCCSEA provides an opportunity to preserve this structure, retain it for public use and historic interpretation, and allow for an enhanced and expanded lodge that consolidates outbuildings currently used for storage into a single building. The structure would be adaptively reused in compliance with The Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (National Park Service 2017).

Please see the attached document for responses to the checklist questions.

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. If more space is required for additional information, please attach separate sheets and reference the question number and letter.

II. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

- Yes No
 No, With Mitigation Data Insufficient

b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

- Yes No
 No, With Mitigation Data Insufficient

c. Unstable soil conditions during or after completion of the proposal?

- Yes No
 No, With Mitigation Data Insufficient

d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

- Yes No
 No, With Mitigation Data Insufficient

e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

- Yes No
 No, With Mitigation Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

- Yes No
 No, With Mitigation Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

- Yes No
 No, With Mitigation Data Insufficient

b. Deterioration of ambient (existing) air quality?

- Yes No
 No, With Mitigation Data Insufficient

c. The creation of objectionable odors?

- Yes No
 No, With Mitigation Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

- Yes No
 No, With Mitigation Data Insufficient

e. Increased use of diesel fuel?

- Yes No
 No, With Mitigation Data Insufficient

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

- Yes No
 No, With Mitigation Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

c. Alterations to the course or flow of 100-yearflood waters?

- Yes No
 No, With Mitigation Data Insufficient

d. Change in the amount of surface water in any water body?

- Yes No
 No, With Mitigation Data Insufficient

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

- Yes No
 No, With Mitigation Data Insufficient

f. Alteration of the direction or rate of flow of ground water?

- Yes No
 No, With Mitigation Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes No
 No, With Mitigation Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes No
 No, With Mitigation Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes No
 No, With Mitigation Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes No
 No, With Mitigation Data Insufficient

k. Is the project located within 600 feet of a drinking water source?

- Yes No
 No, With Mitigation Data Insufficient

4. Vegetation

Will the proposal result in:

- a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

- Yes No
 No, With Mitigation Data Insufficient

- b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

- Yes No
 No, With Mitigation Data Insufficient

- c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

- Yes No
 No, With Mitigation Data Insufficient

- 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)?

- Yes No
 No, With Mitigation Data Insufficient

- e. Reduction of the numbers of any unique, rare or endangered species of plants?

- Yes No
 No, With Mitigation Data Insufficient

f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

- Yes No
 No, With Mitigation Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

h. A change in the natural functioning of an old growth ecosystem?

- Yes No
 No, With Mitigation Data Insufficient

5. Wildlife

Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

- Yes No
 No, With Mitigation Data Insufficient

b. Reduction of the number of any unique, rare or endangered species of animals?

- Yes No
 No, With Mitigation Data Insufficient

c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

- Yes No
 No, With Mitigation Data Insufficient

d. Deterioration of existing fish or wildlife habitat quantity or quality?

- Yes No
 No, With Mitigation Data Insufficient

6. Noise

Will the proposal result in:

a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to severe noise levels?

- Yes No
 No, With Mitigation Data Insufficient

c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

- Yes No
 No, With Mitigation Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

- Yes
- No
- No, With Mitigation
- Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

- Yes
- No
- No, With Mitigation
- Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

- Yes
- No
- No, With Mitigation
- Data Insufficient

7. Light and Glare

Will the proposal:

a. Include new or modified sources of exterior lighting?

- Yes No
 No, With Mitigation Data Insufficient

b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

- Yes No
 No, With Mitigation Data Insufficient

c. Cause light from exterior sources to be cast off -site or onto public lands?

- Yes No
 No, With Mitigation Data Insufficient

d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

- Yes No
 No, With Mitigation Data Insufficient

8. Land Use

Will the proposal:

a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

- Yes No
 No, With Mitigation Data Insufficient

b. Expand or intensify an existing non-conforming use?

- Yes No
 No, With Mitigation Data Insufficient

9. Natural Resources

Will the proposal result in:

a. A substantial increase in the rate of use of any natural resources?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial depletion of any non-renewable natural resource?

- Yes No
 No, With Mitigation Data Insufficient

10. Risk of Upset

Will the proposal:

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?

- Yes No
 No, With Mitigation Data Insufficient

b. Involve possible interference with an emergency evacuation plan?

- Yes No
 No, With Mitigation Data Insufficient

11. Population

Will the proposal:

- a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

- Yes No
 No, With Mitigation Data Insufficient

- b. Include or result in the temporary or permanent displacement of residents?

- Yes No
 No, With Mitigation Data Insufficient

12. Housing

Will the proposal:

- a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

- (1) Will the proposal decrease the amount of housing in the Tahoe Region?

- Yes No
 No, With Mitigation Data Insufficient

- (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?

- Yes No
 No, With Mitigation Data Insufficient

Number of Existing Dwelling Units: 0

Number of Proposed Dwelling Units: 0

b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

- Yes No
 No, With Mitigation Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

- Yes No
 No, With Mitigation Data Insufficient

b. Changes to existing parking facilities, or demand for new parking?

- Yes No
 No, With Mitigation Data Insufficient

c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

Temporary traffic control plan has been prepared for the Placer County Public Works Department to include description of construction specifications and streets and associated features within the work zone.

- Yes No
 No, With Mitigation Data Insufficient

d. Alterations to present patterns of circulation or movement of people and/or goods?

- Yes No
 No, With Mitigation Data Insufficient

e. Alterations to waterborne, rail or air traffic?

- Yes No
 No, With Mitigation Data Insufficient

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- Yes No
 No, With Mitigation Data Insufficient

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?

a. Fire protection?

- Yes No
 No, With Mitigation Data Insufficient

b. Police protection?

- Yes No
 No, With Mitigation Data Insufficient

c. Schools?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- Yes No
 No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
 No, With Mitigation Data Insufficient

f. Other governmental services?

- Yes No
 No, With Mitigation Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

- Yes No
 No, With Mitigation Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

- Yes No
 No, With Mitigation Data Insufficient

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

a. Power or natural gas?

- Yes No
 No, With Mitigation Data Insufficient

b. Communication systems?

- Yes No
 No, With Mitigation Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

- Yes No
 No, With Mitigation Data Insufficient

d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

- Yes No
 No, With Mitigation Data Insufficient

e. Storm water drainage?

- Yes No
 No, With Mitigation Data Insufficient

f. Solid waste and disposal?

- Yes No
 No, With Mitigation Data Insufficient

17. Human Health

Will the proposal result in:

a. Creation of any health hazard or potential health hazard (excluding mental health)?

- Yes No
 No, With Mitigation Data Insufficient

b. Exposure of people to potential health hazards?

- Yes No
 No, With Mitigation Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

- Yes No
 No, With Mitigation Data Insufficient

b. Be visible from any public recreation area or TRPA designated bicycle trail?

- Yes No
 No, With Mitigation Data Insufficient

c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

- Yes No
 No, With Mitigation Data Insufficient

d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

- Yes No
 No, With Mitigation Data Insufficient

e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

- Yes No
 No, With Mitigation Data Insufficient

19. Recreation

Does the proposal:

a. Create additional demand for recreation facilities?

- Yes
- No
- No, With Mitigation
- Data Insufficient

b. Create additional recreation capacity?

- Yes
- No
- No, With Mitigation
- Data Insufficient

c. Have the potential to create conflicts between recreation uses, either existing or proposed?

- Yes
- No
- No, With Mitigation
- Data Insufficient

d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

- Yes
- No
- No, With Mitigation
- Data Insufficient

20. Archaeological/Historical

a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

- Yes
- No
- No, With Mitigation
- Data Insufficient

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?

- Yes No
 No, With Mitigation Data Insufficient

c. Is the property associated with any historically significant events and/or sites or persons?

- Yes No
 No, With Mitigation Data Insufficient

d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

- Yes No
 No, With Mitigation Data Insufficient

e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

- Yes No
 No, With Mitigation Data Insufficient

21. Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

- Yes No
 No, With Mitigation Data Insufficient

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.)

- Yes No
 No, With Mitigation Data Insufficient

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?)

- Yes No
 No, With Mitigation Data Insufficient

d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

- Yes No
 No, With Mitigation Data Insufficient

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: (Original signature required.)

Wyatt Ely

Person Preparing Application

At *PACER* County

Date: *8-2-23*

Applicant Written Comments: (Attach additional sheets if necessary)

Please refer to the attached comments for detailed responses.

Print Form

FOR OFFICE USE ONLY

Date Received: _____ By: _____

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 Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure.

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: Tahoe City Public Utility District and Tahoe Cross Country Ski Education Association, Recreation

Project Type: Recreation

APN / Project Number: TRPA File Number ERSP2018-0878, Assessor's Parcel Numbers (APNs) 093-600-001,

Project Review Planner: PN Date of Review: 8.11.23

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 area 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"/> |



STAFF REPORT

Date: August 16, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: Chimney Beach Trailhead Parking Lot Upgrade Project

Summary and Staff Recommendation:

Staff recommends the Governing Board approve the Chimney Beach Parking Lot Upgrade Project. The project will update the existing parking lot to provide 130 parking spaces. The parking spaces will replace parking that is currently occurring along the State Route 28 highway shoulder.

Required Motions:

In order to approve the project, the Board must make the following motion(s), based on the staff report and evidence in the record:

- 1) A motion to approve the required findings including a finding of no significant effect as shown in Attachment A.
- 2) A motion to approve the proposed project subject to the conditions contained in the draft permit as shown in Attachment B.

In order for motion(s) to pass, an affirmative vote of 5-9 (5 Nevada and 9 total) of the Board is required.

Project Description/Background:

Eleven miles of undeveloped shoreline, the longest stretch at Lake Tahoe, parallels Nevada State Route (SR) 28 from Incline Village to Spooner Summit. This two-lane, mountainside road is the only access route for over one million recreating visitors and 2.6 million-plus vehicles per year. SR-28 crosses portions of Douglas County, Carson City, and Washoe County. The area and corridor continue to increase in popularity, which is projected to continue into the future.

The existing Chimney Beach parking lot provides public access to Chimney Beach and Marlette Lake. The existing lot and support facilities do not support the recreation demand in the area. In 2016, data collected indicates approximately 563 vehicles parked along the SR-28 shoulder between Sand Harbor and Chimney Beach. During peak visitation, over 1,400 vehicles were parked throughout the 11-mile corridor. In comparison there are only 532 formalized, paved parking spaces provided between the Sand Harbor, Chimney Beach, and Secret Harbor parking lots. The additional, unformalized highway shoulder parking is unsafe, causes natural resource impacts to vegetation and soil, and degrades the scenic integrity of the scenic highway.

In response to safety and environmental concerns, the State Route 28 National Scenic Byway Corridor Management Plan (CMP) was completed in October 2013. The CMP was a collaborative process involving 13 partners who all have a stake in the future of the corridor. The purpose of the Corridor Plan was to address the corridor's safety, transportation, environmental, recreation, scenic, and economic needs in a coordinated manner. The plan identified challenges and recommendations to improve the safety and environment along the corridor.

In 2019 following the development of the CMP, the US Forest Service- Lake Tahoe Basin Management Unit (LTBMU) prepared the SR-28 Shared Use Path, Parking, Safety and Environmental Improvements Project Environmental Assessment/TRPA Initial Environmental Checklist (EA/IEC). The EA/IEC identified projects throughout the corridor based on the recommendations made in the CMP. Expanding existing parking lots and creating new parking lots to replace shoulder parking is one of the actions proposed in both the CMP and the EA/IEC. The Chimney Beach Parking Lot is one of the existing parking lots identified for improvements and replacement parking.

The Chimney Beach Trailhead parking lot currently has 21 parking spaces and 3 portable restrooms. The proposed project will reconfigure the parking lot to provide 109 new parking spaces for a total of 130 parking spaces at the trailhead. The project will also include support amenities including restrooms, trash receptacles, interpretative and wayfinding signage, infrastructure to support a future parking management system, transit access, and an at-grade crossing at SR-28. The expanded parking lot cannot be opened until the no parking zone along SR-28 is expanded from Sand Harbor to Chimney Beach.

Full implementation of all the project elements depends on coordination among partner agencies. TRPA, LTBMU, Nevada Department of Transportation, Nevada Division of State Parks, Tahoe Transportation District, Nevada Highway Patrol, and Washoe County must collaborate to deter and enforce illegal roadside parking.

Issues and Concerns:

The project requires TRPA Governing Board approval because it exceeds 2,000 square feet of new coverage in Land Capability District 2. The TRPA Code of Ordinances allows recreation projects to increase coverage as long as the project can make the required findings. This project is identified in the SR28 CMP and is a high priority Environmental Improvement Program project. All new coverage will be mitigated through a restoration project as required in the TRPA Code and pursuant to the language in the TRPA/LTBMU Memorandum of Understanding (MOU).

Environmental Review:

The LTBMU prepared the SR-28 Shared Use Path, Parking, Safety and Environmental Improvements Project Environmental Assessment/TRPA Initial Environmental Checklist (EA/IEC) in 2019 ([Lake Tahoe Basin Mgt Unit - Home \(usda.gov\)](https://www.usda.gov/land-management/land-use-planning/land-use-planning-reports/lake-tahoe-basin-mgt-unit-home)). The EA/IEC analyzed a suite of actions that were identified in the CMP including adding replacement parking at the Chimney Beach trailhead to offset parking currently existing along the highway shoulders. The LTBMU Forest Supervisor signed the decision notice on November 11, 2020, with a Finding of No Significant Impact (FONSI).

TRPA staff reviewed the submitted EA/IEC and completed the V(g) findings as well. A Finding of No Significant Effect (FONSE) is appropriate for the project and is included as part of the draft permit (Attachment B).

Public Comment:

The LTBMU participated in a public review process when developing the above referenced EA/IEC. Comments were solicited during the public scoping process in November 2017 and during the public draft EA/IEC public comment period in July 2019. 39 comments were received on the proposed action and adjustments were made to the proposed action based on those public comments. Overall, there was support for the project and acknowledgement that highway shoulder parking is unsafe. There were no appeals to the decision. All comments and responses to comments are available as part of the EA/IEC project record.

Regional Plan Compliance:

The project complies with all requirements of the TRPA Goals and Policies, Plan Area Statements, and Code of Ordinances, including all required findings. The TRPA Goals and Policies, Recreation element states that recreation opportunities should keep pace with public demand, recreation facilities remain high on the development priority list, and the quality of the recreation experience is maintained.

Contact Information:

For questions regarding this agenda item, please contact Shannon Friedman, Senior Planner, at (775) 589-5205 or sfriedman@trpa.gov.

Attachments:

- A. Required Findings
- B. Draft Permit
- C. Project Plans
- D. EA/IEC [Lake Tahoe Basin Mgt Unit - Home \(usda.gov\)](#)

Attachment A
Required Findings

Attachment A
Required Findings/Rationale

Required Findings: The following is a list of the required findings as set forth in Chapters 4 and 30. 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 4.4.1 – 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.

The Chimney Beach Trailhead Parking Lot Upgrade Project (Project) is located in the Washoe County Tahoe Area Plan, East Shore Regulatory Zone. This is a recreation regulatory zone. Developed recreation should be limited to existing sites and the zone should be managed for dispersed recreation. The parking lot provides safe, sustainable access to the dispersed recreation opportunities along the SR-28 corridor. The parking lot is an accessory use to recreation and is therefore an allowed use in the area plan. The project, as conditioned in the draft permit, is consistent with the Regional Plan and the Lake Tahoe Environmental Improvement Program (EIP). The project is a priority EIP project that improves sustainable recreation and transportation in the Tahoe Basin as identified on the 5-year EIP list (EIP # 03.02.01.0017))

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

The United States Forest Service Lake Tahoe Basin Management Unit (LTBMU) prepared the SR-28 Shared Use Path, Parking, Safety and Environmental Improvements Project Environmental Assessment/TRPA IEC (EA/IEC) in December 2019. The EA/IEC analyzed the effects of a suite of projects that would achieve the goals of the SR-28 Corridor Management Plan (CMP), including expanding the Chimney Beach parking lot to provide replacement parking currently occurring along the SR-28 highway shoulders. The EA/IEC incorporated project design features and performance measures so there is no impact to the proposed project. The LTBMU Forest Supervisor signed the Decision Notice and made a Finding of No Significant Impact on November 11, 2020. In addition to the EA/IEC TRPA staff completed the (V)G checklists. Basin on the EA/IEC and V(g) checklist TRPA made a Finding of No Significant Effect (FONSE), which is included in the draft permit. The EA/IEC, and V(g) checklist are part of the project record and available upon request.

- C. 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(g) of the Tahoe Regional Planning Compact.

All potential effects are temporary and mitigated through permanent and temporary construction site Best Management Practices. LTBMU will meet or exceed all federal, state, or water quality standards. The V(g) checklist was completed by TRPA staff.

2. Chapter 30.5.1.B Exceptions to Prohibition in Land Capability Districts 1a, 1c, 2, and 3, Public Outdoor Recreation Facilities.

1. The project is a necessary part of a public agency's long-range plans for public outdoor recreation.

The project was identified as a priority project in the SR-28 Corridor Management Plan to improve the safety and environment of the Corridor while providing sustainable access to recreation opportunities throughout the area. It is also a Priority EIP project that achieves threshold attainment in recreation, water quality, and air quality.

2. The project is consistent with the Recreation Element of the Regional Plan

The Recreation Element of the Regional Plan provides for the development, utilization, and management of the recreation resources of the Region. The project is consistent with the Recreation Element of the Regional Plan.

Goal R-1 encourages opportunities for dispersed recreation consistent with environmental values and protection of natural resources. The project improves public access to dispersed recreation along SR-28 corridor including the shorezone, trails, and the backcountry. The replacement parking improves access by providing a safe place for people to park their vehicle and access recreation sites while protecting the environment.

Policy R-4.9 states that parking along scenic corridors shall be restricted to protect roadway views and roadside vegetation. The project will relocate the existing parking along the scenic SR-28 Corridor to the Chimney Beach parking lot. This will preserve the scenic rating of the corridor while predicting natural resources along the roadway shoulder.

The project is consistent with implements policies and goals in the Recreation Element of the Regional Plan.

3. The project by its very nature must be sited in Land Capability Districts 1a, 1c, 2, or 3, such as a ski run or a hiking trail.

The Chimney Beach Trailhead Parking Lot is an existing parking lot that provides access to recreation along the SR-28 Corridor. The existing parking lot is located on Land Capability District 2. The project expands this parking lot to provide replacement parking. There are not higher land capability lands within the vicinity that would be able to achieve the same goals and objectives.

4. There is no feasible alternative that avoids or reduces the extent of encroachment in Land Capability Districts 1a, 1c, 2, or 3.

The parking lot design has reduced the impact to natural resources to the extent feasible while providing the appropriate parking that was analyzed in the EA/IEC. There is no alternative that would reduce the extent of encroachment within Land Capability District 2 and still meet the goals of the SR-28 CMP and EIP project.

5. The impacts of coverage and disturbance are fully mitigated through means including, but not limited to, the following:

a. Application of best management practices

The project includes best management practices (BMPs) to infiltrate and treat stormwater runoff generated from the impervious surfaces. The BMPs include drainage improvements and an infiltration basin.

b. Restoration in accordance with subsection 3.5.3, of land in Land Capability Districts 1a, 1c, 2, 3, and 1b (Stream Environment Zone) in the amount of 1.5 times the area of land in such districts covered or disturbed for the project beyond that permitted by the coefficients in Table 30.4.1-1

The project will mitigate the coverage per the conditions in the TRPA/LTBMU Memorandum of Understanding (MOU). Per section VI. Of the MOU when mitigation is required on a project because of additional land coverage, that mitigation will be accomplished through the Forest Service watershed restoration program rather than through the payment of mitigation fees. The mitigation shall be 150% of the project impacts. See TRPA permit special condition #5.

Attachment B

Draft Permit



**TAHOE
REGIONAL
PLANNING
AGENCY**

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



August 23, 2023

Michael Alexander
USFS Forest Service Lake Tahoe Basin Management Unit
35 College Drive
South Lake Tahoe, CA 96150

CHIMNEY BEACH TRAILHEAD PARKING LOT UPGRADE PROJECT, UNITED STATES FOREST SERVICE LAKE TAHOE BASIN MANAGEMENT UNIT LANDS, WASHOE COUNTY, TRPA FILE NUMBER EIPC2023-0006, ENVIRONMENTAL IMPROVEMENT PROGRAM # 03.02.01.0017

Dear Mr. Alexander:

Enclosed please find a Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. **TRPA will acknowledge the permit only after all standard and special conditions of approval have been satisfied.**

Please schedule an appointment with me to finalize your project. Please feel free to contact me at (775) 589-5205 or at sfriedman@trpa.gov if you have any questions regarding this letter or your permit in general.

Sincerely,

Shannon Friedman
Principal Planner
Environmental Improvement Division

Enclosures

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DRAFT PERMIT

PROJECT DESCRIPTION: Chimney Beach Trailhead Parking Lot Upgrade Project

ASSESSOR PARCEL NUMBER(S): 130-360-18

TRPA FILE #: EIPC2023-0006

PERMITTEE(S): USDA Forest Service Lake Tahoe Basin Management Unit

COUNTY/LOCATION: Washoe County, Nevada

Having made the findings required by Agency ordinances and rules, TRPA approved the project on August 23, 2023, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit. This permit shall expire on August 23, 2026, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO DEMOLITION, 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) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

Shannon Friedman

8-23-2023

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 understand that it is my sole responsibility to obtain 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 _____

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EIP # 03.02.01.0017
FILE NO. EIPC2023-0006

Required plans determined to be in conformance with approval:

Phase One: Date: _____

Phase Two: Date:

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

Phase One:

TRPA Executive Director/Designee

Date

Phase Two:

TRPA Executive Director/Designee

Date

SPECIAL CONDITIONS

1. This permit authorizes the construction of the Chimney Beach Trailhead Parking Upgrade Project. The project will construct 130 replacement parking spaces. The new parking spaces replace parking that currently exists along the SR-28 highway shoulder. The project will be approved and built in two phases. The first phase will be the construction of the parking lot. Phase One will be constructed in 2023. Phase Two will include all of the support facilities including restrooms, trash receptacles, interpretative signage, underground infrastructure for future parking management system⁶., transit access, and an at-grade crossing at SR-28 to provide safe access to Chimney Beach. All parking lot improvements are on LTBMU lands in Washoe County, Nevada. The transit pullout and pedestrian crossing will be on Nevada Department of Transportation right of way and installed by others.
2. The standard conditions listed in Attachment Q shall apply to this permit.
3. Prior to the first pregrade inspection submit a construction schedule.
4. A Pregrade inspection is required prior to any grading activities.

5. The project creates 24,923 square feet of new land coverage on Land Capability District 2. LTBMU shall mitigate the new coverage by the means described in section VI. of the TRPA/LTBMU MOU. LTBMU shall implement a watershed restoration project equal to 150% of new coverage created by this project. The restoration project shall be identified prior to the pre-grade inspection. LTBMU shall submit a schedule identifying when the restoration work will be complete.
6. LTBMU shall work with the SR-28 Corridor Management Team to enter into and amend the SR-28 Operations and Maintenance Interlocal Agreement. The agreement shall be amended to cover the roles and responsibilities as it relates to the operations and maintenance of the Chimney Beach Parking Lot, parking management along SR-28, enforcement of no parking zones, and trail management. The agreement shall be amended and signed prior to the new parking lot being open to the public.
7. The no parking zone on SR-28 shall be extended around Chimney Beach Parking lot prior to the new parking lot being open to the public. The area of no parking shall be consistent with the area identified in the project EA. LTBMU shall coordinate with partners who are responsible for enforcing no parking along the corridor.
8. Submit the Maintenance Responsibilities Chart and Plan to identify responsibilities for capital improvements and annual infrastructure operations and maintenance and identify funding needs and resources. [Maintenance-Responsibilities-Chart-and-Plan.pdf \(trpa.gov\)](http://trpa.gov/Maintenance-Responsibilities-Chart-and-Plan.pdf)
9. Temporary BMPs shall be installed prior to any grading activities per the approved plans. The BMPs shall limit the construction disturbance zone, protect vegetation, control dust, and provide sediment and erosion control during construction.
10. All permanent BMPs shall be maintained throughout the life of the project to ensure they function as designed to treat stormwater runoff from the parking lot.
11. All materials not to be re-used on site shall be hauled outside of the Tahoe Basin or to a location approved by TRPA.
12. All trees not marked for removal on the approved plans shall be protected.
13. The rock used for the rock retaining wall shall be approved by TRPA prior to construction.
14. 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.

15. Any modifications to the TRPA approved plans shall be submitted to TRPA for review and approval.
16. The permittee shall contact TRPA for a final inspection at the conclusion of the project to verify that all conditions of the permit have been met and the project was implemented per the TRPA approved Plans.
17. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board, its Planning Commission, 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, 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 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 this 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



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



FINDING OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Chimney Beach Trailhead Parking Lot Upgrade Project

ASSESSOR PARCEL NUMBER(S): 130-360-18

TRPA FILE #: EIPC2023-0006

PERMITTEE(S): USDA Forest Service Lake Tahoe Basin Management Unit COUNTY/LOCATION: Washoe County, Nevada

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

August 23, 2023

TRPA Chairman or Executive Director

Date

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Attachment C

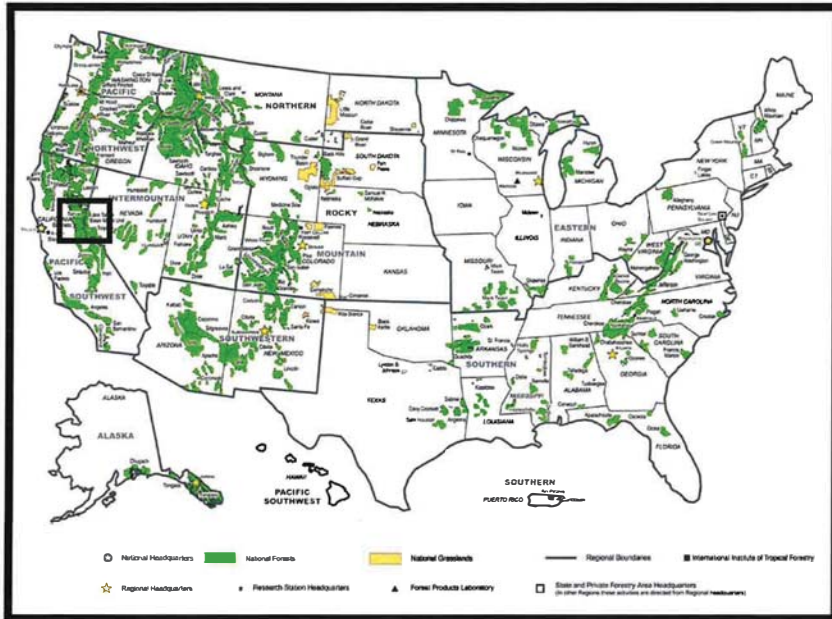
Project Plans

**United States Department of Agriculture
Forest Service**

**(R05) PACIFIC SOUTHWEST REGION
LAKE TAHOE BASIN MANAGEMENT UNIT**

**WASHOE COUNTY, NEVADA
TOWNSHIP 15 NORTH, RANGE 18 EAST, SECTION 14**

**CHIMNEY BEACH TRAIL HEAD
PARKING LOT UPGRADES PROJECT**



PROJECT LOCATION



VICINITY MAP

TRAVEL DIRECTIONS:
FROM THE 35 COLLEGE DR. LAKE TAHOE BASIN MANAGEMENT UNIT SUPERVISOR'S OFFICE: TRAVEL NORTHEAST ON COLLEGE AVE TOWARD AL TAHOE BLVD FOR 305 FEET. CONTINUE NORTHEAST ON JOHNSON BLVD FOR 1.0 MILES. TURN RIGHT ONTO US HIGHWAY 50 FOR 14.1 MILES. TURN LEFT ONTO HIGHWAY 28 FOR 5.3 MILES. TURN RIGHT ONTO CHIMNEY BEACH TRAIL HEAD ROAD.

39.16775° N 119.92699° W

INDEX OF SHEETS

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|-------|----------------------------------|
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| G-02 | GENERAL NOTES |
| C-01 | SITE OVERVIEW AND FEATURES |
| C-02 | UPPER LOOP PLAN |
| C-03 | LOWER LOOP PLAN |
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| D-10 | GATE DETAILS |
| D-11 | UTILITY POLE/SLOPE STABILIZATION |

DATE PRINTED 3/6/2023

RECOMMENDED BY:

MICHAEL GABOR Digitally signed by MICHAEL GABOR
Date: 2023.03.20 16:04:39 -07'00'
FOREST ENGINEER DATE

ROSALIE HERRERA Digitally signed by ROSALIE HERRERA
Date: 2023.03.20
FOREST RECREATION STAFF DATE

APPROVED: VICKI LANKFORD Digitally signed by VICKI LANKFORD
Date: 2023.04.07 14:09:49 -07'00'
FOREST SUPERVISOR DATE

G1 SHEET 001 OF 021

GENERAL NOTES

1. NO EARTH MOVING ACTIVITIES SHALL BE COMPLETED PRIOR TO MAY 1, OR AFTER OCTOBER 15. NO GRADING WILL BE ALLOWED IF SOILS ARE SATURATED OR IF HEAVY PRECIPITATION IS OCCURRING.
2. PUBLIC SAFETY, TRAFFIC CONTROL, AND DUST CONTROL SHALL BE PROVIDED BY CONTRACTOR IN ACCORDANCE WITH STATE AND COUNTY REQUIREMENTS. CONTRACTOR MUST ALLOW FOR PEDESTRIAN ACCESS TO NATIONAL FOREST LAND AT ALL TIMES DURING CONSTRUCTION. CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN DETAILING PEDESTRIAN TRAFFIC ACCESS.
3. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE C.O.R. OF ANY DISCREPANCIES ENCOUNTERED IN THE FIELD OR ERRORS IDENTIFIED IN THE CONTRACT.
4. THE CONTRACTOR SHALL KEEP DETAILED RECORDS AND AS-BUILTS SHOWING ALL MODIFICATIONS MADE TO THESE PLANS. THESE RECORDS AND AS-BUILTS SHALL BE PROVIDED TO THE C.O.R. UPON PROJECT COMPLETION FOR USE IN PREPARING RECORD DRAWINGS.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL CONSTRUCTION STAKING. STAKING SHALL ADHERE TO SECTION 152 OF THE STANDARD SPECIFICATIONS FOR CONSTRUCTION OF ROADS AND BRIDGES ON FEDERAL HIGHWAY PROJECTS (FP-14). AN AUTOCAD FILE CONTAINING ALL INFORMATION REQUIRED FOR CONSTRUCTION STAKING WILL BE PROVIDED.
6. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING MONUMENTS AND OTHER SURVEY MARKERS. ANY MARKERS DESTROYED DURING CONSTRUCTION SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE.
7. STAGING AREAS FOR EQUIPMENT STORAGE OR MATERIAL STOCKPILES WILL BE ALLOWED ONLY WITHIN THE LIMITS OF DISTURBANCE AND IN AREAS SHOWN ON THE PLANS AND APPROVED BY THE C.O.R.
8. ALL VEGETATION OUTSIDE OF THE AREA TO BE CLEARED FOR NECESSARY CONSTRUCTION SHALL BE PROTECTED.
9. THE CONTRACTOR IS RESPONSIBLE FOR RESTROOMS.
10. ALL IMPORTED MATERIAL MUST BE CERTIFIED WEED FREE AND COME FROM A LOCATION APPROVED BY THE C.O.R.
11. ALL EQUIPMENT WILL ARRIVE ON SITE WASHED AND FREE OF ALL VISIBLE SOIL, DEBRIS, OR ORGANIC MATTER. ALL EQUIPMENT WILL BE INSPECTED AND APPROVED BY THE C.O.R. PRIOR TO UNLOADING ON THE PROJECT SITE.
12. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND VERIFYING LOCATION OF UTILITIES. UTILITY LOCATIONS SHOWN ON DRAWINGS ARE APPROXIMATE.
13. TREES WITHIN 10 FEET OF THE PROPOSED EDGE OF PAVEMENT NOT PLANNED TO BE REMOVED WILL REQUIRE TREE PROTECTION ACCORDING TO THE DETAILS. ADDITIONAL TREES MAY BE PROTECTED AT THE DISCRETION OF THE CONTRACTOR. THE COST OF TREE PROTECTION IS INCIDENTAL TO OTHER ITEMS. TREES WOUNDED BY CONTRACTOR ACTIVITIES SHALL BE REPAIRED AT THE EXPENSE OF THE CONTRACTOR.

CONSTRUCTION NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR MATCHING EXISTING ASPHALT, SURROUNDING LANDSCAPE AND OTHER IMPROVEMENTS WITH SMOOTH TRANSITIONS AND FOR AVOIDING ANY ABRUPT OR APPARENT CHANGES IN GRADES OR CROSS SLOPES IN CONFORMANCE WITH THESE DESIGN DRAWINGS. BACKFILL OR EXCAVATION REQUIRED FOR SUCH TRANSITIONS SHALL BE INCLUDED IN THE CONTRACTOR'S EXPENSES.
2. GRADING ACTIVITIES SHALL BE SCHEDULED TO ENSURE THAT REPEATED GRADING WILL NOT BE REQUIRED, AND IMPLEMENTATION OF THE DESIRED LAND USE (E.G. CONSTRUCTION, PAVING) WILL OCCUR AS SOON AS POSSIBLE AFTER GRADING.
3. SOIL PROPERTIES AND BEDROCK ARE VISIBLE ALONG THE CUT SLOPE OF HIGHWAY 28 DIRECTLY WEST OF THE PROPOSED PARKING LOT. DEPTH TO BEDROCK RANGES BETWEEN 19" TO 38" THROUGHOUT THE SITE.
4. ASPHALT CONCRETE (AC) SHALL BE SAWCUT WHEN MATCHING NEW AND EXISTING ASPHALT OR WHEN REMOVING EXISTING ASPHALT PATHS OR ROADWAYS.
5. ALL EXCAVATED MATERIAL SHALL BE STOCKPILED AT AN APPROVED SITE AND MATERIAL MEETING THE SPECIFICATIONS MAY BE USED AS BACKFILL. IT IS ANTICIPATED THAT ALL EXCAVATED MATERIAL FREE OF DEBRIS AND ORGANICS WILL BE USED ON THE PROJECT SITE. ALL EXCAVATED MATERIAL NOT USED AS SUBGRADE, OR NOT SUITABLE AS BACKFILL WILL BE PLACED ON-SITE IN LOCATIONS APPROVED BY THE C.O.R. AT THE CONTRACTOR'S EXPENSE. NO MATERIAL WILL BE HAULED OFF SITE.
6. A PRE-PAVEMENT INSPECTION SHALL BE CONDUCTED BY THE C.O.R. A MINIMUM OF 2 DAYS PRIOR TO PLACING PAVEMENT. GRADES AND ELEVATIONS WILL BE CHECKED FOR COMPLIANCE WITH THE PLANS. IT IS THE CONTRACTORS RESPONSIBILITY TO ASSURE ELEVATIONS AND GRADES MEET THE REQUIREMENTS OF THE DRAWINGS AND SPECIFICATIONS.
7. ALL PAVEMENT MARKINGS SHALL CONFORM TO FP-14 SECTION 634 AND THE MUTCD.

DEMOLITION NOTES

1. THE PAY ITEM FOR TREE REMOVAL INCLUDES REMOVAL OF TREES WITH A D.B.H. GREATER THAN 6", REMOVAL OF OTHER TREES AND VEGETATION LESS THAN 6" WILL BE INCLUDED IN THE PAY ITEM FOR CLEARING AND GRUBBING. ALL STUMPS AND ROOTS WITHIN THE LIMITS OF THE ROAD AND PARKING LOT PRISM SHALL BE REMOVED UNLESS THERE IS A UTILITY CONFLICT. BOTH PAY ITEMS INCLUDE REMOVING ALL SLASH (STUMPS, LIMBS, TOPS, ETC.) AND DISPOSING LEGALLY OFF-SITE, UNLESS IT IS CHIPPED AND USED AS MULCH ON-SITE.
2. ALL TREES TO BE REMOVED WILL BE MARKED BY THE GOVERNMENT AND THE CONTRACTOR WILL OBTAIN A FOREST SERVICE PERMIT TO PURCHASE THE TREES PRIOR TO REMOVAL FROM THE SITE BY THE CONTRACTOR.
3. IN AREAS OF DECOMPACTION, REMOVE ANY EXISTING OBSTRUCTIONS, DE-COMPACT TO A MINIMUM DEPTH OF 6"-12". RE-CONTOUR TO MATCH EXISTING GRADE. COVER WITH 2" WOOD MULCH.
4. ALL TREE ROOTS ENCOUNTERED WITHIN NEW PAVEMENT FOOTPRINT WILL BE REMOVED. ROOTS OF LIVE TREES GREATER THAN 3" IN DIAMETER SHALL BE CUT CLEANLY USING APPROPRIATE STERILIZED ROOT PRUNING EQUIPMENT. CUT ROOTS OF LIVE TREES SHALL NOT BE LEFT EXPOSED AND SHALL BE COVERED WITH SOIL AS SOON AS POSSIBLE.
5. INSTALL CONSTRUCTION FENCING ALONG ALL CONSTRUCTION BOUNDARIES THAT INTERFACE WITH PUBLIC TRAFFIC. COST FOR FENCING IS INCIDENTAL TO OTHER PAY ITEMS.



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST REGION

PROJECT NAME

**CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

GENERAL NOTES

DATE

3/6/2023

ARCHIVE NO.

CHIMNEY COVER.dwg

DESIGNER

MTA

DRAWN

MTA

CHECKED

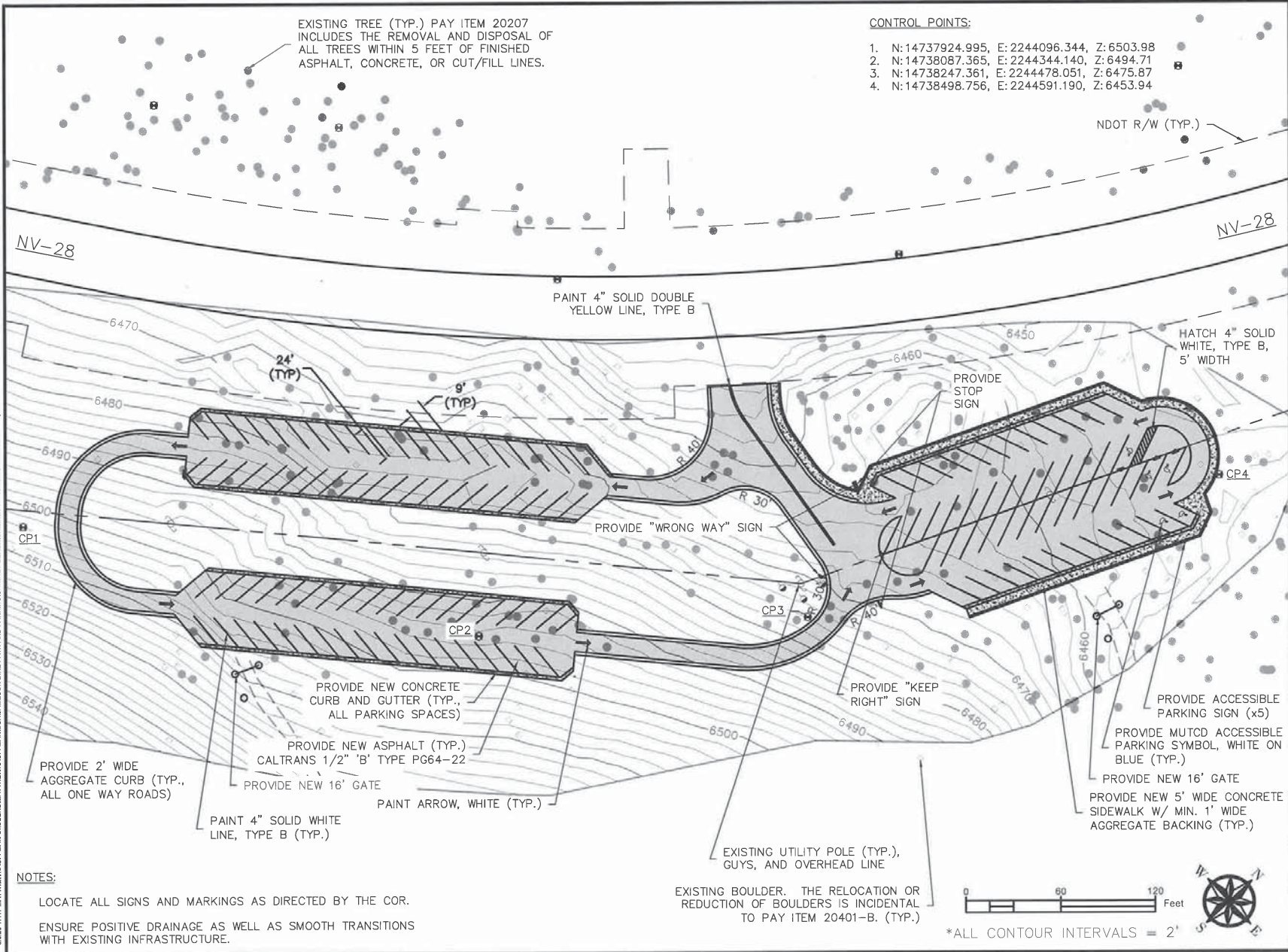
MG

PROJECT NO.

DWG SHEET NO.

G-02

SHEET **002** OF **021**



EXISTING TREE (TYP.) PAY ITEM 20207 INCLUDES THE REMOVAL AND DISPOSAL OF ALL TREES WITHIN 5 FEET OF FINISHED ASPHALT, CONCRETE, OR CUT/FILL LINES.

CONTROL POINTS:

1. N:14737924.995, E:2244096.344, Z:6503.98
2. N:14738087.365, E:2244344.140, Z:6494.71
3. N:14738247.361, E:2244478.051, Z:6475.87
4. N:14738498.756, E:2244591.190, Z:6453.94



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST

PROJECT NAME

**CHIMNEY BEACH
PARKING**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**SITE OVERVIEW
AND FEATURES**

DATE
02/2023

ARCHIVE NO.

DESIGNER
MSK

DWG SHEET NO.

C-01

CHECKED
MTA

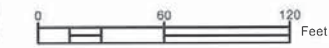
SHEET 03 OF 21

PROJECT NO.

NOTES:

LOCATE ALL SIGNS AND MARKINGS AS DIRECTED BY THE COR.
ENSURE POSITIVE DRAINAGE AS WELL AS SMOOTH TRANSITIONS WITH EXISTING INFRASTRUCTURE.

EXISTING UTILITY POLE (TYP.), GUY, AND OVERHEAD LINE
EXISTING BOULDER. THE RELOCATION OR REDUCTION OF BOULDERS IS INCIDENTAL TO PAY ITEM 20401-B. (TYP.)



*ALL CONTOUR INTERVALS = 2'

3923 T1-17 MATTHEWKAUFFMAN;C:\USERS\MATTHEWKAUFFMAN\BICYCLE PATH AND PARKING\CHIMNEY BEACH\CHIMNEY BEACH RECOVER 24.15.DWG

NV-28



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST

PROJECT NAME

CHIMNEY BEACH
PARKING

LAKE TAHOE BASIN
MANAGEMENT UNIT

DRAWING TITLE

UPPER LOOP
PLAN

DATE
02/2023

ARCHIVE NO.

DESIGNER
MSK

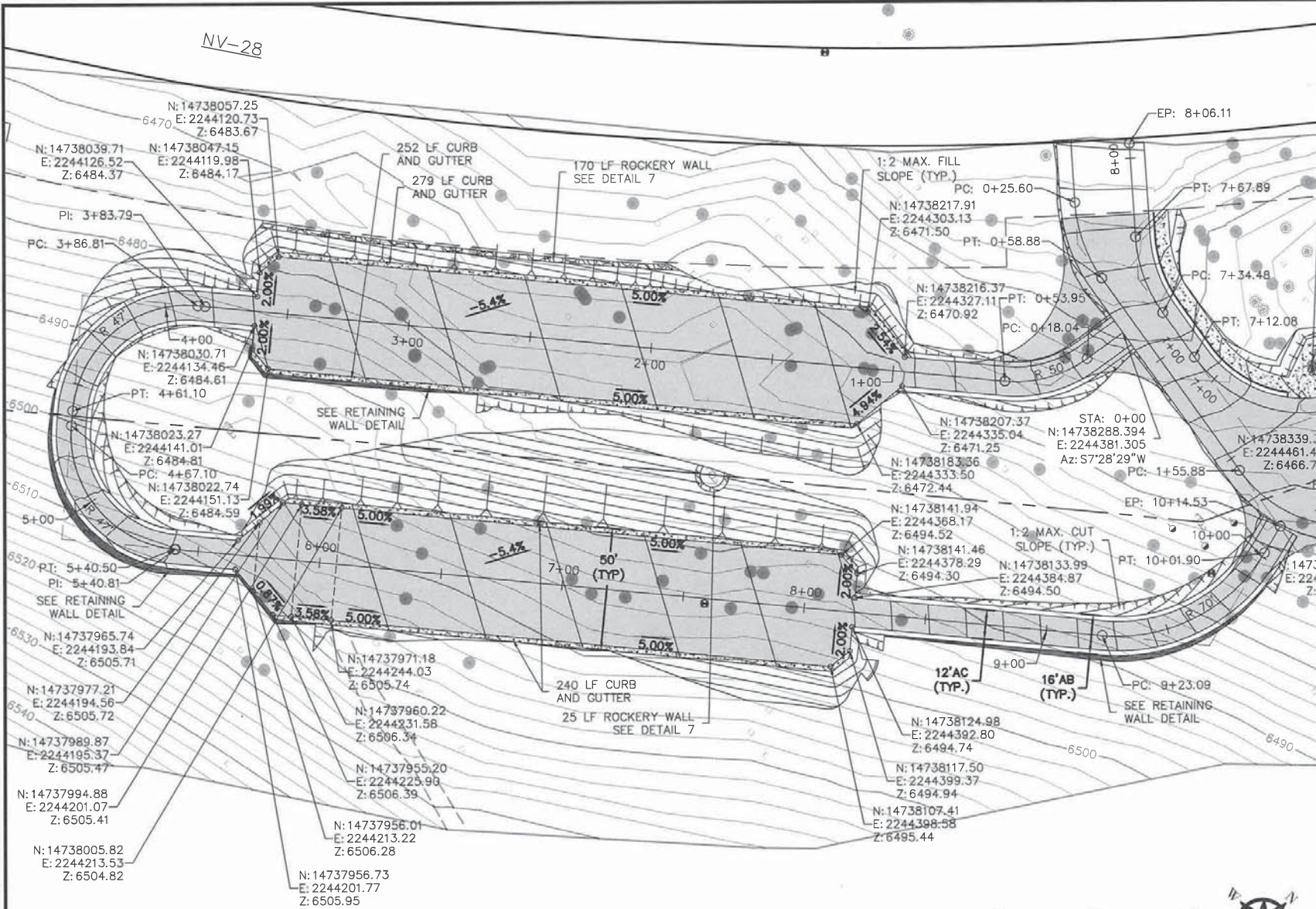
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C-02

CHECKED
MTA

SHEET 04 OF 21

PROJECT NO.



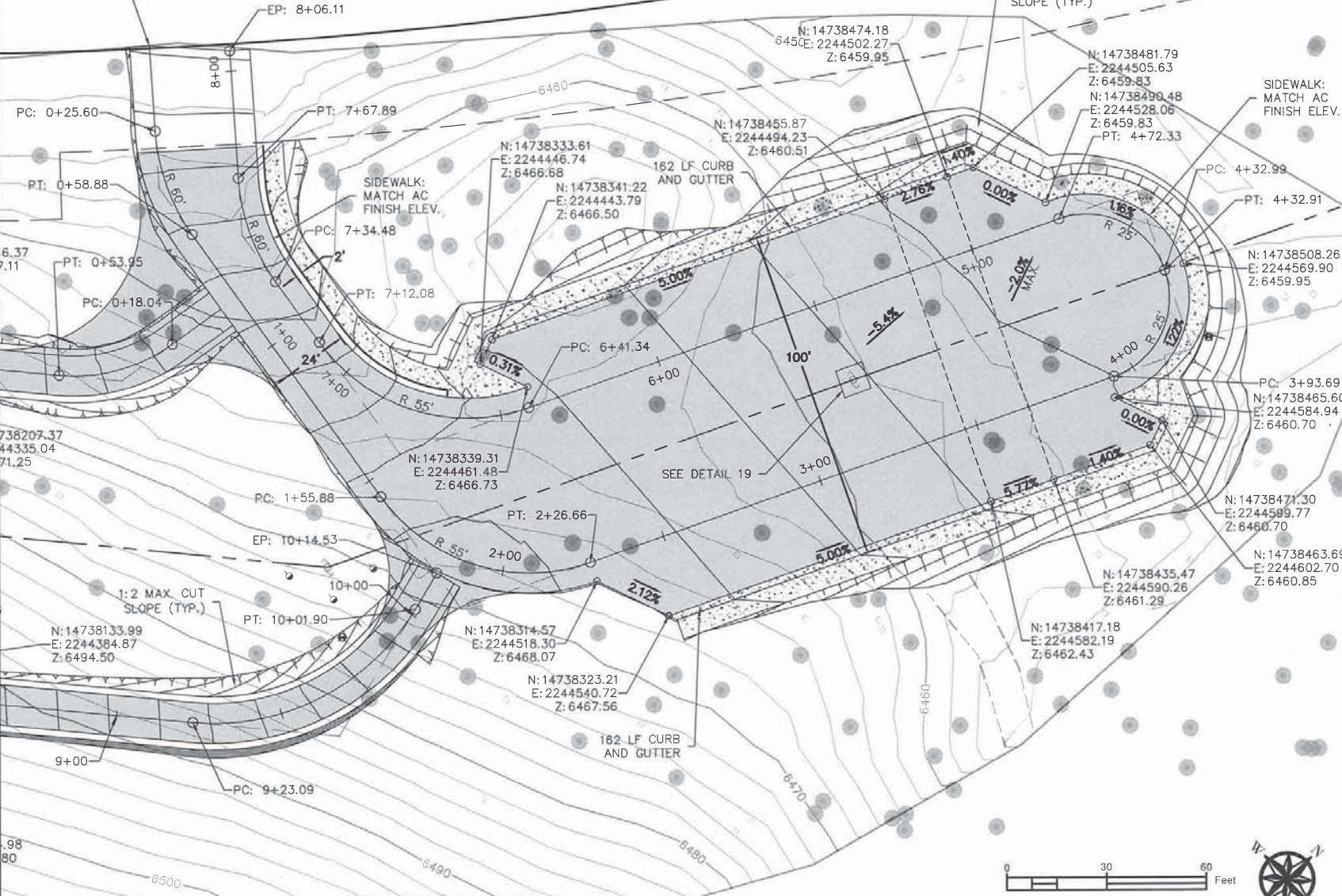
*ALL CONTOUR INTERVALS = 2'

NOTE: ALL GIVEN ELEVATIONS ARE FINISHED GRADE.

3/23 11:17 MATTHEWKAUFFMAN CAUSERSMATTHEWKAUFFMANBIKE PATH AND PARKINGCHIMNEY BEACHRECOVER 245.DWG

STA: 0+00
 N: 14738326.678
 E: 2244309.157
 Az: S50°41'13"E

NV-28



United States Department of Agriculture
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R05
 PACIFIC SOUTHWEST

PROJECT NAME

**CHIMNEY BEACH
 PARKING**

**LAKE TAHOE BASIN
 MANAGEMENT UNIT**

DRAWING TITLE

**LOWER LOOP
 PLAN**

DATE
02/2023

ARCHIVE NO.

DESIGNER DWG SHEET NO.

MSK **C-03**

DRAWN
MSK

CHECKED
MTA

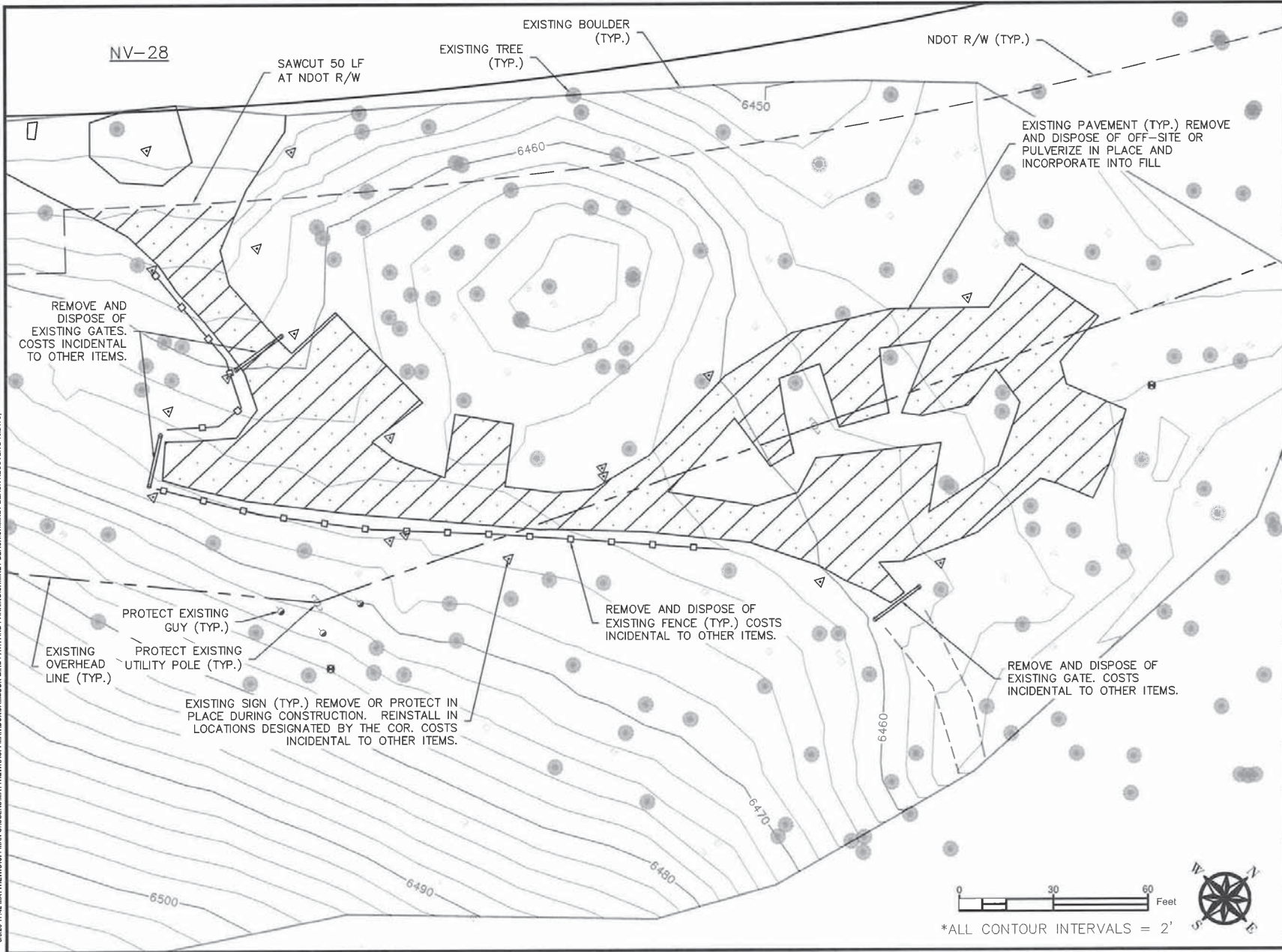
PROJECT NO. SHEET **05** OF **21**

3923 11/17 MATTHEWKAUFFMAN CAUSERS/MATTHEWKAUFFMAN/BIKE PATH AND PARKING/CHIMNEY BEACH/RECOVER 24/S.DWG.

NOTE: ALL GIVEN ELEVATIONS ARE FINISHED GRADE.

*ALL CONTOUR INTERVALS = 2'

3/23/23 17:42 MATTHEWKAUFMAN, CAUSERS/MATTHEWKAUFMAN@BOJALAMSON BKE PATH AND PARKING/CHIMNEY BEACH/CHIMNEY BEACH/CHIMNEY BEACH/RECOVER 2:15.DWG



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R05
PACIFIC SOUTHWEST

PROJECT NAME

**CHIMNEY BEACH
PARKING**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

DECOMMISSIONING

DATE
02/2023

ARCHIVE NO.

DESIGNER

MSK

DRAWN

MSK

CHECKED

MTA

PROJECT NO.

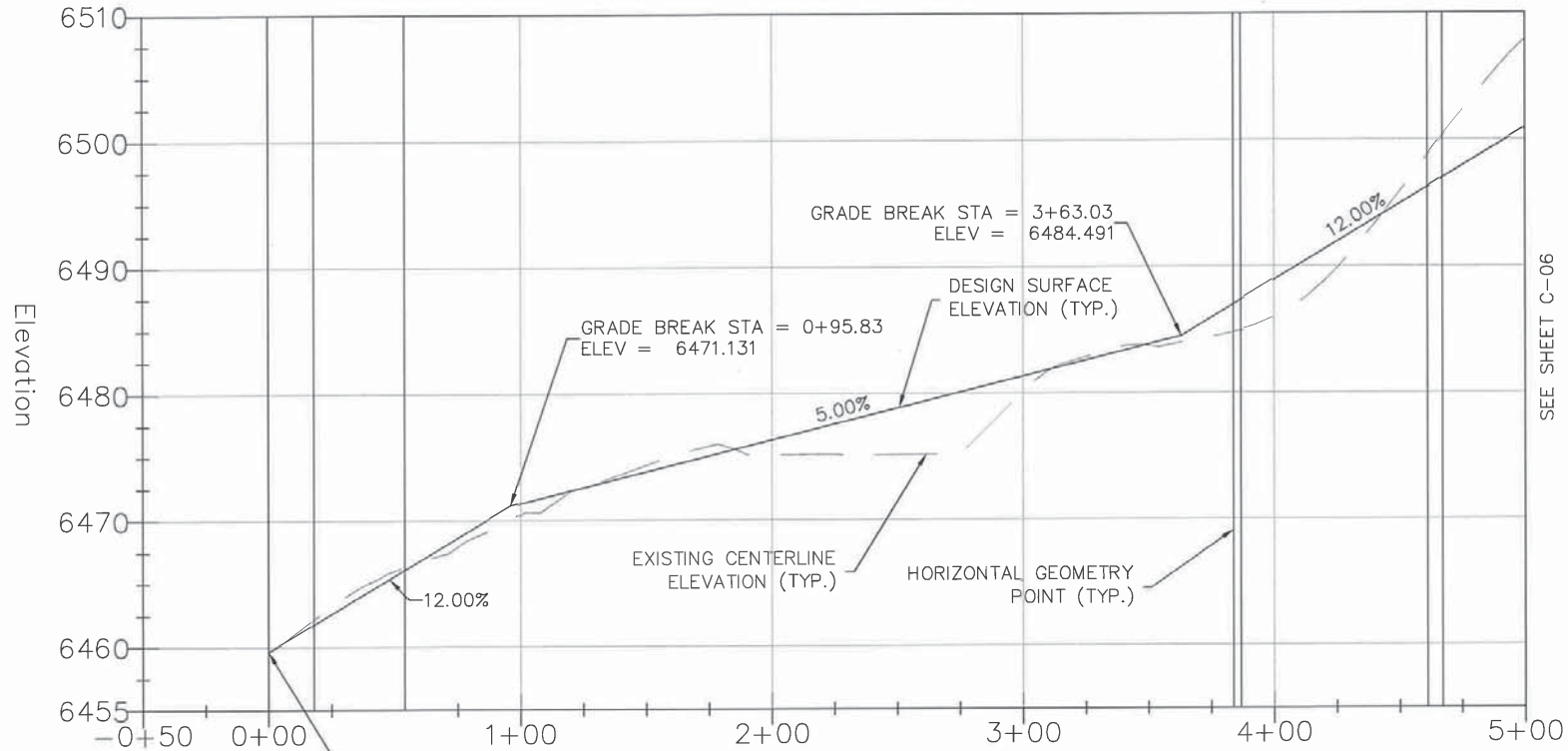
DWG SHEET NO.

C-04

SHEET 06 OF 21



3823 1117 MATTHEWKAUFFMAN CAUSERS/MATTHEWKAUFFMAN/BIKE PATH AND PARKING/CHIMNEY BEACH/RECOVER 215.DWG



SEE SHEET C-06

*VERTICAL EXAGGERATION = 5



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R05
PACIFIC SOUTHWEST

PROJECT NAME

**CHIMNEY BEACH
PARKING**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**UPPER LOOP
PROFILE
0+00 - 5+00**

DATE
02/2023

ARCHIVE NO.

DESIGNER
MSK

DRAWN
MSK

CHECKED
MTA

PROJECT NO.

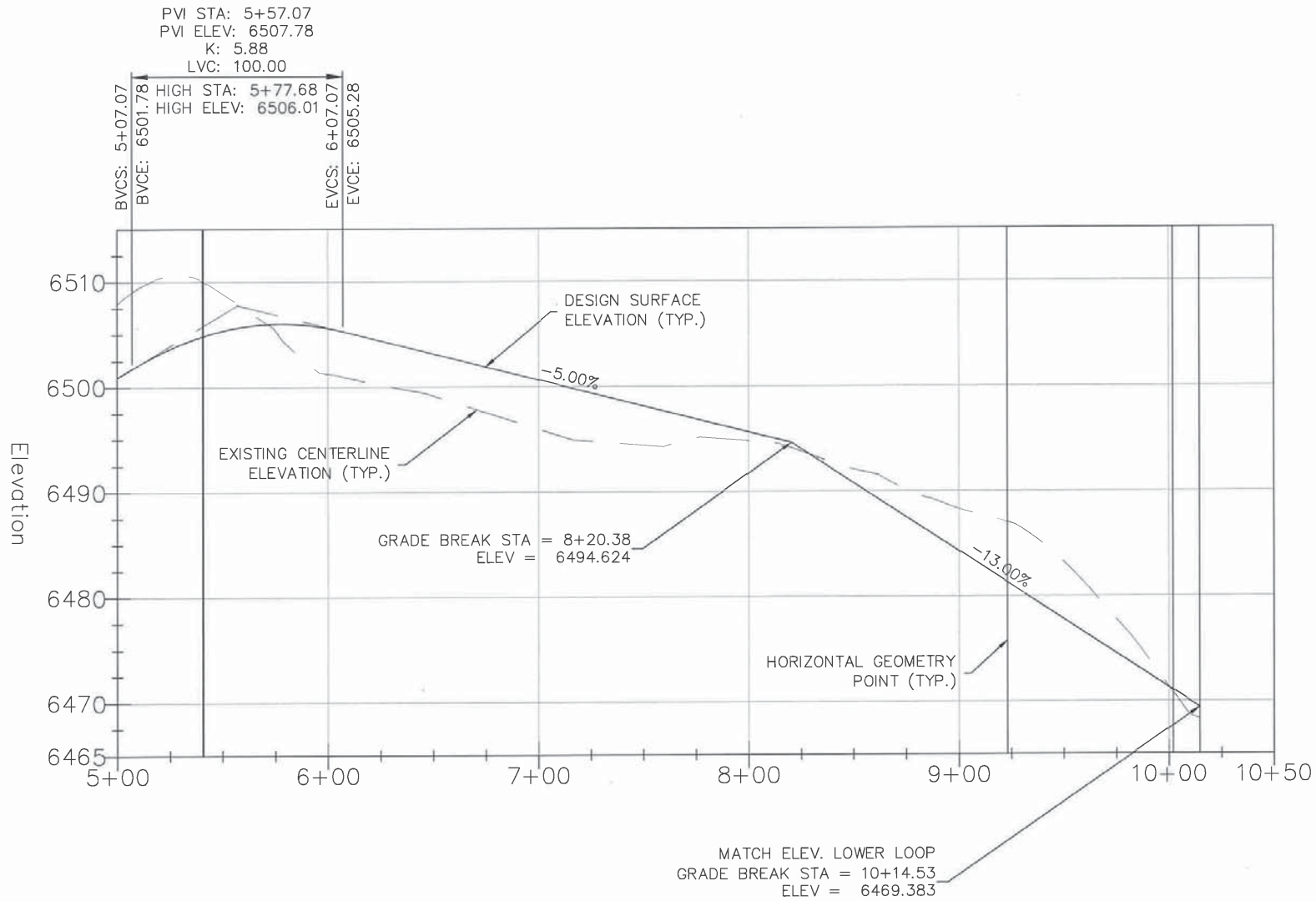
DWG SHEET NO.

C-05

SHEET **07** OF **21**

3923 T117 MATTHEWKAUFFMAN CAUSERSMATTHEWKAUFFMANBOLAMESON BIKE PATH AND PARKINGCHIMNEY BEACH RECOVER 2x15.DWG.

SEE SHEET C-05



*VERTICAL EXAGGERATION = 5



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST

PROJECT NAME

**CHIMNEY BEACH
PARKING**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**UPPER LOOP
PROFILE
5+00 - 10+15**

DATE
02/2023

ARCHIVE NO.

DESIGNER

MSK

DRAWN

MSK

CHECKED

MTA

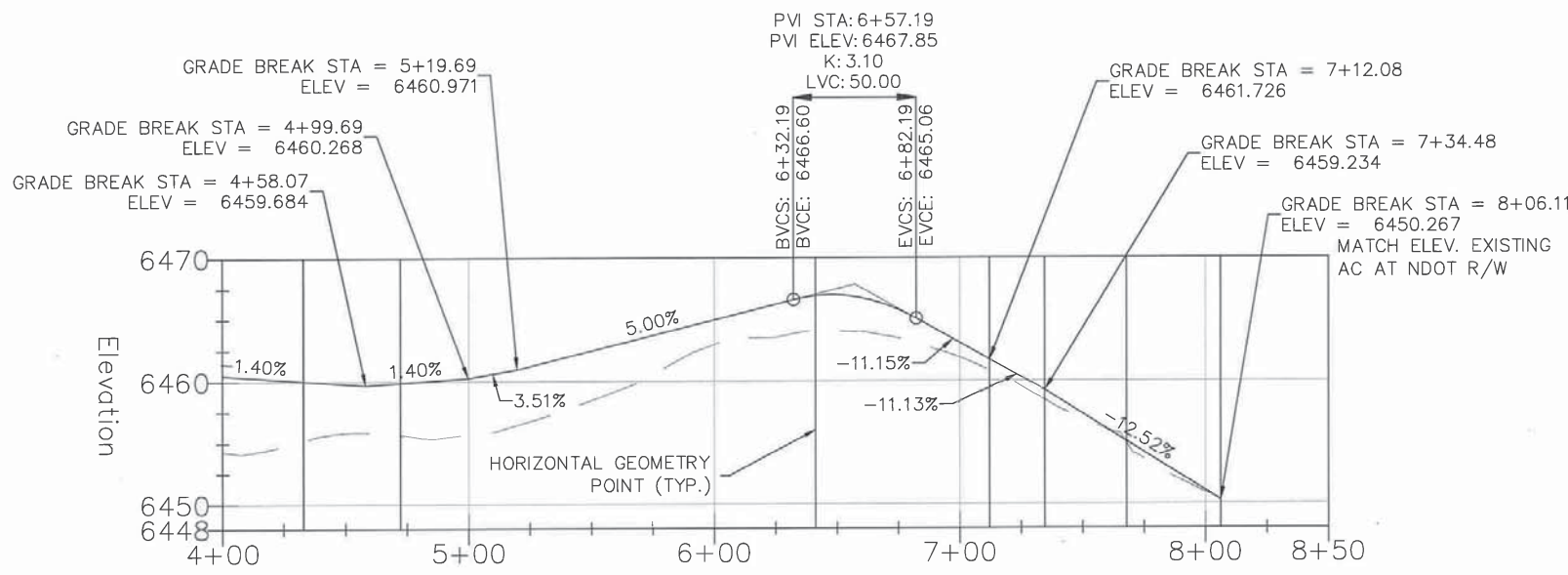
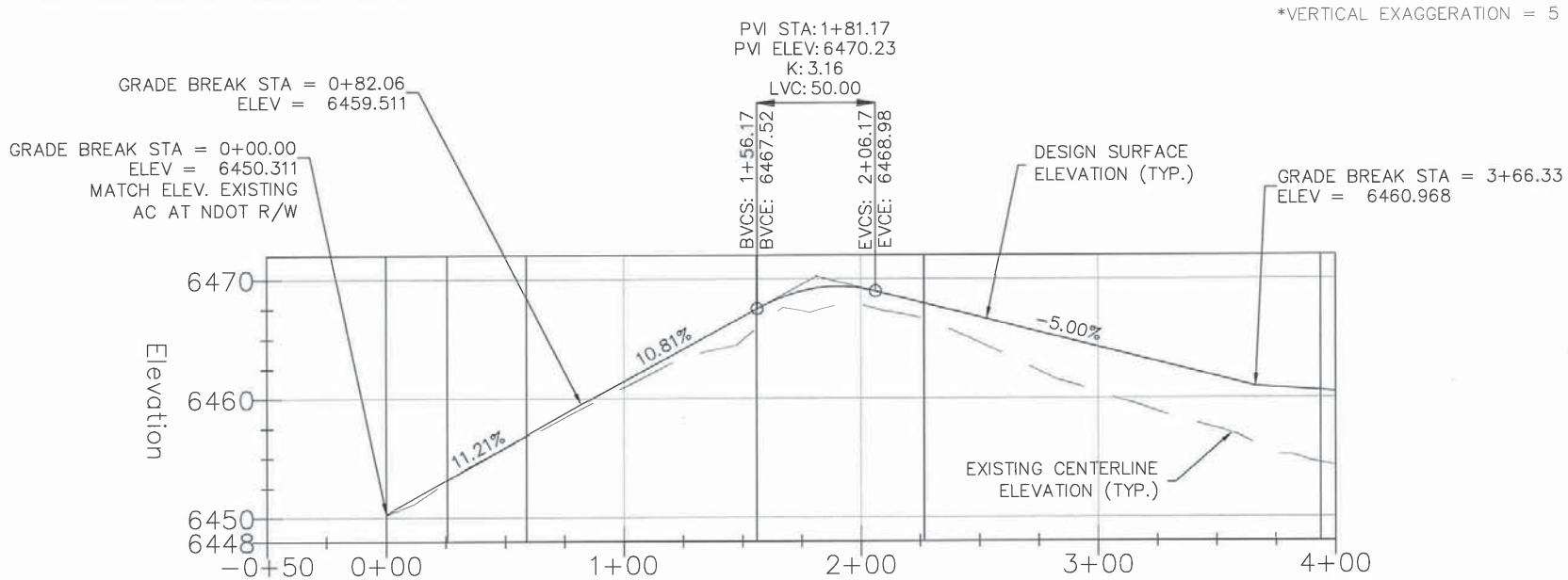
PROJECT NO.

DWG SHEET NO.

C-06

SHEET 08 OF 21

3/22 11:17 MATTHEW KAUFFMAN CAUSERS/MATTHEW KAUFFMAN/BOULDER BIKE PATH AND PARKING/CHIMNEY BEACH/RECOVER 2415.DWG



*VERTICAL EXAGGERATION = 5



United States Department of Agriculture
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R05
PACIFIC SOUTHWEST

PROJECT NAME

**CHIMNEY BEACH
PARKING**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**LOWER LOOP
PROFILE**

DATE

02/2023

ARCHIVE NO.

DESIGNER

MSK

DWG SHEET NO.

C-07

DRAWN

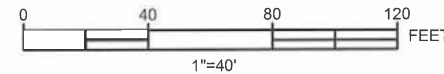
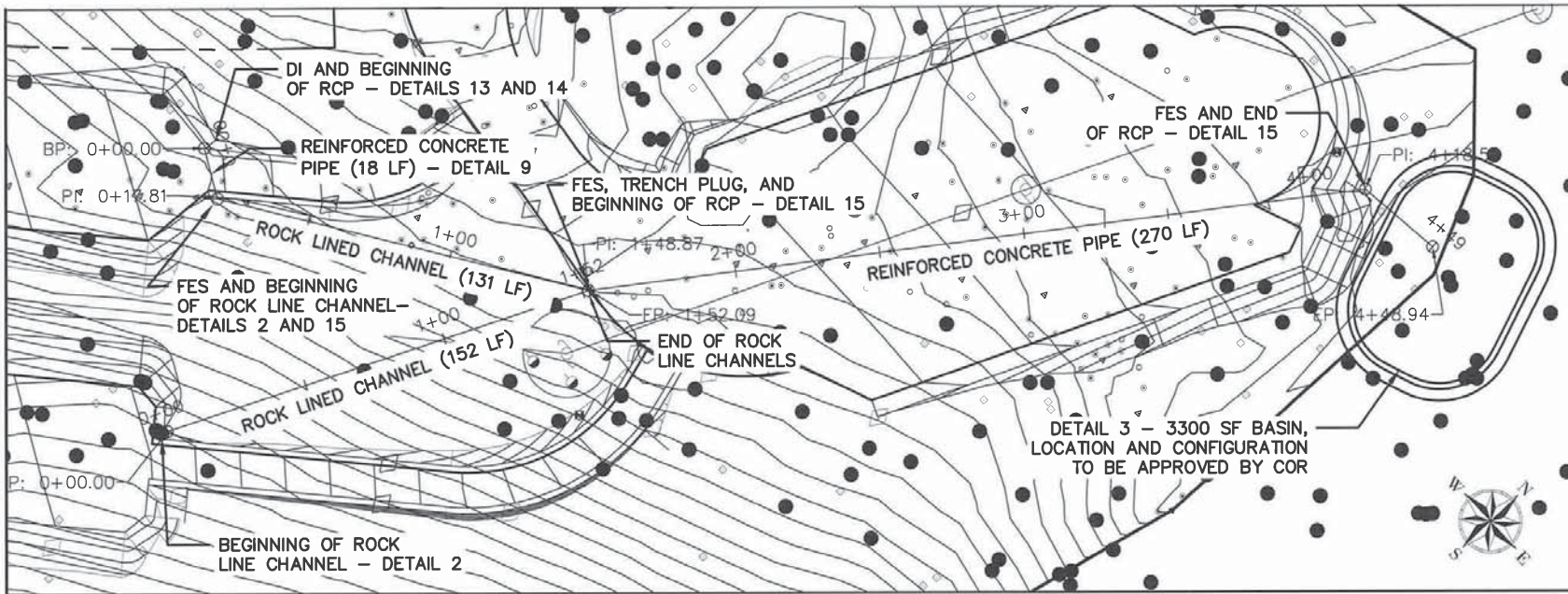
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MTA

PROJECT NO.

SHEET **09** OF **21**



United States Department of Agriculture
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R05
PACIFIC SOUTHWEST REGION

PROJECT NAME
CHIMNEY BEACH TRAIL HEAD PARKING LOT UPGRADES PROJECT
LAKE TAHOE BASIN MANAGEMENT UNIT

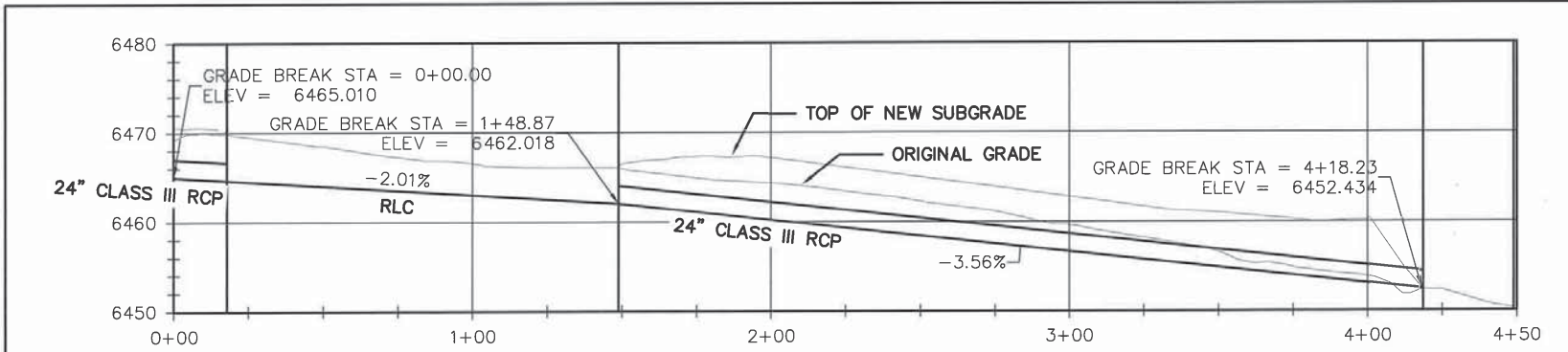
DRAWING TITLE
STORM DRAIN PLAN AND PROFILE

DATE
2/28/2022

ARCHIVE NO.
CHIMNEY BEACH PLANS.dwg

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|------------------------|------------------------------|
| DESIGNER MTA | DWG SHEET NO. C-08 |
| DRAWN MTA | |

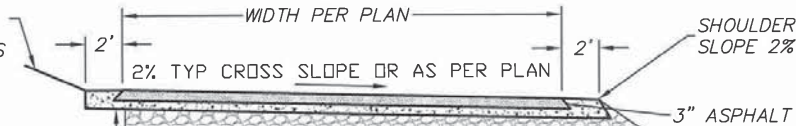
| | |
|----------------------|----------------|
| CHECKED MG | SHEET 10 OF 21 |
| PROJECT NO. | |



CUT SLOPE AT 1V:2H OR AS PER SLOPE RETAINING DETAILS

PLACE AND COMPACT 7" AGGREGATE BASE ALONG SHOULDER AND 4" BENEATH ASPHALT TO 95% MAX. DD.

EMBANKMENT CONSTRUCTION AS PER SECTION 204, COMPACT EMBANKMENT TO 95% MAX DD. CUT 10' WIDE TERRACES INTO EXISTING SLOPE AS FILL PLACEMENT PROGRESSES. SELECT BORROW AS PER 704.07

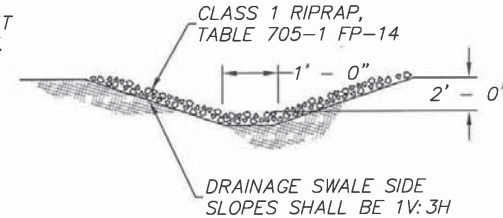


CLEAR AND GRUB STUMPS, ROOTS AND ORGANIC MATERIAL BENEATH FILL AS PER SECTION 201. PREPARE FOR EMBANKMENT CONSTRUCTION AS PER SECTION 204.09, RECOMPACT TO A DEPTH OF 6"

GRADING NOTES:

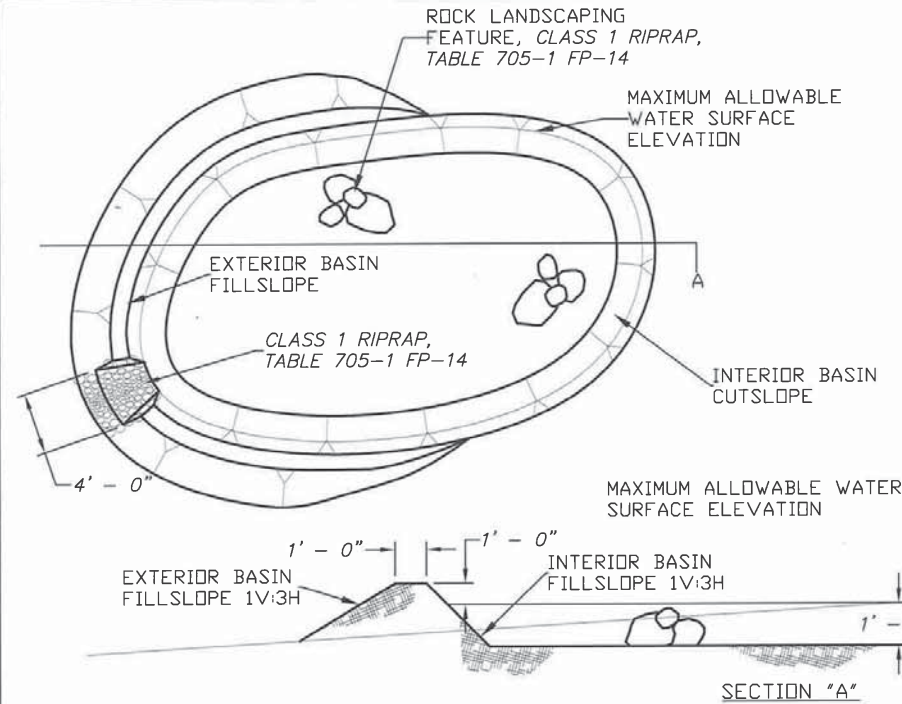
1. PAY ITEM 20401-A INCLUDES CUT AND PLACEMENT OF EARTH
2. PAY ITEM 20401-B INCLUDES CUT AND PLACEMENT OF ROCK.
3. PAY ITEM 20415 INCLUDES IMPORT AND PLACEMENT OF SELECT BORROW EMBANKMENT 704.07..
4. GRANITIC BEDROCK WAS ENCOUNTERED BETWEEN 19" AND 38" BELOW THE GROUND SURFACE THROUGHOUT THE UPPER PARKING LOT.

FILL SLOPE 1V:2H DAYLIGHT TO MATCH EXISTING GRADE.



1 ROAD AND PARKING SECTION

2 ROCK LINED CHANNEL



BASIN NOTES:

1. WATER SURFACE ELEVATION SHALL BE AT LEAST 12" BELOW SURROUNDING ORIGINAL GROUND SURFACE.
2. BERM FILL SHALL BE FREE OF ORGANIC MATERIAL AND BE COMPACTED
3. TO 90% MAXIMUM DRY DENSITY, PLACE PINE NEEDLE MULCH ON ALL DISTURBED SOIL.
4. BASIN SHALL BE CONSTRUCTED TO DIMENSIONS SHOWN ON PLANS, AND CONTRACTOR SHALL PROVIDE DRAINAGE FROM IMPERVIOUS SURFACES TO BASINS.
5. COST OF SWALE CONSTRUCTION IS INCIDENTAL AND INCLUDED IN COST OF BASIN CONSTRUCTION
6. BOTTOM OF BASINS SHALL BE CONSTRUCTED FLAT SUCH THAT 12" OF WATER IS STORED OVER THE ENTIRE BASE AREA BEFORE OVERFLOWING.
7. WEIR ARMOR SHALL BE 3" ANGULAR ROCK PLACED TO PROVIDE 12" OF IMPOUNDED WATER WITH 12" OF FREEBOARD BELOW BERMS
8. ROCK LANDSCAPING FEATURE SHALL BE A BLEND OF 2' AND 3' DIAMETER ANGULAR BOULDERS, TWO FEATURES PER BASIN AS DIRECTED BY FOREST SERVICE.
9. LOCATION OF SWALES AND BASIN SHALL BE CONFIRMED BY THE COR AND CONSTRUCTED OUTSIDE OF THE DRIP EDGE OF TREES.

3 INFILTRATION BASIN



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PACIFIC SOUTHWEST REGION

PROJECT NAME

**CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**ROAD AND BASIN
DETAILS**

DATE

6/3/2023

ARCHIVE NO.

CHIMNEY details.dwg

DESIGNER

MTA

DWG SHEET NO.

D-1

DRAWN

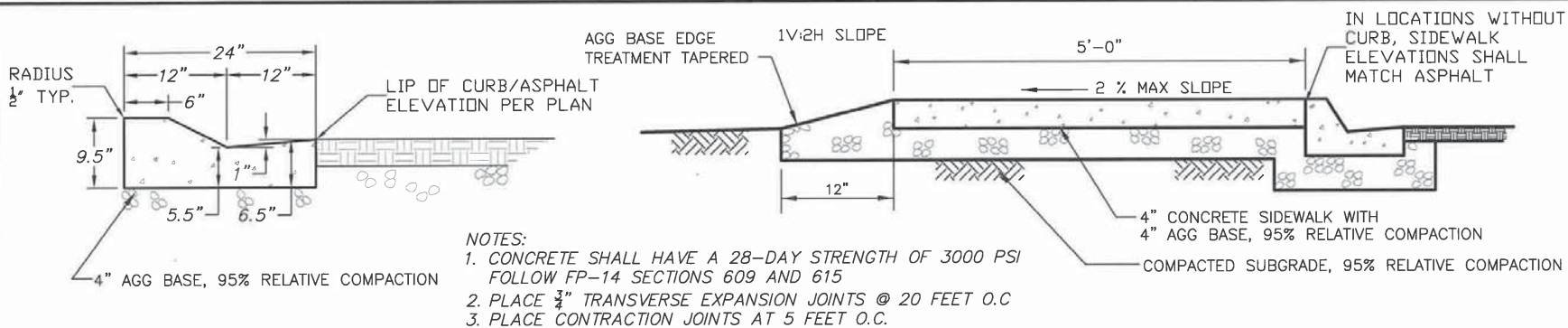
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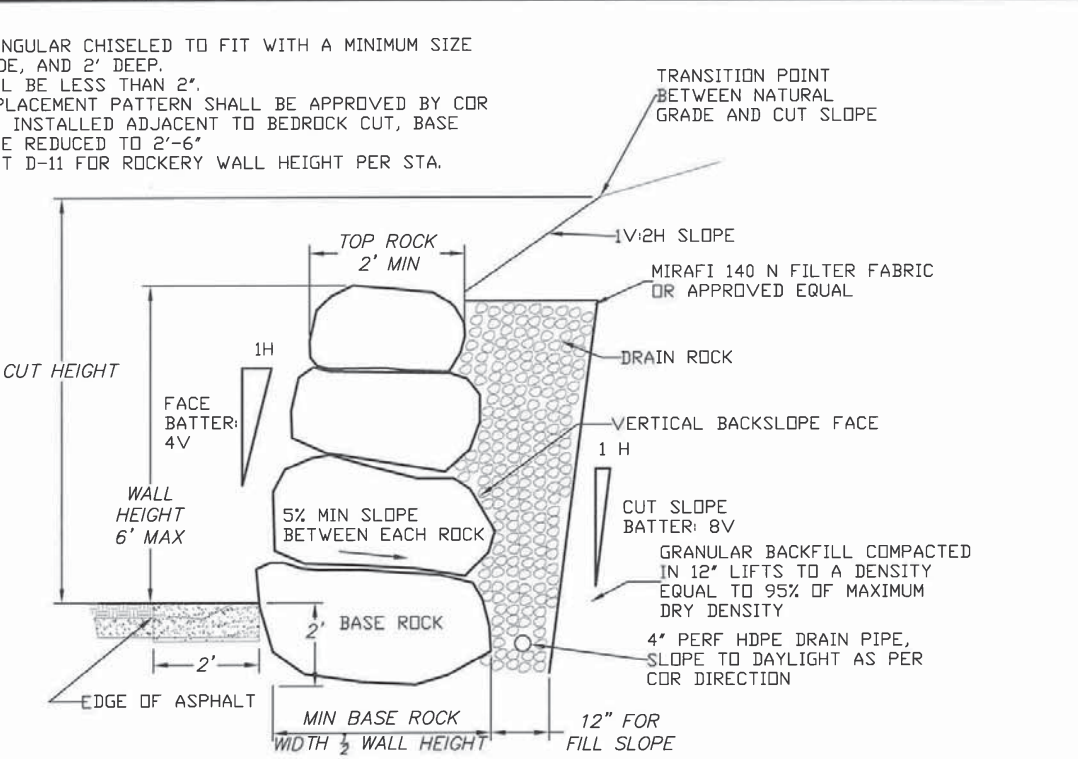
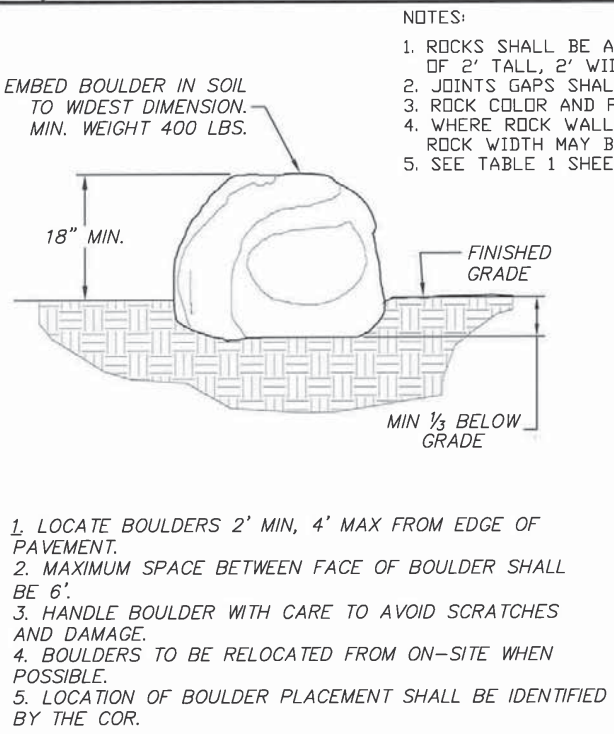
PROJECT NO.

SHEET 11 OF 21



4 CONCRETE CURB AND GUTTER

5 CONCRETE SIDEWALK



6 BOULDER INSTALLATION

7 ROCKERY WALL



United States Department of Agriculture
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PACIFIC SOUTHWEST REGION

PROJECT NAME

CHIMNEY BEACH TRAIL HEAD PARKING LOT UPGRADES PROJECT

LAKE TAHOE BASIN MANAGEMENT UNIT

DRAWING TITLE

SIDEWALK AND ROCKERY DETAILS

DATE
6/3/2023

ARCHIVE NO.
CHIMNEY details.dwg

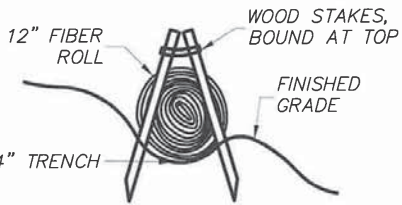
DESIGNER DWG SHEET NO.

MTA **D-2**

DRAWN
MTA

CHECKED
MG

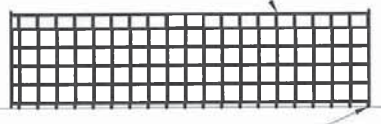
PROJECT NO. SHEET **12** OF **21**



NOTE: ALIGN FILTER ROLL ALONG CONTOURS

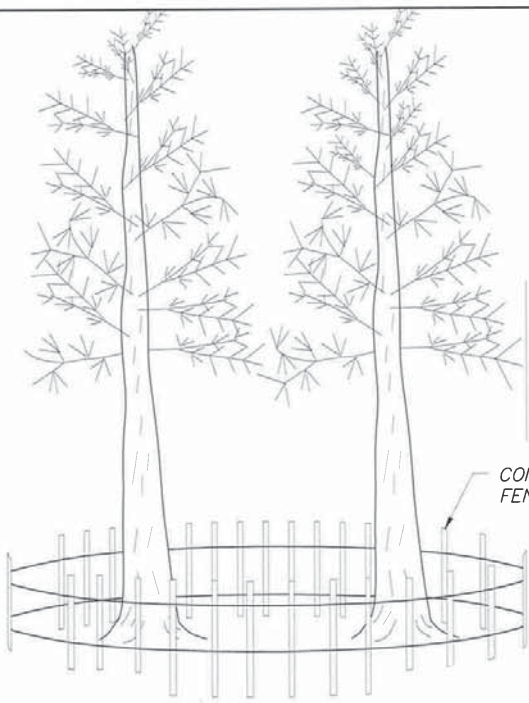
8 FIBER ROLL INSTALLATION

NTS
SYNTHETIC CONSTRUCTION FENCING 48" TALL



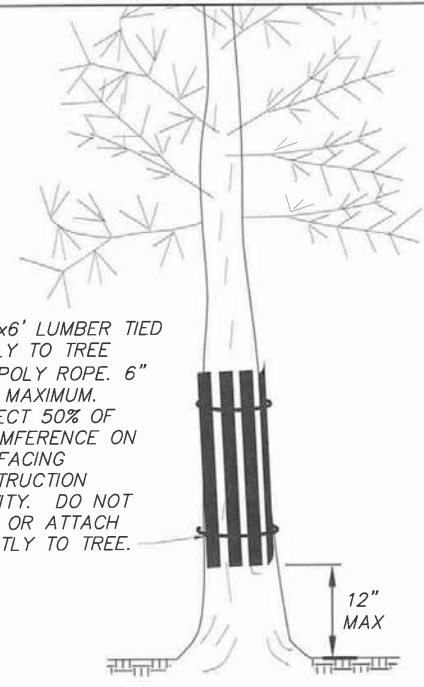
48" TALL METAL FENCE POSTS AT 10' O.C..

9 CONSTRUCTION FENCING



DRIP LINE
CONSTRUCTION FENCING

10 TREE PROTECTION FENCING



2"x4"x6' LUMBER TIED TIGHTLY TO TREE WITH POLY ROPE. 6" GAPS MAXIMUM. PROTECT 50% OF CIRCUMFERENCE ON SIDE FACING CONSTRUCTION ACTIVITY. DO NOT DRILL OR ATTACH DIRECTLY TO TREE.

12" MAX

11 TREE PROTECTION

1. THE COST OF ALL BMPS ARE INCIDENTAL TO OTHER ITEMS.
2. GRADING ACTIVITIES MAY ONLY OCCUR FROM MAY 1 TO OCTOBER 15.
3. TEMPORARY EROSION CONTROL MEASURES AND DETAILS AS SHOWN ON THIS PLAN ARE SUGGESTED MINIMUM METHODS OF CONTROLLING EROSION DURING CONSTRUCTION. THE CONTRACTOR SHALL IMPLEMENT ADDITIONAL MEASURES AS DICTATED BY FIELD CONDITIONS TO CONTROL EROSION AND SEDIMENTATION.
4. ALL TEMPORARY EROSION CONTROL FEATURES SHALL BE INSPECTED DAILY AND PRIOR TO INCLEMENT WEATHER; CORRECTIVE ACTION WILL BE TAKEN AS NECESSARY TO INSURE PROPER FUNCTION.
5. THE AREAS OF SOIL AND VEGETATION DISTURBANCE SHALL BE LIMITED TO THAT REQUIRED FOR CONSTRUCTION PURPOSES. EXCEPT WHERE REQUIRED FOR ACCESS, THERE SHALL BE NO DISTURBANCE IN AREAS TO BE LEFT IN A NATURAL STATE. CONSTRUCTION TRAFFIC SHALL BE LIMITED TO AREAS TO BECOME PERMANENT CIRCULATION (E.G., ROADWAYS AND PARKING AREAS, ETC.) OR OTHER DESIGNATED ROUTES APPROVED BY THE COR.
6. FIBER ROLLS SHALL BE PLACED ALONG THE DOWNSLOPE EDGE OF STAGING AREAS TO PREVENT CONTAMINATED RUNOFF.
7. STOCKPILES SHALL BE LOCATED IN ALREADY DISTURBED AND FLAT AREAS, AND SHALL BE SURROUNDED WITH FIBER ROLLS. IF A STOCKPILE IS INACTIVE FOR 14 DAYS, IT SHALL BE STABILIZED WITH HYDRAULIC MULCH OR PLASTIC.

8. REMOVAL OF NATIVE VEGETATION SHALL BE AVOIDED. CONTRACTOR WILL PLACE WOOD OR PINE NEEDLE MULCH 2"-4" THICK IN DISTURBED AREAS DESIGNATED BY THE COR. ALL DISTURBED AREAS SHALL BE MULCHED. ALL MATERIAL TO BE CHIPPED WILL BE OBTAINED FROM SLASH ONSITE. CONTRACTOR SHALL MAINTAIN ADEQUATE DUST CONTROL PER STANDARD SPECIFICATIONS AND ATTACHED SWPPP (PAYMENT FOR WATERING IS INCIDENTAL TO CONTRACT). MEASURES SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:
 - A. CONSTRUCT MAJOR DUST-GENERATING ACTIVITIES WHEN WIND VELOCITIES ARE LOW.
 - B. SPRINKLE WORK AREAS, CONSTRUCTION EQUIPMENT TRAVEL ROUTES, AND EQUIPMENT TO CONTROL DUST.
 - C. RESTRICT ALL TRUCKS AND VEHICLES WITHIN CONSTRUCTION SITE TO A MAX. SPEED OF 15 MPH.
 - D. WATER APPLICATION RATES SHALL BE MINIMIZED AS NECESSARY TO PREVENT RUNOFF AND PONDING.
10. SPILL KITS WITH ABSORBENT PADS SHALL BE ON SITE AT ALL TIMES IN PREPARATION OF EQUIPMENT LEAKS. ALL VEHICLE MAINTENANCE SHALL TAKE PLACE AT LEAST 100 FEET FROM SURFACE WATER AND ON A LEVEL AREA.



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Forest Service

R05
PACIFIC SOUTHWEST REGION

PROJECT NAME

CHIMNEY BEACH TRAIL HEAD PARKING LOT UPGRADES PROJECT

LAKE TAHOE BASIN MANAGEMENT UNIT

DRAWING TITLE

EROSION CONTROL DETAILS

DATE

6/3/2023

ARCHIVE NO.

CHIMNEY details.dwg

DESIGNER

MTA

DWG SHEET NO.

D-3

DRAWN

MTA

CHECKED

MG

PROJECT NO.

SHEET 13 OF 21

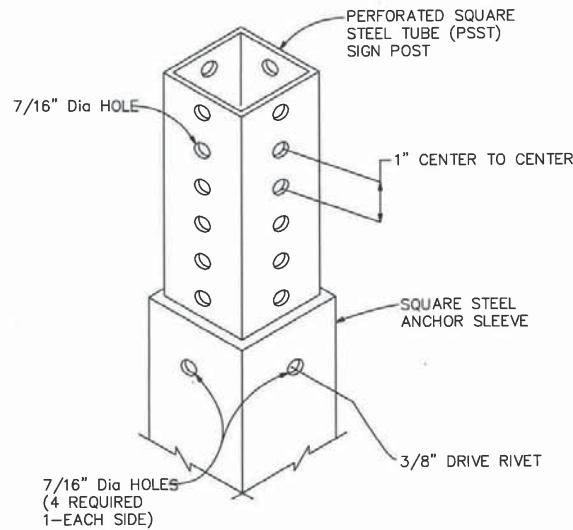
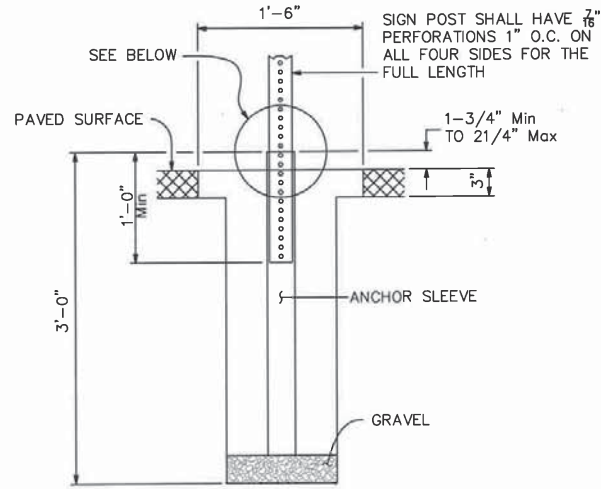
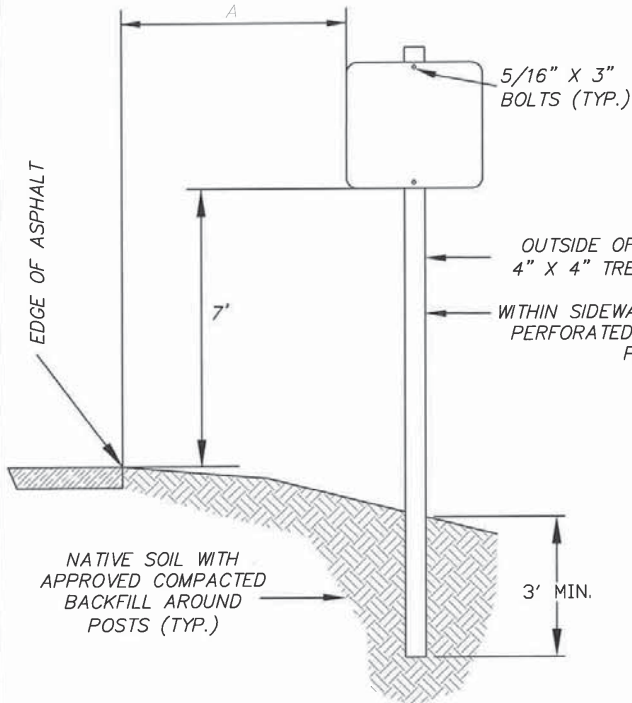
SIGN LIST:

| SIGN # | TYPE | SIZE | HEIGHT | REQUIREMENTS |
|----------|-------------------------|------------------|---------|--------------|
| SIGN #1: | STOP | R1-1 24" | 4' MIN. | (2 REQ.) |
| SIGN #2: | WRONG WAY | R5-1a 30x24" | 4' MIN. | (2 REQ.) |
| SIGN #3: | ACCESSIBLE PARKING ONLY | 703.7.2.1 12x18" | 4' MIN. | (5 REQ.) |
| SIGN #4: | KEEP RIGHT | R4-7a 18X24" | 4' MIN. | (1 REQ.) |

NOTES:

- ATTACH ALL SIGN PANELS TO SIGN POSTS WITH BOLTS AT TOP AND BOTTOM.
- ALL SIGNS SHALL BE 0.060" THICK ALUMINUM PANELS WITH HIGH INTENSITY RETROREFLECTIVE SHEETING WHICH MEETS MUTCD STANDARDS UNDER SECTION 2A.08 (MAINTAINING MINIMUM RETROREFLECTIVITY).
- FINAL PLACEMENT OF ALL SIGNS SHALL BE APPROVED BY THE C.O.R. PRIOR TO INSTALLATION.
- ALL SIGNS SHALL BE INSTALLED USING VANDAL RESISTANT BOLTS AND NUTS.
- SEE FP-14 SECTION 633 FOR ADDITIONAL REQUIREMENTS.
- THE BACKS OF ALL SIGNS NOT MOUNTED BACK-TO-BACK SHALL BE PAINTED A SHADE OF BROWN APPROVED BY THE C.O.R.

POSTS: ACQ. 0.40 PCF. BROWNTONE (4 REQ.)
 GALV STEEL 2" X 2" X 12 GAUGE (5 REQ.)
 WITH 2-1/4" X 2-1/4" X 10 GA SLEEVE



ADAPTED FROM CAL TRANS STANDARD PLANS 2022



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST REGION

PROJECT NAME

CHIMNEY BEACH TRAIL HEAD PARKING LOT UPGRADES PROJECT

LAKE TAHOE BASIN MANAGEMENT UNIT

DRAWING TITLE

SIGN DETAILS

DATE

6/3/2023

ARCHIVE NO.

CHIMNEY details.dwg

DESIGNER

MTA

DWG SHEET NO.

D-4

DRAWN

MTA

CHECKED

MG

PROJECT NO.

SHEET 14 OF 21

12 SIGN DETAILS

NTS



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST REGION

PROJECT NAME

**CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**DRAINAGE INLET
DETAILS**

DATE

6/3/2023

ARCHIVE NO.

CHIMNEY details.dwg

DESIGNER

MTA

DWG SHEET NO.

D-5

DRAWN

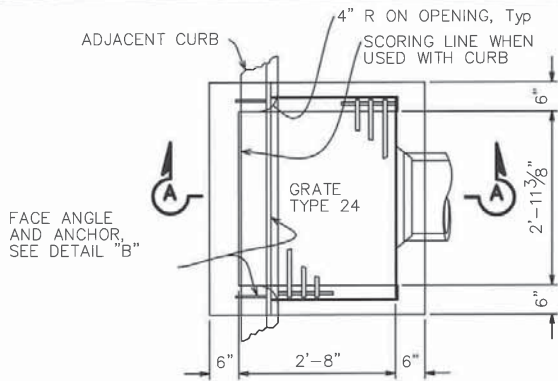
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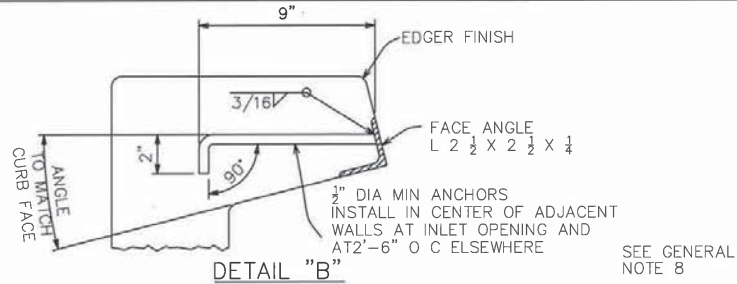
MG

PROJECT NO.

SHEET **15** OF **21**



PLAN



DETAIL "B"

SEE GENERAL NOTE 8

| CURB TYPE | NORMAL CURB HEIGHT | CURB BATTER | "a" DIMENSION | "b" DIMENSION |
|-------------|--------------------|-------------|---------------|---------------|
| A1-6 | 6" | 11/2" | T+71/2" | T+61/2" |
| A1-8 | 8" | 2" | T+7" | T+6" |
| B1-6 | 6" | 4" | T+5" | T+4" |
| TYPE A DIKE | 6" | 3" | T+6" | T+5" |

Height of curb opening will vary with the type of curb and the depth of the local depression.

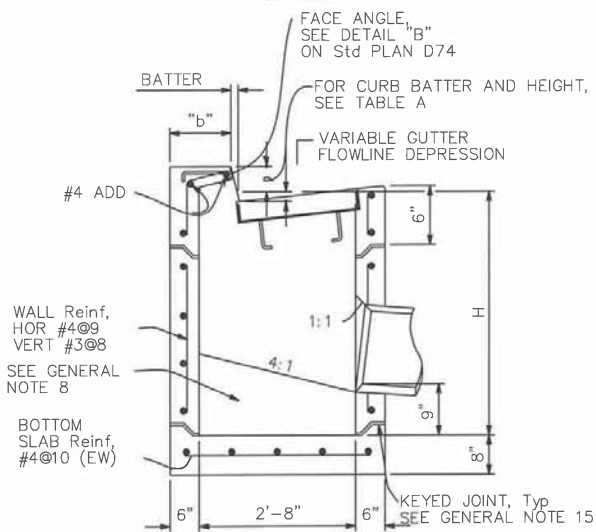
NOTES:

1. See Standard Plan D73F for General Notes and additional details. See Standard Plan D73G for tables, wall thickness "T" and quantities.

Where shown on the project plans, place a 3/4" plain round protection bar horizontally across the length of the opening and bend back 4" into the inlet wall on each side.

- Complete joint penetration butt welds may be substituted for the fillet welds on all anchors.

Standard square, hexagon, round or equivalent headed anchors may be substituted for the right angle hooks on the anchors shown on this plan.



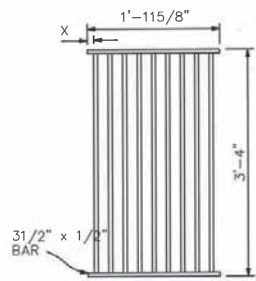
SECTION A-A

ADAPTED FROM CAL TRANS STANDARD PLANS 2022

13

DRAINAGE INLET DETAILS

NTS

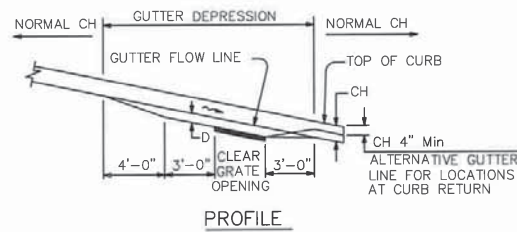


TYPE 24-9

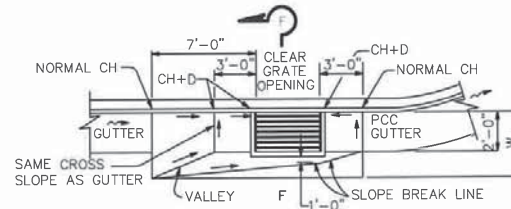
2" Clear spacing.
Use in locations off the roadbed on all types of highways.

RECTANGULAR GRATE DETAILS

(See table below)

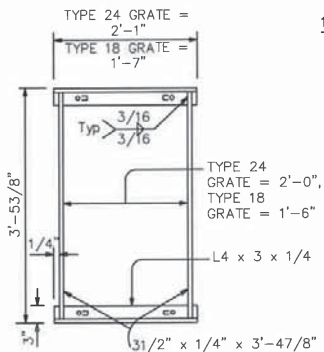


PROFILE

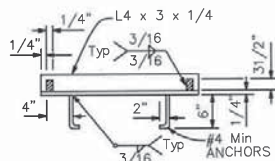


PLAN

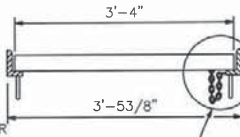
TYPE G0 AND G1 THRU G6 INLETS ON GRADE



TYPICAL FRAME



CROSS SECTION
(Thru frame)



LONGITUDINAL SECTION
(Thru frame and grate)

RECTANGULAR FRAME DETAILS

(For all rectangular grates)

NOTES:

1. Grate type numbers refer to approximate width of grate in inches and number of bars, respectively.
2. Rounded top of bars optional on all grates.
3. Pipe inlets with a grate shall be placed so that bars parallel direction of principle surface flow.
4. Complete joint penetration butt welds may be substituted for the fillet welds on all anchors.
5. Standard square, hexagon, round or equivalent headed anchors may be substituted for the right angle hooks on the anchors shown on this plan.
6. Grate and frame weights are based on welded grates (weights of face angles, steps, protection bars, etc. are not included).
7. Connect chain to grate and frame only at locations shown on the plans. When chain is required, do not use cast ductile iron grates.

NOTES:

1. W= Width of depressed apron. Depressed aprons shall be 4'-0" on shoulder and 4'-0" to 6'-0" in city street gutters unless otherwise shown.
D= Gutter depression. The gutter depression shall be 1 1/4" for shoulder and 1 1/4" to 3" in city street gutter or locations outside of shoulder unless otherwise shown.
CH= Curb Height.
Straight grade, downward slope.
Gutter or shoulders direction of flow.
2. Gutter depressions shall be 8" thick.
3. Establish curb opening height at midpoint of grate.
4. Details shown for concrete pavement. When hot mix asphalt pavement is used, corners to be cut off as shown on Detail of Hot Mix Asphalt Pavement.

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R05
PACIFIC SOUTHWEST REGION

PROJECT NAME

**CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**DRAINAGE INLET
DETAILS**

DATE

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PROJECT NO.

SHEET **16** OF **21**

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DRAINAGE INLET DETAILS

N.T.S.



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**CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

**FLARED END SECTION
DETAILS**

DATE

6/3/2023

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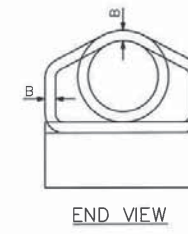
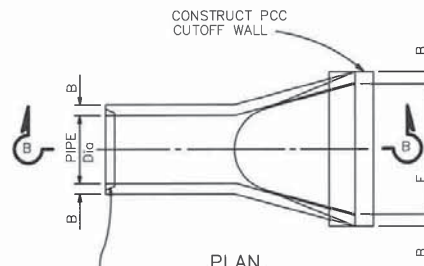
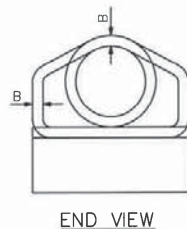
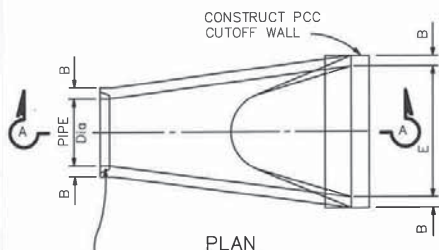
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PROJECT NO.

DWG SHEET NO.

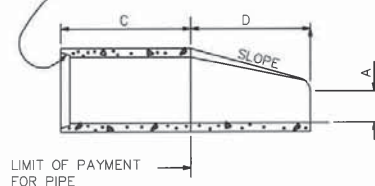
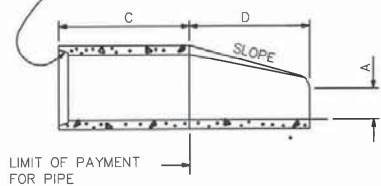
D-7

SHEET 17 OF 21



TONGUE END ON INLET SECTION
GROOVE END ON OUTLET SECTION

TONGUE END ON INLET SECTION
GROOVE END ON OUTLET SECTION



| MINIMUM DIMENSIONS | | | | | | |
|--------------------|--------|-------|------------|-----------|-------|----------------|
| PIPE Dia | A | B | C | D | E | SLOPE |
| 12" | 4" | 13/4" | SEE NOTE 2 | 2'-0" | 2'-0" | 2:1 OR FLATTER |
| 18" | 9" | 21/4" | | 2'-3" | 3'-0" | |
| 24" | 9 1/2" | 23/4" | | 3'-7 1/2" | 4'-0" | |
| 30" | 1'-0" | 31/4" | | 4'-6" | 5'-0" | |
| 36" | 1'-3" | 33/4" | | 5'-3" | 6'-0" | |
| 42" | 1'-9" | 41/4" | | 5'-3" | 6'-6" | |
| 48" | 2'-0" | 43/4" | | 6'-0" | 7'-0" | |
| 54" | 2'-3" | 51/4" | 5'-5" | 7'-6" | | |

| MINIMUM DIMENSIONS | | | | | | |
|--------------------|--------|-------|------------|--------|-------|----------------|
| PIPE Dia | A | B | C | D | E | SLOPE |
| 12" | 4" | 11/2" | SEE NOTE 2 | 1'-10" | 2'-0" | 2:1 OR FLATTER |
| 18" | 9" | 13/4" | | 2'-1" | 3'-0" | |
| 24" | 9 1/2" | 21/4" | | 3'-6" | 4'-0" | |
| 30" | 1'-0" | 23/4" | | 4'-5" | 5'-0" | |
| 36" | 1'-3" | 31/4" | | 5'-2" | 6'-0" | |
| 42" | 1'-9" | 31/2" | | 5'-3" | 6'-6" | |
| 48" | 2'-0" | 4" | | 6'-0" | 7'-0" | |
| 54" | 2'-3" | 43/8" | 5'-6" | 6'-10" | | |

SECTION A-A

SECTION B-B

PRECAST CONCRETE FLARED END SECTION TYPE A

PRECAST CONCRETE FLARED END SECTION TYPE B

NOTES:

- Contractor has the option of using either Type A or B precast concrete flared end section.
- "C" dimension varies by manufacturer and will be paid for as concrete pipe.

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FLARED END SECTION DETAILS

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R05
PACIFIC SOUTHWEST REGION

PROJECT NAME

CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT

LAKE TAHOE BASIN
MANAGEMENT UNIT

DRAWING TITLE

REINFORCED
CONCRETE PIPE
DETAILS

DATE

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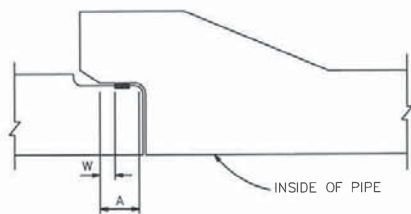
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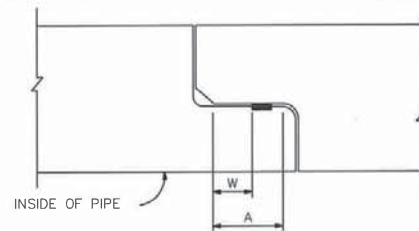
SHEET 18 OF 21

LEGEND

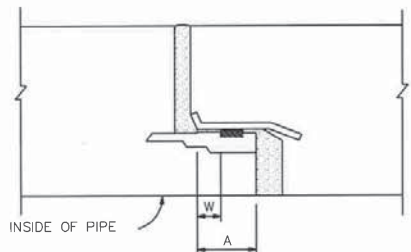
-  CEMENT MORTAR
-  RUBBER GASKET
-  STEEL



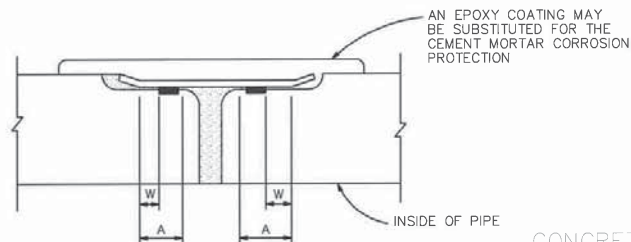
CONCRETE JOINT-FLARED BELL DESIGN



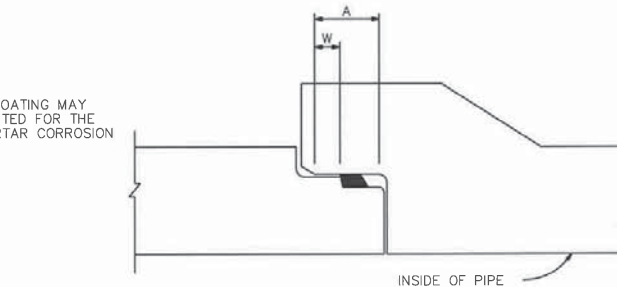
CONCRETE JOINT-FLUSH BELL DESIGN



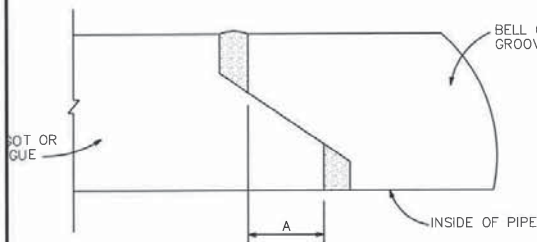
STEEL JOINT-FLUSH BELL DESIGN



CONCRETE JOINT-DOUBLE GASKET DESIGN

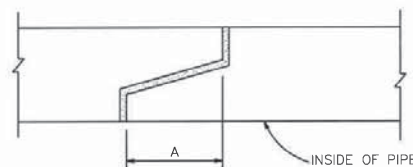


CONCRETE JOINT-SINGLE OR DOUBLE OFFSET DESIGN
Flared or Flush Bell



SELF-CENTERING TONGUE & GROOVE

See Note 4



TONGUE & GROOVE DESIGN

NOTES:

- For pipe sections installed on straight alignment, the pipe sections shall be joined to provide maximum joint overlap at all points on the joint periphery, but in no case less than the values shown in Table A for "W" if the installation is required to be watertight or "A" for all other installations.
- For pipe sections installed on curved alignment, the pipe sections shall be joined to provide maximum joint overlap on one side of the joint and not less than 1/4" overlap on the other. The 1/4" overlap shall be the "W" dimension for installations required to be watertight, or the "A" dimension for all other installations.
- Watertight joint requirement shall typically be met with the use of rubber gaskets as shown. Pipe installed with rubber gaskets shall have a minimum overlap meeting or exceeding the indicated "W" dimension shown in Table A or indicated in Note 2. Joints shown with rubber gaskets may be installed without gaskets in non-watertight applications, in which case the joint shall be sealed with sealing materials and the minimum joint overlap shall meet or exceed the "A" dimension shown in Table A or indicated in Note 2.
- For Self-Centering Tongue and Groove Joints, the mortar shall be applied after the pipe ends are pushed together. The mortar shall be applied to the joint gap on the inside of the pipe for pipe diameters of 24" or more, or to the gap on the outside of the pipe for pipe smaller than 24" in diameter.
- When watertight joints are required (See Note 3) and cement mortar joints are not allowed, the taper on surfaces within the "W" dimension at full joint closure and the opposing sealing surfaces of the bells and spigots on which the rubber gaskets may bear during closure of the joint and at any degree of partial closure shall form an angle of not more than 2 degrees with the longitudinal axis of the pipe.

TABLE A

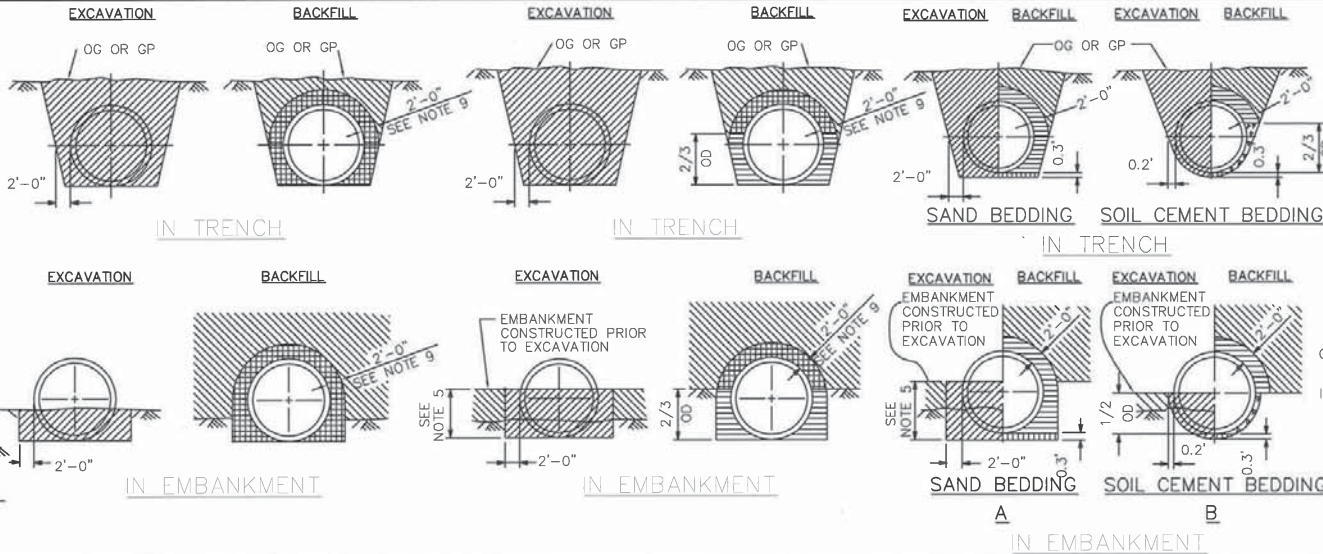
| PIPE DIAMETER LIMITS | MINIMUM JOINT OVERLAP | | | |
|----------------------|-----------------------|--------------|--------------|--------------|
| | STANDARD "A" | POSITIVE "A" | STANDARD "W" | POSITIVE "W" |
| 6" THROUGH 12" | 1/4" | 1/2" | 1/4" | 3/8" |
| 15" THROUGH 33" | 1/2" | 3/4" | 1/4" | 1/2" |
| GREATER THAN 33" | 3/4" | 1" | 3/8" | 5/8" |

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REINFORCED CONCRETE PIPE DETAILS

NTS



- LEGEND:**
- STRUCTURE EXCAVATION (CULVERT)
 - STRUCTURE BACKFILL (CULVERT) 95% RELATIVE COMPACTION
 - STRUCTURE BACKFILL (CULVERT) 90% RELATIVE COMPACTION
 - ROADWAY EMBANKMENT
 - LOOSE BACKFILL
 - SOIL CEMENT BEDDING
 - SAND BEDDING

OD = OUTSIDE DIAMETER FOR CIRCULAR PIPES AND MAXIMUM VERTICAL DIMENSION FOR OTHER SHAPES
 ID = INSIDE DIAMETER FOR CIRCULAR PIPES AND MINIMUM VERTICAL DIMENSION FOR OTHER SHAPES



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R05
PACIFIC SOUTHWEST REGION

PROJECT NAME
CHIMNEY BEACH TRAIL HEAD PARKING LOT UPGRADES PROJECT
LAKE TAHOE BASIN MANAGEMENT UNIT

| REINFORCED CONCRETE PIPE | | | | | |
|---|--------------------------|---|--------------------------|---|--------------------------|
| METHOD 1 | | METHOD 2 | | METHOD 3 | |
| MINIMUM ALLOWABLE CLASSES OF RCP FOR METHOD 1 | | MINIMUM ALLOWABLE CLASSES OF RCP FOR METHOD 2 | | MINIMUM ALLOWABLE CLASSES OF RCP FOR METHOD 3 | |
| COVER | MINIMUM CLASS AND D-LOAD | COVER | MINIMUM CLASS AND D-LOAD | COVER | MINIMUM CLASS AND D-LOAD |
| 5.9' | CLASS II 1000D | 15.9' | CLASS II 1000D | 25.9' | CLASS II 1000D |
| 6.0' - 7.9' | CLASS III 1350D | 16.0' - 19.9' | CLASS III 1350D | 26.0' - 31.9' | CLASS III 1350D |
| 8.0' - 9.9' | CLASS III SPECIAL 1700D | 20.0' - 24.9' | CLASS III SPECIAL 1700D | 32.0' - 37.9' | CLASS III SPECIAL 1700D |
| 10.0' - 11.9' | CLASS IV 2000D | 25.0' - 27.9' | CLASS IV 2000D | 38.0' - 44.9' | CLASS IV 2000D |
| 12.0' - 13.9' | CLASS IV SPECIAL 2500D | 28.0' - 34.9' | CLASS IV SPECIAL 2500D | 45.0' - 55.9' | CLASS IV SPECIAL 2500D |
| 14.0' - 16.9' | CLASS V 3000D | 35.0' - 41.9' | CLASS V 3000D | 56.0' - 67.9' | CLASS V 3000D |
| 17.0' - 20.0' | CLASS V SPECIAL 3600D | 42.0' - 50.0' | CLASS V SPECIAL 3600D | 68.0' - 80.0' | CLASS V SPECIAL 3600D |
| See Notes 6 and 9 | | See Notes 8 and 9 | | | |

- NOTES:**
- Unless otherwise shown on the plans or specified in the special provisions, the Contractor shall have the option of selecting the class of RCP and the method of backfill to be used, provided the height of cover does not exceed the value shown for the RCP selected.
 Example:
 2'-0" RCP culvert with maximum cover of 19'-0" the options are:
 a) Class I Special or stronger with Method 1.
 b) Class III or stronger with Method 2.
 c) Class II or stronger with Method 3.
 Cover is defined as the maximum vertical distance from top of pipe to finished grade within the length of any given culvert.
 - The class of RCP, method of backfill and bedding selected shall be the same throughout the length of any given culvert.
 - The "length of any culvert" is defined as the culvert between:
 a) Successive drainage structures (inlets, junction boxes, headwalls, etc.).
 b) A drainage structure and the inlet or outlet end of the culvert.
 c) The inlet and outlet end of the culvert when there are no intervening drainage structures.
 Slope or shore excavation sides as necessary.
 - Embankment height prior to excavation for installation of all classes of RCP under Methods 2 and 3A shall be as follows:
 Pipe sizes 1'-0" to 3'-6", ID = 2'-6"
 Pipe sizes 4'-0" to 7'-0", ID = 2/3 OD
 Pipe sizes larger than 7'-0", ID = 5'-0"
 The maximum size for all classes of RCP placed under Method 1 is 6'-6" ID.
 - Non-reinforced precast pipe sizes 1'-0" or smaller may also be placed under Methods 1, 2 or 3.
 - Elliptical shaped RCP shall be placed under Method 2 only.
 - Embankment compaction requirements govern over the 90% relative compaction backfill requirement within 2'-6" of finished grade.
 - Backfill shall be placed full width of excavation except where dimensions are shown for backfill width or thickness. Dimensions shown are minimums.
 - Where the precast non-reinforced concrete pipe is used as a substitute for the cast-in-place pipe, both the wall thickness and the concrete strength shall be at least as great as that specified for the cast-in-place pipe. The fill height allowed shall not exceed that shown for the cast-in-place pipe.

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PROJECT NO. SHEET **19** OF **21**

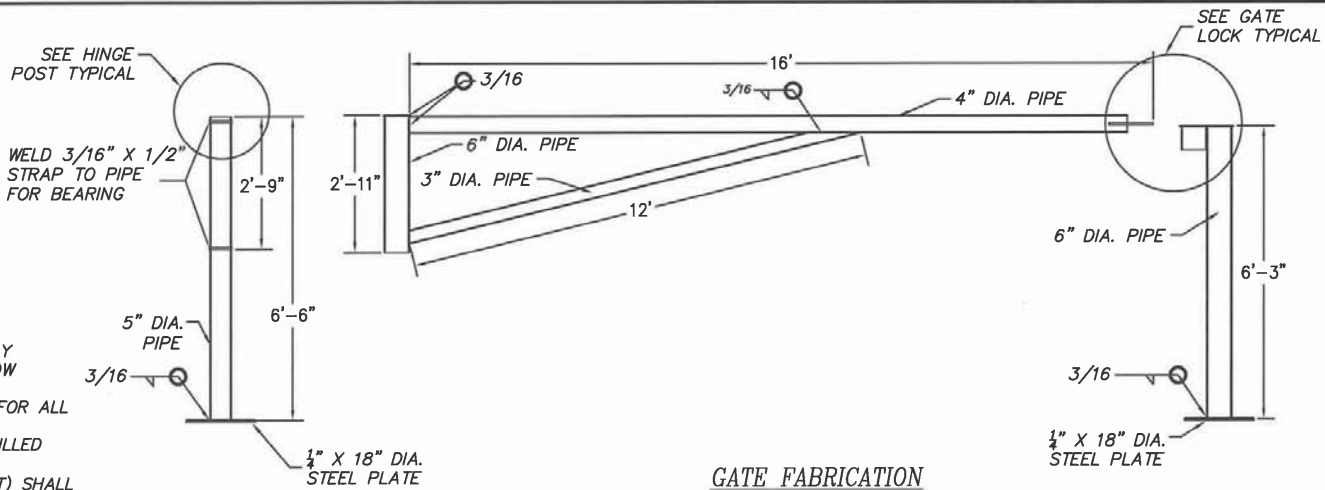
17 REINFORCED CONCRETE PIPE DETAILS

GATE FABRICATION NOTES:

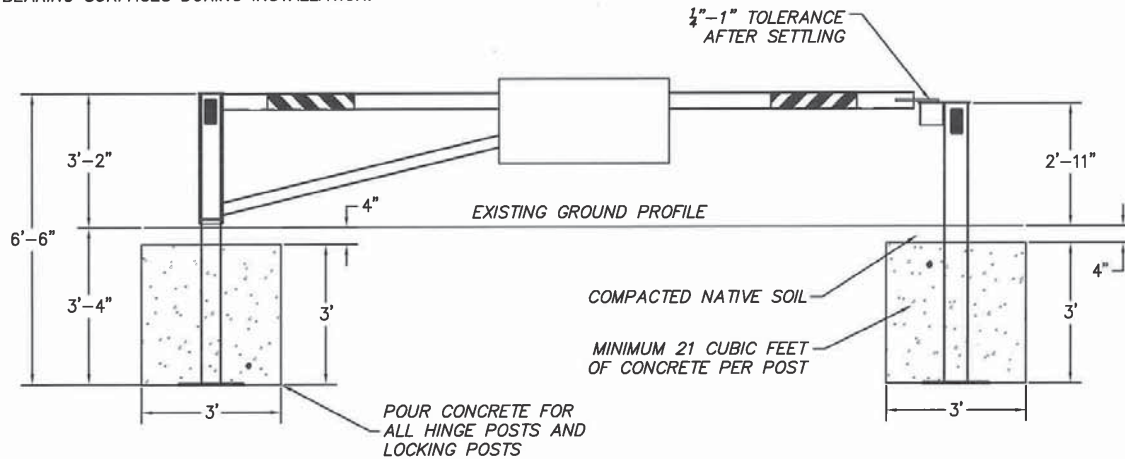
1. A SINGLE GATE FABRICATION AND INSTALLATION IS SHOWN.
1 SWING ARM WITHOUT CUP
1 HINGE POSTS
2 LOCKING POSTS WITH CUP
2. ALL PIPE SHALL MEET THE REQUIREMENTS OF ASTM A53 GRADE B.
3. PIPE SIZES SHOWN ARE FOR STANDARD WEIGHT BLACK IRON PIPE (SCHEDULE 40).
4. POWDER COAT ALL STEEL FOREST SERVICE GREEN; FOLLOW MANUFACTURER'S RECOMMENDATIONS; COLOR SHALL BE APPROVED BY THE C.O.R.

GATE INSTALLATION NOTES:

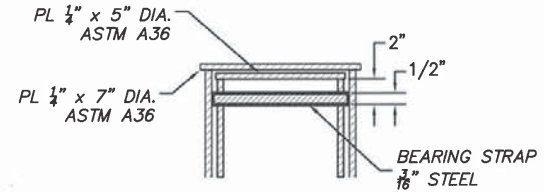
1. CONCRETE SHALL HAVE A 3000 PSI 28-DAY COMPRESSIVE STRENGTH, AND SHALL FOLLOW FP-14 SPECIFICATIONS 601.
2. CONCRETE SHALL BE POURED INTO HOLES FOR ALL HINGE POSTS AND ALL LOCKING POSTS.
3. OVER EXCAVATED POST HOLES SHALL BE FILLED WITH CONCRETE.
4. ALL CONCRETE WASTE (INCLUDING WASHOUT) SHALL BE COLLECTED AND DISPOSED OF OFF-SITE.
5. GATE AND LOCKING MECHANISMS SHALL BE INSPECTED BY THE C.O.R. PRIOR TO GATE INSTALLATION.
6. LOCATION OF ALL GATES SHALL BE APPROVED BY THE C.O.R. PRIOR TO INSTALLATION.
7. APPLY GREASE TO TOP OF ALL HINGE POSTS AND BEARING SURFACES DURING INSTALLATION.



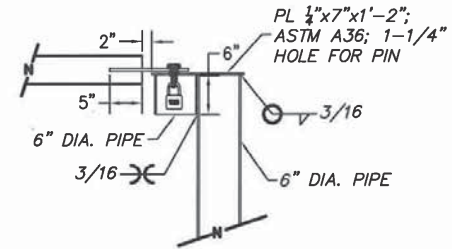
GATE FABRICATION



GATE INSTALLATION



HINGE POST TYPICAL



GATE LOCK TYPICAL (CUP ON LOCK POST)



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PROJECT NAME

**CHIMNEY BEACH
TRAIL HEAD PARKING
LOT UPGRADES
PROJECT**

**LAKE TAHOE BASIN
MANAGEMENT UNIT**

DRAWING TITLE

GATE DETAILS

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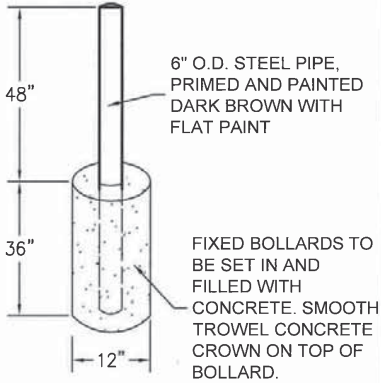
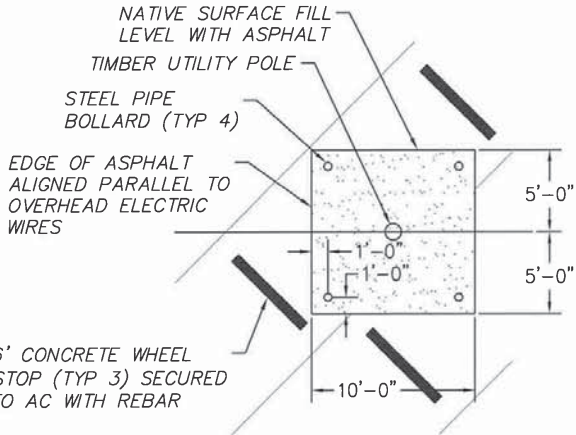
D-10

SHEET 20 OF 21

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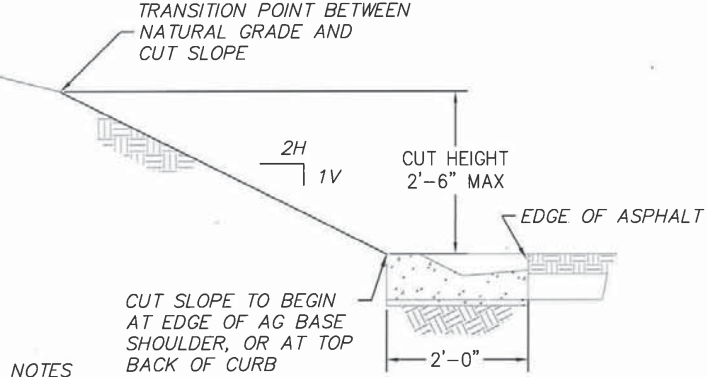
GATE DETAILS

NTS



19 UTILITY POLE DETAIL

N.T.S.



- NOTES**
1. COMPACT AND APPLY MULCH TO ALL FILL SLOPES.
 2. PAY ITEM AREA FOR THE ROCKERY WALL WILL BE CALCULATED BASED ON WALL HEIGHT (H) AS SHOWN IN TABLE 1.
 3. GRANITIC BEDROCK WAS ENCOUNTERED BETWEEN 19" AND 38" BELOW THE GROUND SURFACE THROUGHOUT THE UPPER PARKING LOT.
 4. SEE SHEET D-2 FOR ROCKERY WALL DETAIL FOR CUT SLOPES GREATER THAN 2.5 FEET.

20 CUT SLOPES LESS THAN 2.5'

N.T.S.

TABLE 1. ROCKERY WALL HEIGHT

| ROAD SHOULDER | | | | ROAD SHOULDER | | | | TOE OF FILL | | | |
|---------------|-----------------|-------------------------|-----------|---------------|-----------------|-------------------------|-----------|-------------|-----------------|-------------------------|-----------|
| STA | Cut Height (ft) | Rockery Height (H) (ft) | Area (sv) | STA | Cut Height (ft) | Rockery Height (H) (ft) | Area (sv) | STA | Cut Height (ft) | Rockery Height (H) (ft) | Area (sv) |
| 1+10.95 | 2.25 | 0 | 0.0 | 5+50.17 | 5.27 | 3.33 | 1.9 | 1+93.66 | 0.43 | 0.00 | 0.0 |
| 1+14.48 | 3.52 | 2 | 1.1 | 5+55.17 | 4.33 | 3.33 | 1.9 | 1+98.66 | 1.26 | 1.33 | 1.1 |
| 1+19.36 | 3.38 | 2 | 1.1 | 5+60.17 | 3.49 | 2 | 1.1 | 2+03.66 | 2.09 | 2.00 | 1.1 |
| 1+24.36 | 3.27 | 2 | 1.1 | 5+65.17 | 2.73 | 2 | 1.1 | 2+08.66 | 2.50 | 2.66 | 1.5 |
| 1+29.36 | 3.25 | 2 | 1.1 | 5+69.48 | 3.13 | 2 | 1.1 | 2+13.66 | 2.83 | 2.66 | 1.5 |
| 1+34.36 | 3.26 | 2 | 1.1 | 5+73.02 | 3.65 | 2 | 1.1 | 2+18.66 | 3.18 | 3.33 | 1.9 |
| 1+39.36 | 3.28 | 2 | 1.1 | 5+76.55 | 4.25 | 2 | 1.1 | 2+23.66 | 3.53 | 3.33 | 1.9 |
| 1+44.36 | 3.29 | 2 | 1.1 | 5+80.09 | 4.8 | 2.66 | 1.5 | 2+28.66 | 3.80 | 4.00 | 2.2 |
| 1+49.36 | 3.31 | 2 | 1.1 | 5+83.62 | 5.13 | 2.66 | 1.5 | 2+33.66 | 4.05 | 4.00 | 2.2 |
| 1+54.36 | 3.32 | 2 | 1.1 | 5+88.17 | 4.52 | 2.66 | 1.5 | 2+38.66 | 4.28 | 4.00 | 2.2 |
| 1+59.36 | 3.28 | 2 | 1.1 | 5+93.17 | 2.97 | 2 | 1.1 | 2+43.66 | 4.52 | 4.66 | 2.6 |
| 1+64.36 | 3.07 | 2 | 1.1 | 7+52.30 | 1.42 | 0 | 0 | 2+48.66 | 4.75 | 4.66 | 2.6 |
| 1+69.36 | 2.75 | 2 | 1.1 | 7+67.30 | 2.43 | 0 | 0 | 2+53.66 | 4.97 | 5.33 | 3.0 |
| 1+74.36 | 2.44 | 0 | 0.0 | 7+72.30 | 2.77 | 2 | 1.1 | 2+58.66 | 5.19 | 5.33 | 3.0 |
| 2+74.36 | 2.16 | 0 | 0.0 | 7+77.30 | 3.05 | 2 | 1.1 | 2+63.66 | 5.44 | 5.33 | 3.0 |
| 2+79.36 | 2.57 | 2 | 1.1 | 7+82.30 | 3.09 | 2 | 1.1 | 2+68.66 | 5.70 | 5.33 | 3.0 |
| 2+84.36 | 3.13 | 2 | 1.1 | 7+87.30 | 3.16 | 2 | 1.1 | 2+73.66 | 5.43 | 5.33 | 3.0 |
| 2+89.36 | 3.74 | 2 | 1.1 | 7+92.30 | 3.22 | 2 | 1.1 | 2+78.66 | 4.77 | 4.66 | 2.6 |
| 2+94.36 | 4.22 | 2.66 | 1.5 | 7+97.30 | 3.29 | 2 | 1.1 | 2+83.66 | 4.10 | 4.00 | 2.2 |
| 2+99.36 | 4.71 | 2.66 | 1.5 | 8+02.30 | 3.38 | 2 | 1.1 | 2+88.66 | 3.43 | 3.33 | 1.9 |
| 3+04.36 | 5.11 | 2.66 | 1.5 | 8+07.30 | 3.47 | 2 | 1.1 | 2+93.66 | 2.74 | 2.66 | 1.5 |
| 3+09.36 | 5.43 | 4 | 2.2 | 8+12.30 | 3.56 | 2 | 1.1 | 2+98.66 | 2.80 | 2.66 | 1.5 |
| 3+14.36 | 5.75 | 4 | 2.2 | 8+16.34 | 3.26 | 2 | 1.1 | 3+03.66 | 2.86 | 2.66 | 1.5 |
| 3+19.36 | 6.04 | 4 | 2.2 | 8+19.93 | 2.53 | 0 | 0 | 3+08.66 | 2.92 | 2.66 | 1.5 |
| 3+24.36 | 5.87 | 4 | 2.2 | 8+44.04 | 2.27 | 0 | 0 | 3+13.66 | 2.99 | 2.66 | 1.5 |
| 3+29.36 | 5.69 | 3.33 | 1.9 | 8+49.04 | 2.68 | 2 | 1.1 | 3+18.66 | 3.05 | 3.33 | 1.9 |
| 3+34.36 | 5.58 | 3.33 | 1.9 | 8+54.04 | 3.1 | 2 | 1.1 | 3+23.66 | 3.13 | 3.33 | 1.9 |
| 3+39.36 | 5.50 | 3.33 | 1.9 | 8+59.04 | 3.51 | 2 | 1.1 | 3+28.66 | 3.17 | 3.33 | 1.9 |
| 3+44.36 | 5.41 | 3.33 | 1.9 | 8+64.04 | 3.85 | 2 | 1.1 | 3+33.66 | 3.23 | 3.33 | 1.9 |
| 3+49.36 | 5.33 | 3.33 | 1.9 | 8+69.04 | 3.94 | 2 | 1.1 | 3+38.66 | 2.97 | 3.33 | 1.9 |
| 3+54.36 | 5.24 | 3.33 | 1.9 | 8+74.04 | 4.11 | 2 | 1.1 | 3+43.66 | 2.32 | 2.66 | 1.5 |
| 3+58.57 | 4.32 | 2 | 1.1 | 8+79.04 | 4.53 | 2 | 1.1 | 3+48.66 | 1.69 | 2.00 | 1.1 |
| 3+62.15 | 3.51 | 2 | 1.1 | 8+84.04 | 4.95 | 3.33 | 1.9 | 3+53.66 | 1.79 | 2.00 | 1.1 |
| 3+63.03 | 2.40 | 0 | 0.0 | 8+89.04 | 5.31 | 3.33 | 1.9 | 3+58.66 | 1.67 | 2.00 | 1.1 |
| 4+58.16 | 2.28 | 0 | 0.0 | 8+94.04 | 5.6 | 3.33 | 1.9 | 3+63.66 | 0.43 | 0.00 | 0 |
| 4+62.66 | 3.07 | 2 | 1.1 | 8+99.04 | 5.93 | 4 | 2.2 | 7+47.31 | 0.43 | 0.00 | 0 |
| 4+67.58 | 3.74 | 2 | 1.1 | 9+04.04 | 6.29 | 4 | 2.2 | 7+50.01 | 1.44 | 2.00 | 1.1 |
| 4+71.85 | 4.42 | 3.33 | 1.9 | 9+09.04 | 6.65 | 4.66 | 2.6 | 7+52.69 | 2.44 | 2.66 | 1.5 |
| 4+76.13 | 5.05 | 3.33 | 1.9 | 9+14.04 | 7.01 | 4.66 | 2.6 | 7+58.91 | 2.52 | 2.66 | 1.5 |
| 4+80.40 | 5.82 | 3.33 | 1.9 | 9+19.04 | 7.37 | 5.33 | 3 | 7+63.08 | 1.57 | 2.00 | 1.1 |
| 4+84.67 | 6.54 | 4.66 | 2.6 | 9+23.94 | 7.68 | 5.33 | 3 | 7+67.24 | 0.52 | 0.00 | 0 |
| 4+88.94 | 7.18 | 4.66 | 2.6 | 9+28.43 | 8.01 | 6 | 3.3 | | | | |
| 4+93.22 | 7.74 | 6 | 3.3 | 9+32.92 | 8 | 6 | 3.3 | | | | |
| 4+97.49 | 8.19 | 6 | 3.3 | 9+37.40 | 7.82 | 6 | 3.3 | | | | |
| 5+01.76 | 8.57 | 6 | 3.3 | 9+41.89 | 7.61 | 6 | 3.3 | | | | |
| 5+06.03 | 8.82 | 6 | 3.3 | 9+46.38 | 7.26 | 6 | 3.3 | | | | |
| 5+10.31 | 9.02 | 6 | 3.3 | 9+50.86 | 6.89 | 4.66 | 2.6 | | | | |
| 5+14.58 | 9.01 | 6 | 3.3 | 9+55.35 | 6.45 | 4.66 | 2.6 | | | | |
| 5+18.85 | 8.96 | 6 | 3.3 | 9+59.84 | 5.99 | 4 | 2.2 | | | | |
| 5+23.12 | 8.72 | 6 | 3.3 | 9+64.33 | 5.37 | 4 | 2.2 | | | | |
| 5+27.40 | 8.54 | 6 | 3.3 | 9+68.81 | 4.76 | 2.66 | 1.5 | | | | |
| 5+31.67 | 8.20 | 6 | 3.3 | 9+73.30 | 4.18 | 2.66 | 1.5 | | | | |
| 5+35.94 | 7.75 | 6 | 3.3 | 9+77.79 | 3.51 | 2 | 1.1 | | | | |
| 5+40.22 | 6.99 | 4.66 | 2.6 | 9+82.27 | 2.85 | 2 | 1.1 | | | | |
| 5+45.17 | 6.12 | 4.66 | 2.6 | 9+86.76 | 2.19 | 0 | 0 | | | | |

TOTAL AREA = 253.0 SY



United States Department of Agriculture
Forest Service

R05
PACIFIC SOUTHWEST REGION

PROJECT NAME
CHIMNEY BEACH TRAIL HEAD PARKING LOT UPGRADES PROJECT

LAKE TAHOE BASIN MANAGEMENT UNIT

DRAWING TITLE
UTILITY POLE AND SLOPE STABILIZATION DETAILS

DATE
6/3/2023

ARCHIVE NO.
CHIMNEY details.dwg

DESIGNER
MTA

DWG SHEET NO.
D-11

DRAWN
MTA

CHECKED
MG

PROJECT NO.
SHEET **21** OF **21**

Attachment D

EA/IEC [Lake Tahoe Basin Mgt Unit - Home \(usda.gov\)](https://www.usda.gov/ia/lake-tahoe-basin-mgt-unit)



STAFF REPORT

Date: August 16, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Informational update on the development of a Climate Resilience Dashboard for the Tahoe Region

Summary and Staff Recommendation:

Staff will provide an update on the development of a Climate Resilience Dashboard for the Tahoe Region. This is an information only item, no action is requested.

Project Description/Background:

The Tahoe Regional Planning Agency (TRPA) and our basin partners have an outstanding record in climate mitigation. The Sustainability Action Plan, prepared in 2014, included 72 implementation actions; 76 percent of those have been implemented since then; and the plan has been recognized by the American Planning Association, receiving California and National Planning Awards. With this new Annual Work Plan TRPA is even more intensely focused on climate change.

An [updated Greenhouse Gas Inventory for the Tahoe Basin](#) showed that progress is being made to reduce regional emissions. The Tahoe Region surpassed the initial target of 15 percent GHG emission reduction by 2020. The 2014 Sustainability Action Plan set additional GHG reduction targets of 49 percent by 2035, and net-zero by 2045. Additional reduction actions are needed to meet the region's 2045 net-zero carbon emissions target.

Created by regional partners in March 2022, the [Lake Tahoe Climate Resilience Action Strategy](#) builds on existing Tahoe Basin climate and environmental improvement plans to identify five focus areas that will advance equity, create jobs, and build resilience for the Basin's extraordinary natural resources, 57,000 residents, and an economy that supports 15 million annual visitors.

Climate Resilience Dashboard

TRPA developed a sustainability dashboard in 2014 as part of the grant that developed the Sustainability Action Plan. The dashboard measures a variety of key metrics within three thematic areas (environment, community, and economy) reflecting the triple bottom line sustainability concept. Since then, the broader Lake Tahoe Information platform has been developed. Nine years since its creation, the current sustainability dashboard has become outdated with metrics that are no longer relevant or easily measured. The overall story the dashboard tells no longer represents current understanding and action on climate at Tahoe. There is a clear need to update dashboard to track key climate resilience metrics and how the basin is collectively building resilience.

The updated Climate Resilience Dashboard will serve as a local reporting tool that tracks metrics relating to climate resilience in the Lake Tahoe Basin. The metrics will help tell the story of climate resilience and engage the broader public in the conversation around climate action. It will build on previous work including the original Sustainability Dashboard, which predates the Lake Tahoe Information platform. The updated Climate Resilience Dashboard will capture current and future monitoring needs to tell the story of climate resilience at Tahoe. The dashboard will also serve as a local reporting tool that speaks to resilience metrics at different scales including the states of California and Nevada, Tahoe-Central Sierra Initiative, etc.

Last October, the TRPA Governing Board reviewed the goals of the updated Climate Dashboard and provided input on how they define resilience for the Tahoe Region.

To develop the dashboard and metrics, TRPA hired a consultant team to assist with Dashboard development earlier this year. The consultant team has engaged with relevant stakeholders to develop draft resilience metrics. Additionally, the consultant team reviewed the current sustainability dashboard and best practices for measuring resilience across the country.

With draft metrics developed, the Governing Board will receive an update on the project status and provide input on the overall dashboard and draft metrics.

Contact Information:

For questions regarding the Climate Resilience Strategic Initiative, please contact Devin Middlebrook, Sustainability Program Manager, at 775. 589.5230 or dmiddlebrook@trpa.gov.

Attachments:

- A. Best Practices Memo
- B. Draft Resilience Metrics

Attachment A
Best Practices Memo

Date: June 26, 2023
To: Devin Middlebrook, Tahoe Regional Planning Agency (TRPA)
From: Aleka Seville, Collective Strategies Consulting
Project: Tahoe Climate Resilience Dashboard
Task: Task 2.3 Scan of Best Practices – Best Practices Summary

Project Background

The Tahoe Regional Planning Agency (TRPA) is designing a new Climate Resilience¹ Dashboard (Dashboard) to **provide a broad understanding of climate action in Tahoe for decision makers and public stakeholders**. The existing TRPA Sustainability Dashboard needs to be revised to better reflect how climate change is impacting the region and what TRPA and other local agencies are doing to reduce greenhouse gas emissions and to build a more resilient region. According to TRPA's recent Climate Resilience Dashboard White Paper:

“The current dashboard tracks 31 sustainability metrics across the triple bottom line of environment, community, and economy. The metrics are organized by 11 sub-categories. These metrics are updated on an annual basis as data is available. Since development of the sustainability dashboard, data for some of the metrics has become impossible or highly difficult to collect. The overall dashboard also needs to be refreshed to better reflect current science and action toward climate resilience.”

The new Dashboard should tell the story of climate action in the Tahoe Basin. This narrative will focus on helping users understand the following:

- **Which** metrics are important to measure and **why**.
- **What** the region/TRPA is doing to address that metric and how much progress (**where**) the region has made towards specific goals tied to these metrics.

TRPA met with key stakeholders at an in-person workshop in June 2023 to gather input on this approach, discuss specific indicators and performance metrics to include in the new Dashboard and to better understand key audiences for the Dashboard. Workshop participants identified local and state agency staff working to advance climate action as the key audience for the dashboard. This effort should support staff that design and implement climate programs and policy and are tasked with communicating progress to their Board's and Council's as well as to the public. Specifically, stakeholders at the in-person workshop outlined the following goals for the new Dashboard:

¹ TRPA uses the term “climate resilience” to encompass all climate action efforts, including both greenhouse gas (GHG) mitigation and efforts to adapt and build resilience to climate change impacts. The state of California uses the term “climate resilience” when referring specifically to efforts to adapt and build resilience to climate change impacts, which may or may not also reduce GHG emissions.

- Dashboard should be built for use by local and state agency staff to support them in:
 - Telling the story of climate action in the Tahoe Basin to local elected officials and other decision makers to build support for ongoing action.
 - Coordinating climate action efforts at the regional level across agencies and jurisdictions.
 - Positioning the region for new funding opportunities by highlighting areas where additional funding is needed to reach climate goals.

These stakeholders also noted that the general public (e.g., Tahoe residents, local business owners, visitors) should be kept in mind as a secondary audience for the Dashboard but acknowledged that very few members of the general public would likely use the Dashboard. Instead, the primary Dashboard audience, local and state agency staff, should be able to use the Dashboard as a tool to help them communicate with both decision makers and, when relevant, the public. The Dashboard may include “calls to action” to help local and state agency staff provide the public with specific ways to take individual climate action to advance regional climate goals. This information would be provided largely through partnering with local and state agencies to link the Dashboard to relevant publicly available programs and resources that provide opportunities to take individual action to mitigate greenhouse gases and/or improve community resilience.

With these goals and audiences in mind, the following summary provides an overview of best practices in climate resilience indicator and performance metric development. Collective Strategies also reviewed existing climate dashboards identify key dashboard design features relevant for TRPA’s project goals and primary dashboard audiences. These example dashboards were chosen to provide examples of climate dashboards created by national, regional, and local agencies with goals and audiences like those of TRPA.

Key Takeaways and Recommendations

Indicator and Performance Metric Development

- Agencies at the national, state, and local level struggle to identify and communicate relevant indicators and performance metrics that provide a comprehensive understanding of climate change impacts in specific geographies and regions. These efforts are ongoing and will continue to evolve along with climate action goals.
 - **We recommend that TRPA continue to track best practices at the state and national level and to integrate new resources and data as relevant to ensure that the Dashboard is aligned with and can benefit from these efforts.**
- Agencies tend to use the term “metric” and “indicator” interchangeably or to use just one or the other. For example, the US EPA uses the term “climate change indicator” and does not refer to these data as “metrics.” The state of California, in contrast, uses these terms somewhat interchangeably. California created a Resilience “Metrics” Working Group (RMWG) which then developed a list of resilience “indicators” to help track progress and guide decision making

across the state. The indicators developed by California’s RMWG are high level and require the tracking of multiple specific performance metrics to gauge progress towards climate goals.

- **We recommend that TRPA revise their Dashboard to include “indicators” that refer to a trend that provides valuable information on climate action progress that are measured and tracked using specific “performance metrics.”**
- Understanding the intended audience for the new Dashboard and how they will engage with the data is key to developing indicators and performance metrics that are meaningful and useful.
 - **We recommend that TRPA develop the new Dashboard for use by local and state agency staff to use as a tool to support communication with local Council’s and Board’s (e.g., decision makers) as well as potential funders.**
- Defining clear, measurable long-term outcomes is critical for tracking progress in building resilience beyond reducing GHG emissions - indicators should be aligned with and relevant to these outcomes.
 - **We recommend that TRPA reorganize the Dashboard based on specific long-term outcomes aligned with the State of California’s Adaptation Strategy: Resilient Social Systems, Resilient Natural Systems and Resilient Built Systems. TRPA should integrate regional GHG mitigation goals into these three outcome categories.**
- Indicators should be clear and relevant to the intended audience but tied to specific performance measures that directly inform policy and implementation. For example, an indicator of a Resilient Built System could be reduced (or low) physical exposure to climate risks and hazards in residential buildings and the performance metric that help track progress could be percent of residential buildings retrofitted to withstand a 5-year storm with no damage and percent of residential buildings with air conditioning.
 - **We recommend that TRPA start to identify indicators by organizing existing regional climate goals under the long-term outcomes identified above and then identifying specific indicators and performance metrics to track progress towards those goals. Once existing goals are integrated, TRPA can identify additional indicators and performance metrics that will provide local and state agency staff with relevant data to communicate progress towards these long-term outcomes and goals.**
- Prioritizing specific indicators to track progress against will inevitably involve trade-offs. State agencies in California are working to align the goals, targets, and indicators in various climate related plans such as the state’s Adaptation Strategy and the state’s Natural and Working Lands Climate Smart Strategy.
 - **We recommend that TRPA work with other regional agencies to ensure that any indicators and performance metrics used in the new Dashboard reflect local climate action goals and plans and that potential trade-offs are considered (e.g. prioritizing conservation in a specific area may impede efforts to reduce vehicle miles traveled (VMT) at a regional level).**

Dashboard Design and Maintenance

- Many of the dashboards we reviewed were outdated, included broken links and/or disclaimers about data not being updated frequently or just not available.
 - **TRPA should consider setting clear expectations for users about how often the performance metrics will be updated and provide explanations if some metrics will be updated more frequently than others.**
- The US EPA has developed a list of over 50 climate change indicators that provide valuable information on climate change impacts and trends across the US. They have also established a set of 10 criteria to evaluate potential indicators and key considerations to guide any updates to the indicator list.
 - **We recommend TRPA consider developing a similar set of criteria and considerations to help guide the development of a revised set of indicators and performance metrics for the new Dashboard development as well as future updates and revisions.**
- Many climate dashboards are created to communicate progress on a specific plan which helps to organize the dashboard by priorities or goals and illustrate progress in that specific area.
 - **TRPA should consider what programs, goals, plans and actions the agency is already committed to reporting on and consider how to integrate this reporting into regular dashboard updates.**
- Some dashboards include explanations about challenges and barriers like lack of funding, lack of staffing or lack of information that impede progress in certain areas.
 - **TRPA should consider how the new Dashboard can help increase transparency around specific challenges and barriers that limit local and state agency staff member's ability to make progress on specific climate goals.**
- There are key features associated with dashboards that are built for local and state agency staff to support their work to both track and communicate progress towards specific climate goals. These include (but are not limited to) clear explanations of who the dashboard is for, sitemaps and search functions to help the user find the specific information they are looking for and narrative and graphic status updates tied to specific goals and targets.
 - **We recommend that TRPA identify specific key features for the new Dashboard that align with their goals for the project. The example dashboards below provide a starting point to understand which features would be most helpful for local and state agency staff and we recommend TRPA solicit specific input from local and state agency staff on desired dashboard features to ensure that the new Dashboard is useful for this audience.**

Overview of State Actions and Best Practices in Indicator Development

The US EPA maintains and updates a website that outlines over 50 key climate change indicators for the US. EPA provides narratives that explain why each indicator is important to track to understand how

climate change is impacting various regions. According to the US Environmental Protection Agency² (EPA) an indicator “represents the state or trend of certain environmental or societal conditions over a given area and a specified period of time.” The EPA has chosen to compile and publish climate change indicators that provide evidence of “what climate change looks like” to inform scientists, analysts, decision makers, educators, and the public’s understanding of these trends. The EPA has developed 10 criteria that are used to evaluate potential indicators:

1. **Trends over time:** Data are available to show trends over time. Ideally, these data will be long-term, covering enough years to support climatically relevant conclusions. Data collection must be comparable across time and space. Indicator trends have appropriate resolution for the data type.
2. **Actual observations:** The data consist of actual measurements (observations) or derivations thereof. These measurements are representative of the target population.
3. **Broad geographic coverage:** Indicator data are national in scale or have national significance. The spatial scale is adequately supported with data that are representative of the region/area.
4. **Peer-reviewed data** (peer-review status of indicator and quality of underlying source data): Indicator and underlying data are sound. The data are credible, reliable, and have been peer-reviewed and published.
5. **Uncertainty:** Information on sources of uncertainty is available. Variability and limitations of the indicator are understood and have been evaluated.
6. **Usefulness:** The indicator informs issues of national importance and addresses issues important to human or natural systems. It complements existing indicators.
7. **Connection to climate change:** The relationship between the indicator and climate change is supported by published, peer-reviewed science and data. A climate signal is evident among stressors, even if the indicator itself does not yet show a climate signal. The relationship to climate change is easily explained.
8. **Transparent, reproducible, and objective:** The data and analysis are scientifically objective, and methods are transparent. Biases, if known, are documented, minimal, or judged to be reasonable.
9. **Understandable to the public:** The data provide a straightforward depiction of observations and are understandable to the average reader.
10. **Feasible to construct:** The indicator can be constructed or reproduced within a reasonable timeframe. Data sources allow routine updates of the indicator.

EPA uses the following considerations and goals when deciding whether to update or revise these indicators:

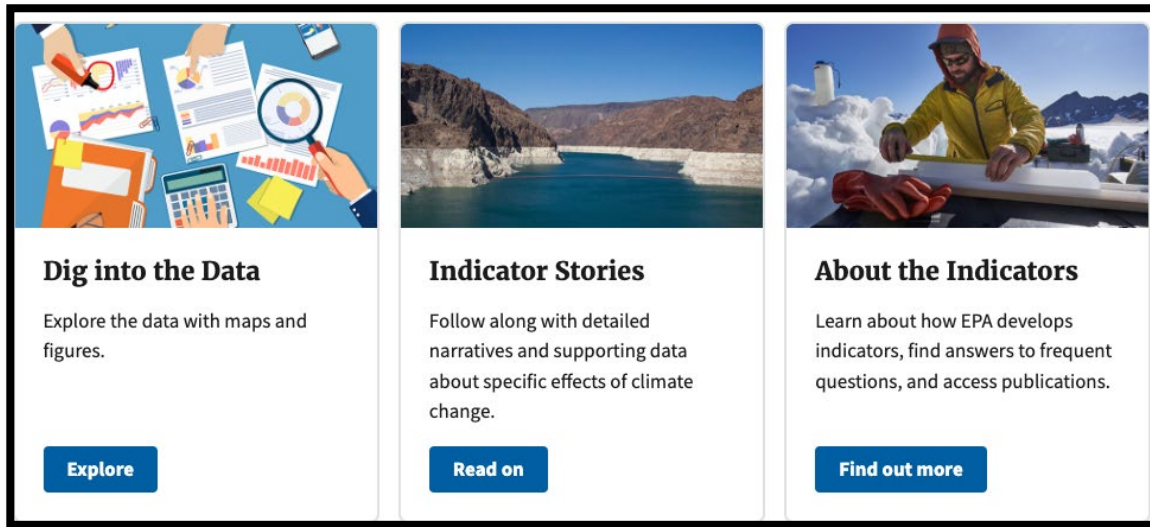
- Filling gaps in the existing indicator set to be more comprehensive.
- Newly available, or in some cases improved, data sources that have been peer-reviewed and are publicly available from government agencies, academic institutions, and other organizations.
- Analytical development of indicators resulting from existing partnerships and collaborative efforts within and external to EPA (e.g., development of streamflow metrics in partnership with

² U.S. Environmental Protection Agency. Climate Change Indicators in the United States. Accessed May, 2023. www.epa.gov/climate-indicators.

the U.S. Geological Survey for the benefit of the partner agencies as well as key programs within EPA’s Office of Water).

- Indicators that communicate key aspects of climate change and that are understandable to various audiences, including the general public.

Figure 1: EPA Climate Change Indicators Homepage Navigation.



These criteria and considerations developed by the EPA could be helpful for TRPA to consider and adapt to guide the current revisions and subsequent updates of the new Dashboard.

Climate Resilience Indicator Development in California

The State of California has ambitious goals to reduce GHG emissions statewide to 40 percent below 1990 levels by 2030³ and to achieve statewide carbon neutrality by 2045.⁴ The state created the Integrated Climate Adaptation and Resiliency Program⁵ (ICARP) to guide the state’s response to climate change impacts. ICARP offers programs and services and conducts research to support state and local agency staff in adaptation and resilience planning and implementation. In 2017, the state of California’s Integrated Climate Adaptation and Resiliency Program (ICARP) developed a vision, a set of seven principles and three long-term outcomes that define the characteristics of a resilient California. The long-term outcomes⁶ are especially relevant for the Tahoe Basin:

³ S.B. 32 - California Global Warming Solutions Act of 2016: emissions limit, https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB32

⁴ Executive Order B-55-18 (2018) <https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>

⁵ PRC 71350-713610 (2016) https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=71354.&lawCode=PRC

⁶ ICARP Draft Resilience Metrics White Paper, March 25, 2022

- **Resilient Social Systems:** All people and communities respond to changing average conditions, shocks, and stresses in a manner that minimizes risks to public health, safety, and economic disruption and maximizes equity and protection of the most vulnerable,
- **Resilient Natural Systems:** Natural systems adjust and maintain functioning ecosystems in the face of change, and
- **Resilient Built Systems:** Infrastructure and built systems withstand changing conditions and shocks, including changes in climate, while continuing to provide essential services.

In May 2021, the US Climate Alliance held a series of workshops⁷ for member states working to develop climate resilience metrics. The following themes were highlighted by working group participants:

- Use resilience priorities to inform metrics development.
- Define audiences and users.
- Build off existing metrics.
- Invest in data collection and staff.
- Commit to outcomes-based metrics.
- Center equity when measuring resilience.
- Embrace multiple start points, processes, and endpoints.

These themes helped to guide the development of a Draft Resilience Metrics White Paper that summarizes the findings of the ICARP Resilience Metrics Work Group (RMWG) which informed California’s 2021 Climate Adaptation Strategy update. ICARPs Technical Advisory Committee (TAC) highlighted the need to build on this work by developing a “suite of comprehensive resilience metrics to help track progress and guide decision making across the state.” The following list of indicators incorporate findings from ICARPs RMWG and their Interagency Resilience Work Group (IRWG), as well as the US Climate Alliance’s resilience metric workshops:

- **Social System Climate Resilience Indicators**
 - Socioeconomic, demographic, and climate exposure data determine climate vulnerability⁸.
 - Climate vulnerable communities participate in adaptation efforts through meaningful, informed, and long-term engagement.
 - Housing, transportation, and/or land use plans, policies, and investments consider the needs of climate vulnerable communities.

⁷ US Climate Alliance resilience metrics workshop summary included in Draft ICARP Resilience Metrics White Paper.

⁸ ICARP’s TAC adopted the following definition in 2018, “climate vulnerability describes the degree to which natural, built, and human systems are at risk of exposure to climate change impacts. Vulnerable communities experience heightened risk and increased sensitivity to climate change and have less capacity and fewer resources to cope with, adapt to, or recover from climate impacts. These disproportionate effects are caused by physical (built and environmental) social, political and/or economic factor(s), which are exacerbated by climate impacts. These factors include, but are not limited to, race, class, sexual orientation and identification, national origin, and income inequality.” Defining Vulnerable Communities in the Context of Climate Adaptation, July 2018, https://opr.ca.gov/docs/20180723-Vulnerable_Communities.pdf

- Equity and climate resilience are co-embedded in state investments.
 - Climate action plans and policies address health and equity.
 - Federal, state, regional, and tribal climate adaptation goals and plans are aligned.
 - Resources and funding are provided to jurisdictions for implementation of resilience projects and are equitably allocated to and for climate vulnerable communities.
 - Climate-related impacts on health, industries, and economies are measured, understood, and addressed.
 - Open space and natural places are accessed equitably.
 - Communities have strong social cohesion, trust, and social capital.
- **Built System Climate Resilience Indicators**
 - Critical lifeline services and facilities, as well as transportation and water infrastructure, are accessible and reliable before, during and after climate-related disasters/events.
 - Continuity and restoration of services following planned, or climate-/weather induced disruptions is equitable.
 - Emergency response services before, during, and after climate-related disasters/events are equitable.
 - Critical infrastructure is resilient to climate impacts throughout the duration of its useful life.
 - Plans, codes, ordinances, resolutions address climate risk and climate adaptation.
 - Californians have equitable access to sustainable and resilient housing.
 - Nature-based solutions are implemented in the built environment.
 - Climate mitigation (greenhouse gas reduction) aligns with climate adaptation.
- **Natural System Climate Resilience Indicators**
 - Nature-based solutions benefit natural and working lands.
 - Biodiversity and climate impacts and events on natural lands are measured, understood, and addressed.
 - Habitat and species are restored and preserved.
 - Ecosystem functions and natural processes are maintained.
 - Ecosystems, wildlife, and working lands adapt to and recover from climate stressors and impacts.

These indicators are still in draft form and are meant to provide state and local agencies with examples of how the resilience of social, natural, and built systems could be measured at the state level and by local communities in California. TRPA should consider how terms such as “climate vulnerable communities” and “critical infrastructure” used in specific indicator examples could be defined to ensure that the performance metrics tied to these indicators consider unique local challenges, opportunities, and existing definitions. For example, “critical infrastructure” in the Tahoe Basin would likely include

transportation and energy infrastructure critical for residents and visitors in the event of wildfires, extreme heat events and floods.

The ICARP RMWG’s resilience metrics initiative and the above indicator examples, informed California’s 2021 update to the CA Climate Adaptation Strategy, which is mandated by AB 1482 (Gordon, 2015) and outlines six climate resilience priorities for state and local agencies which are aligned with the indicators above:

California Adaptation Strategy Priorities

- Strengthen Protections for Climate Vulnerable Communities
- Bolster Public Health and Safety to Protects Against Increasing Climate Risks
- Build a Climate Resilient Economy
- Accelerate Nature-Based Climate Solutions and Strengthen Climate Resilience of Natural Systems
- Make Decisions Based on the Best Available Climate Science
- Partner and Collaborate to Leverage Resources

The California Adaptation Strategy is organized as a interactive dashboard⁹ that can be navigated by priority or region and includes an implementation progress report. Each priority has specific goals and actions that are then tracked based on “progress indicators” such as “underway” or “nearing completion”. These actions also include specific “success metrics”, timeframes and lead agencies so audiences can understand how each action is being implemented.

California’s Natural Resources Agency released the state’s Natural and Working Lands Climate Smart Strategy¹⁰ (Strategy) in 2022 to provide direction, targets, and an action plan to realize the benefits and opportunity inherent in increasing the health of natural and working lands to achieve climate mitigation, sequestration, and resilience goals. The Strategy defines California’s eight distinct natural and working landscapes and outlines options to track progress in restoring ecological health within these landscapes. The Strategy outlines potential indicators that could be used to travel nature-based climate action and measure progress. Indicators are organized into six categories, examples of a few of the indicators in each category are listed below:

- **Ecosystems Carbon and GHG Indicators**
 - (Increase in) metric tons of carbon stored in lands or metric tons of carbon dioxide equivalent sequestered or avoided as emissions.
- **Ecological Indicators**

⁹ See Examples section below for more information on the California Adaptation Strategy dashboard.

¹⁰ The development of the strategy was driven by Governor Newsom’s executive order N-82-20 which highlighted the importance of restoring nature and landscape health to achieve climate, health, and equity goals across California, as well as the state’s Scoping Plan and Climate Adaptation Strategy.

- Percent decrease in ambient temperature during high heat months in urban areas, in particular in vulnerable communities.
- Percent change (increase) in soil organic matter.
- **Economic Indicators**
 - Number of high roads jobs¹¹ created or maintained.
 - New investments motivated by nature-based climate solutions.
- **Infrastructure Indicators**
 - (Increase in) soil water holding capacity.
 - (Increase in) compost infrastructure capacity.
- **Social Justice/Equity Indicators**
 - (Increase in) number of acres managed, co-managed, transferred to, and owned by California Native American tribes.
 - (Increase in) number of nature-based solutions implemented in climate-vulnerable communities.
- **Public Health Indicators**
 - (Increase in) acreage of lands used for community/urban farms.
 - (Increase in) food security.

The state’s Strategy also includes recommendations to help accelerate and scale this work in the near term. California acknowledges the need to “provide technical resources for data collection and tracking” and to “conduct comprehensive analysis on potential future land management actions and their multiple benefits.” Making this type of technical support and guidance accessible to multiple government and non-government partners to help identify and track performance metrics for these indicators will be key to successfully implementing the state’s strategy. While the state acknowledges that additional guidance and technical resources are needed to effectively track progress against these indicators, local and regional agencies like TRPA should review these indicators to consider whether any of them are relevant to scale to a local level to track progress towards local natural and working lands and/or carbon sequestration goals. Importantly, as with all indicators, agencies like TRPA should consider potential social, and economic trade-offs when prioritizing specific natural systems indicators over others.

Resilience Indicator Development in Nevada

In 2020, the state of Nevada released its State Climate Strategy¹² which outlines three overarching goals for Nevada:

¹¹ In the 2021 California legislative session, the first statutory definition of “high road” was introduced into the state’s Insurance Code Section 14005 which defines high road as “a set of economic and workforce development strategies to achieve economic growth, economic equity, shared prosperity and a clean environment.” The Natural and Working Lands Climate Smart Strategy is aligned with the “Putting California on the High Road: A Jobs and Climate Action Plan for 2030” plan which prioritizes the creation of high roads jobs in all climate planning.

¹² Nevada’s 2020 Climate Strategy is currently being updated and not accessible. Information including in this memo was derived from a presentation to the Nevada Senate Committee on Growth and Infrastructure in February 2021:

- Provide a framework for reducing Nevada’s GHG emissions across all economic sectors.
- Lay the groundwork for climate adaptation and resilience.
- Establish a structure for continued, ongoing climate action across the state.

The State Climate Strategy was informed by an extensive outreach and information gathering effort across 10 working groups and 15 state agencies and offices as well as a survey of Nevada counties and Carson City and multiple virtual listening sessions. One of the key takeaways from this outreach highlighted the need for the state of Nevada to expand inventory capabilities access to data in order to “support a comprehensive and consistent evaluation of GHG emissions reduction benefits from policies across the state” and noted that “the state could benefit from an integrated statewide GHG emissions inventory framework.”¹³ The State Climate Strategy provides the foundation for the Nevada Climate Initiative.¹⁴ The mission of the initiative is to ensure a healthy, vibrant, climate resilient future for all Nevadans with the specific goals of:

- Serving as a clearinghouse for all state-led climate initiatives.
- Coordinating Nevada Executive Branch agency policies and programs addressing climate change.
- Working cooperatively with city, county and federal representatives and other stakeholders.

Examples of National, Regional and Local Climate Dashboards

The following profiles provide examples of dashboards created by state, regional and local government agencies that are intended to be used by both decision makers and public stakeholders. Most of these examples were built to communicate progress on a specific plan or strategy. These examples each include at least some of the following features that help provide a roadmap for specific audiences to navigate each dashboard.

Key Dashboard Features

- **Clear use case and/or principles displayed on the homepage.**
 - This explains who the dashboard is for (primary audience) and how it can be used. This doesn’t limit other users from benefiting from the dashboard but instead clearly outlines why it was created which can help new users navigate the dashboard, regardless of if they are the primary audience.
- **Section on projected climate change impacts.**

https://goed.nv.gov/wp-content/uploads/2023/05/Presentation_Nevadas-State-Climate-Strategy_Bradley-Crowell_-Kristen-Averyt_David-Bobzien.pdf

¹³ Ibid

¹⁴https://www.leg.state.nv.us/App/NELIS/REL/81st2021/ExhibitDocument/OpenExhibitDocument?exhibitId=47121&fileDownloadName=Presentation_Nevada%27s%20State%20Climate%20Strategy_Bradley%20Crowell_%20Kristen%20Averyt_David%20Bobzien.pdf

- Including a section on projected climate impacts helps to provide context for the dashboard and creates an opportunity to make global climate impacts more relevant to a specific region and the people living and working in it.
- **Organized around goals, priorities and/or long-term outcomes.**
 - Effective dashboards are often organized around specific goals and priorities established by the hosting agency and these are often linked to a specific plan or initiative. This organizational structure helps the user make the link between indicators and metrics and long-term outcomes.
- **Calls to action related to goals and long-term outcomes.**
 - Providing users with guidance on what they can do to help reach the goals outlined in a dashboard is an effective way to engage specific audiences. This can be achieved by outlining specific actions on the dashboard providing the user with a link to other websites that provide this information.
- **Sitemap and search functions to help navigate and understand what is included.**
 - Dashboards that include a search function coupled with a site map provide a valuable starting point for users that want to find specific information quickly. This is especially key for users who plan to incorporate data from the dashboard into their day-to-day work.
- **Status updates include narrative explanation of next steps and key challenges.**
 - Dashboards can be difficult to update regularly so narrative explanations can provide insight into the challenges that might be involved in updating specific data regularly. Challenges related to specific policy actions related to dashboard goals can also be described to provide the user with more insight on knowledge gaps and potential funding needs.
- **Relationship between performance metrics, goals and policy actions is clear.**
 - Directly tying metrics and indicators to specific goals through narrative explanation can help the user understand what actions are being taken to make progress towards a specific goal and what the anticipated timeline is for reaching that goal.

Dashboard Example Profiles

1) California Adaptation Strategy¹⁵

In 2021, California released its Adaptation Strategy as an interactive dashboard. The state's Adaptation Strategy links together multiple California state agency efforts focused on adaptation and building resilience and is organized around six key priorities. It also integrates key elements of other statewide

¹⁵ <https://climateresilience.ca.gov/>

sector specific plans such as the Climate Action Plan for Transportation Infrastructure, Wildfire and Forest Resilience Action Plan and the Natural and Working Lands Climate Smart Strategy.

Figure 2: California Adaptation Strategy Website Overview.



Figure 3: California Adaptation Strategy Priorities.



Relevance for Tahoe

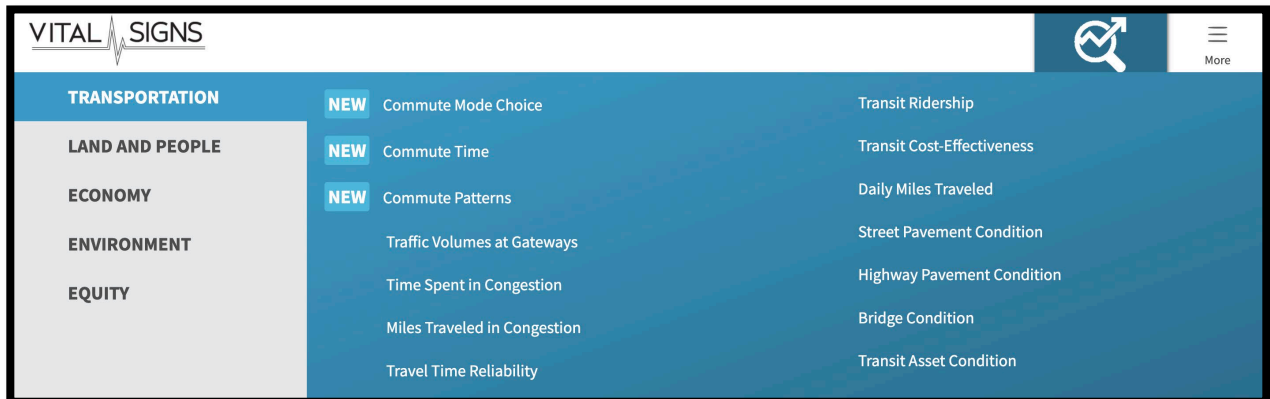
- Built for public stakeholders and decision makers but states clear goals and principles to explain their approach.

- Includes a section on projected climate change impacts (statewide) as well as a timeline of California’s climate adaptation policy work.
- Users can explore the site by priority or by clicking on one of nine different geographic regions to better understand region specific challenges and policies.
- Includes a search function to help users navigate and find specific data and information.

2) Vital Signs¹⁶

Vital Signs¹⁷ is an interactive website managed by the Bay Area’s Metropolitan Transportation Commission (MTC) that tracks the Bay Area region’s performance across sectors including transportation, land use, the economy, and the environment. Vital Signs is an “initiative” with the goal of “helping us understand where we are succeeding and where we are falling short.” The primary audience for the dashboard includes staff at a number of partner regional agencies who can easily download the data and graphs available through the site to use in their own planning and efforts to communicate progress to their Council’s and Board’s of Directors.

Figure 4: Vital Signs Sectors and Indicators.



Relevance to Lake Tahoe

- A clear use case is described up front by noting that “the Vital Signs website helps MTC, partner agencies, and residents of the Bay Area make informed decisions towards achieving policy goals” and asking users to “explore trends and visualize data.”
- A separate section on MTC’s specific transportation targets and each target includes graphs illustrating the status of efforts to reach the target.
- The site is organized into five categories including transportation, land and people, economy, environment and equity and lists indicators for each category. For each indicator, users can dive

¹⁶ <https://www.vitalsigns.mtc.ca.gov/>

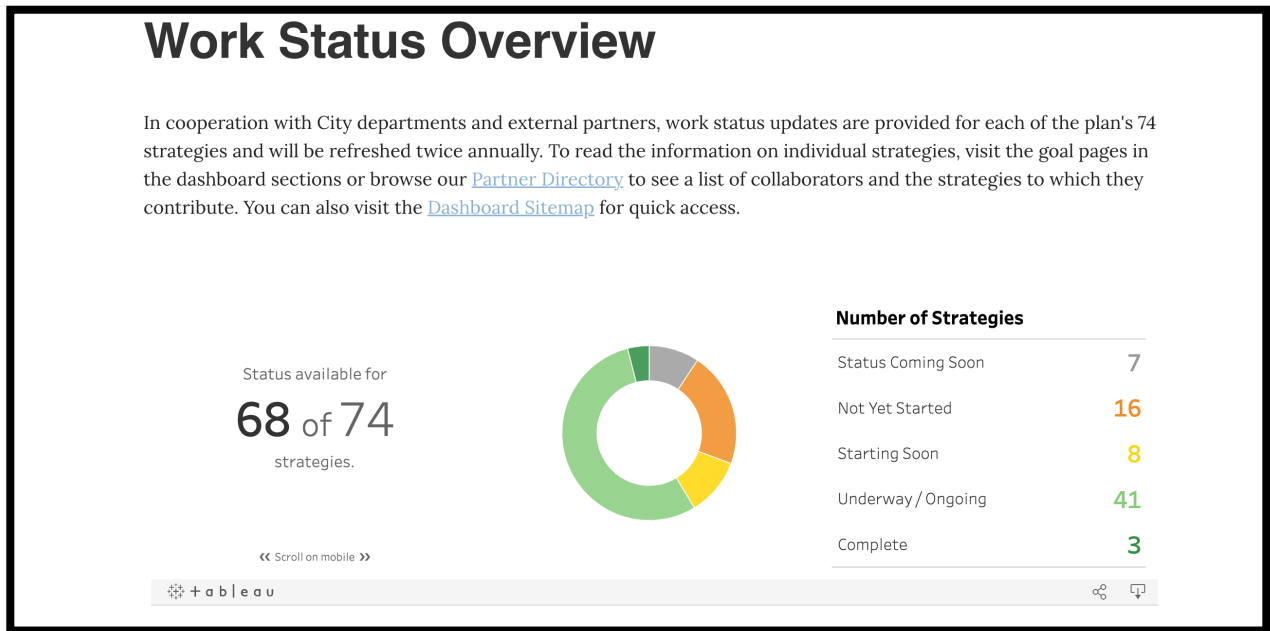
¹⁷ A newly updated Vital Signs website is currently in beta release meaning the site is feature complete, but the team will be finalizing the site and refresh of indicator datasets throughout 2023.

deeper to understand current and historical trends and local, regional and national performance.

3) **Austin Climate Equity Plan**¹⁸

The Austin Climate Equity Plan Implementation dashboard was created to provide up-to-date, transparent information on the City’s progress in implementing the Climate Equity Plan. The dashboard shows progress on the City of Austin’s net-zero by 2040 target and provides status updates on the plan’s 74 strategies. The homepage provides context explaining why the dashboard was created and provides links to a partner directory as well as options to get involved whether you are an Austin resident, business owner, teacher or educator or local government staff.

Figure 5: Austin Work Status Overview.



Relevance to Tahoe

- Homepage provides a clear explanation of the goals and intended users for the dashboard and notes how often the dashboard will be updated (twice annually). There is also a dashboard sitemap to help users navigate the dashboard.
- Organized into five sections that then outline goals, work status summary and strategy updates as well as relevant equity themes and partners. Each goal also includes “what’s next” and “challenges and other considerations” narrative sections. These sections outline challenges like

¹⁸ <https://www.vitalsigns.mtc.ca.gov/>

lack of staffing or lack of information and make it clear that these are the barriers to implementation (as opposed to lack of funding).

- The site includes a “work status overview” section which outlines the status of 68 of the 74 strategies noting whether they are not yet started, starting soon, underway, or complete.

4) Keep Truckee Green¹⁹

The Town of Truckee’s sustainability dashboard is geared towards public stakeholders and organized into three sections outlining current actions, calls to action and progress indicators. The site is intended to support, guide, and track the Town’s comprehensive environmental efforts. The site is easy to navigate but the most recent data within any of the indicator categories is 2020 so may not be updated regularly.

Figure 6: Town of Truckee Priority Sectors.



Relevance for Tahoe

- The site includes sections that clearly outline current actions (“what we are doing”) and track progress (“measurable success”). These sections are separate but related and are focused on informing Town residents through illustrating directional trends and explaining specific Town policies and programs.

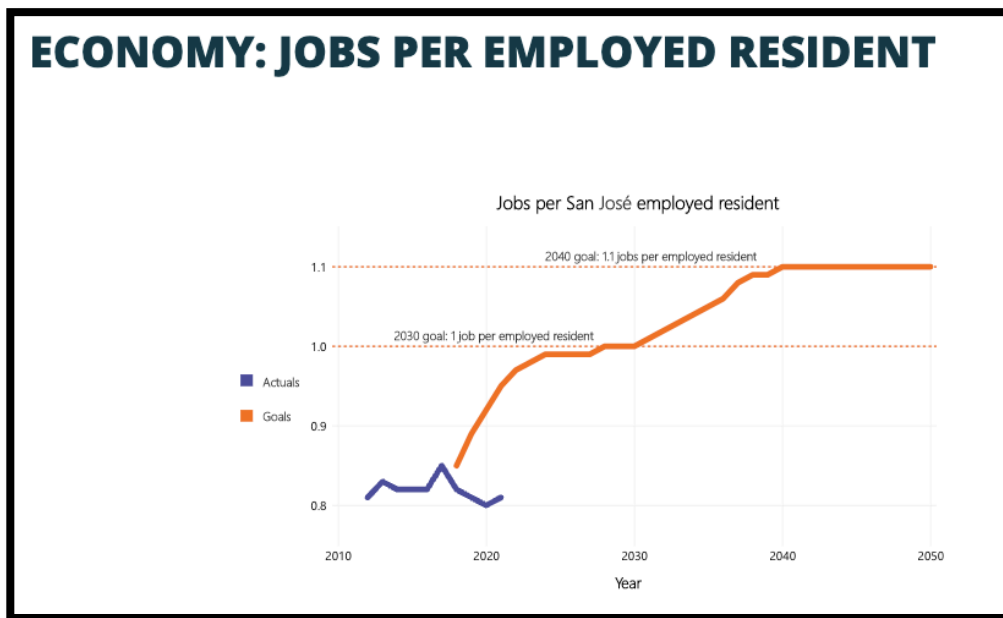
¹⁹ <https://www.keeptruckeegreen.org/measurable-success/>

- Each sector includes specific performance metrics (e.g. under Trash & Recycling users can get data on trends in disposal and recycling rates) that reflect the Town’s priorities and goals.
- The third section of the dashboard is titled “what you can do” and provides specific calls to action which are largely limited to programs and resources provided by the Town of Truckee.

5) Climate Smart San Jose²⁰

The Climate Smart San Jose dashboard was created to enable residents of the City of San Jose to track the city’s progress towards meeting their Climate Smart plan goals. The site is mobile friendly and provides links to dive deeper into the City’s nine key strategies, goals, and specific actions that residents can take to support climate action.

Figure 7: City of San Jose’s key performance metric to track economic progress.



Relevance for Tahoe

- Call to action includes a challenge and “playbooks” for residents, businesses and local agencies for energy, mobility, and water.
- Each indicator includes an interactive graph showing actual progress and goals as well as a narrative explaining why it’s an indicator they are tracking.

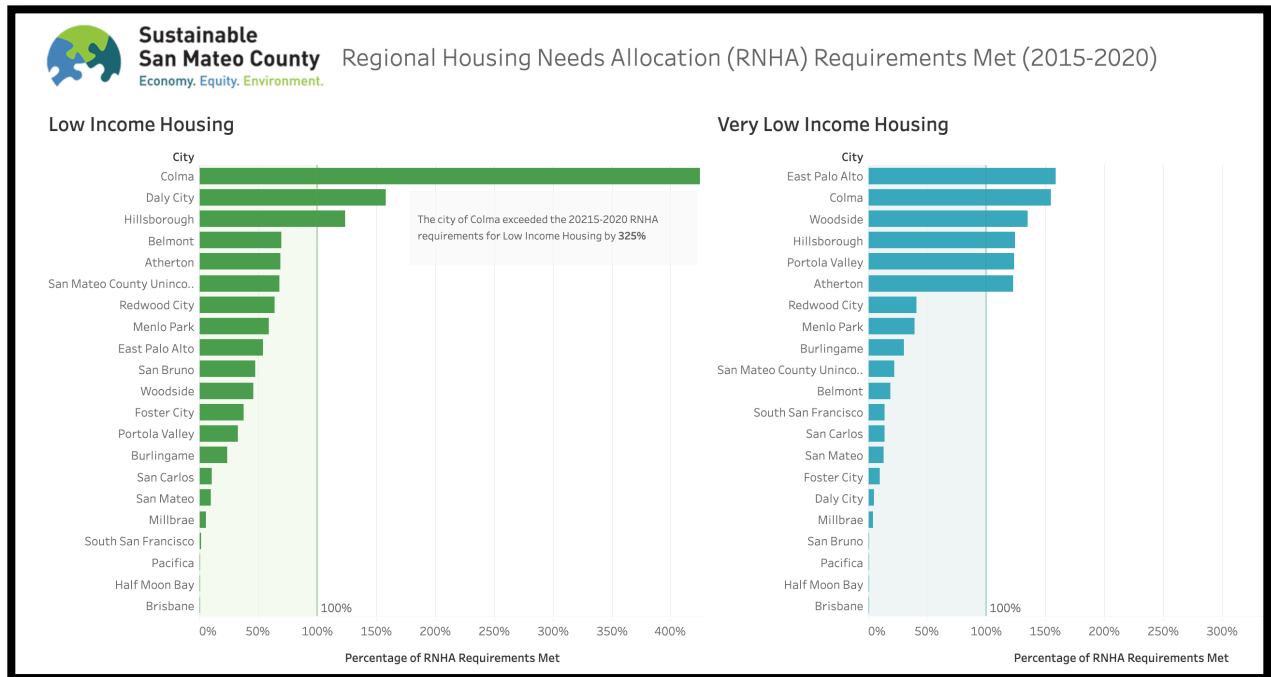
²⁰ <https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/climate-smart-san-jos/climate-smart-data-dashboard>

- The site is transparent about specific challenges in that it notes that the city is not tracking progress on five indicators due to a lack of necessary data.

6) Sustainable San Mateo County²¹

This dashboard captures performance on 30 sustainability metrics for all 20 cities in San Mateo County and the county’s unincorporated areas in 10 categories: Agriculture and Food, Built Environment, Energy, Climate Action, Ecology and Biodiversity, Economy, Health and Well-Being, Social Equity, Transportation, Waste Management and Water.

Figure 8: Comparative graphs showing progress in providing low-income housing across San Mateo County jurisdictions.



Relevance for Tahoe

- Provides an option for each city in San Mateo County to provide a narrative to explain results and provide context to reflect progress made ahead of County data collection to update the entire dashboard.

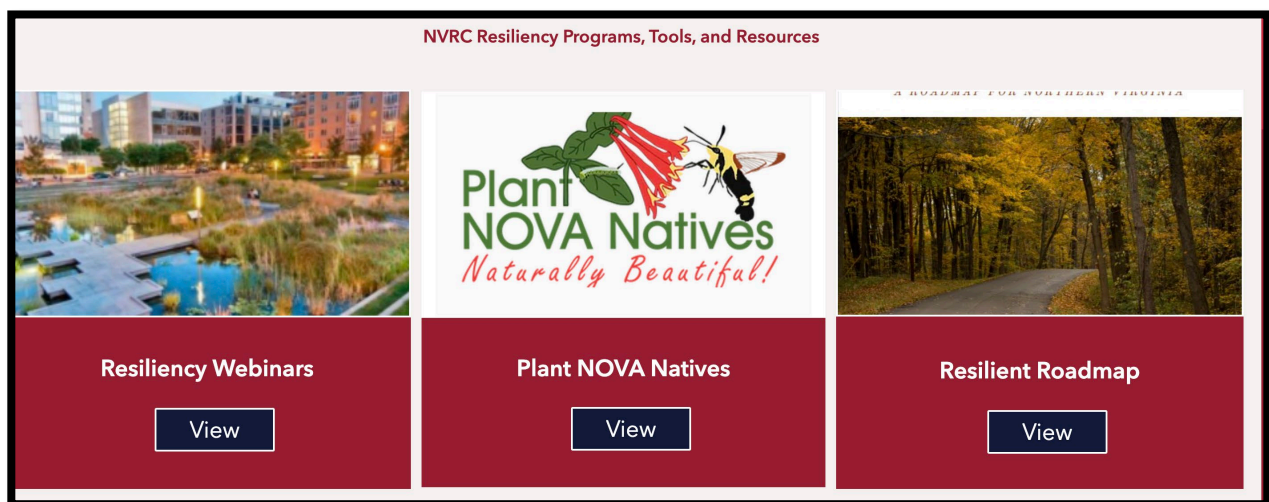
²¹ <https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/climate-smart-san-jos/climate-smart-data-dashboard>

- The dashboard homepage includes graphs showing sustainability progress on key performance indicators such as housing, transportation and residential water use by jurisdictions in San Mateo County.
- Dashboard states up front that “Data often lags behind the year it’s available, and the metrics shown represent results tallied in 2019, 2020 and 2021” which helps the user understand not only what data is available but when the next update will happen.

7) Northern Virginia Regional Commission Climate Resilience Dashboard²²

The Northern Virginia Regional Commission (NVRC) Climate Resilience Dashboard is a regionally focused dashboard built to support policymakers, planners, and the public. The dashboard provides information on existing and future climate-related stressors impacting Northern Virginia to enable users to improve their resilience, compare and analyze existing data as well as modeled future projections of three climate indicators affecting Northern Virginia: heat, precipitation, and sea level rise. The dashboard is maintained by the Northern Virginia Regional Commission however they do not update all of the dashboard information regularly as the most recent data on indicators and trends is from 2017.

Figure 9: NVRC dashboard resources section.



Relevance to Lake Tahoe

- The dashboard includes a resources tab that links to publicly accessible webinar series and related plans from NRVC as well as outside resources including a FEMA flood insurance rate map of the region.

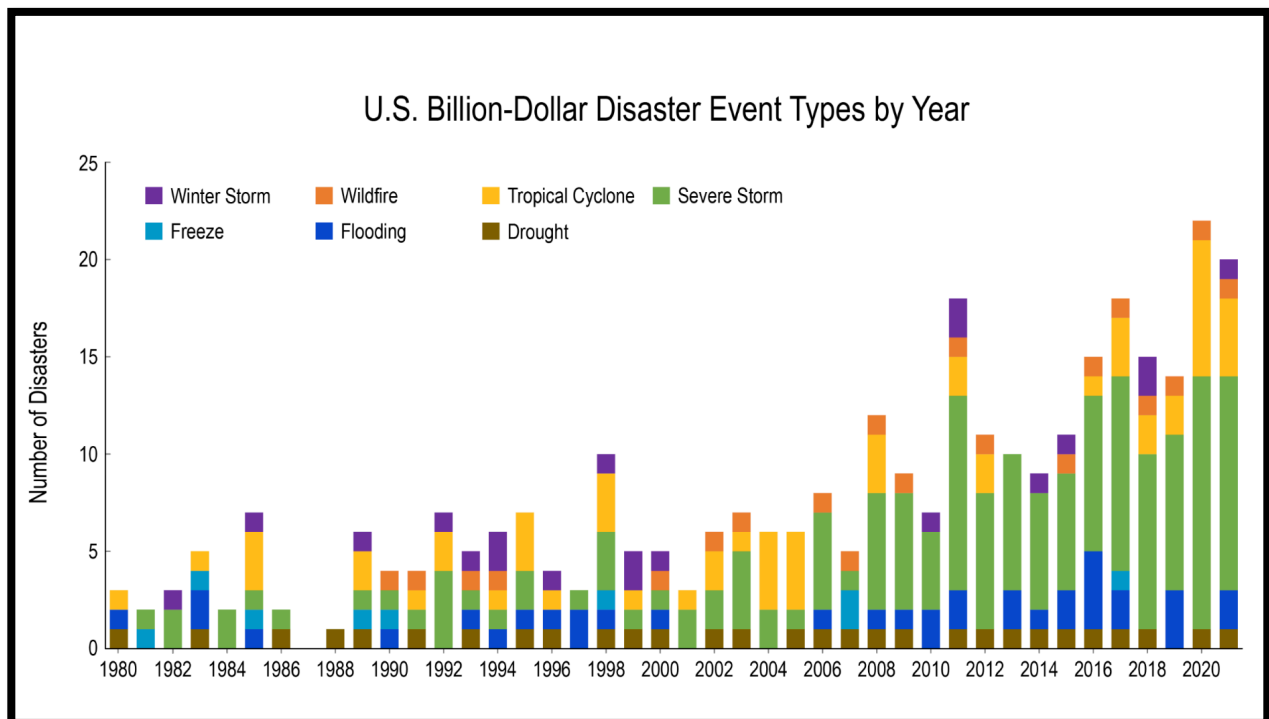
²² https://experience.arcgis.com/experience/d8319e3a2b5c42efa9dd241ddc0a0932/page/page_1/

- Users can navigate the dashboard by one of three climate “stressors” identified by NRVC; temperature, sea level rise and precipitation. Under each stressor, the user can click on “trends” to find out more about how this specific stressor is impacting the region. Some of the stressors also include more information on “projections” to help the user understand where the trends are heading.

8) USDA Office of Sustainability and Climate - Climate Change Indicators Story Map²³

This story map was created through a partnership between the US EPA and the USDA Forest Service Office of Sustainability and Climate. The story map includes sections on climate change indicators and GHGs that explain to users how EPA and USDA are using specific climate change indicators and how and why they are tracking trends in GHG emissions. The map also includes sections showing trends across five categories tell the story of climate change impacts in the US; Weather and Climate, Oceans, Snow and Ice, Human Consequences of Climate Change and Adaptation and Resilience.

Figure 10: Graph displaying U.S. billion-dollar disaster event types by year from Human Consequences of Climate Change section.



²³ <https://storymaps.arcgis.com/collections/ad628a4d3e7e4460b089d9fe96b2475d?item=1>

Relevance to Lake Tahoe

- The approachable story map design is built for the public to easily navigate complex information. Each section includes graphics as well as a variety of links for users who want to dig deeper into the underlying data and resources.
- The section titled “Human Consequences of Climate Change” provides both narrative and visual explanations of the status of climate change through various disasters and their frequency (e.g., damage from wildfire, floods). The data outlined here are at the national level, but TRPA could provide a link to this site in its new Dashboard to help users easily access this data and to any unnecessary duplication.

Attachment B

Draft Resilience Metrics

Tahoe Climate Resiliency Dashboard Draft Metrics

August 2, 2023

Prepared for: Tahoe Regional Planning Agency

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Executive Summary

The Tahoe Regional Planning Agency (TRPA), California Tahoe Conservancy (CTC) and many other federal, state, and local public, private, and non-profit organizations are working to reduce GHG emissions and make the Lake Tahoe Region's urban and natural environments resilient to climate change. To advance the region's climate goals, ECONorthwest is leading a team of consultants supporting TRPA in developing a Climate Resilience Dashboard. This will build on the work of the existing Sustainability Dashboard with updates to better track and tell the story of climate resilience in the Lake Tahoe region.

This report provides a summary of takeaways from preliminary research and engagement work as well as an initial analysis of draft metrics selected by the Steering team. Based on the Steering Team's feedback and TRPA staff guidance, the project team will use this initial list of metrics to develop the final recommended resilience metrics to be used in the Dashboard.

Through this process, the project team recommends identifying regional climate resilience goals, indicators, and metrics as key organizational elements for developing the Dashboard:

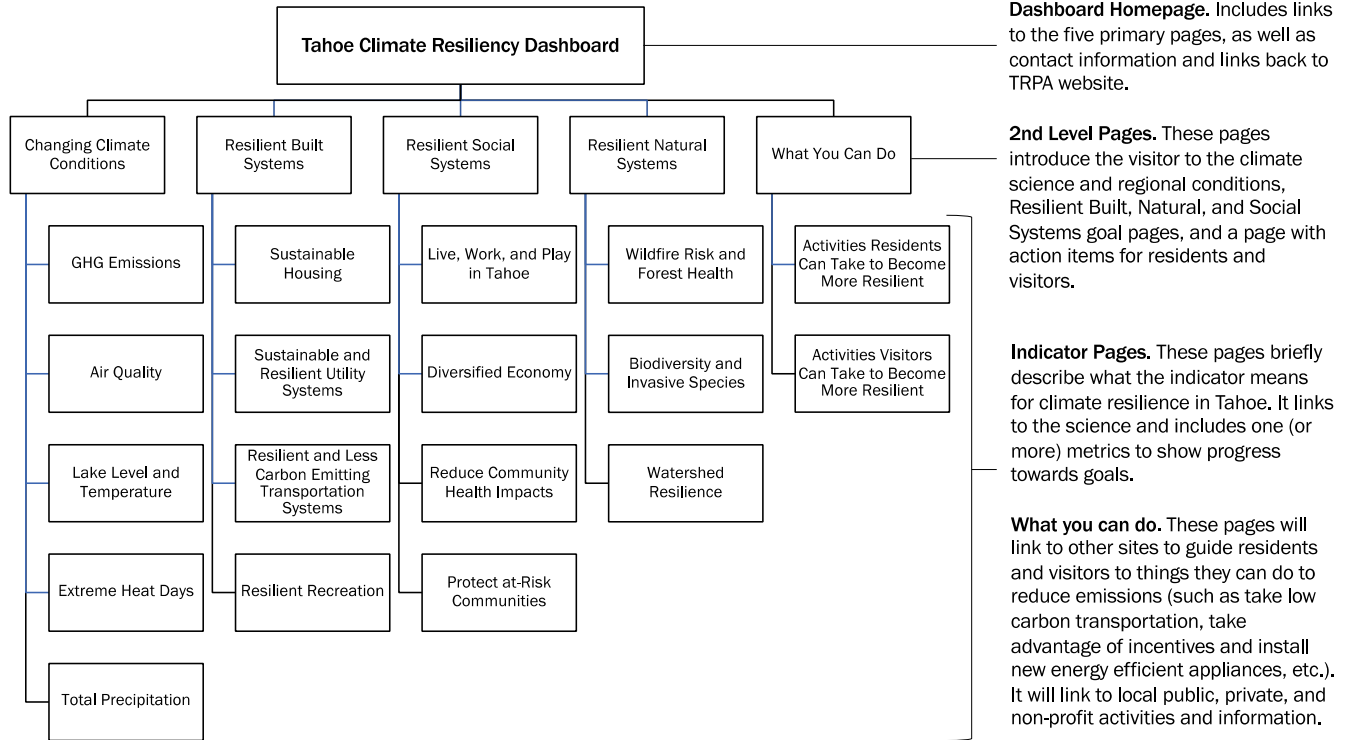
- **Goals:** General, high-level aspirations for the Tahoe Region related to climate actions. Goals are general statements on what should be accomplished. They provide direction for community decisions. **Goals should be general, simple, and comprehensively encompassing a set of indicators and metrics.**
- **Indicators:** According to the EPA, an indicator "represents the state or trend of certain environmental or societal conditions over a given area and a specified period of time."¹ **Indicators provide more detail on how to achieve the overarching goals and there is often more than one indicator associated with each goal.** Indicators can include targets or benchmarks. Measuring performance through targets or benchmarks helps evaluate the performance towards achieving established goals. They typically include a start year, length of time, and target. Measures can include quantitative data or qualitative assessments. These should be tied to clear measurable long-term outcomes and should be informed by specific metrics.
- **Metrics: A metric must be understandable and useful for measuring the progress of meeting an indicator (which can be a target) that can be measured with data available over time (can draw from quantitative or qualitative data).** The data should be updated on an ongoing basis, ideally using values that can be compared to past values. Each metric is accompanied by a narrative that describes the purpose of the metric, how it impacts the region, actions being taken to meet regional goals for that metric, and ways the public can get involved. Users can use metrics to assess, plan for, measure, and monitor progress towards desired outcomes and greater resilience.

¹ United States Environmental Protection Agency, "Climate Change Indicators," July 18, 2021, <https://www.epa.gov/climate-indicators/frequent-questions-about-climate-change-indicators#q1>.

Using best practice guidance, a comprehensive review of existing climate planning documents, and feedback from stakeholders, the project team identified regional goals and indicators for the Lake Tahoe region. This resulted in the following recommended layout for the Climate Resiliency Dashboard shown in Exhibit 1.

Exhibit 1. Proposed Storyboard for the Tahoe Climate Resiliency Dashboard

Source: ECONorthwest



Within this proposed structure of the Dashboard, the project team identified and evaluated 51 climate resiliency metrics. These metrics were vetted by the team to ensure that they are relevant in terms of measuring climate goal outcomes and describing the risk or other conditions in the Lake Tahoe region. They were evaluated to ensure that data sources are up-to-date (to the greatest extent possible), credible, and verifiable. The full list of the metrics evaluated is listed in Exhibit 2.

Exhibit 2. Summary of Draft Climate Resiliency Metrics

| Goal | Indicator | Metric |
|---|---|---|
| Recognize the Changing Climate Conditions | GHG Emissions | Total GHG Emissions |
| | | GHG Emissions by Sector |
| | Air Quality | Poor air quality days per year, number of wildfire smoke days |
| | Lake Level & Temperature | Lake Tahoe water level |
| | | Annual average water temperature, including surface temperature |
| | Extreme Heat Days | Number of extreme heat days per year |
| Total Precipitation | Total precipitation in water per year, snow as a fraction of annual precipitation | |

| Goal | Indicator | Metric | |
|---|--|---|---|
| Resilient Built Systems | Support Increased Access to Sustainable Housing | Total number of housing units in town centers | |
| | | Share of housing affordable to workforce in town centers | |
| | | Participating in (or funding for) energy efficiency programs | |
| | | Number of deed-restricted affordable, moderate, and achievable units | |
| | | Number of homes hardened | |
| | Support Sustainable and Resilient Utility Systems | Miles of transmission lines hardened (upgraded or undergrounded) | |
| | | Number of new hydrants, increased pipe size | |
| | | Percent of renewable energy as a share of total energy used | |
| | Upgrade Transportation Systems | Total Transit Ridership, Frequent service (20-minute headways) | |
| | | Total Micro-transit Ridership | |
| | | Daily per capita Vehicles Miles Traveled (VMT) | |
| | | Quantity of alternative fuel stations, EV charging/ hydrogen, Quantity of transit fleet, jurisdictional fleets with zero emission vehicles | |
| | | Baseline mode share and weekday or seasonal variation | |
| | | Transportation access in priority communities | |
| | | Increased lane miles of low-stress bicycle facilities | |
| Baseline inventory of vulnerable facilities | | | |
| Resilient Social Systems | Enhance Access for People to Live, Work, Learn, and Play in Tahoe Sustainably | Permanent population disaggregated by race and ethnicity, age groups | |
| | | Median Household income by jurisdiction and disaggregated by remote and non-remote workers | |
| | | Housing costs (median home sales price and rental rates, by jurisdiction) | |
| | | Housing tenure (rented full-time, owner-occupied, vacation rental, second home), disaggregated by race, ethnicity, and age | |
| | | K-12 public school enrollment data and number of days of school closures due to extreme weather or poor air quality | |
| | | Percent of students receiving free or reduced cost lunch | |
| | | Percent of workers who commute into the basin on a seasonal basis, origin demographics, distance travelled, and difference in travel time by mode | |
| | Increase Tahoe's Economic Diversity and Resilience, with a Focus on Sustainable Recreation | Number of days public recreation sites, resorts, or ecotourism facilities are closed due to extreme weather or wildfire or the amount of revenue lost | |
| | | Number of days recreation facilities are at full capacity | |
| | | Transient Occupancy Tax revenue and changes over time | |
| | | Total lodging revenues and change over time | |
| | | Average annual wages in the tourism industry | |
| | | Consistent employment, seasonal workers unemployment rates, and median wages by sector and overall | |
| | Prevent or Reduce Community Health Impacts Associated with Climate Change | Visitor device data as a proxy of visitor frequency and patterns | |
| | | Number of days cooling centers or community resiliency centers are open | |
| | Equitably Protect At-Risk Communities from Impacts | Number of Firewise communities in the Tahoe basin | |
| | | Number/share of households with access and functional needs (people with disabilities, older adults, children, limited English proficiency, and transportation disadvantaged) | |
| | | | Map of zero vehicle household concentration, cooling/community resource centers, and a list of the medical support in emergencies |

| Goal | Indicator | Metric |
|----------------------------------|--|--|
| Resilient Natural Systems | Reduce Wildfire Risk and Build Forest Health | Acres of forest fuels reduction treated for wildfire in high-risk areas, map of areas with prescribed fire treatment and project sites |
| | | Tree species diversity and increasing old growth forest |
| | | Wildfire risk metrics such as restoration after, smoke/ash, treatment before |
| | Increase Biodiversity and Reduce and Control Invasive Species | Acres treated for invasive species |
| | | Watercraft inspections for invasive species |
| | Increase Watershed Resilience | Acres of restored high-quality wetlands and meadows (also referred to as Stream Environment Zones) helping to store flood waters |
| | | Increase number of parcels with Stormwater Best Management Practices (BMPs) improvements |
| | | Lake Clarity measured by Secchi Depth |
| | | Shared stormwater basin project investment |
| | | Map of carbon sequestration measurement |

1. Introduction

1.1 Overview

Project Background

The threats from greenhouse gas (GHG) emissions and climate change call for robust action. While this is a global challenge: the threats of climate change to the Lake Tahoe Region are significant: more frequent forest fires, loss of snowpack, increasing severe storms, flooding, loss of species biodiversity and increased invasives, and increased costs for infrastructure repairs and emergency services. To address these challenges, the Tahoe Regional Planning Agency (TRPA), California Tahoe Conservancy (CTC) and many other federal, state, and local public, private, and non-profit organizations are working to reduce GHG emissions and make the region's urban and natural environments resilient to climate change.

The purpose of this project is to develop a Climate Resilience Dashboard (the Dashboard) that demonstrates the progress of regional partners on climate goals and communicates this to decision makers, regional partners, funders, and regulators (the primary audience), as well as providing transparency and showing progress to stakeholders, residents, and visitors (the secondary audience). ECONorthwest is leading the consulting team that will build on the existing Sustainability Dashboard to develop a local reporting tool that tracks metrics relating to climate resilience in the Lake Tahoe Region. The metrics included in this Dashboard will help tell the story of climate resilience and engage the broader public in the conversation around climate action. It also provides professional staff a consistent source of information to show activities and track progress for reporting and funding requests. The next task of this project will provide the final dashboard metrics (Task 3) which will be part of the dashboard's technical development and final launch (Tasks 4 and 5).

Purpose of this Report

This memorandum presents the goals, metrics, and indicators that the project team identified through initial research and engagement, as well as a logic model that clearly illustrates the relationship between the climate goals, projects, and the draft Dashboard metrics selected for initial evaluation. Multiple organizations are working to increase the resiliency of the Lake Tahoe region to climate change. To begin developing improved metrics for tracking progress towards climate goals, the consulting team led by ECONorthwest convened a workshop of local stakeholders, researched best practices and existing plans, and interviewed twenty individuals at key organizations in the Lake Tahoe area.

This document provides a summary of takeaways from this work as well as preliminary analysis of draft metrics selected by the Steering team. Based on the Steering Team's feedback and TRPA staff guidance, the project team will use this initial list of metrics to develop the final recommended resilience metrics.

1.2 Approach

Dashboard Purpose

The Climate Resilience Dashboard is being developed to serve as a local reporting tool that tracks metrics relating to climate resilience in the Lake Tahoe Region. The metrics will help tell the story of climate resilience and engage regional partners and the broader public in the conversation around climate action, building on previous work including the original Sustainability Dashboard. As the consulting team works with TRPA and the Steering Team to consider a variety of metrics that accurately measure the social, environmental, and economic progress of climate-related goals, the following objectives were identified to guide our work:

Proposed Dashboard Objectives

- Design a new Climate Resilience Dashboard to provide a broad understanding of climate action in Tahoe.
- Focus on metrics of regional significance that are connected to Tahoe Region planning, funding needs, or climate project investment accountability.
- Align climate resilience metrics with existing established goals and metrics, building on information previously developed, and reflecting the best available data, knowledge, and science relevant to the Tahoe Region.
- Provide clear transparent project information to increase stakeholder awareness of and preparation for climate change impacts.
- Promote resilient natural, built, and social systems including sustainable recreation and economy.

Evaluation of Potential Metrics

With these goals in mind, the project team developed a set of criteria to systematically evaluate potential indicators and metrics, as shown in Exhibit 1. These parameters were intended to determine which of the **51 proposed metrics** are the most advantageous to move forward, using guidance from TRPA staff about what aspects of these metrics are most important. Those which were not favorably evaluated were also documented to potentially be used in the future if new information channels become available.

Each of these criteria was assigned a numeric score in order to evaluate metrics on a scale of one through twenty, with higher numbers indicating a better fit for the Climate Resiliency Dashboard. Since some aspects of these metrics are more complex than could be evaluated in this way, we also included a bonus score option for metrics that have direct connections to climate resilience in best practices literature.

Exhibit 1. Criteria and Scoring for Metrics Evaluation

| KEY | | |
|--|--------------|---|
| | | Maximum Score: 20 |
| Cost (\$, \$\$, \$\$\$) | Score | Description |
| Free | 4 | No cost for purchasing data (agencies will provide data, cost is covered by another budget, or TRPA already has software to analyze data). |
| \$ | 3 | The data would cost less than \$500. |
| \$\$ | 2 | Cost would be over \$500 but less than \$1,000 |
| \$\$\$ | 1 | Cost would be over \$1,000. |
| Utility Rating | Score | Description |
| Low | 1 | Low value to decision making processes influencing investment and future action. |
| Medium | 2 | The metric provide medium value to decision making processes influencing investment and future action. |
| High | 3 | The metric provide high value to decision making processes influencing investment and future action. |
| Quality of Metric and Data Source | Score | Description |
| Low | 1 | Metric provides limited value in understanding climate change planning progress for the region and adaptation concerns/context. Uncertainty about whether the data is reviewed, accuracy concerns. |
| Medium | 2 | Metric provides value in understanding climate change planning progress for the region and adaptation concerns/context. Data is agency sourced (credibility is high) or privately sourced from a credible organization, reviewed (QA/QC). |
| High | 3 | Metric provides high value in understanding climate change planning progress for the region and adaptation concerns/context. Metric is well established and has been used by other agencies/organizations. Data is agency sourced (credibility is high) or privately sourced from a credible organization, peer reviewed and science based, and reviewed (QA/QC). |
| Staff Effort | Score | Description |
| Low | 3 | The metric is anticipated to require minimal staff effort to track and update. |
| Medium | 2 | The metric would likely take a routine amount of staff capacity to track and update. |
| High | 1 | The metric requires a higher level of staff involvement and likely consultant support to track and update. |
| Understandable | Score | Description |
| Low | 1 | The metric is hard to understand and highly challenging to describe clearly for the Dashboard audience. |
| Medium | 2 | The metric could be understood with additional background information. |
| High | 3 | The metric is easy to understand and only requires a minor amount of background information. |
| Regional Scale | Score | Description |
| Yes | 1 | Data for this metric is available or can be pulled specifically for the Lake Tahoe area. |
| Somewhat | 0 | Data for this metric is not available specifically for the Lake Tahoe area, but can be pulled for counties, service areas, or other proximate geographies. (included to preserve details on data during scoring). |
| No | 0 | Data for this metric is not clearly available for Lake Tahoe. |
| Bonus Score | Score | Description |
| Direct Climate Resiliency Score | 0-3 | This metric is highly relevant for climate resiliency, and it generally recognized as an important consideration for meeting climate goals. |

Defining Climate Resilience

Climate resilience can have different meanings for different organizations and individuals. To develop a Climate Resilience Dashboard that tracks specific metrics with clear intended outcomes, a consistent definition of climate resilience is critical to ensure that the Tahoe region is working towards shared goals. Conversations with stakeholders highlighted that resilience should cover the capacity to prosper under a wide range of climate-influenced circumstances.

Recognizing the existing Tahoe narrative around climate resilience provides foundational information useful for shaping the focus of the new Climate Resilience Dashboard. TRPA's 2021 Regional Transportation Plan² and CTC's 2022 Tahoe Climate Resilience Action Strategy³ provide insights on how climate resilience is understood in the region but there is no specific definition for climate resiliency recognized in the regional level planning documents reviewed.

TRPA's climate initiative in general focuses on harmonizing the goals of both states and local governments while maintaining the Region's reputation as a global leader in sustainability. The 2021 RTP recognizes climate resilience as a goal and provides a description of climate resiliency and climate change impacts as:

*"Impacts [that] pose significant and growing risks to the safety, reliability, effectiveness, and sustainability of the Tahoe Basin and its transportation network. Many impacts are already occurring, and Lake Tahoe communities need to adapt to become more resilient to these changes. Higher temperatures, changes in seasonal precipitation, the intensity of rain events, and extreme weather can degrade roadways, damage culverts, and disrupt traffic. Preparing for climate change and extreme weather events is an important element of protecting the integrity of Tahoe's transportation system, the investment of taxpayer dollars, and the achievement of the plan's goals. Additionally, TRPA recognizes the broader need to address climate change in a holistic manner that connects to environmental justice."*⁴

The RTP further recognizes that TRPA has been working with partners to develop a cohesive set of bi-state regional strategies that will result in climate change mitigation, adaptation, and resiliency for the region by building on regional climate action to date and best science and planning practices.⁵

Additionally, the 2022 Tahoe Climate Resilience Strategy published by CTC recognizes an integrated approach to building resilience that focuses on three main systems: the Lake Tahoe water system, the forested upland system, and communities in the Basin.⁶ They cite climate

² Tahoe Regional Planning Agency, "Regional Transportation Plan," 2021, <https://www.trpa.gov/rtp/>.

³ California Tahoe Conservancy, "Tahoe Climate Resilience Action Strategy," 2022, <https://www.laketahoeinfo.org/LocalAndRegionalPlan/Detail/1171>.

⁴ Tahoe Regional Planning Agency, "Regional Transportation Plan," 30.

⁵ Ibid.

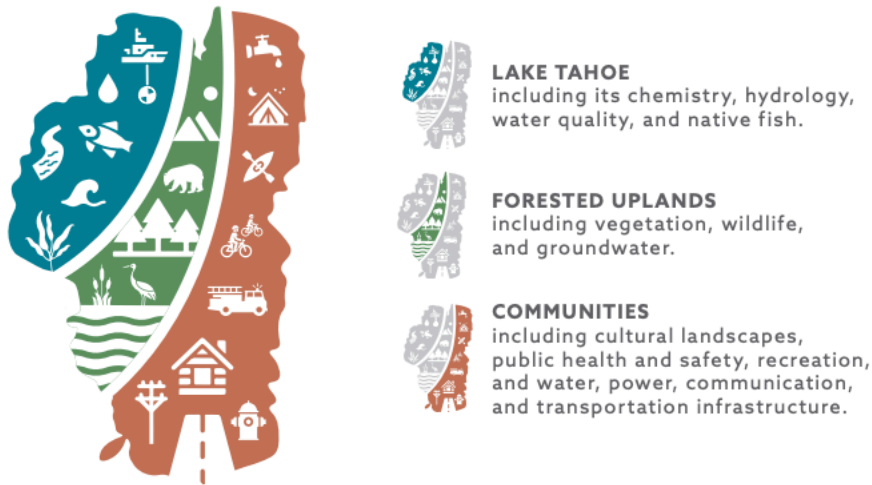
⁶ Ibid.

resilience priorities surrounding the need to expand public access to amenities; elevating the role of the natural lands in fighting climate change and advancing biodiversity conservation; restoring natural infrastructure; and safeguarding jobs, rural economies, and vulnerable communities and advancing equity.⁷

Exhibit 2. Tahoe Climate Resilience Action Strategy Approach

Source: TRPA, 2022

TAKING AN INTEGRATED APPROACH TO BUILDING RESILIENCE



Dashboard Organization Elements

While the current Sustainability Dashboard uses a range of indicators to measure different environmental and social data, the Climate Resilience Dashboard will have an expanded scope that consists of several key elements, including **goals**, **indicators**, and **metrics**. These elements were influenced by our team’s best practices research completed as part of this task. In the context of the dashboard, these are defined as:

- **Goals:** General, high-level aspirations for the Tahoe Region related to climate actions. Goals are general statements on what should be accomplished. They provide direction for community decisions. **Goals should be general, simple, and comprehensively encompassing a set of indicators and metrics.**
- **Indicators:** According to the EPA, an indicator “represents the state or trend of certain environmental or societal conditions over a given area and a specified period of time.”⁸ **Indicators provide more detail on how to achieve the overarching goals and there is often more than one indicator associated with each goal.** Indicators can include targets

⁷ California Tahoe Conservancy, “Tahoe Climate Resilience Action Strategy,” 3.

⁸ United States Environmental Protection Agency, “Climate Change Indicators,” July 18, 2021, <https://www.epa.gov/climate-indicators/frequent-questions-about-climate-change-indicators#q1>.

or benchmarks. Measuring performance through targets or benchmarks helps evaluate the performance towards achieving established goals. They typically include a start year, length of time, and target. Measures can include quantitative data or qualitative assessments. These should be tied to clear measurable long-term outcomes and should be informed by specific metrics.

- **Metrics: A metric must be understandable and useful for measuring the progress of meeting an indicator (which can be a target) that can be measured with data available over time (can draw from quantitative or qualitative data).** The data should be updated on an ongoing basis, ideally using values that can be compared to past values. Each metric is accompanied by a narrative that describes the purpose of the metric, how it impacts the region, actions being taken to meet regional goals for that metric, and ways the public can get involved. Users can use metrics to assess, plan for, measure, and monitor progress towards desired outcomes and greater resilience.

2. What We Learned

2.1 Existing Dashboard Review

The Tahoe Regional Planning Authority (TRPA) is designing a new Climate Resilience Dashboard to **provide a broad understanding of climate action in Tahoe for decision makers and public stakeholders**. The existing TRPA Sustainability Dashboard needs to be revised to better reflect how climate change is impacting the region and what TRPA and other local agencies are doing to reduce greenhouse gas emissions and to build a more resilient region. According to TRPA's recent Climate Resilience Dashboard White Paper developed in 2013 to support the original Dashboard:

The current dashboard tracks 31 sustainability metrics across the triple bottom line of environment, community, and economy. The metrics are organized by 11 sub-categories. These metrics are updated on an annual basis as data is available. Since development of the sustainability dashboard, data for some of the metrics has become impossible or highly difficult to collect. The overall dashboard also needs to be refreshed to better reflect current science and action toward climate resilience.⁹

This project will aim to better reflect updated climate action work in the past ten years, as well as the current regional atmosphere and priorities.

2.2 Best Practice Research Findings

While establishing the draft climate resilience metrics presented in this memorandum, the consultant team reviewed best practices for developing indicators and creating interactive dashboards. The following summary provides an overview of best practices in climate resilience indicator and performance metric development, highlighting key takeaways for suggested next steps for TRPA. Collective Strategies also reviewed existing climate dashboards to identify key dashboard design features relevant for TRPA's project goals and primary dashboard audiences. These example dashboards were chosen to provide examples of climate dashboards created by national, regional, and local agencies with goals and audiences like those of TRPA. Appendix B provides further detail on best practices and relevant example climate dashboards.

Key Takeaways for Indicator and Performance Metric Development

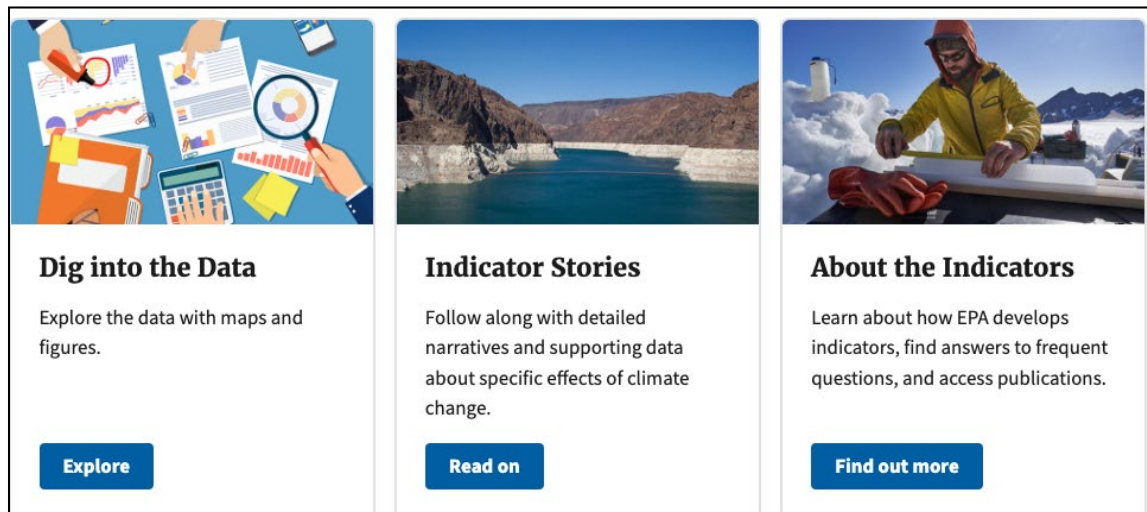
- Agencies at the national, state, and local level struggle to identify and communicate relevant indicators and performance metrics that provide a comprehensive understanding of climate change impacts in specific geographies and regions. These efforts are ongoing and will continue to evolve along with climate action goals.

⁹ Tahoe Regional Planning Agency, "Lake Tahoe Climate Resilience Dashboard White Paper," March 23, 2023, 1.

- **TRPA should continue to track best practices at the state and national level and to integrate new resources and data as relevant to ensure that the Dashboard is aligned with and can benefit from these efforts.**
- Agencies tend to use the term “metric” and “indicator” interchangeably or to use just one or the other. For example, the US EPA uses the term “climate change indicator” and does not refer to these data as “metrics.” The state of California, in contrast, uses these terms somewhat interchangeably. California created a Resilience “Metrics” Working Group (RMWG) which then developed a list of resilience “indicators” to help track progress and guide decision making across the state. The indicators developed by California’s RMWG are high level and require the tracking of multiple specific performance metrics to gage progress towards climate goals.
- **TRPA should revise their Dashboard to include “indicators” that refer to a trend that provides valuable information on climate action progress that are measured and tracked using specific “performance metrics.”**

Exhibit 3. EPA Climate Change Indicators Home Page Navigation

Source: US EPA



- Understanding the intended audience for the new Dashboard and how they will engage with the data is key to developing indicators and performance metrics that are meaningful and useful.
- **TRPA should develop the new Dashboard for use by local and state agency staff to use as a tool to support communication with local Council’s and Board’s (e.g., decision makers) as well as potential funders.**
- Defining clear, measurable long-term outcomes is critical for tracking progress in building resilience beyond reducing GHG emissions — indicators should be aligned with and relevant to these outcomes.
- **TRPA should organize the Dashboard based on specific long-term outcomes aligned with the State of California’s Adaptation Strategy: Resilient Social**

Systems, Resilient Natural Systems and Resilient Built Systems. TRPA should integrate regional GHG mitigation goals into these three outcome categories.

Exhibit 4. California Adaptation Strategy Priorities

Source: California Climate Adaptation Strategy



- Indicators should be clear and relevant to the intended audience but tied to specific performance measures that directly inform policy and implementation. For example, an indicator of a Resilient Built System could be reduced (or low) physical exposure to climate risks and hazards in residential buildings and the performance metric that help track progress could be percent of residential buildings retrofitted to withstand a 5-year storm with no damage and percent of residential buildings with air conditioning.
 - **TRPA should start to identify indicators by organizing existing regional climate goals under the long-term outcomes identified above and then identifying specific indicators and performance metrics to track progress towards those goals. Once existing goals are integrated, TRPA can identify additional indicators and performance metrics that will provide local and state agency staff with relevant data to communicate progress towards these long-term outcomes and goals.**
- Prioritizing specific indicators to track progress will inevitably involve trade-offs. State agencies in California are working to align the goals, targets, and indicators in various climate related plans such as the state’s Adaptation Strategy and the state’s Natural and Working Lands Climate Smart Strategy.
 - **TRPA should work with other regional agencies to ensure that any indicators and performance metrics used in the new Dashboard reflect local climate action goals and plans and that potential trade-offs are considered (e.g. prioritizing conservation in a specific area may impede efforts to reduce VMT at a regional level).**

Key Takeaways for Dashboard Design and Maintenance

- Many of the dashboards reviewed were outdated, included broken links and/or disclaimers about data not being updated frequently or just not available.
 - **TRPA should consider setting clear expectations for users about how often the performance metrics will be updated and provide explanations if some metrics will be updated more frequently than others.**
- The US EPA has developed a list of over 50 climate change indicators that provide valuable information on climate change impacts and trends across the US. They have also established a set of 10 criteria to evaluate potential indicators and key considerations to guide any updates to the indicator list.
 - **TRPA should consider developing a similar set of criteria and considerations to help guide the development of a revised set of indicators and performance metrics for the new Dashboard development as well as future updates and revisions.**
- Many climate dashboards are created to communicate progress on a specific plan which helps to organize the dashboard by priorities or goals and illustrate progress in that specific area.
 - **TRPA should consider what programs, goals, plans and actions the agency is already committed to reporting on and consider how to integrate this reporting into regular dashboard updates.**
- Some dashboards include explanations about challenges and barriers like lack of funding, lack of staffing or lack of information that impede progress in certain areas.
 - **TRPA should consider how the new Dashboard can help increase transparency around specific challenges and barriers that limit local and state agency staff member's ability to make progress on specific climate goals.**
- There are key features associated with dashboards that are built for local and state agency staff to support their work to both track and communicate progress towards specific climate goals. These include (but are not limited to) clear explanations of who the dashboard is for, sitemaps and search functions to help the user find the specific information they are looking for and narrative and graphic status updates tied to specific goals and targets.
 - **TRPA should identify specific key features for the new Dashboard that align with their goals for the project. The example dashboards (see the Appendix) provide a starting point to understand which features would be most helpful for local and state agency staff and we recommend TRPA solicit specific input from local and state agency staff on desired dashboard features to ensure that the new Dashboard is useful for this audience.**

2.3 Review of Existing Plans and Guidance

Multiple organizations are working to increase resiliency of the Lake Tahoe region to climate change. This section provides the findings from reviewing key climate resilience documents and plans for the region. The regulatory requirements, plans, programs, projects, and other guiding documents provides foundational grounding and serves as guideposts for the Climate Resilience Dashboard. Appendix C provides a detailed summary of the documents reviewed and further information about their climate goals, indicators, and metrics.

Tahoe Region Climate Planning and Implementation Over the Last Decade

The Tahoe region has several regional climate plans and implementation projects completed over the last decade along with current knowledge on how climate conditions are changing, what is known about defining climate resilience, and major climate action related targets and mandates. Key information related to the update to the Tahoe Climate Resilience Dashboard includes:

- **Climate Related Plans for the Tahoe Region.** Over the last decade, various plans and initiatives have been created for the Lake Tahoe Region communities to address sustainability and the changing climate. The 2013 TRPA Sustainability Action Plan¹⁰ and associated Indicators Reporting Plan¹¹ was the first official plan outlining a menu of actions in support sustainability. Several of the 2013 Sustainability Plan actions were implemented in subsequent years, and as of 2021, nearly 76 percent of the actions have been implemented.¹² A companion to this plan, the 2013 Indicators Report, provided a blueprint for the existing Sustainability Dashboard.

Since 2014, various Regional Plan updates and other plans, such as the Tahoe-Truckee Plug-in Electric Vehicle Readiness Plan and the City of South Lake Tahoe Climate Action Plan, included actions, goals, policy provisions, project work, and incentives encouraging sustainability and climate resiliency. For example, updates to the Regional Transportation Plan were made in 2017 and in 2021.

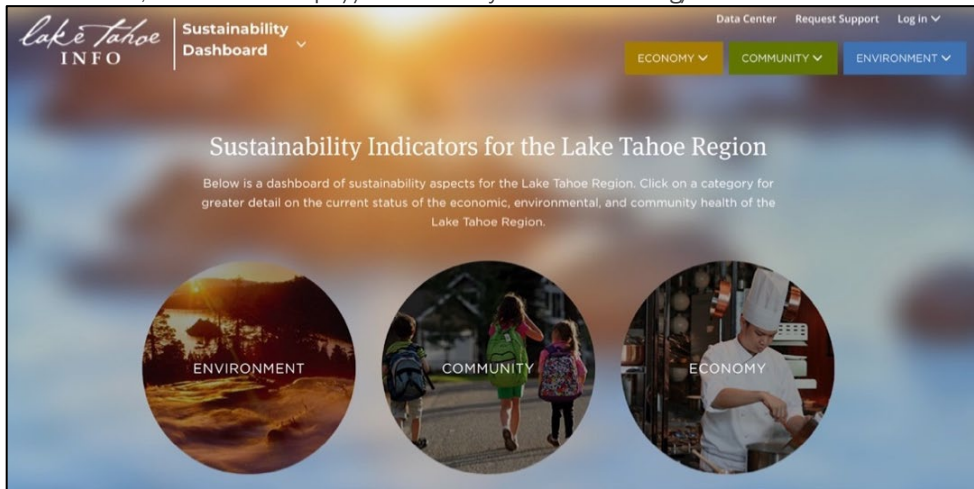
¹⁰ Tahoe Regional Planning Agency, "Sustainability Action Plan: A Sustainability Action Toolkit for Lake Tahoe," December 2013, <https://www.trpa.gov/programs/climate-resilience/>.

¹¹ Tahoe Regional Planning Agency, "Sustainability Indicators Report," 2013.

¹² Tahoe Regional Planning Agency, "Climate Resilience," 2021, <https://www.trpa.gov/programs/climate-resilience/>.

Exhibit 5. Existing Sustainability Dashboard, Lake Tahoe Info

Source: TRPA, accessed at: <https://sustainability.laketahoeinfo.org/>



- Climate Related Projects in the Tahoe Region.** TRPA coordinates the Environmental Improvement Program (EIP) for the region which advances the attainment of environmental threshold standards through partnerships and project work since 1997. Local, state, and federal government agencies, private entities, scientists, the Washoe Tribe, and more have collaborated for many decades to restore the environmental health of Lake Tahoe and serve as the foundation for regional climate adaptation coordination.

The EIP Dashboard is generally viewed as an effective tool to communicate environmental information to a wide range of public, regulatory, and funding audiences. The EIP project list tracker includes a “Climate Resilience” tag that helps to identify various projects identified as contributing to the Tahoe Climate Resilience Action Strategy.

Exhibit 6. Lake Tahoe Environmental Improvement Program, 2021 Accomplishments

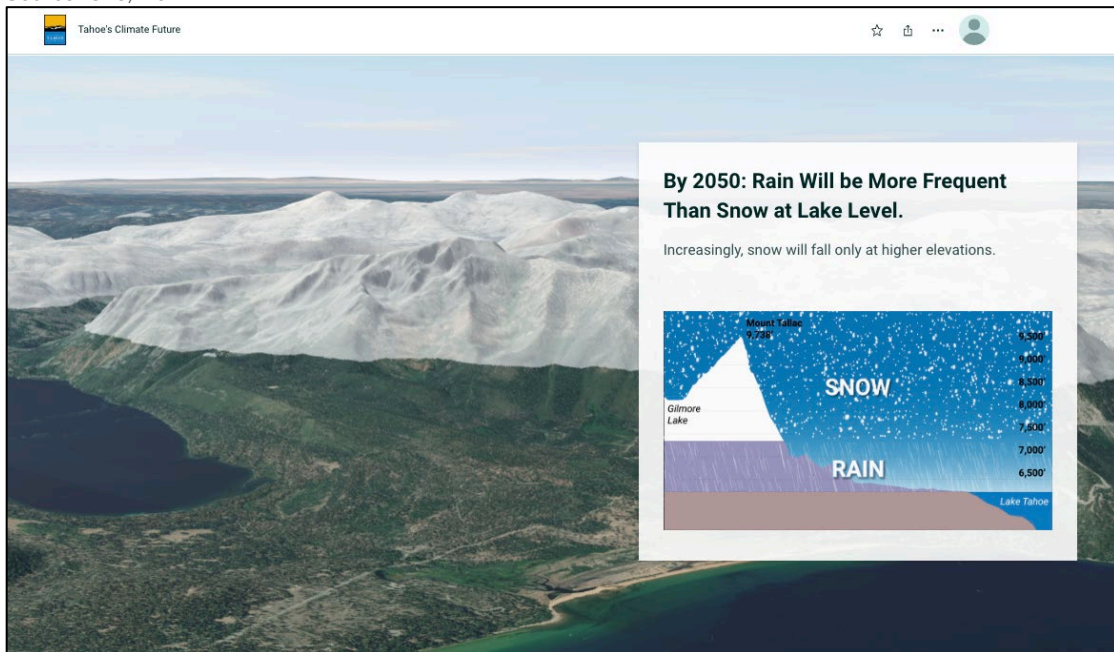
Source: TRPA, August 2022



- Future Climate Related Work.** As of 2023, TRPA is currently working to update regulations to promote more climate smart development and incentivize resilience. This initiative recognizes the Climate Resilience Dashboard update and the need to measure what matters. This initiative also surveyed 24 stakeholders from local government, nonprofits or community-based organizations, and private organizations to learn about policy updates. Results indicate a need for Tahoe to focus on reducing traffic congestion, promote water efficient landscaping and renewable energy, facilitate the transition to electric vehicles, promote zero waste for temporary events, and continue focusing on workforce housing.
- Tahoe’s Climate Future Story Map.** A story map was created in 2021 by the California Tahoe Conservancy (CTC) to depict how climate change is affecting Lake Tahoe, and how the region is adapting. This story map depicts future climate conditions and the associated impacts through vivid imagery, data, and user-friendly narrative. The site offers an overview of climate change effects and associated adaptation efforts.

Exhibit 7. Tahoe’s Climate Future Story Map

Source: CTC, 2021



- Greenhouse Gas Emissions (GHG) Inventories.** TRPA’s webpage covering Climate Resilience provides a summary of the region’s GHG Emissions Inventory which has measured an overall decline by almost 39 percent over the last few decades from 2005 to 2018.

Local and Regional Mandates/Targets

At a regional and local level, various existing plans recognize specific targets for achieving climate-related goals. These will inform the Dashboard’s narrative around metrics associated with these targets, including the following:

- **TRPA’s 2021 RTP includes the following:**
 - By 2045, TRPA’s RTP forecasts a reduction of on-road transportation emissions by 13.7 percent.¹³
 - Daily per capita VMT Target: 6.8 percent reduction from 2018 by 2045 (2018 per capita daily VMT is 12.48, goal is 11.63).¹⁴
 - Non-Auto Mode Share Target: Improve average non-auto mode share calculated from the two most recent TRPA travel survey results; current performance on target at 24.5 percent (2018-20 average) up from 18 percent in 2014-16.¹⁵
 - Transportation access in priority communities Target: Increase access to each mode from priority communities to 100 percent by 2014 (on target).¹⁶
 - Pavement Conditions Target: Maintain levels for “good” and “poor” pavement conditions: CA not on target but NV is on target.¹⁷
- **The 2013 Tahoe Region Sustainability Action Plan established a GHG emission reduction target of 15 percent by 2020 and 49 percent below the 2005 baseline by 2035.** As of 2021, nearly 76 percent of the actions have been implemented.¹⁸
- The City of South Lake Tahoe has a goal of 100 percent renewable electricity by 2030, at least a 50 percent reduction in GHG emissions by 2030, and an 80 percent reduction in emissions by 2040.¹⁹

State Level Climate Mandates/Targets

Both the States of California and Nevada have legislative mandates or guidance on measuring and reducing GHG emissions and have set targets for GHG emission reduction, including:

Greenhouse Gas Emissions Targets

- California Senate Bill (SB) 32 (2016) calls for reducing GHG emissions to 40 percent below 1990 levels by 2030, and Executive Order B-55-18 (2018) calls for carbon neutrality by 2045.
- In Nevada, via Executive Order 2019-22 (2019), GHG emissions should be reduced by 2 percent below 2005 levels by 2025 and 45% below 2005 levels by 2030.

¹³ Tahoe Regional Planning Agency, “Regional Transportation Plan,” 308.

¹⁴ Ibid 123.

¹⁵ Ibid 124.

¹⁶ Ibid 125.

¹⁷ Ibid 82.

¹⁸ Tahoe Regional Planning Agency, “Sustainability Action Plan,” 3-6.

¹⁹ City of South Lake Tahoe, “Climate Action Plan,” October 2020, <https://www.cityofslt.us/1126/Sustainability>.

- California Executive Order N-19-19 (2019) requires every aspect of state government redouble efforts to reduce GHG emissions and mitigate the impacts of climate change while building a sustainable, inclusive economy.

Renewable Energy Production

- The State of California has a goal to switch to 60 percent renewable electricity by 2030 with a goal of 100% carbon free electricity by 2045 from Executive Order B055-18 (2018). California's Assembly Bill (AB) 3232 (2018) also calls for 40 percent GHG emission reductions in buildings by 2030.
- Nevada aims to switch to 50 percent renewable electricity by 2030 with a goal of 100 percent carbon free electricity by 2050 through SB 358 (2019).

Transportation Decarbonization

- California SB 375 (2008), the Sustainable Communities and Climate Protection Act requires that transportation related emission reduction targets be set: Tahoe is responsible for an 8 percent reduction by 2020 and an additional 5 percent by 2035.
- California Executive Order B-16-12 (2012) mandates state agencies facilitate the rapid commercialization of zero-emission vehicles (ZEVs). The Executive Order sets a target for the number of 1.5 million ZEVs in California by 2025. Executive Order B-48-18 (2018) directs state government to meet a series of milestones toward a long-term target of 1.5 million ZEVs on California's roadways by 2025 and 5 million by 2030.
- California Executive Order N-79-20 (2020) establishes that 100 percent of in-state sales of new passenger cars and trucks will be zero-emission by 2035 and 100 percent of medium- and heavy-duty vehicles be zero-emission by 2045, among other emission reduction goals.

Adaptation and Resilience

- California AB 1482 (2015) Safeguarding California prioritizes climate adaptation across state agencies to safeguard California and requires a statewide adaptation plan that is updated every three years.
- California SB 379 (2015) requires all cities and counties to update safety elements of General Plans to include climate adaptation and resiliency strategies.
- California AB 1445 (2022), the Regional Housing Needs Allocation (RHNA), requires Council of Governments to consider emergency evacuation route capacity, wildfire risk and other climate change impacts when developing methodology for distributing RHNA targets.
- California AB 2238 (2022) requires California Environmental Protection Agency to develop statewide extreme heat ranking system by 2025 (ICARP or the Integrated Climate Adaptation and Resiliency Program is required to develop public communication plan for system).

Environmental Justice

- California AB 617 (2017) requires the California Air Resources Board (CARB) and local air districts to develop and implement additional emissions reporting, monitoring, and reduction plans to reduce air pollution exposure in disadvantaged communities.
- California SB 1000 (2016) requires local governments to identify environmental justice communities and address environmental justice in general plans.
- California AB 1384 (2022) requires state level adaptation planning with focus on vulnerable communities.

Resource Management

- California AB 1482 (2015) recognized climate smart land management of our natural and working lands as a critical pillar of our state adaptation efforts.
- California SB 27 (2021) required California Natural Resources Agency (CNRA) to develop the Natural and Working Lands Climate Smart Strategy, and to establish a California Carbon Sequestration and Climate Resiliency Project Registry; it also requires the California Air Resources Board (CARB) to establish carbon dioxide removal targets for 2030 and beyond as part of its Scoping Plan, considering the Natural and Working Lands Climate Smart Strategy, science-based data, cost-effectiveness, and technological feasibility in doing so.
- California SB 1260 (2018) aimed to clear the path for more collaborative wildfire fuel reduction and prescribed burning projects to reduce the risk of catastrophic wildfire.
- California AB 2470 (2018) established the Invasive Species Council of California to coordinate efforts to prevent invasive species introduction and advise efforts to control or eradicate such species.
- California SB 852 (2022) authorizes a city, county or special district to form a climate resilience district for the purpose of raising and allocating funding for projects designed to address climate change mitigation, adaptation, or resilience.

3. What We Heard

3.1 Stakeholder Engagement

As part of this initial dashboard development, the project team engaged with TRPA staff and other key stakeholders in the Tahoe region to gather insight and direction for the Climate Resilience Dashboard. Between April and June 2023, engagement activities included:

- **Two Project Team Meetings** with TRPA staff and the consulting team.
- **One Steering Team Workshop** held in-person in June 2023, with attendance from TRPA, the City of South Lake Tahoe, California Tahoe Conservancy (CTC), League to Save Lake Tahoe, and the Nevada Division of Environmental Protection.
- **16 Interviews with 20 stakeholders** working in housing, transportation, economic development, environment, energy, and local and state governments in the Lake Tahoe region.

This section summarizes the key takeaways from this engagement process that informed our understanding of the priorities, goals, and potential direction for the Dashboard. These activities were also critical for identifying potential data sources, understanding the quality of available metrics, and what needs the Dashboard should fulfill for the Lake Tahoe community.

3.2 Engagement Findings

Stakeholder Interview Findings

The robust stakeholder engagement component of this process yielded a wide range of findings that informed the development of initial goals, indicators, and metrics presented in this memorandum. Individuals working in a variety of fields provided insights which are summarized in this section. Appendix D provides additional detail about these stakeholder interviews.

Overarching Goals and Format

Stakeholders agreed that the Dashboard should provide consistent information for TRPA staff and partners as well as accessible information for public users. Different audiences are likely to use the Dashboard in different ways. For public use, it may be a tool for advocacy, finding resources, and sharing success, while for regional partners, funders, and regulators it may be more regularly used to inform new funding and programmatic initiatives. It is particularly important for the Dashboard to align regional goals and use consistent metrics for storytelling, reporting, planning, and grant applications. Stakeholders also indicated that information on the Dashboard should be condensed, easily consumable, and aligned with the public message and state level goals in order to reach both decision makers and the public.

Well-defined goals are crucial for demonstrating progress, which the Dashboard can aggregate in one place as much as possible. This central resource can help to identify priority strategies and integrate peer-reviewed climate science about ongoing changes to the Basin. Stakeholders also expressed that the Dashboard should present strong narratives, graphics, maps, and accessible data to enhance its usefulness for various audiences. Ultimately, the Dashboard should make climate challenges tangible and inspire action among the public, while streamlining work for decision makers, regional partners, funders, and regulators.

Specific Indicators and Metrics

Track Changes in Local Conditions

Stakeholders agreed that ongoing changes in the Basin should be a central part of the Dashboard. To highlight climate science, the Dashboard can communicate the work being done to track measures like air quality, Lake Tahoe's water level, precipitation, and extreme temperatures. Stakeholders from TRPA and other science-oriented organizations in the Basin indicated that there are a number of these metrics already being tracked which provide vital baseline information about how climate change is affecting the region. These key metrics can be linked with social, built, and natural systems to clearly state the connection between different phenomena and trends in Tahoe with climate change.

Support Resilient Social Systems

Stakeholders across different types of organizations indicated that climate resilience work in the Tahoe Basin requires an assessment of key demographic factors and identification of vulnerable populations to target equitable climate resilience outcomes. Different groups may be more vulnerable to different aspects of climate change, and it is important to acknowledge the variety of challenges based on existing disparities and specific household needs. Access to housing, employment, transportation, outdoor recreation, and emergency services are all important considerations that are linked to climate.

Tracking a range of socioeconomic information in the Dashboard over time such as total population, income, age distribution, race and ethnicity, employment types (such as seasonal workers), cost-burden, limited English proficiency, and persons with disabilities will help to inform a variety of policies. The ability to disaggregate data by demographic groups and across different geographies will make the tool more useful to more audiences. In some cases, state law also requires this to be a consideration for many climate-related efforts. Overall, new climate work needs to be inclusive and have a role for everyone who lives and works in Tahoe.

Stakeholders emphasized that tourism is a critical industry for the region which faces a variety of challenges related to climate which the Dashboard could track. Measuring the impacts of events like wildfires, lack of snow, and extreme weather on tourism facilities and recreation sites can demonstrate important consequences of climate change for the region's economy.

Further, understanding commuting and remote work trends, seasonal employment, changes in tourism indicators, and the ability of businesses to adapt to changing climate are all essential.

Collecting comprehensive data on these aspects allows for informed decision-making and effective climate resilience strategies in the Tahoe Basin, including developing more sustainable tourism, targeting workforce housing initiatives, and connecting businesses with existing programs for energy efficiency and wildfire resilience upgrades.

Support Resilient Natural Systems

Many stakeholders and organizations are aware of and use the current Environmental Improvement Program (EIP) tracker. That work should be linked to this project, but there should be distinct uses for both. EIP thresholds for stormwater, AIS, water infrastructure, sustainable recreation, forest health, water quality, trees per acre, and fire risk are currently being updated. The Dashboard should reflect and link to these updates (as appropriate) and make sure that it is making the specific connection to climate and the broader narrative of increasing natural disasters and resilience work in Tahoe.

Stakeholders working with scientific and environmental data indicated that air and water quality are some of the most important indicators to measure and understand environmental impacts. Interpreting these metrics and making the connection to other impacts of climate change should be an important part of the Dashboard. There are a number of climate-related metrics connected to air and water quality including smoke and ash from wildfires, nutrient loading, forest fuel reduction, vehicle miles traveled (VMT), and economic impacts of tourism. These metrics are often relevant for congressional representatives and funding, so it is important that they can be used to effectively advocate for necessary action.

Measuring forest health is important for stakeholders working in the natural environment, as well as preventing wildfire events. There are several metrics that indicate and warn against changes in forest health including monitoring species migration, tracking the presence of new and existing species, healthy forests (acres treated and wildfire risk), decommissioned forest service roads, and upgrading infrastructure against storms and landslides. Interviewees noted that the new Dashboard should serve as a valuable communication tool to tell the story of forest health and in doing so, should help make the case for additional funding to support forest health efforts. This should communicate the co-benefits like reducing wildfire risk.

Climate resilience work should include protecting biodiversity. Stakeholders indicated specific metrics should consider wildlife habitat, including surveillance and monitoring of invasive species, new species, boat inspections, and water temperature and nutrients that make the Lake more receptive to invasive species to act quickly. As climate change impacts surrounding regions, Tahoe may also see more new species migrating to the region for refuge from extreme heat. Many organizations are starting to think about the future implications of these changes for Tahoe's ecosystems.

Support Resilient Built Systems

Stakeholders identified a number of metrics related to transportation that are critical for climate mitigation and increased resilience in Tahoe. Metrics related to vehicle miles traveled (VMT) and travel modes are crucial for climate and transportation planning to reduce

automobile emissions and air pollution. Basin residents are increasingly interested in active transportation, particularly traveling on bicycles and e-bikes. These modes should be monitored through metrics like bike lane miles, low-stress network coverage, safety improvements, and uptake of e-bikes as much as possible with other TRPA efforts. Both private electric vehicles (EVs) and electrifying transit systems play a role in reducing emissions. The availability of infrastructure for these vehicles is essential to their utility in the region. However, there are potential tradeoffs between EVs, safety, and reliability due to some data that suggests that these vehicles are more frequently involved in bicycle and pedestrian crashes.²⁰ Disaggregated transportation data by residents, workers, and visitors may help to connect VMT and travel patterns with specific equity implications.

Transportation system resilience is also vital for natural disaster response, evacuation routes, and increasing wildfire risks. In the Tahoe region, transportation systems need to be able to function as a part of natural disaster response. EVs need to be able to function during emergencies, while evacuation routes from wildfires and snow-blocked roads can create safety issues in the Basin. These are tied to several other critical conversations around density in town centers, stormwater capacity, and electrical grid reliability. There is already some work being done, such as tracking trails and areas that frequently flood.

Decarbonization, transitioning to renewable energy sources like wind and solar, and grid resilience are key metrics for utility providers in the region. Grid reliability and resilience are crucial for consistent service with the shift to renewables, requiring initiatives like pole replacement, vegetation management, and microgrids which are tracked through utility providers. Annual metrics for power generation by type are available and reporting is required by state governments, but more difficult to track at smaller geographies. Current affordability programs offered by utility providers encourage energy efficiency upgrades for homes and businesses, with a growing emphasis on low-income households.

Stakeholders working with housing and land use in Tahoe emphasized the importance of location efficiency, affordability, and accessibility for meeting climate goals. Housing metrics in the Dashboard should track total housing stock, prices, rents, income levels, tenure, and affordability and make the connection with their relevance for climate resilience. Addressing the gap in affordable and workforce housing through moderate density and new housing in town centers can increase quality of life and decrease reliance on automobiles for commuting. Second homes and vacation rentals impact affordability and availability, requiring better monitoring to understand trends for Tahoe residents. Home energy upgrades, weatherization, and electrification enhance climate resilience, but are often less accessible for renters or low-income households. Disaggregated housing data can provide insights into demographic factors over time and help inform strategies for climate-friendly housing and communities.

²⁰ Pardo-Ferreira MC, Torrecilla-García JA, Heras-Rosas CL, Rubio-Romero JC. New Risk Situations Related to Low Noise from Electric Vehicles: Perception of Workers as Pedestrians and Other Vehicle Drivers. *Int J Environ Res Public Health*. 2020 Sep 14;17(18):6701. doi: 10.3390/ijerph17186701. PMID: 32938012; PMCID: PMC7558663.

Steering Team Workshop Summary of Findings

In June 2023, ECONorthwest worked with TRPA to convene the Steering Team for an in-person workshop attended by representatives from state and local governments as well as community-based organizations.

General Discussion Takeaways

- **Coordination.** Aligning with California and Nevada state strategies and funding opportunities is important to include in the Dashboard. The Dashboard should also build on existing tools, planning, and initiatives.
- **Audience.** The Dashboard should be designed for use by local and state agency staff, but also be accessible to a wider audience. A key question for the direction of the Dashboard is whether and how the public and visitors will use it. While there is potential to use the Dashboard as a tool for the public, use of the existing Dashboard indicates that it is likely to be primarily used by decision makers, regional partners, funders, and regulators. Engagement with the public should be focused on giving clear calls to action and ways to get involved.
- **Regional Significance.** The Dashboard should be relevant to the entire Lake Tahoe region, with the goal of providing easy access to high-quality, relevant, and comprehensive data.
- **Communication.** Clear definitions of goals, guiding principles, indicators, and metrics are necessary to making the Dashboard successful. Success stories should also be shared with agencies and the public to demonstrate progress through a cohesive narrative.
- **Narrative.** The Dashboard's purpose is to tell a climate-focused story to decision-makers, provide a platform to coordinate regional efforts, position the region for funding and build support and buy-in for climate action. Academia should also be considered as a key stakeholder to ensure efforts are not duplicated and as a source of ongoing feedback. The narrative should acknowledge the role the region plays as a refuge from extreme heat and the potential impacts of this role on Tahoe's resources.

Break-Out Group Takeaways

- Goals for **Resilient Social Systems** should be related to community demographics, health, education, and economy.
 - Examples of **outcomes** include sustainable living and working conditions, prevention of climate impacts on community health, promoting equity, economic resilience, and maintaining high quality of life.
 - **Metrics** could include commuting distances, consistent employment, household demographics, air quality, extreme heat days, disaster preparedness, climate

emergency communication, zero-vehicle households, distance to key services, and the number of days that recreational facilities are closed due to extreme weather conditions.

- Goals for **Resilient Built Systems** should cover transportation, housing, recreation facilities, and tourism.
 - Potential **outcomes** for built systems include resilient land use, water and transportation infrastructure, building decarbonization, and tourism facilities.
 - **Metrics** could include water supply, heat island impacts, parking, housing in flood zones, home hardening, power grid reliability, community resilience centers, vehicle miles traveled (VMT), transit use and ridership, access to evacuation routes, mode shift, and quality and accessibility of tourism opportunities.
- Goals for **Resilient Natural Systems** should consider watersheds, water quality, forest health, and biodiversity.
 - **Outcomes** for natural systems should include forest health, wildfire risk, invasive species, extreme weather events, and water quality/management. While developing the Dashboard narrative, this should also consider the time frame and the concept that change is the new normal.
 - **Metrics** should include forest heterogeneity, increase in old growth forests, wildfire flame length, preservation and restoration of natural areas, biodiversity, temperature and precipitation levels, acres of Stream Environment Zones (SEZ), basin level, nearshore Algae bloom, total maximum daily loads (TMDL), wetlands, stormwater catchment, and carbon sequestration.

4. Climate Resilience Dashboard Goals, Indicators, and Metrics

4.1 Proposed Organization of the Dashboard

The Climate Resiliency Dashboard will use three primary elements for organization, including goals, indicators, and performance metrics (described in Section 1.2 of this document).

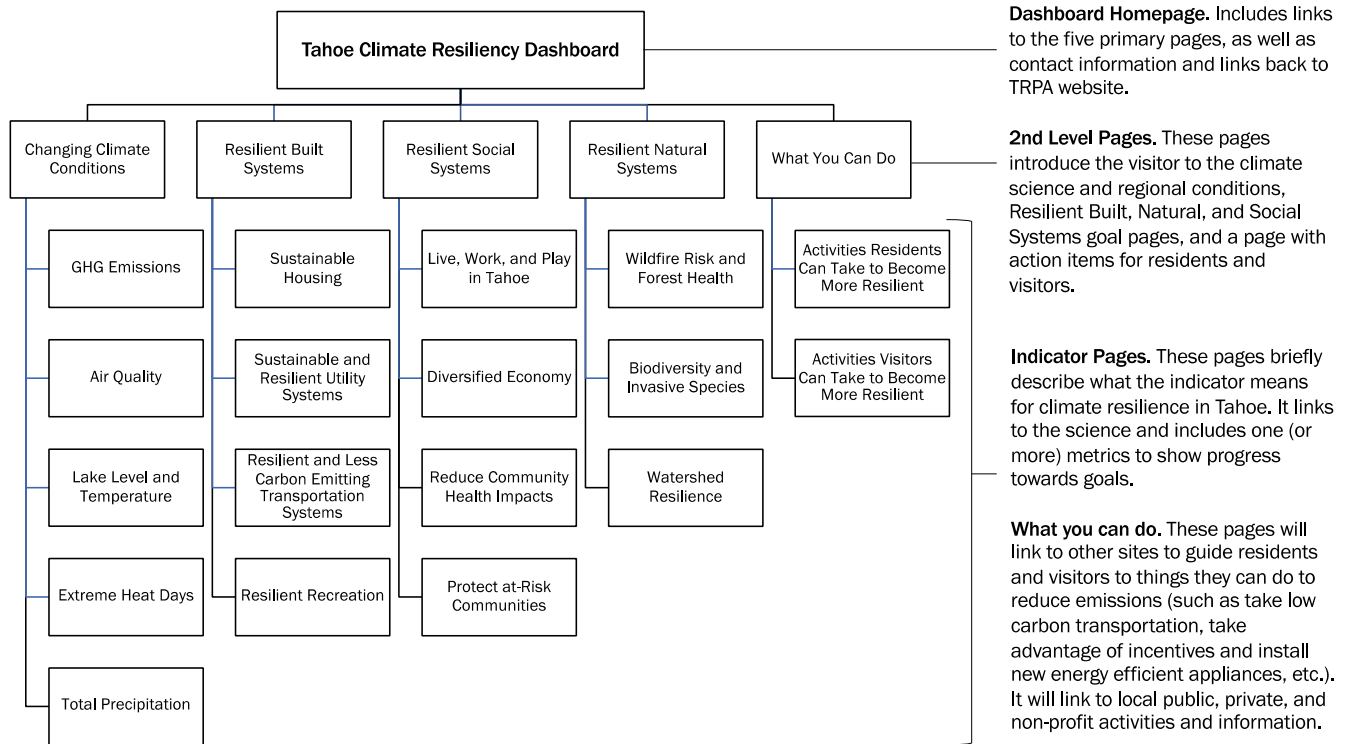
ECONorthwest proposes the following goals and indicators based on our team’s technical evaluation, research, and engagement with TRPA and other regional stakeholders, guided by the following proposed organization.

Proposed Storyboard

Using best practice guidance and feedback from stakeholders, we recommend the following layout for the Climate Resilience Dashboard shown in Exhibit 8.

Exhibit 8. Proposed Storyboard for the Tahoe Climate Resiliency Dashboard

Source: ECONorthwest



The project team proposes the following indicator page elements:

- **Title.** The title clearly identifies the indicator being addressed.

- **Introductory paragraph:** What is the challenge and why should we care? How do(es) the metric(s) tell us we are making progress? The introductory paragraph(s) tells the story about what the indicator is and what the metric(s) tell us about the indicator, why we care about it, who it impacts, historical information, where we are now, and how we are trending over time. It will link to important information, either on Lake Tahoe Info or external to the website.

This is also the place where we can link to federal or state requirements, or other important information.

- **Metric(s) and data sources.** The metric(s) are relevant in terms of measuring climate goal outcomes and describing the risk or other conditions. Data sources should be up-to-date (to the greatest extent practical), credible, and verifiable. The data should be applicable to the Tahoe region (to the greatest extent practical).
- **Other related metrics.** The webpage will also link to other related metrics to make it easy for the reader to find additional information.
- **The science.** The metrics are based on the best available science and data. The Dashboard will make it easy for readers to find additional information about the science if they wish. The Dashboard will be designed to cross-reference existing information in the EIP that is already tracked online.
- **What you can do.** This section of the Dashboard will direct residents and visitors to information they can use to reduce GHG emissions and to become more resilient. Working with TRPA and partners, the Dashboard will link to local, regional, state, national, and international information.
- **What are TRPA and partners doing?** The Dashboard will link to other TRPA and partner organization sites to describe what public agencies are doing to make the Basin more resilient to climate change.

TRPA and the Steering Team will review the findings in this document and the draft metric evaluation and provide feedback to project team. Based on that feedback, the project team will create a Final Metrics Report.

Goal 1: Track Climate Science Related to the Changes in Local Conditions

This goal primarily seeks to advance science, stewardship, and accountability. The indicators and metrics associated with this goal should guide and protect Tahoe climate investments through cutting-edge research, monitoring, and adaptive management.²¹ The Dashboard will track key indicators over time relevant to the Lake Tahoe Region that are helpful for comprehending changes in the climate including weather and air quality trends.

- **Recognize the Changing Climate Conditions.** Climate-related trends over time help to understand how climate change is impacting the Tahoe region, including regional GHG

²¹ California Tahoe Conservancy, "Climate Resilience Action Strategy," 2022.

emissions, and poor air quality days, Lake Tahoe water level, annual average water temperature, number of extreme heat days, and total precipitation.

Goal 2: Promote Resilient Built Systems (Transportation, Housing, Recreation)

This goal focuses on infrastructure and built systems including transportation, housing, water supply, and recreational facilities. As part of Tahoe's climate can withstand changing conditions and shocks, including changes in climate, while continuing to provide essential services.²²

Suggested Indicators to track progress towards this goal are:

- **Support Increased Access to Sustainable Housing.** Equitable access to sustainable housing can help to support the mitigation of GHG emissions for all households in the Tahoe community and increase the prevalence of resilient housing.
- **Support Sustainable and Resilient Utility Systems.** Switching to renewable energy and investing in water supply infrastructure are important steps to increasing renewable energy generation, responding to wildfires and other climate-related events, and ensuring the resilience of local systems.
- **Upgrade Transportation Systems.** Making transportation systems more sustainable can reduce and mitigate transportation related GHG emissions. Investing in projects that expand equitable access to transit and pedestrian and bike paths can make low-emissions options more accessible. Preparing for the impacts of climate change should also include upgrading transportation facilities to prepare for longer summers, shorter winters, increased precipitation events, fluctuating lake levels, and changes in visitor patterns.

Goal 3: Promote Resilient Social Systems (Demographics, Education, Economy, Health)

All people and communities respond to changing average conditions, shocks, and stresses in a manner that minimizes risks to public health, safety, and economic disruption and maximizes equity and protection of the most vulnerable or at risk to climate impacts. Suggested Indicators to track progress towards this goal are:

- **Enhance Access for People to Live, Work, Learn, and Play in Tahoe Sustainably.** To see results in reducing emissions across the Tahoe community, sustainable lifestyles should be financially accessible to people with a wide range of jobs and incomes that can afford housing, transportation, and other living expenses. Climate-related events like wildfires and extreme temperatures can also have impacts on schools and other public services.
- **Increase Tahoe's Economic Diversity and Resiliency, with a Focus on Sustainable Recreation.** The tourism-related industry with an emphasis on ecotourism and snow sports fosters the prosperity of local businesses and ensures robust employment

²² Ibid.

opportunities. However, climate change is likely to have impacts on Tahoe's key industries by creating fluctuations in visitor volumes and employment patterns.

- **Prevent or Reduce Community Health Impacts Associated with Climate Change.** Residents can reduce the risk of wildfire by participating in the Firewise program and help to mitigate the impact of climate-related wildfire events. At-risk populations also require access to cooling centers in the summer and warming centers in the winter as extreme temperature and weather events occur more frequently.
- **Equitably Protect At-Risk Communities from Impacts.** To protect vulnerable populations, people with disabilities, older adults, children, people with limited English proficiency, and transportation disadvantaged often require access to community resources in the event of a natural disaster exacerbated by climate change.

Goal 4: Promote Resilient Natural Systems (Environment, Forest Health, Air Quality, Watersheds and Water Quality)

Natural systems including watersheds, forests, and wildlife adjust and maintain functioning ecosystems and natural processes in the face of change. Suggested Indicators to track progress towards this goal are:

- **Reduce Wildfire Risk and Build Forest Health.** Forest restoration projects, restoration of burned forests, and implementation of the Lake Tahoe Forest Action Plan can reduce wildfire risk and build forest resilience to protect communities from wildfire and improve forest health.
- **Increase Biodiversity and Reduce and Control Invasive Species.** Biodiversity plays a major role in our ecosystems and society. Native plants and animals help forests recover after a fire, control flooding and soil erosion, and cycle nutrients. Biodiversity also holds cultural value, including Native American uses, and provides recreational benefits like birdwatching. Greater species diversity as well as preventing and controlling invasive species promotes adaptability and helps ecosystems withstand and recover from disturbances, including those caused by a changing climate.
- **Increase Watershed Resilience.** Resilient wetlands can be net sinks of carbon and can play an important role in reducing greenhouse gas emissions into the atmosphere, thereby mitigating climate change. Forest products also play a role in storing carbon for decades in building materials, thereby delaying emissions. Increase flood water storage capacity (both nature-based and stormwater infrastructure), support carbon sequestration, restore wetlands, streams, and meadows, and improve water clarity all work to increase watershed resilience.

4.2 Draft Metric Review

Draft Metric Findings

Exhibit 9 lists the draft metrics evaluated as part of this project and presents a score for each metric. The full evaluation is described in Appendix B. Note that the score is based on the utility of the metric, staff effort to update, how understandable the metric is, and how closely it is related to climate resiliency.

Exhibit 9. Summary of Draft Climate Resiliency Metrics

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|-----------------------------------|---|---|---|---|--------------------|
| Track Changes in Local Conditions | Recognize the Changing Climate Conditions | Total GHG Emissions | Total GHG emissions over time | TRPA | 20 |
| | | GHG Emissions by Sector | Total GHG emissions by sector (energy, transportation, solid waste, carbon sequestration) | TRPA | 20 |
| | | Poor air quality days per year, number of wildfire smoke days | Atmospheric conditions worsen with climate hazards like wildfires, which can have impacts to public health, outdoor recreation, and tourism. | AirNow | 16 |
| | | Lake Tahoe water level | Fluctuating lake levels from periods of flood and drought can impact access to recreation and cause flooding for lakefront properties. | UC Davis, US Geological Survey Water Master | 15 |
| | | Annual average water temperature, including surface temperature | Long-term water temperature patterns can be good indicators of climate change because the high heat capacity of water bodies makes short-term temperature variability less noticeable. | UC Davis | 15 |
| | | Number of extreme heat days per year | Increasing heat may increase the chance of heat-related illness; while Tahoe has relatively low-vulnerability to extreme high temperatures, it is a destination for populations escaping intense heat in surrounding communities. | Cal-Adapt, National Weather Service | 14 |
| | | Total precipitation in water per year, snow as a fraction of annual precipitation | Local ecosystems are extremely sensitive and will become more vulnerable under a warmer climate with altered precipitation patterns. A declining share of snow due to warmer temperatures impacts local hydrologic systems as well as outdoor recreation. | NOAA, UC Davis | 14 |
| | | Total number of housing units in town centers | Town Centers are areas that allow higher density to encourage mixed use development and efficient | TRPA, local jurisdictions | 17 |

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|---------------------------------|---|--|---|---------------------------------------|--------------------|
| Support Resilient Built Systems | Support Increased Access to Sustainable Housing | | land use that allows for fewer GHG emissions from transportation. | | |
| | | Share of housing affordable to workforce in town centers | Housing in town centers that is affordable to Tahoe workers allows more people to live close to places of employment. This can improve quality of life and reduce GHG emissions associated with commuting. | TRPA, local jurisdictions | 18 |
| | | Participating in (or funding for) energy efficiency programs | The uptake of energy efficiency and electrification rebates for homes and commercial buildings can indicate private sector investments in reducing GHG emissions from buildings. | Liberty Utilities, NV Energy | 16 |
| | | Number of deed-restricted affordable, moderate, and achievable units | Affordable, moderate, and achievable housing units are relative to household income. The share of these units that are regulated indicates the availability of housing for residents below the area's median income. | TRPA | 16 |
| | | Number of homes hardened | Home hardening prepares residents to protect their homes against wildfires through upgrades like building materials, ventilation, and defensible space. | CTC, CalFire, Living with Fire | 17 |
| | Support Sustainable and Resilient Utility Systems | Miles of transmission lines hardened (upgraded or undergrounded) | Transmission line hardening increases the resilience of the energy grid by upgrading or undergrounding infrastructure to mitigate impacts from wildfires and other climate-related hazards. | Liberty Utilities, NV Energy | 13 |
| | | Number of new hydrants, increased pipe size | Increased access to water infrastructure helps to better fight wildfires to protect neighborhoods, particularly in high-vulnerability areas. | Local Public Utility Districts (PUDs) | 15 |
| | | Percent of renewable energy as a share of total energy used | The total share of energy from renewable sources like solar, wind, and hydroelectric power indicates Tahoe's progress towards reducing GHG emissions from power generation. | Liberty Utilities, NV Energy | 18 |
| | Upgrade Transportation Systems | Total Transit Ridership, Frequent service (20-minute headways) | A well-functioning public transit system is one of the primary tools for changing local travel patterns to be more efficient and less dependent on automobiles. Transit ridership should be analyzed by stop level ridership, not route or system wide. | Tahoe Transportation District, TART | 18 |
| | | Total Micro-transit Ridership | Micro-transit increases access to transit systems. Tracking shared rides and program usage can enhance the overall understanding of transit ridership. | Lake Link | 12 |

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|----------------------------------|---|--|--|---|--------------------|
| Support Resilient Built Systems | | Daily per capita Vehicles Miles Traveled (VMT) | Reducing overall VMT indicates lower use of automobiles and a potentially greater uptake of transit and other modes. | RTP, Streetlight or Replica | 18 |
| | | Quantity of alternative fuel stations, EV charging/ hydrogen, Quantity of transit fleet, jurisdictional fleets with zero emission vehicles | The availability of alternative fuel infrastructure is important for ensuring that Tahoe has the capacity for growth in lower emission travel modes such as individual EVs and electric transit systems throughout the Basin. | USDOT | 20 |
| | | Baseline mode share and weekday or seasonal variation | Tracking mode share shows the uptake of active forms of transportation such as walking and bicycling recognized in the Active Transportation Plan. These modes have strong co-benefits with climate resilience by reducing emissions. Carpooling is also a potential metric to track but can be difficult data to collect. | TRPA survey, US Census Bureau, Journey to Work, Survey of Income and Program Participation (SIPP) | 15 |
| | | Transportation access in priority communities | The RTP aims to increase access to transit, bicycle, and pedestrian facilities by 100% by 2045, measured in quarter to half mile distances in priority underserved areas. | TRPA, US Census Bureau - ACS, Justice 40 | 15 |
| | | Increased lane miles of low-stress bicycle facilities | This metric allows TRPA to assess facilities which can benefit the communities who may need low-stress bicycle infrastructure and increase access to sustainable transportation modes. | TRPA, RTP | 18 |
| | | Baseline inventory of vulnerable facilities | An asset inventory can help the region to manage and prioritize capital improvements for facilities and infrastructure with high vulnerability to climate-change impacts like extreme temperature, flooding, and wildfires. | TRPA, Caltrans, NDOT Asset Inventory | 18 |
| Support Resilient Social Systems | Enhance Access for People to Live, Work, Learn, and Play in | Permanent population disaggregated by race and ethnicity, age groups | Disaggregating the permanent population by demographic groups can help to identify existing disparities and needs for climate adaptation. | US Census Bureau - ACS | 16 |
| | | Population at peak periods | Population at peak periods - visitors and seasonal residents | Placer.Ai (or similar location data service - | 8 |

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|----------------------------------|--|---|---|---|--------------------|
| Support Resilient Social Systems | Tahoe Sustainably | | | Strava Metro, Replica) | |
| | | Median Household income by jurisdiction and disaggregated by remote and non-remote workers | Median household income serves as a key metric of a community's socioeconomic conditions and ability to withstand and recover from climate-related impacts. Differences between remote and non-remote workers also indicate more flexibility for some households and individuals. | US Census Bureau – ACS, LEHD/LODES | 16 |
| | | Housing costs (median home sales price and rental rates, by jurisdiction) | High housing costs can limit access to safe and resilient housing options, making it challenging for vulnerable populations to relocate, adapt, and invest in sustainable housing. | Redfin, Zillow, Realtor Associations, CoStar | 13 |
| | | Housing tenure (rented full-time, owner-occupied, vacation rental, second home), disaggregated by race, ethnicity, and age | Housing tenure can indicate a household's ability to implement climate resilience measures such as energy efficiency upgrades, as well as ability to leave during disasters. Disparities by demographic groups can indicate populations for decisionmakers to target with new programs. | US Census Bureau - ACS | 1 |
| | | K-12 public school enrollment data and number of days of school closures due to extreme weather or poor air quality | School enrollment and closures provides insight on the impacts of climate-related events like wildfires and extreme temperature, as well as changing demographics in Tahoe. | CA and NV Departments of Education, CalMatters | 12 |
| | | Percent of students receiving free or reduced cost lunch | Free or reduced lunch can be an indicator of income and poverty, although changes to the National School Lunch Program have made FRPL status a less reliable measure of student economic disadvantage in recent years. | CA and NV Departments of Education | 12 |
| | Increase Tahoe's Economic Diversity and Resilience, with a Focus on Sustainable Recreation | Percent of workers who commute into the basin on a seasonal basis, origin demographics, distance travelled, and difference in travel time by mode | Understanding commuting patterns provides information about transportation-related emissions associated with automobile travel. It also indicates whether there are economic opportunities for workers in Tahoe year-round and seasonally. | TRPA, Streetlight or Replica, US Census Bureau (LEHD/LODES) | 13 |
| | | Number of days public recreation sites, resorts, | Recreation closures from climate-related events may increase in coming years. The number of days that | Tahoe Science Advisory | 13 |

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|----------------------------------|-----------|--|---|--|--------------------|
| Support Resilient Social Systems | | or ecotourism facilities are closed due to extreme weather or wildfire or the amount of revenue lost | private, local, state, and federal sites are closed and the amount of revenue lost from closures or lower volume days can show the impact of these events on one of Tahoe's key industries. | Council, Recreation Agencies | |
| | | Number of days recreation facilities are at full capacity | As residents of surrounding areas may come to Tahoe during periods of extreme heat, the days that facilities are at full capacity can be an important metric for tracking increased demand in the Basin. | Tahoe Science Advisory Council, Strava Metro or Replica | 13 |
| | | Transient Occupancy Tax revenue and changes over time | TOT revenue data are one way to quantify the impacts of climate change on the tourism industry through changes in overnight visitation. These may not be in effect in all communities in the Basin. | State of California, Douglas County, Washoe County | 14 |
| | | Total lodging revenues and change over time | Total lodging revenues may be more difficult to obtain but can provide an understanding of impacts of climate change to the tourism industry throughout the region. | Smith Travel Reports | 12 |
| | | Average annual wages in the tourism industry | Annual wages in the tourism industry specifically can show the strength of Tahoe's economic opportunities and how climate-related events may impact wages in this key sector. | Smith Travel Reports, Bureau of Labor Statistics (BLS) | 12 |
| | | Consistent employment, seasonal workers unemployment rates, and median wages by sector and overall | Employment patterns can have implications for residents' and workers' vulnerability to climate change and climate-events. Understanding the types of industries that are growing in the region and workforce characteristics can help Tahoe to adapt and diversify its economy and target strategies for workers in the area. | BLS/State Economic Development Agencies (California EDD and the Nevada DETR), EMSI | 14 |
| | | Visitor device data as a proxy of visitor frequency and patterns | GPS-tracked device data can indicate the rate of visitors coming to Tahoe and the way that it fluctuates in response to climate change. | Streetlight, TRPA travel survey | 12 |

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|-----------------------------------|---|---|--|--|--------------------|
| Support Resilient Social Systems | Prevent or Reduce Community Health Impacts Associated with Climate Change | Number of days cooling centers or community resiliency centers are open | This metric reflects the frequency and intensity of extreme heat or other climate-related events and can help to identify gaps in available resources. | CTC, Offices of Emergency Services | 14 |
| | | Number of Firewise communities in the Tahoe basin | Firewise communities are a metric of wildfire education and community-led efforts to mitigate and prevent impacts of climate-related events. | CalFire, Living with Fire | 13 |
| | Equitably Protect At-Risk Communities from Impacts | Number/share of households with access and functional needs (people with disabilities, older adults, children, limited English proficiency, and transportation disadvantaged) | The population with access and functional needs may require specific considerations for climate resilience and response during climate-related events. This metric can help to indicate the need for certain facilities and resources in response to climate change. | US Census Bureau - ACS | 19 |
| | | Map of zero vehicle household concentration, cooling/community resource centers, and a list of the medical support in emergencies | Zero-vehicles households can face challenges with evacuation during wildfires or other events. Mapping where this population is concentrated and distance to resources/supplies can help to equitably prepare communities to respond to these scenarios. | US Census Bureau - ACS or LEHD/LODES, CTC, Offices of Emergency Services | 13 |
| Promote Resilient Natural Systems | Reduce Wildfire Risk and Build Forest Health | Acres of forest fuels reduction treated for wildfire in high-risk areas, map of areas with prescribed fire treatment and project sites | Implementing projects to support forest thinning and restoration projects to protect communities from wildfire. This could be measured with acres of forest fuels reduction treated for wildfire in high-risk areas, mapping showing areas with prescribed fire treatment and project sites. | TRPA | 19 |
| | | Tree species diversity and increasing old growth forest | Species diversity metrics could include measurements of tree density, basal area, large/tall tree density, clump/gap structure, seral stage, large snag density; drought vulnerability, disturbance such as dead trees. | TRPA | 15 |
| | | Wildfire risk metrics such as restoration | These metrics can help track the risk of high and moderate-severity fire, identify threats to infrastructure, high-intensity patch size, and | Unknown (TRPA currently exploring) | 15 |

| Goal | Indicator | Metric | Description/Key Considerations | Source | Final Score (0-20) |
|-----------------------------------|---|--|--|----------|--------------------|
| Promote Resilient Natural Systems | | after, smoke/ash, treatment before | proportion of high severity fires, and inform community wildfire protection and egress/ingress plans. | | |
| | Increase Biodiversity and Reduce and Control Invasive Species | Acres treated for invasive species | Acres treated helps to track progress for preserving and protect biological resources in the Region and protecting against invasive species increasing with climate change. | TRPA | 20 |
| | | Watercraft inspections for invasive species | Watercraft inspections are an important way to prevent new invasive species from entering the area which may flourish with changing climate conditions. | TRPA | 17 |
| | Increase Watershed Resilience | Acres of restored high-quality wetlands and meadows (also referred to as Stream Environment Zones) helping to store flood waters | Wetlands and meadows restored are a measure that helps to track increased flood water storage capacity in Tahoe and provide a number of co-benefits for water clarity and carbon sequestration. | TRPA | 16 |
| | | Increase number of parcels with Stormwater Best Management Practices (BMPs) improvements | Tracking parcels that implement BMPs also demonstrates progress for managing stormwater which is expected to increase with climate change and higher volumes of precipitations. | TRPA | 16 |
| | | Lake Clarity measured by Secchi Depth | Clarity metrics can be indicative of environmental health in Lake Tahoe and show the impacts of increased stormwater runoff on the aquatic ecosystem. | UC Davis | 11 |
| | | Shared stormwater basin project investment | Tracking shared investment shows how the region is cooperating on increasing watershed resilience and could help to identify gaps to be addressed. | TRPA | 16 |
| | | Map of carbon sequestration measurement | Mass measurement or percent change in soil organic matter and/or increase in soil water holding capacity can indicate carbon sequestration, which will be critical for mitigating climate change impacts in Tahoe. | TRPA | 16 |

5. Appendices

- A. Draft Metric Review Results Table
- B. Best Practice Research Findings
- C. Existing Document Review Summary
- D. Interview Summary

STAFF REPORT

Date: August 16, 2023
To: Governing Board
From: TRPA Staff
Subject: Update to the 2018 Linking Tahoe: Active Transportation Plan

Staff Recommendation:

This is an information item on the ongoing update to the 2018 Linking Tahoe: Active Transportation Plan.

Required Motion:

There is no required motion.

Project Description/Background:

TRPA, as the federally designated Metropolitan Planning Organization, is committed to keeping the ATP current to ensure the document supports the planning and funding needs of the region. In October of 2018, the TRPA Governing Board adopted technical amendments to the 2016 Linking Tahoe: Active Transportation Plan (ATP). This was included in the 2020 Regional Transportation Plan (RTP). Transportation staff determined that a full plan update is needed and is currently underway. The ATP update precedes the next RTP update. A full plan update typically includes extensive public outreach, major and minor changes to new facilities, updating of best-practices and research methods that have occurred since the previous update, comprehensive data analysis, and environmental screening.

The current effort seeks to update the Existing Conditions and Needs Analysis, Network Recommendations, Implementation Plan, and Priority Project list. These are relatively standard, procedural plan updates. The current ATP update includes engaging our regional partners, residents, and visitors around the region either in-person or via our Transportation Safety Survey, to understand how stakeholders feel about the current active transportation network in Tahoe and what could be better. So far 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. Outreach is still ongoing, and the survey will be open through the end of September 2023. Beyond public outreach events, staff have been seeking 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

In addition, staff will address two new ATP components: a “Level of Traffic Stress/Pedestrian Experience Index” (LTS/PEI) and California designated “Class 4” bicycle facilities. Class 4 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. LST/PEI analyses are modern active transportation planning tools to help identify high-stress roadways, while proposing a standard list of stress-reducing infrastructure that is designed to encourage people to ride, roll, or walk on a low(er)-stress network because they no longer feel it is too unsafe or stressful. Not only are these analyses important for various planning purposes, they also serve to make our local Tahoe agencies more competitive in regional, state and federal grant applications by identifying needs and concrete recommendations on how to make our active transportation network more equitable, accessible, and interconnected.

Other items of importance in the current ATP update include cohesive accessibility improvements for Tahoe’s disabled community. Coordination with this community is critical to understanding their concerns and how to best design our roadway network to suit members’ needs. Seeking direct feedback from the Tahoe Area Coordinating Council for the Disabled (TACCD) and Achieve Tahoe, as well as employing best-practice recommendations from other regions are currently underway. Another topic of great interest to be addressed is cohesive electric bicycle (ebike) policy recommendations for the region. While transportation staff feel that ebikes are critical to meet VMT reduction goals and help encourage a larger swath of the population to ride or roll instead of drive to their destinations, we are sensitive to the safety concerns people have as more of these devices (both privately owned and shared) are seen on our shared paths and roadways. Outreach thus far has shown there is desire for a clear understanding of what kind of ebikes are allowed, where, for whom, and what kinds of public education initiatives can be undertaken to help encourage safe and considerate riding of these important electric devices.

Outreach and data analysis are still ongoing. Once staff have finalized the outreach, data collection, and plan writing, a draft plan will be circulated for review and comments. Staff will then be seeking adoption of the completed update to the Active Transportation Plan in early 2024.

Contact Information:

For questions regarding this agenda item, please contact Ryan Murray, Associate Transportation Planner, at rmurray@trpa.gov.



Tahoe In Brief

Tahoe Regional Planning Agency (TRPA) Governing Board Monthly Report

August 2023

TRPA CALENDAR AT-A-GLANCE

AUGUST 2023

- August 23: TRPA Governing Board Meeting at the North Tahoe Event Center in Kings Beach, CA. (Note that a walking tour is planned for after the meeting.)

SEPTEMBER 2023

- September 13: TRPA Advisory Planning Commission Meeting
- September 27: TRPA Governing Board Meeting

OCTOBER 2023

- October 11: TRPA Advisory Planning Commission Meeting
- October 25: TRPA Governing Board Meeting and Retreat

NOVEMBER 2023

- November 8: TRPA Advisory Planning Commission Meeting
- November 15: TRPA Governing Board Meeting

Potential agenda items September to January could include:

- Tahoe Living Phase 2: Land Use Code Innovation to Promote Affordable and Workforce Housing Solutions informational and consideration hearings.
- Amendments to the TRPA Code, Rules of Procedure, Design Review Guidelines, and Fee Schedule necessary to implement permitting improvements.
- Homewood Master Plan amendment
- Tahoe Valley and Tourist Core Area Plan amendments
- Washoe Tahoe Area Plan Woodcreek Regulatory Zone Amendment informational hearing

TRPA STRATEGIC PRIORITIES

The graphic features a dark teal header with the text 'TRPA STRATEGIC PRIORITIES' in white. To the right of this header, a white text box contains a paragraph explaining that these priorities are set by the Governing Board and reflect the agency's commitment to protect Lake Tahoe's environment while improving regional transportation, increasing diverse housing options, and facilitating community revitalization. Below the header, three strategic priorities are listed in a light blue background: 'Tahoe Living' (working to create Complete Communities), 'Keeping Tahoe Moving' (improving the transportation system), and 'Restoration and Resiliency' (accelerating environmental improvement and transportation programs).

TRPA STRATEGIC PRIORITIES

Set by the Governing Board, these strategic priorities reflect the agency's commitment to protect Lake Tahoe's environment while improving regional transportation, increasing diverse housing options, and facilitating community revitalization.

Tahoe Living - working to create Complete Communities that provide housing for all, an appropriate mix of uses to support vibrant, walkable, transit-friendly neighborhoods, and the necessary infrastructure to protect our unique and precious environment.

Keeping Tahoe Moving - improving the transportation system for Complete Communities and for the millions of annual visitors to the Tahoe Region.

Restoration and Resiliency - accelerating environmental improvement and transportation improvement programs to restore our environment and better prepare the region for climate resiliency.

TAHOE LIVING STRATEGIC PRIORITY

This priority implements the housing and community revitalization goals of the Regional Plan by developing region-wide strategies that most effectively deliver needed housing and walkable, compact development. Activities included in this strategic priority include updating TRPA development standards to encourage deed-restricted multi-unit, compact residential development, launching an equity and climate assessment to inform the update of the region's land use and growth management system, development of a Community Engagement and Capacity Building Plan, and establish and report data to measure progress toward regional housing goals.

Higher Impact Transformative Grant: Phase 3 of the Tahoe Living Housing and Community Revitalization Strategic Priority

The California Department of Housing and Community Development announced the award of a \$2.4 million grant to TRPA in July. The grant focus was crafted with the assistance of regional partners to help make housing, equity, and climate goals a central focus of land use and water quality programs. TRPA will be developing Requests for Proposals this fall with the goal of having a contractor on board to begin work on the grant by the end of the year.

TRPA Staff Contact: Karen Fink, Housing and Community Revitalization Program Manager
775-589-5258, kfink@trpa.gov

Associated Working Group(s)/Committee(s):

- Tahoe Living Working Group
- TRPA Governing Board Local Government & Housing Committee

Website(s):

- Meeting materials are posted on the Tahoe Living Working Group page:
<https://www.trpa.gov/tahoe-living-housing-and-community-revitalization-working-group-2/>
- Tahoe Housing Story Map:
<https://storymaps.arcgis.com/stories/62ae9110d85c43ecb381eb3f3ccec196>

Newsletter: Sign up to receive housing news by sending an email to enews@trpa.gov and put “Housing” in the subject line.

RESTORATION AND RESILIENCY STRATEGIC PRIORITY

This initiative focuses on Environmental Improvement Program (EIP) implementation to keep pace with current threats and to build resiliency to climate change. The EIP has a proven track record of success over 27 years. This bi-state, cross-boundary restoration partnership has implemented nearly 800 projects to improve the environmental and economic health of the Tahoe Basin. To build on the program’s success, TRPA staff are accelerating project implementation on multiple fronts including streamlining EIP project permitting by “Cutting the Green Tape,” augmenting program funding, and building partnerships at the national and regional levels.

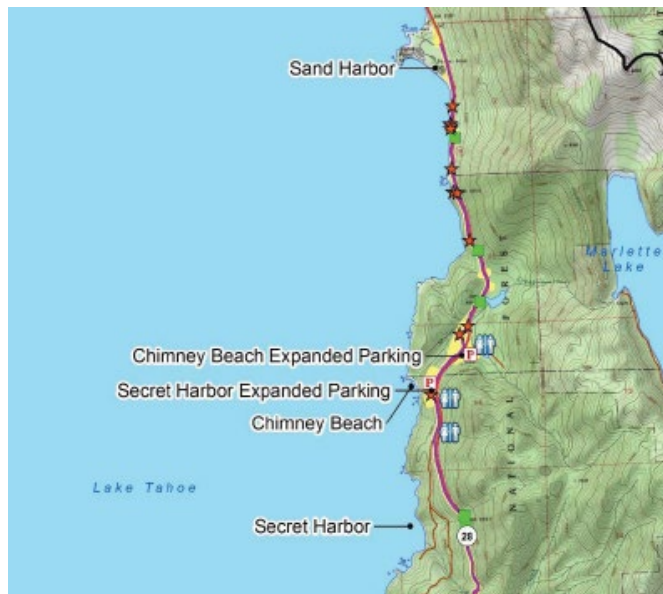
Aquatic Invasive Species Program Update

At the September Governing Board meeting, staff will provide an overview of aquatic invasive species (AIS) work completed or in progress since last year. This will include updates on prevention, control, and findings from AIS monitoring. Prevention updates will highlight new tools for non-motorized watercraft cleaning as well as progress toward permanent inspection stations. Staff previously provided an update to the Governing Board on the Tahoe Keys project in May; this upcoming presentation will focus on the Taylor Tallac project and other control projects currently being implemented. Upcoming monitoring will include diver transects, high resolution aerial imagery, and a scaled comparison of different Sonar methods.

Chimney Beach Trailhead Parking Lot Upgrade

An upgrade to the Chimney Beach Trailhead parking lot is coming before the Governing Board for consideration at the August meeting. The project, proposed by the USDA Forest Service Lake Tahoe Basin Management Unit, will construct 130 replacement parking spaces. The spaces will replace existing State Route 28 shoulder parking. The existing parking lot only has 21 parking spaces which is not adequate for the number of people who recreate along this corridor.

The project implements one project identified in the State Route 28 Corridor Management Plan. Replacing highway shoulder parking with off-highway parking facilities that include supporting infrastructure like adequate restrooms, trash receptacles, and transit access is a primary goal of the plan. This project will achieve that goal, improve safety, and protect environmental resources along the State Route 28 Corridor.



Map showing the location of the Chimney Beach Trailhead parking lot on Tahoe's East Shore.

TRPA Staff Contact: Kat McIntyre, Department Manager, Environmental Improvement Program

412-225-2181, kmintyre@trpa.gov

Associated Working Group(s)/Committee(s):

- Governing Board Environmental Improvement Program Committee
- Tahoe Interagency Executives Steering Committee

Website(s):

- EIP Project Tracker: <https://eip.laketahoeinfo.org/>
- Cutting the Green Tape: <https://resources.ca.gov/Initiatives/Cutting-Green-Tape>

ADDITIONAL ITEMS OF INTEREST

TRPA Permitting System Improvements

The Permitting Improvement Project started in early 2022 to evaluate and improve TRPA’s processes and ordinances. These improvements are paired with technology investments and online tools aimed to streamline TRPA’s application processing, provide clarity on complex regulations, reduce review times, and operate more efficiently and effectively. Recommended improvements were developed by a third-party consultant, Stockham Consulting, in collaboration with staff, agency partners, and stakeholders. These recommendations are summarized in the project’s Action Plan and Implementation Report, which was endorsed by the TRPA Governing Board in August 2022 and March 2023.

The first round of improvements is scheduled for implementation this Fall. A set of amendments to the TRPA Code, Rules of Procedure, Design Review Guidelines, and Fee Schedule necessary to implement the improvements is scheduled for consideration at the Regional Plan Implementation Committee in August, and the Advisory Planning Committee and Governing Board in September. The next phase of identifying and developing additional improvements will begin in November 2023.

Recommended improvements include:

- Streamlined permitting for minor activities.
- A procedural manual with standard operation procedures, permitting guidance, and standardized templates.
- Dedicated customer service staff and project review teams.
- Improved navigation on the www.trpa.gov website.
- Expanded list of projects to be reviewed at staff level.
- Permitting help tools.

- Fee adjustments and a cost recovery monitoring system.

The Permitting Improvement Project aims to provide excellent customer service. TRPA is committed to regularly evaluating our policies, ordinances, and procedures to remove barriers to environmentally beneficial redevelopment.

For more information on the project and to view key deliverables, visit <https://www.trpa.gov/permitting-improvement-project/>.

Project Permitting

See tables on the next pages for permitting details.

TRPA Applications by Project Type through July 31, 2023

| TRPA Applications by Project Type | 2021 | 2022 | 2023 YTD |
|--|--------------|--------------|-----------------|
| Residential Projects | 242 | 267 | 155 |
| Commercial Projects | 11 | 18 | 17 |
| Recreation/Public Service Projects | 44 | 48 | 26 |
| Environmental Improvement Projects | 13 | 5 | 5 |
| Shorezone/Lakezone Projects | 130 | 66 | 19 |
| Buoy and Mooring Projects | 48 | 15 | 9 |
| Grading Projects | 37 | 35 | 22 |
| Verifications and Banking | 427 | 379 | 181 |
| Transfers of Development | 55 | 59 | 21 |
| Other | 142 | 233 | 102 |
| Grand Total | 1,149 | 1,125 | 557 |

Completeness Review Performance

| | <u>May 31, 2023</u> | <u>June 30, 2023</u> | <u>July 31, 2023</u> |
|---|---------------------|---|----------------------|
| Completeness Reviews Finished During Period | 99 | 117 | 91 |
| Reviewed within 30 Days of Submission | 99 | 116 | 91 |
| Over 30 Days from Submission | 0 | 1 | 0 |
| Percent Over 30 Days | 0% | 1% | 0% |
| Files with Completeness Over 30 Days | N/A | ERSP2023-0473 (Shore-Lakezone, 33 days) | N/A |
| Applications Not Yet Reviewed for Completeness | 49 | 30 | 55 |
| Under 30 Days Since Submission | 49 | 30 | 55 |
| Over 30 Days Since Submission | 0 | 0 | 0 |
| Percent Over 30 Days | 0% | 0% | 0% |

Application Review Performance

| | <u>May 31, 2023</u> | <u>June 30, 2023</u> | <u>July 31, 2023</u> |
|--|--|--|---|
| Issued Permits | 82 | 70 | 85 |
| Issued within 120 Days of Complete Application | 75 | 62 | 81 |
| Issued over 120 Days from Complete Application | 7 | 7 | 4 |
| Percent Over 120 Days | 9% | 10% | 5% |
| Files with Issued Permits - Over 120 Days: | ERSP2021-1814 (Shore-Lakezone; 306 days) | ERSP2021-1373 (Shore-Lakezone; 355 days) | MOOR2022-1808 (Mooring Permit; 209 days) |
| | MOOR2021-1907 (Mooring Permit; 257 days) | ERSP2022-1117 (Shore-Lakezone; 337 days) | MOOR2022-1834 (Mooring Permit; 192 days) |
| | ERSP2022-1557 (Res Dwelling; 231 days) | MOOR2021-1930 (Mooring Permit; 252 days) | MOOR2021-1869 (Mooring Permit; 146 days) |
| | MOOR2022-1579 (Mooring Permit; 169 days) | MOOR2021-1866 (Mooring Permit; 228 days) | MOOR2021-01872 (Mooring Permit; 145 days) |
| | ERSP2022-0107 (Shore-Lakezone; 163 days) | MOOR2021-1909 (Mooring Permit; 212 days) | |
| | MOOR2021-1892 (Mooring Permit; 143 days) | MOOR2021-1887 (Mooring Permit; 197 days) | |
| | MOOR2022-1826 (Mooring Permit; 141 days) | MOOR2022-1835 (Mooring Permit; 163 days) | |

| | <u>May 31, 2023</u> | <u>June 30, 2023</u> | <u>July 31, 2023</u> |
|----------------------------------|---------------------|----------------------|----------------------|
| Applications in Review | 80 | 117 | 134 |
| Under 120 Days in TRPA Review | 80 | 117 | 134 |
| Over 120 Days in TRPA Review | 0 | 0 | 0 |
| Percent Over 120 Days | 0% | 0% | 0% |
| Files In Review - Over 120 Days: | N/A | N/A | N/A |

| | <u>May 31, 2023</u> | <u>June 30, 2023</u> | <u>July 31, 2023</u> |
|--|---------------------|----------------------|----------------------|
| Applications Requiring Additional Info. From Applicants for TRPA Review | 101 | 105 | 94 |

For detailed information on the status of any application listed here please contact Wendy Jepson, Permitting and Compliance Department Manager, at wjepson@trpa.gov or Tiffany Good, Permitting Program Manager, at tgood@trpa.gov.



STAFF REPORT

Date: August 16, 2023

To: TRPA Regional Plan Implementation Committee (RPIC)

From: TRPA Staff

Subject: Permitting Improvements Project Amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule.

Summary:

The TRPA Permitting Improvement Project Team requests that the Regional Plan Implementation Committee (RPIC) recommend approval and adoption of amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule to the TRPA Governing Board. The amendments implement proposed recommendations within the TRPA Permitting Improvement [Action Plan](#) and [Implementation Report](#) as endorsed by the TRPA Governing Board in August 2022 and March 2023 respectively. Stockham Consulting, a consultant to the TRPA, has worked collaboratively with staff and stakeholders to prepare the proposed amendments.

Required Motions:

In order to recommend approval of the requested action, the RPIC must make the following motion(s), based on this staff summary and provided attachments:

- 1) A motion to recommend approval of the required findings (Attachment D), including a finding of no significant effect, for the adoption of amendments to the Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule to implement recommendations of the Permitting Improvement Project.
- 2) A motion to recommend approval and adoption of Ordinance 2023-__ (Attachment E), amending Ordinance 87-9, as amended, for the adoption of amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; and Design Review Guidelines Appendix H to the TRPA Governing Board.
- 3) A motion to recommend approval and adoption of Resolution 2023-__ (Attachment E), amending the Fee Schedule to the TRPA Governing Board.

In order for motion(s) to pass, an affirmative majority vote by RPIC members is required.

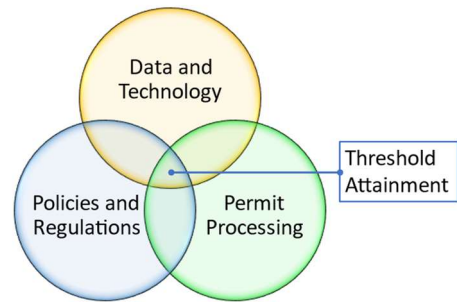
Project Description/Background:

In August 2022, staff presented the *Digital First: Innovation Strategic Initiative*, including high-level permitting improvement recommendations detailed in the TRPA Governing Board endorsed [Action Plan](#).

The *Digital First: Innovation Strategic Initiative* involves significantly improving the ability of the agency to provide services in a “digital first” way by rethinking processes, updating policies and code, and using new technology to maintain and attain the agency’s compact-mandated threshold standards. This is achieved when all three of these are aligned and work together.

- Development and review of policies and regulations require accurate information on the previous and expected effectiveness and impact of those policies; to measure and adjust policies and regulations, those policies and regulations must clearly identify expected outcomes and include a mechanism for their ongoing measurement.
- Policies and regulations must be clear to be useful for creating effective permitting processes; permitting processes must accurately reflect the intent of adopted policies and regulations.
- Effective and efficient processes rely on accurate information and technology to make them accessible; technology and information can only be used effectively when processes are clear and consistent.

TRPA has been working to achieve this synergy between policies and regulations, data and technology, and permit processing (e.g., updating the threshold standard, policies, code, and mitigation fees) and will continue to do so as part of the adaptive management approach. That is the foundational concept underlying the Innovation Initiative.



TRPA Permitting Improvement Project:

TRPA started a permitting system improvement project in early 2022 to evaluate and improve TRPA’s processes and ordinances. These improvements are paired with significant investments in the Accela permitting software and other technologies to streamline and improve TRPA’s application processing, reduce review times, and operate more efficiently and effectively.

TRPA selected Stockham Consulting to assist with this project. Arlo Stockham, the principal and project manager, has extensive planning and community development experience in the Reno/Tahoe area, including prior employment with TRPA as manager for the 2012 Regional Plan Update. Mr. Stockham is also reviewing project applications for TRPA under a separate contract, bringing additional perspective to this project. Finally, the contract is unique; it includes working with staff to implement the endorsed permitting process improvements.

Since April 2022, Mr. Stockham has worked collaboratively with staff and stakeholders to assess the TRPA permitting system and recommend improvements. In August 2022, the Governing Board reviewed the TRPA Permitting Improvement [Action Plan](#) prepared by the consultant, provided comments, and endorsed the document. The Action Plan outlines a strategy and work program to improve the TRPA permitting system.

Implementation Recommendations for the Permitting Improvement Action Plan:

The [Implementation Report](#) endorsed by the TRPA Governing Board in March 2023 expanded upon the Action Plan by detailing the specific recommendations for the initial suite of permitting program improvements. Recommendations were reviewed, discussed, and refined in coordination with the TRPA staff team and a variety of stakeholders. The recommended changes should significantly improve permitting operations for applicants and staff.

The attached memo from Stockham Consulting, consultant for the project, provides additional detail regarding deliverables of the project, stakeholder outreach, and anticipated next phase of the project. (Attachment A)

Tasks and deliverables (i.e. recommendations) of the Permitting Improvement Project include both (1) proposed amendments to the TRPA Code of Ordinances, Rules of Procedure, Design Review Guidelines, and Fee Schedule, and (2) other administrative improvements.

The proposed amendments included in this packet require adoption by ordinance and resolution by the TRPA Governing Board and are analyzed further within this packet for any potential environmental impact. A summary table of all proposed amendments is included as Attachment B. The environmental analysis and required findings for the proposed amendments is included in Attachment C and D. Draft ordinances and a resolution that would be provided to the Governing Board is included in Attachment E for reference. Full versions of the Code of Ordinances, Rules of Procedures, Design Review Guidelines, and Fee Schedule with redline proposed amendments are available [online](https://www.trpa.gov/permitting-improvement-project/) at <https://www.trpa.gov/permitting-improvement-project/>.

Staff and the consultant are also developing other administrative improvements as part of the project and to help implement recommendations, including: a new Procedural Manual with standard operating procedures, permitting staff guidance, and standardized templates to aid streamlined and consistent project review; staff reorganization with dedicated project review teams and customer service team; new appointment system to meet with a planner; revised project applications; improved customer service navigation at TRPA.gov; and a permitting cost recovery monitoring strategy. These administrative deliverables are still under development and do not require Governing Board action.

Staff tentatively plans to bring forward additional deliverables and improvements for the Permitting Improvement Project in March 2024.

More information on the project and its progress are publicly available online at <https://www.trpa.gov/permitting-improvement-project/>.

Approval Process:

Staff requests RPIC discuss the proposed amendments, provide feedback, and recommend approval of the amendments at their August 23, 2023 meeting. Following RPIC review, the amendment packet and materials will be presented to the Advisory Planning Commission on September 13, 2023 for recommended approval, and to the Governing Board for consideration of approval and adoption on September 27, 2023. Amendments would go into effect, if approved and adopted, 60 days following adoption. Training sessions regarding the amendments for TRPA staff, partner agencies, and applicant representatives will be held prior to the effective date.

Contact Information:

For questions regarding this agenda item, please contact Jennifer Self at 775-589-5261 or jself@trpa.gov.

Attachment:

- A. Stockham Consulting Memorandum
- B. Table of Amendments
- C. IEC
- D. Findings and FONSE
- E. Adopting Ordinances & Resolution
- F. [Code of Ordinance \(Full Document with Redline Changes Available Online\)](#)
- G. [Rules of Procedure \(Full Document with Redline Changes Available Online\)](#)
- H. [Design Review Guidelines, Appendix H \(Full Document with Redline Changes Available Online\)](#)
- I. [Fee Schedule \(Full Document with Redline Changes Available Online\)](#)

Attachment A
Stockham Consulting Memorandum

Date: August 2, 2023
To: TRPA Regional Plan Implementation Committee
From: Arlo Stockham, AICP

Subject: TRPA PERMITTING IMPROVEMENT PROJECT: Proposed Amendments to the Code of Ordinances, Rules of Procedure, Design Review Guidelines, and Fee Schedule

Summary: I am pleased to present the next phase of work from the Tahoe Regional Planning Agency (TRPA) permitting improvement team. This is a priority project to improve TRPA permitting operations.

Project information and deliverables are publicly available online at the <https://www.trpa.gov/permitting-improvement-project/>.

This memo outlines draft changes to the *TRPA Code of Ordinances (the “Code”), Rules of Procedure (the “Rules”), Design Review Guidelines Appendix H (the “DRG”) and Fee Schedule (the “Fees”)*. The proposed changes are consistent with the *TRPA Permitting Improvement Action Plan (the “Action Plan”)* and the *Implementation Report for TRPA Permitting Improvements (the “Implementation Report”)*.

The *Action Plan* is a strategy and 18-month work program to improve the TRPA permitting system. It was developed through a participatory process and was endorsed by the TRPA Governing Board in August 2022. The *Action Plan* directed staff to pursue process improvements and code amendments focused on the following priority topics:

- *Establish more efficient, consistent, and predictable application review processes.*
- *Simplify and shorten review processes for minor applications and sequential approvals.*
- *Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.*
- *Prioritize public communication and customer services.*
- *Expand tools for staff development and training.*
- *Maintain adequate and dependable funding to support quality application reviews.*

The *Implementation Report* is a technical memo detailing specific recommendations to implement the *Action Plan*. It was also developed with extensive stakeholder participation and was endorsed by the TRPA Governing Board in March 2023.

Since March, I have worked with staff and stakeholders to prepare and refine complete implementation documents (*Code, Rules, DRG, and Fees*). Draft amendments are available in redline format. The August 2 drafts reflect refinements made following public distribution and stakeholder review of prior drafts.

Attachment B was prepared as a reference document for reviewers. It is a comprehensive table identifying each of the proposed *Code, Rules, DRG, and Fees* changes (in chronological order).

The table references action items from the *Implementation Report* and notes implementation details. Please review the [Implementation Report](#) for additional supporting information.

Full versions of the Code, Rules, DRG, and Fees with redline changes are publicly available at <https://www.trpa.gov/permitting-improvement-project/>.

Recommendations: Tasks and deliverables (i.e. recommendations) of the Permitting Improvement Project include both (1) proposed amendments to the TRPA Code of Ordinances, Rules of Procedure, Design Review Guidelines, and Fee Schedule, and (2) other administrative improvements.

The proposed amendments to the *Code, Rules, DRG, and Fees* are broadly summarized below. The amendments were reviewed, discussed, and refined in coordination with the TRPA staff team for permitting improvements, and with other staff members. Additional refinements were made following stakeholder review and comment.

Proposed changes include:

Priority #1: Establish more efficient, consistent, and predictable application review processes.

Administrative improvements are being made together with changes to *Code, Rules, DRG, and Fees*. Central to this effort is a comprehensive administrative *Procedure Manual* outlining standard practices for project reviews and other department functions. Establishing written process guidelines should improve the consistency and quality of permitting operations. The *Procedure Manual* will also serve as a staff training and evaluation tool, and as a publicly available resource. The *Procedure Manual* will be refined and expanded over time.

The department has 21 full time staff members and is now organized with three staff teams plus special project staff. The staff teams manage routine operations, with team leaders providing mentoring and consistent guidance for their teams.

Staff is also working to standardize the materials used for application reviews. Shared permit templates and a consolidated list of standard conditions are being assembled. Application forms and the Accela permitting system are also being updated.

The application documents and standard review procedures will be enhanced during Phase 3.

Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.

- Minor Applications: A new “Minor Application” process will be established for less complex project applications. Minor Applications will have shorter review timelines (15 + 40 days), simplified reviews, and a dedicated review team. Procedures are detailed in new section 5.4 in the Rules of Procedure, including the list of qualifying projects.
- Bundled and Concurrent Applications: Changes will allow frequently-related applications to be processed concurrently and in a coordinated manner. This should improve the review process, while reducing the combined processing time for projects that also

involve development right transfers, lot line adjustments, or historic resource determinations. See new section 5.5 in the Rules of Procedure.

- Exempt and Qualified Exempt Activities: The Qualified Exempt (QE) declaration process is being simplified consistent with existing Code language. Additional minor improvements are also moved from the QE list to the fully Exempt list. See changes in Code section 2.3.
- Historic Resource Protection: Changes authorize streamlined historic resource determination procedures and staff-level approval of projects involving potential historic resources. Procedures for designated historic resources will not change. Routine project-level consultations with state historic preservation offices are also being discontinued, consistent with a request from the California office and with concurrence of the Nevada office. See Code subparagraph 2.2.2.A.2.c and Chapter 67.
- Additional Staff-Level Decisions: Staff-level approval procedures are proposed for additional determinations that do not benefit from public hearings, including certain underground utility replacement and Environmental Improvement Projects. Bonus Units will no longer require a different and sometimes more intensive review process than the projects for which they are being used. Many routine shorezone applications, including new and expanded piers, will be reviewed at the staff level – however noticing requirements and appeal provisions are retained for the shorezone applications. See Code section 2.2.2.

Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.

- Code Interpretations and Clarifications: A suite of code clarifications are proposed, consistent with past interpretations and ongoing practices. Additional language is added in numerous sections to clarify the approval criteria for basic regulations. This should help project applicants understand key development limitations, while providing a framework for more consistent and improved reviews. Topics addressed include:
 - Land coverage for public safety and access of the disabled (Code sec 30.4.2)
 - Land coverage transfers between Bailey and IPES lots (Code sec 30.4.3)
 - Land coverage exemptions – non-permanent coverage, pervious coverage, pervious decks. Changes also include new provisions for small utility installations including utility boxes, generators, HVAC pads, EV chargers, solar, etc (Code sec 30.4.6)
 - Off-site coverage (Code sec 30.4.7)
 - Heights for buildings with multiple roof pitches (Code sec 37.3.4)
 - Height standards for segmented buildings on slopes (Code sec 37.4.2)
 - Standards for reflectivity and glare outside the shorezone/shoreland (Code sec 66.1.6)
 - Shorezone boulder relocation (qualified exempt) vs dredging (Code sec 82.5.8)
 - Rules for Rounding (Code sec 90.1.14). Rounding rules are also added in the Shoreland Visual Assessment Tool (Design Review Guidelines Appendix H).

- Definitions (Code sec 90.2)
 - Active Solar Energy System
 - Deck
 - Electric Vehicle Charger
 - Electric Vehicle Charging Station
 - Expansion (addresses expansion vs modification for shorezone structures)
 - Land Coverage (addresses minor site improvements)
 - Walkway
- Focus Staff Time on High-Value Work: Procedure ordinances are updated to reduce audit frequency for single family permits and to only conduct the “below the IPES line” drawing if there is insufficient supply in the Residential Allocation Incentive Pool. Changes will significantly reduce staff work without impacting outcomes. See Code sec 50.5.2 (A and E).
- Organize Code Reference Documents: Documents and datasets that are “adopted by reference” in the TRPA Code have been compiled in a list with convenient links to each document. This will be included in the procedure manual and posted online.

Priority #4: Prioritize public communication and customer services.

Customer service improvements are being implemented, including dedicated customer service staff, a customer service policy for staff, and additional online resources for applicants. Customers will also benefit from more consistent and efficient project reviews.

Priority #5: Expand tools for staff development and training.

The *procedure manual* and project review teams provide a framework for enhanced staff guidance/training and increased delegation of work to lower level positions. Future efforts will include staff training and increasing opportunities and responsibilities for lower level positions.

Priority #6: Maintain adequate and dependable funding to support quality application reviews.

In recent years, TRPA applications have increased rapidly – both in volume and complexity. Increases in complex shoreland and shorezone applications have been most notable. Staff have struggled to keep up with permit reviews, but funding is limited for additional staff increases.

The *Implementation Report* focused on efficiency improvements, but also identified targeted fee changes to better reflect the cost of reviews. These changes are now addressed in the Fee Schedule amendments. Moving forward, additional expense monitoring systems and reports are being developed. These can be used when evaluating operating costs and considering future fee changes.

Most application fees remain unchanged, including for all residential and commercial projects outside the shoreland/shorezone. The changes proposed address fees that are clearly out of alignment with the complexity of reviews.

The fee multiplier sheet is updated to better reflect review time requirements. The 25 percent increase in special planning areas is eliminated and replaced with a new 25 percent multiplier for projects that can be approved at the staff level, but require public noticing.

In aggregate, application fees for development in the shoreland and shorezone currently fall well short of the associated administrative costs.

Shoreland scenic review fees are proposed to increase to reflect the time required for these reviews. This will impact projects that are located in the shoreland or shorezone and are visible from Lake Tahoe. The current \$629 added application fee is increased to \$1,000 or \$2,000, depending on the review process type/complexity. Several shorezone fees are also increased, including for buoys, mooring lottery eligibility reviews, and pier expansions.

The expanded staff-level approval authorities (with noticing) provides fee reductions that offset the increases for some applications. Net fee changes for common applications are noted in the table below. These amounts are better aligned with typical project review costs.

| <u>Application Type</u> | <u>Total Fee (Existing)</u> | <u>Total Fee (Proposed)</u> |
|--|-----------------------------|-----------------------------|
| <i>Single Family Remodel/Addition (Lakefront, 4,000 sf, High Scenic)</i> | \$7,799 | \$9,170 |
| <i>New Pier – multiple use (High Scenic)</i> | \$11,809 | \$9,852 (no GB review) |
| <i>New Pier – single use (High Scenic)</i> | \$9,389 | \$9,852 (no HO review) |
| <i>Pier Expansion (High Scenic)</i> | \$3,944 | \$9,852 |
| <i>Pier Modification (No Scenic)</i> | \$3,315 | \$3,315 |
| <i>One New Buoy (No Scenic)</i> | \$787 | \$1,500 |

In other areas, targeted changes are proposed with no significant change to total fee revenue. Day care fees are decreased. Lodging fees are increased consistent with fees for multi-family projects. Modest fees are applied to certain “no-fee” submittals, including additional Qualified Exempt declarations (some pay now), repeat acknowledgement (final approval) of approved permits, and parcel consolidation deed restrictions.

Fee-related provisions in the *Code, Rules, and Fee Schedule* are also reorganized to simplify administrative processes. Procedures for fees are moved to a new chapter 16 in the *Rules*. Fee amounts are all listed in the *Fee Schedule* and are not repeated elsewhere. References in various sections are updated to reflect this approach. Language is also changed to consistently use the Western States CPI for fee indexing (where applicable) and to discontinue use of other inflation indexes.

Please see Attachment B for a detailed list of amendments to the *Code, Rules, DRG, and Fee Schedule*.

Summary of Requested Action by Project Task:

| TASKS & DELIVERABLES | REQUESTED ACTION |
|---|--|
| <i>Priority #1: Establish more efficient, consistent, and predictable application review processes</i> | |
| Procedural Manual Standardized Forms, Templates, and Conditions of Approval Dedicated Project Review Teams | These improvements are administrative and operational in nature (e.g. provides procedural guidance). No action requested. Deliverables are under development. Comments welcomed. |
| <i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i> | |
| Minor Applications Bundled Applications | These improvements are administrative and operational in nature (e.g. provides procedural guidance). <i>Procedures are detailed in new section 5.4 and 5.5 in the TRPA Rules of Procedure, including a list of qualifying projects.</i> Requested action of RPIC to recommend adoption of amendments to the Rules of Procedures. |
| QE Declaration Process Simplification | The existing Qualified Exempt (QE) declaration procedures are being clarified consistent with <u>existing</u> code language. These improvements are administrative and operational in nature. (e.g. provides procedural guidance) Clarifications regarding the QE procedure will be included in the Procedural Manual and TRPA applications. No action requested. Deliverables will be available at TRPA.gov November 2023. Comments welcomed. |
| Expand Exempt Activities List | The proposed amendments include moving select minor activities from the QE list to the fully Exempt list in TRPA Code 2.3. These are consistent in scale and scope of existing exempt activities. Requested action of RPIC to recommend adoption of amendments to the Code of Ordinances. |
| Historic Resource Process Simplification | Amendments include streamlined historic resource determination procedures and staff- |

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| | <p>level approval of projects involving potential historic resources.</p> <p>Requested action of RPIC to recommend adoption of amendments to the Code of Ordinances.</p> |
| Additional Staff Level Delegation | <p>Staff-level approval procedures are proposed for additional determinations.</p> <p>Requested action of RPIC to recommend adoption of amendments to the Code of Ordinances.</p> |
| <i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i> | |
| Code Interpretations and Clarifications | <p>A suite of amendments is proposed, consistent with past code interpretations and ongoing practices. The amendments clarify the approval criteria for common regulations, such as land coverage and height. The amendments help project applicants better understand development limitations and considerations, while providing a framework for more consistent and improved reviews.</p> <p>Requested action of RPIC to recommend adoption of amendments to the Code of Ordinances.</p> |
| Reduce Audit Volumes | <p>Procedural ordinances are updated to reduce audit frequency for single family permits and to only conduct the “below the IPES line” drawing if there is insufficient supply in the Residential Allocation Incentive Pool.</p> <p>Requested action of RPIC to recommend adoption of amendments to the Code of Ordinances.</p> |
| Reduce “Below the IPES Line” Drawings | |
| Organize and Publicize Code Reference Documents | <p>This improvement is administrative and operational in nature. (e.g. provides procedural guidance and references important documents)</p> <p>No action requested. Deliverables will be available at TRPA.gov November 2023. Comments welcomed.</p> |

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| Priority #4: Prioritize public communication and customer service. | |
| <i>See tasks and deliverable for Priority #1.</i> | |
| Priority #5: Expand tools for staff development and training. | |
| <i>See tasks and deliverable for Priority #1.</i> | |
| Priority #6: Maintain adequate and dependable funding to support quality application reviews. | |
| Updates Select Fees and TRPA Fee Schedule | Requested action of RPIC to recommend adoption of amendments to the Fee Schedule. |
| | |
| Cost Recovery Monitoring Program | <p>These improvements are administrative and operational in nature. Program is intended to better understand required resources and staffing necessary to review applications and expenses incurred.</p> <p>No action requested. Deliverables are under development. Comments welcomed.</p> |

“Phase-3” Projects: The next 6-month phase of this permitting improvement project will focus on TRPA’s application requirements and forms, project review procedures, online navigation to permitting tools and resources, and administrative systems. The team has been discussing opportunities to simplify application requirements, operate more efficiently, and automate certain permitting functions.

Staff and I tentatively are scheduled to provide an update on the project and improvements March 2024.

Attachment B
Table of Amendments

Attachment B

Draft Amendments to the Code of Ordinances, Rules of Procedure, Design Review Guidelines, and Fee Schedule

Table 1: Code of Ordinance Amendments

Updated August 2, 2023

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---|---|--|--|
| CHAPTER 2: APPLICABILITY OF THE CODE OF ORDINANCES | | | |
| Code 2.2.2.A.2.c | Project Review: Historic Resources | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Historic Resource Protection:</i></p> <ul style="list-style-type: none"> • <i>Authorize staff approval of additions, reconstruction, or demolition of eligible historic resources. This would retain Hearings Officer reviews for modifications to designated historic resources. Code amendments will be required.</i> | <p>2.2.2 Projects and Matters to be Approved by the Governing Board or Hearings Officer</p> <p>A. General Projects or Matters</p> <p>2. Hearings Officer Review</p> <p>The following projects or matters require review and approval by the Hearings Officer:</p> <ul style="list-style-type: none"> c. Additions, reconstruction, or demolition of eligible or designated historic resources (Chapter 67: Historic Resource Protection); |
| Code 2.2.2.A.2.d | Project Review: Underground Utility Replacement | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Staff-Level Delegations:</i></p> <ul style="list-style-type: none"> • <i>Expand exemptions for hearings officer review of SEZ disturbances to permit staff approval for underground utility replacement projects.</i> | <p>2.2.2 Projects and Matters to be Approved by the Governing Board or Hearings Officer</p> <p>A. General Projects or Matters</p> <p>2. Hearings Officer Review</p> <p>The following projects or matters require review and approval by the Hearings Officer:</p> <ul style="list-style-type: none"> d. Modification to SEZs, excluding modifications for residential projects <u>and underground utility replacement projects</u> in accordance with subparagraph 30.5.2.A and erosion control and other environmentally oriented projects and facilities in accordance with subparagraph 30.5.2.D; |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|--------------|--------------------------------------|---|---|
| Code 2.2.2.B | Project Review: Award of Bonus Units | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p>Projects that use bonus units – often affordable or moderate income housing - sometimes require a more intensive review process than would be required for market rate housing or timeshares.</p> <p>Chapter 52 has clear standards for the assignment of bonus units. Projects either qualify or they don't.</p> <p>Proposed amendments eliminate the separate review requirements for the allocation of bonus units.</p> <p>Bonus units will be assigned as an administrative action following approval of qualifying projects by the applicable decision making body.</p> <p>Significant code amendments for housing are also in development. This targeted process improvement supports TRPA's broader housing initiative.</p> | <p>B. Residential Projects</p> <p>1. Governing Board Review</p> <p>Residential projects involving the following require review and approval by the Governing Board:</p> <ul style="list-style-type: none"> a. Allocation of ten or more residential bonus units for income-restricted housing; and b.a. Mobile home developments involving the creation or elimination of ten or more mobile homes, including conversions to other uses. <p>2. Hearings Officer</p> <p>Residential projects involving the following require review and approval by the Hearings Officer:</p> <ul style="list-style-type: none"> a. Multi-residential and employee housing greater than four units; and b. Projects that require special use findings (except those identified for Governing Board review) involving changes, expansions or intensification of existing uses; and c. Allocation of more than two, but less than ten, residential bonus units for income-restricted housing. |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---------------------|--|---|---|
| Code 2.2.2.D.1.a | Project Review: Public Service EIP Projects | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Staff-Level Delegations:</i></p> <ul style="list-style-type: none"> • <i>Permit staff approval of added land coverage for qualifying transportation improvements</i> <p>Note: this was broadened to include Transportation and Recreation EIP projects with up to 15,000 square feet of land coverage.</p> | <p>2.2.2 Projects and Matters to be Approved by the Governing Board or Hearings Officer</p> <p>D. Public Service Projects</p> <p>1. Governing Board Review</p> <p>Public service projects involving the following require review and approval by the Governing Board:</p> <ul style="list-style-type: none"> a. New facilities or additions involving over 3,000 square feet of floor area or 3,500 square feet of new land coverage, except Environmental Improvement Projects involving no more than 3,000 square feet of floor area or 15,000 square feet of land coverage; and |
| Code 2.2.2.E.1.a | Project Review: Recreation EIP Projects | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Staff-Level Delegations:</i></p> <ul style="list-style-type: none"> • <i>Permit staff approval of added land coverage for qualifying transportation improvements</i> <p>Note: this was broadened to include Transportation and Recreation EIP projects with up to 15,000 square feet of land coverage.</p> | <p>2.2.2 Projects and Matters to be Approved by the Governing Board or Hearings Officer</p> <p>E. Recreation Projects</p> <p>1. Governing Board Review</p> <p>Recreation projects involving the following require review and approval by the Governing Board:</p> <p>a. _____ New facilities or additions involving more than 3,000 square feet of building floor area or 3,500 square feet of land coverage, with the following exceptions:</p> <p>(1) _____ (except for Recreational trails); and</p> <p>(1) (2) Environmental Improvement Projects involving no more than 3,000 square feet of floor area or 15,000 square feet of land coverage.</p> |

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| Code 2.2.2.F | Project Review: Shorezone Projects | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Staff-Level Delegations in the Shorezone:</i></p> <p><i>Allow staff-level delegations with noticing / appeal process.</i></p> <ul style="list-style-type: none"> • <i>New multiple parcel/multiple use piers, which are currently considered by the Governing Board.</i> • <i>New single parcel piers, which are currently considered by the Hearings Officer.</i> • <i>Existing buoy field expansions, which are currently considered by the Hearings Officer.</i> <p>Note refinements to:</p> <ul style="list-style-type: none"> - Not change special use requirements for shoreline revetments and stabilization; and - Allow staff-level delegations for minor improvements listed as allowed (not special) uses in section 84.8. | <p>2.2.2 Projects and Matters to be Approved by the Governing Board or Hearings Officer</p> <p>F. Shorezone Projects</p> <p>1. Governing Board Review</p> <p>Shorezone projects involving the following require review and approval by the Governing Board:</p> <ul style="list-style-type: none"> a. Tour boat operations (new or expansion); b. Waterborne transit (new or expansion); c. Seaplane operation (new or expansion); d. Marinas (new or expansion); e. Boat launching facilities (new or expansion); f. Recognition of multiple-use facilities (Section 84.4), except recognition of new multiple parcel/use piers and buoy field expansions; and <p>2. Hearings Officer</p> <p>Shorezone projects involving the following require review and approval by the Hearings Officer:</p> <ul style="list-style-type: none"> a. Special use projects (except those identified for Governing Board review) involving changes, expansions or intensifications of existing uses; and b. New structures (except those identified for Governing Board review), with the following exceptions: <ul style="list-style-type: none"> (1) and a New mooring buoys and piers for eligible private, single-family littoral parcels}. (2) Buoy field expansions. (3) Other structures that are identified in Section 84.8 and are not special uses. |
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| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---|---|--|---|
| Code 2.3.2.A (was 2.3.6.A.1 Qualified Exempt) | Exempt Activities: Structural Repair | <p><i>[Moved from 2.3.6 Qualified Exempt]</i></p> <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Exempt and Qualified Exempt Activities:</i></p> <p><i>The least significant QE activities should be made fully exempt from TRPA review. include:</i></p> <p>1. <i>Structural repairs under \$50,000 (increased from \$21,000)</i></p> <p>Language shown in green text is relocated from 2.3.6 (Qualified Exempt). The maximum improvement value is increased to generally adjust for inflation and material costs of the same type of activities. The current structural repair amount (\$21,00) has not been updated in 12 or more years. Larger remodels and additions remain as QE with requirements for BMPs and Excess Coverage Mitigation.</p> | <p>2.3 EXEMPT ACTIVITIES</p> <p>2.3.2 General Activities</p> <p><u>1.A. Structural Repair</u></p> <p><u>Exterior Structural repair of existing structures of less than \$50,000^{\$21,000} per year, provided there is:</u></p> <ol style="list-style-type: none"> <u>1. No excavation, filling, or backfilling in excess of that exempted by subparagraph E-A.6 below;</u> <u>2. No increase in the dimensions of a structure;</u> <u>3. No intensification or change in use;</u> <u>4. No increase in commercial floor area, and</u> <u>5. No increase in density.</u> <p><u>This amount shall be calculated on an objective market valuation of the materials involved.</u></p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|--------------|----------------------------------|--|---|
| Code 2.3.2.E | Exempt Activities: Excavation | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Exempt and Qualified Exempt Activities:</i></p> <p><i>The least significant QE activities should be made fully exempt from TRPA review. include:</i></p> <p><i>3. Additional grading on non-sensitive land (increased from 3 cu. yards to 10 cu. yards).</i></p> <p>Language maintains the current general exemption for up to 3 cy of grading. The exemption amount is increased to 10 cy for grading on non-sensitive land during the grading season. This code section maintains protections for drainage patterns and natural grade.</p> | <p>2.3 EXEMPT ACTIVITIES</p> <p>2.3.2 General Activities</p> <p><u>D, E.</u> Excavation, Filling, or Backfilling</p> <p>Excavation, filling, or backfilling for a volume not in excess of three cubic yards, provided the activity is completed within a 48-hour period and the excavation site is stabilized to prevent erosion. <u>Excavation, filling, or backfilling for a volume up to ten cubic yards is exempt on non-sensitive land only and provided the activity occurs during the grading season (May 1 to October 15) and the excavation site is stabilized within 48 hours to prevent erosion. Changes to existing grade shall not exceed two vertical feet in any location and shall not alter existing drainage patterns except as needed to implement water quality BMPs.</u> This exemption shall not be construed to exempt a series of excavations, filling, or backfilling that collectively would constitute a project.</p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---|--|---|--|
| <p>Code 2.3.2.H (was 2.3.6.A.9 Qualified Exempt)</p> | <p>Exempt Activities: Seasonal Outdoor Retail Sales</p> | <p><i>[Moved from 2.3.6 Qualified Exempt]</i></p> <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Exempt and Qualified Exempt Activities:</i></p> <p><i>The least significant QE activities should be made fully exempt from TRPA review. include:</i></p> <p>4. Seasonal Outdoor Retail Sales Use</p> <p>Language shown in green text is relocated from 2.3.6 (Qualified Exempt) and modified to use a list format, to allow the use in mixed-use districts, and to include new limitations 4 and 5 for noise and land disturbances.</p> <p>The proposed amendment retains protections to vegetation, water quality, and soils by limiting parking and where this type of activity can occur. The proposed amendment adds further mitigation to ensure environmental protection. The activity would not create or relocate land coverage, any disturbed area would be revegetated and stabilized, and no excess noise is created beyond the limits of the Code. This section does not relate to Outdoor Retail Sales within the Shorezone.</p> | <p>2.3 EXEMPT ACTIVITIES</p> <p>2.3.2 General Activities</p> <p><u>9.H. Seasonal Outdoor Retail Sales Use</u></p> <p><u>An outdoor retail sales use associated with a holiday season such as Christmas tree and pumpkin patch sales, provided the use:</u></p> <ol style="list-style-type: none"> <u>1. Does shall not cause parking on unpaved areas;</u> <u>2. Does not operate for more than six consecutive weeks in a 12-month period, and;</u> <u>3. Is be located in a plan area designated mixed-use, commercial, public service, or tourist;</u> <u>4. Does not create noise in excess of the limits in Chapter 68: Noise Limitations; and</u> <u>5. Does not create permanent land coverage or disturbance. Any disturbed area shall be revegetated and stabilized to prevent erosion.</u> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|--|---------------------------------|---|---|
| Code 2.3.3.P & Q (was 2.3.6.B Qualified Exempt) | Exempt Activities: Signs | <p><i>[Moved from 2.3.6 Qualified Exempt]</i></p> <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Exempt and Qualified Exempt Activities:</i></p> <p><i>The least significant QE activities should be made fully exempt from TRPA review. include:</i></p> <p>5. <i>Subdivision Identification Signs</i></p> <p>6. <i>Replacement of Approved Sign Faces</i></p> <p>Language shown in green text is relocated from 2.3.6 (Qualified Exempt). No changes</p> <p>This activity is consistent in scale and scope to other sign activities that are currently exempt including identification signs (Sec 2.3.3.D) and residential property identification signs (Sec 2.3.3.I). Section 2.3.3.Q, are signs that have previously been approved by TRPA and found in conformance within the Code. Only replacement in-kind would qualify under this section.</p> | <p>2.3 EXEMPT ACTIVITIES</p> <p>2.3.3. Sign Activities</p> <p><u>1.P. Subdivision Identification Signs</u></p> <p><u>Installation or replacement of subdivision identification names or letters, provided the name or lettering shall be installed on an existing wall or similar structure, shall be not over 12 inches high, and shall not internally illuminated; and</u></p> <p><u>2.Q. Replacement of Approved Sign Faces</u></p> <p><u>Replacement of sign faces on signs approved by TRPA pursuant to Chapter 38: Signs, provided the new sign face remains in compliance with Chapter 38.</u></p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|--------------|-----------------|--|---|
| Code 2.3.4.A | Code References | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Organize Code Reference Documents:</i></p> <p><i>Code amendments should be processed to reduce the number of different documents that need to be referenced during the Project application process.</i></p> <p>The referenced mail delivery program is not known to staff.</p> | <p>EXEMPT ACTIVITIES</p> <p>2.3.4. Mail Delivery Activities</p> <p>The mail delivery activities listed below are exempt.</p> <p>A. Mail delivery receptacles that are designed and installed in accordance with design standards that are part of a TRPA-approved area wide mail delivery program.</p> <p><u>B.A.</u> Mail delivery receptacles and support structures that comply with the following standards:</p> <ol style="list-style-type: none"> 1. A maximum of one mail box shall be allowed for each parcel or project area provided that: <ol style="list-style-type: none"> a. Complies with all U.S. Postal Service standards; b. Is located in a manner and place that can be accessed by mail delivery vehicles such that the vehicles will not cause compaction or disturbance of previously uncompacted or undisturbed road or driveway shoulders or aprons; and c. If located within a scenic highway corridor pursuant to Section 66.2, is colored using dark shades of earthtone colors and matte finish. 2. One set of cluster boxes shall be allowed provided that the number of boxes is equal to the number of parcels or project areas being served and the set meets the design and scenic standards listed in subparagraph 1 above. |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|--|--|---|--|
| Code 2.3.6.A.1 (now 2.3.2.A exempt) | Exempt Activities: Qualified Exempt | <i>[Moved to 2.3.2.A Exempt General Activities]</i> | <p>2.3 EXEMPT ACTIVITIES</p> <p>2.3.6. Qualified Exempt Activities</p> <p>A. General Activities</p> <p>Structural Repair</p> <p>Exterior Structural repair of existing structures of less than \$21,000 per year, provided there is:</p> <ul style="list-style-type: none"> a. No excavation, filling, or backfilling in excess of that exempted by subparagraph A.6 below; b. No increase in the dimensions of a structure; c. No intensification or change in use; d. No increase in commercial floor area, and e. No increase in density. <p>This amount shall be calculated on an objective market valuation of the materials involved.</p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 2.3.6.A.6 (now 2.2.2.E exempt) | Exempt Activities: Qualified Exempt | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Exempt and Qualified Exempt Activities:</i></p> <p><i>The least significant QE activities should be made fully exempt from TRPA review. include:</i></p> <p>3. <i>Additional grading on non-sensitive land (increased from 3 cu. yards to 10 cu. yards).</i></p> <p>Grading up to 10 cy during the grading season on non-sensitive land is proposed to be exempt.</p> | <p>2.3.6. Qualified Exempt Activities</p> <p>A. General Activities</p> <p>6. Excavation, Filling, or Backfilling</p> <p>Excavation, filling, or backfilling for an area not in excess of seven cubic yards is exempt provided the activity occurs during the grading season (May 1 to October 15) in Land Capability Districts 4, 5, 6, or 7, or on parcels with IPES scores above the line, and the excavation site is stabilized within 48 hours to prevent erosion. This exemption shall not be construed to exempt a series of excavations that viewed as a whole would constitute a project.</p> |
| Code 2.3.6.A.9 (now 2.3.2.H exempt) | Exempt Activities: Qualified Exempt | <p><u><i>[Moved to 2.3.2 Exempt General Activities]</i></u></p> | <p>2.3.6. Qualified Exempt Activities</p> <p>A. General Activities</p> <p>9. Seasonal Outdoor Retail Sales Use</p> <p>An outdoor retail sales use associated with a holiday season such as Christmas tree and pumpkin patch sales, provided the use shall not cause parking on unpaved areas, does not operate for more than six consecutive weeks in a 12-month period, and is located in a plan area designated commercial, public service, or tourist.</p> |

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| Code 2.3.6.B (Now 2.3.3.P & Q exempt) | Exempt Activities: Qualified Exempt | <u><i>[Moved to 2.3.3 Exempt Sign Activities</i></u> | <p>2.3.6. Qualified Exempt Activities</p> <p>B. Sign Activities</p> <p>The following sign activities are qualified exempt:</p> <p>1. Subdivision Identification Signs</p> <p>Installation or replacement of subdivision identification names or letters, provided the name or lettering shall be installed on an existing wall or similar structure, shall be not over 12 inches high, and shall not internally illuminated; and</p> <p>2. Replacement of Approved Sign Faces</p> <p>Replacement of sign faces on signs approved by TRPA pursuant to Chapter 38: Signs, provided the new sign face remains in compliance with Chapter 38.</p> |
| CHAPTER 30: LAND COVERAGE | | | |

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| <p>Code 30.4.2.A.4</p> | <p>Land Coverage Limitations: Transferred Land Coverage</p> | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Qualifying criteria for coverage exemptions should be clarified, consistent with prior interpretations.</i></p> <p>This section applies when existing developed properties require improvements for public safety or access of the disabled, do not have coverage available to use, and do not qualify for coverage exemptions.</p> <p>Coverage must be transferred from a comparable or more sensitive property, providing significant mitigation.</p> <p>Language is added and clarified consistent with the established administrative decision making considerations. Changes clarify what is considered coverage, what improvements can be exempted, and when this transfer provision can be used.</p> <p>Further, the amendment would limit the applicability and minimize the installation footprint of such facilities by putting into place safeguards for sensitive land that is not clear with the existing code language. These clarifications reduce the risk that the provisions for necessary and important health and safety needs may be taken</p> | <p>4. Facilities for Public Safety and Access of the Disabled</p> <p><u>Facilities legally existing on the effective date of the Regional Plan: TFor receiving parcels with legally existing development and insufficient available or banked coverage, t</u>ransfers of land coverage may be permitted for the addition of facilities for access of disabled persons for compliance with the American Disabilities Act (ADA) and other public safety requirements that do not qualify for a coverage exemption under subparagraph 30.4.6.C.</p> <p>a. <u>Transfer Standards</u></p> <p>The maximum land coverage <u>transferred</u> shall be <u>consistent with the following standards:</u></p> <ol style="list-style-type: none"> <u>(1) Transferred coverage shall be</u> the minimum amount necessary to meet the public safety and access requirements; <u>(2) Coverage shall not be transferred to sensitive land unless there is no feasible alternative on the receiving parcel.</u> <u>(3) Pervious decking shall be used where feasible.</u> <u>(4) 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>(5) This provision shall not be used in conjunction with any project that adds coverage or converts existing coverage to exempted coverage exemptions in accordance with subparagraph 30.4.6.</u> <u>(6) 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. This subparagraph shall not be interpreted to require the removal of existing living area, garage space, vehicle access routes, pedestrian</u> |
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| | | <p>advantage of or provided to parcels where other reasonable alternatives may exist.</p> <p>This is part of a broader clarification of the overall framework for land coverage. Amendments are made to the land coverage definition, coverage exemptions in section 30.4.6, and this transfer provision.</p> | <p>access routes, the first 1,000 square feet of driveway or the first 1,000 square feet of decking/patio space on each parcel.</p> <p>b. Eligible Improvements</p> <p>Eligible improvements include:</p> <ul style="list-style-type: none"> (1) Facilities for access of disabled persons for compliance with the American Disabilities Act (ADA). (2) Utility improvements including boxes, vaults, poles and electric vehicle chargers. (3) The minimum driveway necessary to provide two off-site parking spaces for each residential parcel. (4) Other property improvements that the executive director determines are necessary for public safety or access of the disabled. <p>c. Land coverage transferred for public safety and access shall be classified exempt in accordance with subparagraph 30.4.6.H.</p> |
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| <p>Code 30.4.3.B.3 & 4</p> | <p>Land Coverage Limitations: Method of Transferring Land Coverage</p> | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>TRPA should process code amendments to address prior interpretations and understandings.</i></p> <p>This text and table 30.4.3-2 below implement code interpretations 1989-3 (Sensitivity Coverage Transfers Land Capability) and 1989-4 (Potential Base Coverage Transfer Bailey IPES), both dated 1989-10-28, and are consistent with ongoing practice.</p> <p>This amendment provides procedural guidance regarding how to calculate and determine the amount of coverage that can be transferred between a Baileys land capability and IPES parcel. The amendment does not alter land growth management controls or increase development potential within the Region.</p> | <p>30.4 Land Coverage Limitations</p> <p>3. Base Land Coverage</p> <p>Unused allowable base land coverage (i.e., potential coverage) referred to in subsection 30.4.1 may be transferred in all cases, except for transfers relating to commercial, mixed-use, or tourist accommodation uses or facilities. Land coverage transferred as mitigation for excess coverage associated with commercial, mixed-use, and tourist accommodation projects shall be existing hard coverage except as provided in subparagraph 2 above.</p> <p>a. <u>General Rule for Transfer Amounts</u></p> <p><u>The amount of coverage that may be transferred from a parcel having an IPES score shall be the amount of potential base coverage allowed under IPES. Potential base coverage under the Bailey system may be transferred only when an IPES score has not been established for the sending parcel.</u></p> <p>b. <u>Exceptions to the General Rule:</u></p> <p><u>Bailey coverage, not IPES coverage, shall be used to determine the amount of potential coverage to be transferred in the following situations:</u></p> <ul style="list-style-type: none"> <u>(1) When an IPES score has been assigned to a sending parcel that is subsequently developed under the Bailey system; or</u> <u>(2) When the sending parcel has a current TRPA approval under the Bailey system.</u> <p>4. Land Coverage for Single-Family House</p> <p>Land coverage transferred for a single-family house, including, but not limited to, a house to be constructed pursuant to IPES, shall be from a sending parcel as environmentally sensitive as or more environmentally sensitive than the receiving parcel. If both sending and receiving parcels have not received IPES rating scores, relative environmental sensitivity shall be determined by comparing the land capability classification of each parcel. If both parcels have IPES rating scores, sensitivity shall be determined by comparing the scores of each. If one parcel has an IPES rating score and the</p> |
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| | | | <p>other does not, TRPA shall determine sensitivity <u>sensitivity shall be determined based on Table 30.4.3-2.</u></p> |
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| | | | Table 30.4.3-2 Potential Coverage Transfers Between Bailey and IPES Lots | | | | | | | | | |
| | | | | | | Receiving Parcel | | | | | | |
| | | | | | | Bailey Land Classifications | | | | | | |
| | | | | | | <u>1a, 1b, 1c, 2, 3</u> | <u>4</u> | <u>5</u> | <u>6</u> | <u>7</u> | <u>Above 725</u> | <u>At or Below 725</u> |
| | | | Sending Parcel | IPES Score | <u>At or Below 725</u> | <u>N</u> | <u>E</u> | <u>E</u> | <u>E</u> | <u>E</u> | <u>See Subparagraph 30.4.3.B.3</u> | |
| | | | | | <u>Above 725</u> | <u>N</u> | <u>E</u> | <u>E</u> | <u>E</u> | <u>E</u> | | |
| | | | | Bailey Classification | <u>7</u> | <u>See Subparagraph 30.4.3.B.3</u> | | | | | <u>E</u> | <u>N</u> |
| | | | | | <u>6</u> | | | | | | <u>E</u> | <u>N</u> |
| | | | | | <u>5</u> | | | | | | <u>E</u> | <u>N</u> |
| | | | | | <u>4</u> | | | | | | <u>E</u> | <u>N</u> |
| | | | | | <u>3</u> | | | | | | <u>E</u> | <u>E</u> |
| | | | | | <u>2</u> | | | | | | <u>E</u> | <u>E</u> |
| <u>1c</u> | | | | | | <u>E</u> | <u>E</u> | | | | | |
| <u>1b</u> | | | | | | <u>E</u> | <u>E</u> | | | | | |
| <u>1a</u> | | | | | | <u>E</u> | <u>E</u> | | | | | |
| | | | <u>E – Eligible for Transfer</u> | | | | | | | | | |
| | | | <u>N – Not Eligible for Transfer</u> | | | | | | | | | |
| | | | <u>* - New coverage is generally not allowed on residential lots with Bailey classifications 1-3. Exceptions shall be consistent with the TRPA Code of Ordinances.</u> | | | | | | | | | |

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| <p>Code 30.4.6.A</p> | <p>Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage Non-Permanent Structures and Small Utility Installations</p> | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Qualifying criteria for coverage exemptions should be clarified, consistent with prior interpretations.</i></p> <p>This language proposes new allowances for up to 30 square feet of small utility installations in lieu of an equivalent non-permanent structure exemption. This will address ongoing challenges for parcels without available coverage and will support the installation of solar energy and EV charging infrastructure. New exemptions do not extend into sensitive lands.</p> <p>Additional climate smart code amendments are being separately developed and are expected to include additional climate-smart codes that extend beyond the procedural nature of these amendments.</p> | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p>A. Exemption for Non-Permanent Structures <u>and Small Utility Installations</u></p> <p><u>Up to 120 square feet of</u> land coverage underlying non-permanent structures <u>and small utility installations</u> are exempt from the calculation of land coverage, <u>subject to the following limitations:-</u></p> <ol style="list-style-type: none"> 1. For purposes of this provision only, non-permanent structures are those with no permanent foundation, do not exceed 120 square feet in aggregate size, are located on non-sensitive lands, do not exceed two percent of the total amount of non-sensitive land on a parcel, and do not require a permit from TRPA. <u>Non-permanent structures may include emergency power generators, hot tubs, sheds, greenhouses, and similar improvements when installed without a permanent foundation. Non-permanent structures with sanitary sewer service do not qualify</u> 2. <u>For purposes of this provision only, small utility installations may include up to 30 square feet of coverage for any combination of the improvements listed below.</u> <ol style="list-style-type: none"> a. <u>Emergency power generators;</u> b. <u>HVAC installations;</u> c. <u>Electric vehicle chargers; and</u> d. <u>Active solar energy systems with panel reflectivity ratings of 11 percent or less; and</u> e. <u>Utility improvements including boxes, vaults, and poles that are included in the definition of land coverage.</u> 3. <u>Any existing installations that were legally established as coverage count as coverage and shall only qualify for this exemption if consistent with all approval criteria.</u> |
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| | | | <p><u>4.</u> In addition, the following limitations apply:</p> <p><u>a.</u> <u>Exempted installations shall be on non-sensitive land;</u></p> <p><u>b.</u> <u>Exempted installations shall not exceed two percent of the total amount of non-sensitive land on a parcel.</u></p> <p><u>c.</u> This exemption shall apply only to parcels with installed and maintained BMPs meeting TRPA requirements and the exempted non-permanent coverage shall also have BMPs installed and maintained to meet TRPA requirements; and</p> <p><u>d.</u> This exemption shall not apply to structures or facilities used for access, parking, or storage of motorized vehicles.</p> <p><u>e.</u> <u>Total coverage exempted for non-permanent structures and small utility installations may not exceed 120 square feet total.</u></p> |

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| <p>Code 30.4.6.D.1.e</p> | <p>Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage Pervious Coverage</p> | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Qualifying criteria for coverage exemptions should be clarified, consistent with prior interpretations.</i></p> <p>New language provides a standard accepted design for pervious coverage (e(i) & (ii)), allows demonstration of pervious design consistent with standard condition of approval language (e(iii)), and clarifies how existing verified coverage is handled.</p> <p>The standard design is for pervious “walkways” (a new defined term). Pervious “driveways” will continue to require design details and maintenance plans.</p> | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p>1. Pervious Coverage</p> <p>For pervious coverage on non-sensitive lands, 25 percent of the size of the improvement shall not count towards the calculation of land coverage, subject to the following design and maintenance requirements:</p> <ol style="list-style-type: none"> a. The coverage shall comply with all applicable BMPs, including those relating to installation and maintenance. b. Pervious asphalt is not eligible for credit under this provision. c. This exemption shall apply only to parcels with installed and maintained BMPs meeting TRPA requirements. d. This exemption shall apply only to locations with low sediment loads (e.g., locations that do not receive road abrasives, locations that are not tributary to runoff that may contain road abrasives, locations that are not tributary to runoff associated with erodible surfaces) unless a redundant infiltration BMP is in place. <p><u>e. Applications to use pervious land coverage shall be consistent with one of the following design options to be approved:</u></p> <ol style="list-style-type: none"> <u>(i) UngROUTED stone or paver walkways meeting all of the following criteria shall be considered pervious:</u> <ol style="list-style-type: none"> <u>(1) Individual stones or pavers do not exceed 1 foot in width and three feet in length;</u> <u>(2) 10 percent minimum open surface;</u> <u>(3) 4 inch minimum layer of well-draining base material; and</u> <u>(4) Plan sheet notes for maintenance (inspect and clean or replace as needed) every 10 years.</u> <u>(ii) UngROUTED metal grates and similar hard surface walkways meeting all of the following criteria shall be considered pervious:</u> |
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| | | | <p>(1) <u>Perforations spaced no more than 8 inches apart;</u></p> <p>(2) <u>10 percent minimum open surface;</u></p> <p>(3) <u>4 inch minimum layer of well-draining base material; and</u></p> <p>(4) <u>Plan sheet notes for maintenance (inspect and clean or replace as needed) every 10 years.</u></p> <p>(iii) <u>Plans for alternative pervious coverage installations shall include details of the proposed pervious coverage (pavers or concrete), including the manufacturer’s instructions for installation and maintenance to ensure the installation allows at least 75 percent of precipitation to directly reach and infiltrate the ground throughout the life of the surface.</u></p> <p>f. <u>Any existing pervious coverage that was legally established as coverage without exemptions count as coverage without exemptions and shall only qualify for this exemption if consistent with all approval criteria.</u></p> |

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| <p>Code 30.4.6.D.2.E</p> | <p>Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage Pervious Decks</p> | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Qualifying criteria for coverage exemptions should be clarified, consistent with prior interpretations.</i></p> <p>New language provides a measurable standard for gaps in pervious decks (e(1)-(5)), and clarifies how existing verified coverage is handled.</p> <p>This works together with the new definition of “Deck”. Decks are held in place with open structural elements such as foundations, posts, and beams. Decks are not installed directly on the ground or on a concrete pad.</p> | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p>2. Pervious Decks</p> <p>a. Partial exemption from the calculation of land coverage is available for new residential pervious decks on non-sensitive lands provided the decks meet all applicable requirements of this Code, including installation of BMPs.</p> <p>b. The following exemptions are available:</p> <p>Applicable to the first 500 square feet of decking: 100 percent exemption</p> <p>Applicable to decking above the first 500 square feet:</p> <ul style="list-style-type: none"> (1) 1 – 125 square feet decking: 80 percent exemption (2) 126 – 250 square feet decking: 60 percent exemption (3) 251 – 375 square feet decking: 40 percent exemption (4) 376 – 500 square feet decking: 20 percent exemption <p>c. Existing decks that were legally established as of January 1, 2013, count as coverage and shall only qualify for this partial exemption if consistent with all approval criteria.</p> <p>d. This exemption shall apply only to residential parcels with installed and maintained BMPs meeting TRPA requirements.</p> <p>e. A deck shall be considered pervious if it has gaps that allow water to pass freely and in a distributed fashion consistent with the criteria below to deck armoring underneath the deck meeting BMP requirements in the BMP Handbook.</p> <p>(1) Decks surfaced with dimensional boards shall use boards not exceeding 8 inches in width installed with ¼ inch minimum gaps between each board.</p> |
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| | | | <p>(2) Decks surfaced with metal grates or similar hard surfaces shall have perforations spaced no more than 8 inches apart and a 10 percent minimum open surface.</p> <p>(3) Decks surfaced with dimensional blocks shall use blocks not exceeding 8 inches in width installed with ¼ inch minimum gaps between each block.</p> <p>(4) Decks surfaced with other materials shall have perforations spaced no more than 8 inches apart and a 10 percent minimum open surface.</p> <p>(5) Any deck covering (roofing, trellis, etc) shall meet the same standards for gaps that allow water to pass freely, except for those areas that are excluded from coverage in accordance with the overhang allowance in subparagraph 30.4.6.B.</p> <p>f. This exemption shall not exempt more than five percent of the total amount of non-sensitive land on a parcel or project area, or 750 square feet per parcel, whichever is less, provided that the pervious deck meets BMP requirements and is located on non-sensitive land.</p> <p>g. If decking qualifies for a partial exemption, applicants may determine which portion of the deck is exempt and which portion is not.</p> <p>h. Any existing decks that were legally established as coverage without exemptions count as coverage without exemptions and shall only qualify for this exemption if consistent with all approval criteria.</p> |

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| Code 30.4.6.E | Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage Limit on Aggregate Exemption | Reference Code sec 30.4.6.A. Small Utility Installations are included in the aggregate exemption limit (ten percent of non-sensitive land). | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p>E. Limit on Aggregate of Coverage Exemptions and Credits on Parcels or Project Areas</p> <p>The total amount of coverage exemptions and credits on parcels or project areas applies only to non-permanent structures, pervious decks, and pervious coverage, <u>and small utility installations</u> and shall not exceed in aggregate ten percent of the total amount of non-sensitive land on a parcel.</p> |
| Code 30.4.6.G | Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Qualifying criteria for coverage exemptions should be clarified, consistent with prior interpretations.</i></p> <p>Consistent with ongoing practice, gravel groundcover used for defensible space is exempted from the calculation of land coverage.</p> | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p><u>G. Fire Defensible Space</u></p> <p><u>Gravel and similar pervious non-flammable groundcover that is used for defensible space within 5 feet of a structure is exempt from the calculation of land coverage. Any existing installations that were legally established as coverage count as coverage and shall only qualify for this exemption if consistent with all approval criteria.</u></p> |

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| Code 30.4.6.H | Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage | Reference Code sec 30.4.2.A.4. Consistent with ongoing practice, coverage transferred for public safety and access of the disabled is exempted from land coverage calculations. Qualifying standards are listed in sec 30.4.2.A.4. | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p>H. Facilities for Public Safety and Access of the Disabled</p> <p>Coverage transferred to a parcel for public safety and access facilities in accordance with subparagraph 30.4.2.A.4 shall be exempted from calculations of land coverage.</p> |
| Code 30.4.6.I | Land Coverage Limitations: Exemptions and Partial Exemptions from Calculation of Land Coverage | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Clarify when land coverage is "Available" vs "Banked".</i></p> <p>This clarifies that coverage is banked after the application of coverage exemptions if the coverage is not used in other project locations.</p> | <p>30.4 Land Coverage Limitations</p> <p>30.4.6 Exemptions and Partial Exemptions from Calculation of Land Coverage</p> <p>I. Relocating or Banking Exempted Coverage</p> <p>When TRPA authorizes exemptions for existing verified coverage, the exempted coverage may be relocated onsite or banked for future use or transferred in accordance with Chapter 51.</p> |

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| Code 30.4.7 | Land Coverage Limitations | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>TRPA should process code amendments to address prior interpretations and understandings</i></p> <p>This new text implements the code interpretation memo dated 2001-11-27 (Offsite Coverage as Excess Coverage) and is consistent with ongoing practice.</p> <p>As discussed within the IEC, this amendment may result in additional coverage within the Region; however, <u>all</u> off-site coverage is required to be <u>fully</u> mitigated by paying an excess coverage mitigation fee and therefore would result in a less-than-significant impact to water quality and pollutant run-off. Excess coverage mitigation fees are paid by project proponents and provided by TRPA to the California and Nevada land banks that use those funds to retire development and development potential on sensitive or remote lands.</p> | <p>30.4 Land Coverage Limitations</p> <p><u>30.4.7. Off-Site Land Coverage</u></p> <p><u>For purposes of this section, off-site coverage is coverage that is located in the public right-of way, but used for private purposes. Most developed properties have off-site driveway coverage.</u></p> <p><u>A. General Standards</u></p> <ol style="list-style-type: none"> <u>1. Off-site driveway coverage shall be the minimum necessary to provide safe property access.</u> <u>2. Off-site walkway coverage is allowed for connections between on-site walkways and sidewalks, trails or roads.</u> <u>3. When projects decrease off-site coverage, the off-site coverage shall be retired.</u> <u>4. When projects increase off-site coverage, the additional coverage shall be fully mitigated in accordance with the applicable Hydrologic Area Mitigation fee listed in the fee schedule.</u> |

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| Code 30.6.1.C.2 | Fees | This is a revised reference to the fee schedule. | <p>30.6. EXCESS LAND COVERAGE MITIGATION PROGRAM</p> <p>C. Determination of Excess Land Coverage Mitigation</p> <p>2. Excess Land Coverage Mitigation Fee</p> <p>The excess coverage mitigation fee shall be calculated by determining the amount of required land coverage reduction (sq. ft.), in accordance with subparagraph 1 above. The land coverage reduction square footage shall then be multiplied by the appropriate Mitigation Fee Coverage Cost Factor to determine the Excess Land Coverage Mitigation Fee. The Mitigation Fee Land Coverage Cost Factor(s) shall be established by TRPA staff using an Annual Percentage Growth Rate (APGR) calculation (or best available alternate methodology) based on the best available residential sales information for the Tahoe Region. The APGR shall be calculated regularly, at least every 4 years. The fee shall be updated utilizing the most recently calculated APGR. Fee adjustments are limited to increases, even in instances when the APGR calculation may result in a negative percentage growth, to preserve the intent of the Excess Land Coverage Mitigation Fee program, and maintain consistency with the land bank's cost to acquire and restore land coverage under this program. The current excess land coverage fee shall be included within the fee schedule provided in the Rules of Procedure in subsection 10.8.5.</p> |

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| CHAPTER 37: HEIGHT | | | |
| Code 37.3.4 | Height Standards for Buildings | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>TRPA should process code amendments to address prior interpretations and understandings</i></p> <p><i>Clarify how Building Height is measured.</i></p> <p>This new text implements the code interpretation memo dated 1993-12-22 (Clarification of Height Policy) and is consistent with ongoing practice.</p> | <p>37.3 Definitions</p> <p><u>37.3.4. Roof Pitch</u></p> <p><u>A. Buildings with a single roof pitch shall not exceed the maximum height permitted in Section 37.4.</u></p> <p><u>B. For buildings with multiple roof pitches, maximum height shall be determined as follows:</u></p> <ol style="list-style-type: none"> <u>1. A roof pitch that constitutes more than 50 percent of the total roof area shall be the majority roof pitch used to determine maximum height in accordance with Section 37.4. The remaining roofs, if of a shallower pitch, may be constructed up to the maximum height based on the majority roof pitch. Portions of the roof which have a steeper pitch than the majority roof pitch, may be constructed up to the maximum height permitted for that roof pitch.</u> <u>2. When no roof pitch constitutes more than 50 percent of the total roof area, all roofs must independently conform to the maximum height for that roof pitch in accordance with Section 37.4.</u> <p><u>C. Height measurements for each roof pitch shall be taken from the same lowest natural ground elevation for the building; or for each building segment established in accordance with Section 37.4.2.</u></p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 37.4.2 | Height Definitions | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>TRPA should process code amendments to address prior interpretations and understandings</i></p> <p><i>Clarify how Building Height is measured.</i></p> <p>This new text clarifies design requirements for “segmented” buildings on slopes.</p> | <p>37.4 Height Standards for Buildings</p> <p>37.4.2. Maximum Height for Buildings on Slopes</p> <p>For a building located on a sloping site with a percent cross slope retained across the building site of 10% or greater, the provisions of subsection 37.4.1 may be modified as follows:</p> <p>A. For purposes of measuring height, the building may be divided into up to three distinct, attached segments (e.g., steps or terraces);</p> <p>B. Each segment of the building shall comply with the base maximum height permitted by Table 37.4.1-1, except that the ground floor segment (the building segment closest to the street providing primary access to the building) shall not exceed 28 feet in height, including any additional height approved under Section 37.5; and</p> <p>C. The total maximum height of the building as measured from the lowest point of the structure to the highest point on the structure shall not exceed 150% of the average maximum height of each of the building segments.</p> <p><u>D. When building segments are used for maximum height calculations, the ground slope and roof pitch calculations shall be completed separately for each building segment as if it was a separate building.</u></p> <p><u>E. Building segments shall be consistent with all of the following standards.</u></p> <ol style="list-style-type: none"> <u>1. Segment boundaries shall correspond with structural elements of the building such as support walls or distinct roof planes.</u> <u>2. Segments shall have 120 square feet or more covered by a roof.</u> <u>3. Segments shall be at least one story in height.</u> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| CHAPTER 50: ALLOCATION OF DEVELOPMENT | | | |

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| <p>Code 50.5.2.A</p> | <p>Allocation of Additional Residential Uses</p> | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Focus Staff Time on High-Value Work</i></p> <p><i>IPES Parcels with scores “below the line” are addressed with redundant programs.</i></p> <p><i>Section 50.5.2.A requires procedures for an annual “below the IPES line drawing”. This is a labor-intensive process.</i></p> <p><i>A newer program allows a below the IPES line parcel to retire a sensitive lot in exchange for an allocation from the Residential Allocation Incentive Pool (Section 50.5.1.D.1).</i></p> <p><i>Programs should be consolidated under the Residential Allocation Incentive Program.</i></p> <p>Text specifies that a “below the IPES line drawing” is only required if there is insufficient supply in the Residential Allocation Incentive Pool.</p> | <p>50.5 Allocation of Additional Residential Units</p> <p>50.5.2. Distribution and Administration of Residential Allocations</p> <p>Residential allocations shall be distributed and administered in accordance with the Goals and Policies, this Code, and the Rules of Procedure.</p> <p>A. Reserved Allocations</p> <p>Distribution of allocations shall be by a method or system that permits the participation of parcels with scores below the numerical level defining the top rank in the applicable jurisdiction.</p> <p>1. TRPA shall reserve ten percent of each jurisdiction's annual allocations for distribution to parcels below the Individual Parcel Evaluation System (IPES) line.</p> <p><u>2. In the event there are sufficient allocations in the Residential Allocation Incentive Pool to accommodate all applications to retire a parcel below the Individual Parcel Evaluation System (IPES) line, the following process applies:</u></p> <p style="padding-left: 40px;"><u>a. TRPA shall assign allocations from the residential allocation incentive pool to parcels provided the recipient retires a parcel below the Individual Parcel Evaluation System (IPES) line; and</u></p> <p style="padding-left: 40px;"><u>b. TRPA shall issue the reserved allocations to jurisdiction of origin.</u></p> <p><u>3. In the event there are insufficient allocations in the Residential Allocation Incentive Pool to accommodate all applications to retire a parcel below the Individual Parcel Evaluation System (IPES) line, the following process applies:</u></p> <p style="padding-left: 40px;">a. The reserved allocations shall be distributed by a method of random selection by TRPA. A county or city may elect to distribute the reserved allocations, or may be exempt from the set-aside requirement, provided TRPA finds the substitute system or the city/county distribution system, as applicable, provides an equal or superior opportunity for participation of parcels below the IPES line.</p> |
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| | | | <ul style="list-style-type: none"> b. Allocations distributed by TRPA under this subsection may either be transferred or returned to TRPA for reissuance to the jurisdiction of origin. Unclaimed reserved allocations after June 1 of the year awarded shall be given to the appropriate jurisdiction for issuance. c. Failure to submit a complete application for a transfer by June 1 of the year in which the allocation was distributed shall result in the forfeiture of the allocation to the jurisdiction of origin. |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 50.5.2.E.3 | Allocation of Additional Residential Uses | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Focus Staff Time on High-Value Work</i></p> <p><i>Reduce single family audit requirements from 10 percent to 5 percent</i></p> <p>Language reduces audit frequency, while maintaining the sample size for annual audits.</p> | <p>50.5 Allocation of Additional Residential Units</p> <p>50.5.2. Distribution and Administration of Residential Allocations</p> <p>E. Performance Review System</p> <p>3. Permit Monitoring and Compliance</p> <p>By October 1 of each year, TRPA shall conduct a representative sample audit of not less than five^{ten} percent of the single-family residential permits issued in the prior year and compliance inspections performed the prior year by the counties, city, and TRPA. The base allocation may be awarded or reduced by the PRC according to the <u>combined score of the two most recent annual audits</u>, as follows:</p> <ol style="list-style-type: none"> a. A jurisdiction shall receive its base allocation for an average score of 90 percent or greater for both the project review portion and the compliance portion of the audit; or b. A jurisdiction shall be penalized one increment of deduction for average audit scores for both the project review portion and the compliance portion of the audit between 75 and 90 percent; or c. A jurisdiction shall be penalized two increments of deduction for average audit scores for both the project review portion and the compliance portion of the audit below 75 percent. |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| CHAPTER 60: WATER QUALITY | | | |
| Code 60.2.4 | Fees | This is a revised reference to the fee schedule. | <p>60.2.4. Fee Required</p> <p>A fee shall be assessed for each square foot of additional land coverage created. The amount of contribution shall be established and periodically updated by Resolution of the Board and recorded in a fee schedule in the Rules of Procedure.</p> |
| CHAPTER 65: AIR QUALITY/TRANSPORTATION | | | |
| Code 65.1.4.A.2 | Air Quality Combustions Appliances | Clean up amendment to reflect ongoing practice. | <p>2. List of Approved Heaters</p> <p>TRPA shall maintain a list of standards for gas heaters that are in compliance with the air quality standards in subparagraph 65.1.4.A.1. The list shall include the names and model numbers of the heaters. A heater certified by the South Coast Air Quality Management District of California under SCHEMED Rules 1111 and 1121 shall be considered in compliance with subparagraph 65.1.4.A.1.</p> |
| Code 65.2.4.D | Fees | This is a revised reference to the fee schedule and removal of alternative inflation index. Western States CPI will be applied annually. | <p>65.2.4. Requirements for New Development</p> <p>D. Fee Schedule</p> <p>The mobility mitigation fee shall be assessed in accordance with the mitigation fee schedule in the Rules of Procedure. The mitigation fee shall be adjusted annually consistent with the annual change in the Consumer Price Index for the San Francisco region. Fee adjustments are limited to increases, even in instances when the calculation may result in a negative percentage growth, to preserve the intent of the mobility mitigation fee and maintain consistency with the costs to implement VMT reduction measures. The current mobility mitigation fee shall be included within the schedule provided in the Article 16 in the Rules of Procedures subsection 10.8.5.</p> |

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| Code 65.2.6 | Fees | This is a revised reference to Rules of Procedure for fees. | <p>65.2.6. Revision of Fee Schedules</p> <p>TRPA shall review the fee schedules in accordance with Article 16 subsection 10.7 in the Rules of Procedure.</p> |
| CHAPTER 66: SCENIC QUALITY | | | |
| Code 66.1.6 | Scenic Quality Reflectivity and Glare | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>The criteria for rating scenic quality and assessing potential impacts could be clarified for projects outside the shorezone/shoreland regulatory areas.</i></p> <p>Text clarifies locations and standards to limit building reflectivity outside the shoreland and shorezone. This amendment serves to improve the consistency of implementation of existing scenic protection standards. Due to the inconsistency of reflectivity provisions in the past, adding this clarification will likely result in increased attainment to scenic thresholds over time.</p> | <p><u>66.1.6. Reflectivity and Glare</u></p> <p><u>Structure planes (roofs, walls, etc) that directly reflect sunlight glare onto Lake Tahoe, a scenic roadway unit, or a scenic recreation area are subject to the following standards:</u></p> <p><u>A. Reflectivity for Windows and Glass Railings</u></p> <p><u>Reflectivity shall not exceed 11 percent on all unscreened glass or glass-like windows, railings and other building features that directly reflect sunlight glare onto Lake Tahoe, a scenic roadway unit, or a scenic recreation area.</u></p> <p><u>B. Reflectivity for Metal and Other Low-Texture Building Surfaces</u></p> <p><u>Metal, plastic, composite, and other low texture building surfaces that directly reflect sunlight glare onto Lake Tahoe, a scenic roadway unit, or a scenic recreation area shall be constructed with non-glare finishes that minimize reflectivity.</u></p> <p><u>C. Screening and Orientation</u></p> <p><u>Projects with vegetation screening and/or surface plane orientations preventing sunlight glare from directly reflecting onto Lake Tahoe, a scenic roadway unit, or a scenic recreation area are exempt from these Reflectivity and Glare standards.</u></p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| CHAPTER 67: HISTORIC RESOURCE PROTECTION | | | |
| Code 67.4 | | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <ul style="list-style-type: none"> • <i>Establish a more efficient process for Historic Resource Determinations</i> • <i>Pursue development of MOUs with State Historic Preservation Offices to comply with the TRPA Code of Ordinances and limit when consultation is warranted.</i> <p>Language here and in 67.7.3 below is consistent with a request from the California State Historic Preservation Office (SHPO) and is also supported by the Nevada SHPO and TRPA staff.</p> <p>SHPO staff desire to stop to this type of consultation, noting concerns regarding proper authorities and insufficient staff time available to serve in such a manner.</p> | <p>67.4. DISCOVERY OF ELIGIBLE RESOURCES</p> <p>Upon discovery of a site, object, district, structure, or other resource, potentially meeting the criteria of Section 67.6, TRPA shall consider the resource for designation as a historic resource and shall consult with the applicable state historic preservation officer (SHPO), and with the Washoe Tribe if it is a Washoe site. If the resource initially is determined to be eligible for designation as a historic resource by the SHPO, TRPA shall consider designation pursuant to Sections 67.6 and 67.5.</p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 67.7.3 | <p>Historic Resource Protection</p> <p>Projects Relating to Historic Resources</p> | Change associated with 67.4 above. | <p>67.7. PROJECTS RELATING TO HISTORIC RESOURCES</p> <p>67.7.3. Demolition</p> <p>Historic resources shall not be demolished, disturbed, or removed unless TRPA finds that:</p> <p>A. The action will not be detrimental to the historic significance of the resource;</p> <p>B. The action is pursuant to a TRPA-approved recovery plan approved by the applicable state historic preservation officer; or</p> <p>C. It is the only feasible alternative to protect the health and safety of the public.</p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| CHAPTER 82: EXISTING STRUCTURES AND EXEMPT ACTIVITIES [SHOREZONE] | | | |
| Code 82.5.8 | Shorezone Existing Structures and Exempt Activities Qualified Exempt Activities (Shorezone) | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Boulder relocation standards should be clarified in relation to dredging.</i></p> <p>Text implements a recent code interpretation clarifying the distinction between boulder relocation (qualified exempt) and dredging (not exempt).</p> <p>This amendment mitigates potential impacts by limiting such activity and placing measurable requirements on such activities.</p> | <p>82.5. QUALIFIED EXEMPT ACTIVITIES [SHOREZONE]</p> <p>82.5.8. Relocation of boulders for navigational purposes provided that the character and habitat function throughout the project area is maintained and the relocation is consistent with Chapter 67. This provision does not apply to removal, modification, or destruction of boulders. <u>Up to six boulders, or three cubic yards of boulders, whichever is more limiting, may be relocated if they are directly impeding watercraft access to an existing boatlift or catwalk. Relocations of boulders may also be allowed in conjunction with a pier expansion if the expansion will bring a non-conforming pier completely into conformance with the applicable development standards in TRPA Code of Ordinances Chapter 84. A qualified exempt boulder relocation must comply with the all of the following requirements:</u></p> <ol style="list-style-type: none"> <u>1. No more than 6 boulders, or a total of 3 cubic yards of boulders, whichever is more limiting, may be relocated under a Qualified Exempt Declaration.</u> <u>2. A boulder is an object that is greater than 10 inches in diameter</u> <u>3. Boulders to be relocated shall not be buried or partially buried beneath the substrate. The declarant shall demonstrate that a boulder can be plucked off the top of the substrate rather than pulled out from the substrate so that lake bottom disturbance is minimized.</u> <u>4. A boulder shall not be relocated if the only way to move the boulder is to drag it across the lake bottom.</u> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| CHAPTER 84: DEVELOPMENT STANDARDS LAKEWARD OF HIGH WATER IN THE SHOREZONE AND LAKEZONE | | | |
| Code 84.3.2.G | Fees | This is a revised reference to the fee schedule. | G. Mooring Registration Fee. All existing and additional moorings shall be subject to an annual TRPA mooring registration fee, as set forth in Article 106 of the TRPA Rules of Procedure and fee schedule . |
| Code 84.3.3.C | Fees | This is a revised reference to the fee schedule. | C. Buoy Scenic Mitigation Fee. All existing and additional buoys shall be subject to an annual TRPA buoy scenic mitigation fee in addition to the annual mooring registration fee, as set forth in Article 106 of the TRPA Rules of Procedure and fee schedule . |
| Code Figure 84.3.3-2 | Shorezone Development Standards Mooring Structures | <i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i> <i>Code Interpretations and Clarifications:</i> <i>Possible clarifications to buoy standards.</i> This modifies text associates with the buoy field graphic to be consistent with the language in code. | <div style="border: 1px solid black; padding: 5px;"> <p>A) TOTAL NUMBER OF BUOYS IN BUOY FIELD SHALL NOT EXCEED THE CAPACITY, THE AREA FOR WHICH IS DEFINED BY THE LAKE FRONTAGE, NOT INCLUDING SETBACKS, MULTIPLIED BY 300'</p> <p>B) BUOYS SHALL BE LOCATED AT LEAST 50' FROM LEGALLY EXISTING BUOYS</p> <p>C) BUOYS SHALL BE NO GREATER THAN 600' LAKEWARD FROM 6,220 LTD</p> <p>D) BUOYS SHALL BE LOCATED AT LEAST 20' FROM ADJACENT LITTORAL PARCEL BOUNDARY PROJECTION LINES</p> </div> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 84.11.2.E. | Fees | This is a revised reference to the fee schedule. | <p>84.11. MITIGATION</p> <p>84.11.2. Mitigation Required</p> <p>To assist in providing funds for restoration of fish habitat and providing public access to Lake Tahoe, all new construction and the expansion of piers, boat ramps, and marinas, regardless of fish habitat type, shall pay a mitigation fee, set forth in Article 160 of the TRPA Rules of Procedure <u>and fee schedule</u>.</p> |
| CHAPTER 90: DEFINITIONS | | | |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 90.1.14 | Definitions Rules of Interpretation and Construction Rounding | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Rounding standards should be addressed for TRPA's key development limitations.</i></p> <p>New text specifies rounding rules and is consistent with ongoing practice.</p> | <p><u>90.1.14. Rounding</u></p> <p><u>A. Unless otherwise specified, numbers shall be rounded to the nearest whole number. Fractional numbers .5 or greater are rounded up. Fractional numbers less than .5 are rounded down.</u></p> <p><u>B. Unless otherwise specified, when standards specify a minimum or maximum limit, those limits shall be the actual limit. The fractional number rounded to the nearest whole number shall not exceed the maximum limit or be less than the minimum limit.</u></p> <p><u>C. The following rules of rounding apply to land coverage:</u></p> <ol style="list-style-type: none"> <u>1. Round each distinct land coverage category to the nearest square foot.</u> <u>2. Round disconnected areas of the same land coverage category to the nearest square foot before totaling.</u> <p><u>D. The following rules of rounding apply to height:</u></p> <ol style="list-style-type: none"> <u>1. Calculate natural ground elevation to the nearest inch.</u> <u>2. Calculate building height to the nearest inch.</u> <p><u>E. The following rules of rounding apply to development rights and units of use for conversions, banking, etc:</u></p> <ol style="list-style-type: none"> <u>1. CFA shall be rounded to the nearest whole number in square feet.</u> <u>2. All other units of use shall be rounded to the nearest one one-hundredth of a unit (0.01).</u> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Code 90.2 | Definitions Active Solar Energy System | Definition relates to coverage exemptions for small utility installations (30.4.6.A). | <p>90.2. OTHER TERMS DEFINED</p> <p><u>Active Solar Energy System</u></p> <p><u>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.</u></p> |
| Code 90.2 | Definitions Deck | Definition relates to coverage exemptions for pervious decks (30.4.6.D.2). | <p>90.2. OTHER TERMS DEFINED</p> <p><u>Deck</u></p> <p><u>An elevated structure or element of a structure, designed or used as a floor for the support of persons, animals, or property in an outdoor setting. Decks are typically surfaced with dimensional lumber, composite boards, blocks, or metal grates. Decks are held in place with open structural elements such as foundations, posts, and beams. Decks are not installed directly on the ground or on a concrete pad.</u></p> |
| Code 90.2 | Definitions Electric Vehicle Charger Electric Vehicle Charging Station | Definitions relate to coverage exemptions for small utility installations (30.4.6.A). | <p>90.2. OTHER TERMS DEFINED</p> <p><u>Electric Vehicle Charger</u></p> <p><u>Off-board charging equipment used to charge an electric vehicle. A “universal” EV charger means an electric vehicle charger that is compatible with multiple types and models of electric vehicles, regardless of make, brand, or input.</u></p> <p><u>Electric Vehicle Charging Station</u></p> <p><u>One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles.</u></p> |

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| Code 90.2 | Definitions Expansion (Shorezone) | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>Pier expansion criteria should be clarified in relation to boatlifts, hand railing for safety purposes, etc.</i></p> <p>New text clarifies the distinction between pier modifications and pier expansions.</p> | <p>90.2. OTHER TERMS DEFINED</p> <p>Expansion</p> <p>Outside of the shorezone, “expansion” means an increase in size or extent of an existing structure or use that results in additional commercial floor area, additional residential units, additional tourist accommodation units, additional PAOTs, additional land coverage, vehicle trips, or other capacities regulated by this Code. Within the shorezone, “expansion” means an increase in size or extent, including an increase in the dimensions of a structure, and the addition of any structure or edifice to an existing structure.</p> <p><u>The following are modifications to existing piers that do not constitute an expansion of a pier:</u></p> <ul style="list-style-type: none"> <u>A. Placement of bumpers on piers.</u> <u>B. Removal of non-conforming structures (i.e. rock cribbing).</u> <u>C. Handrails.</u> <u>D. Swim ladders.</u> <u>E. Pier deck height if there is a net decrease in the total visible mass of the pier.</u> <u>F. Addition of a catwalk if taking the place of existing pier footprint and not creating additional visible mass.</u> <p><u>The following are modifications to existing piers that do constitute an expansion of a pier:</u></p> <ul style="list-style-type: none"> <u>A. Additional pier width.</u> <u>B. Additional pier length.</u> <u>C. Addition of a boatlift.</u> <u>D. Additional visible mass except for the additional visible mass created by the addition of structures/edifices/accessories listed above.</u> |
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| Code 90.2 | Definitions Land Coverage | <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> <p><i>Code Interpretations and Clarifications:</i></p> <p><i>TRPA should process code amendments to address prior interpretations and understandings</i></p> <p><i>The definition of land coverage should be clarified for accessory site improvements such as post foundations, masonry walls, elevated metal grates, utility lids, ungrouted stone walks, placed rocks or boulders, and BMP installations.</i></p> <p>New text clarifies the dimension standards for small site improvements that are not land coverage. This is generally consistent with past interpretations and ongoing practice. Numeric standards will assist with consistent outcomes.</p> <p>The governing board previously approved a code interpretation of non-coverage for bear resistant garbage enclosure elevated 18 inches or more. The proposed height limit is reduced to 6 inches. Language is also added to limit the maximum size. This does not apply to larger dumpsters.</p> | <p>90.2. OTHER TERMS DEFINED</p> <p>Land Coverage</p> <p>A man-made structure, improvement, or covering, either created before February 10, 1972, or created after February 10, 1972, pursuant to either TRPA Ordinance No. 4, as amended, or other TRPA approval, that prevents normal precipitation from directly reaching the surface of the land underlying the structure, improvement, or covering. Such structures, improvements, and coverings include, but are not limited to, roofs, decks, surfaces that are paved with asphalt, concrete, or stone, roads, streets, sidewalks, driveways, parking lots, tennis courts, patios; and 2) lands so used before February 10, 1972, for such uses as for the parking of cars and heavy and repeated pedestrian traffic that the soil is compacted so as to prevent substantial infiltration. A structure, improvement or covering shall not be considered as land coverage if it permits at least 75 percent of normal precipitation directly to reach the ground and permits growth of vegetation on the approved species list. See also “Potential Land Coverage.” Common terms related to land coverage are:</p> <ul style="list-style-type: none"> A. Hard Coverage—man-made structures as defined above. B. Soft Coverage—compacted areas without structures as defined above. <p><u>The following improvements are not land coverage:</u></p> <ul style="list-style-type: none"> <u>A. Post foundations that are 12 inches or less in width and length at ground level.</u> <u>B. Walls and other impervious improvements that are 12 inches or less in width at ground level and in aggregate do not exceed one percent of the project area.</u> <u>C. Utility improvements including boxes, vaults, and poles that are required for utility services (including water, sewer, electricity including undergrounding, natural gas, and telecommunications), are surrounded by pervious surfaces, and do not individually exceed 6 square feet in size. This provision does not extend to</u> |
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| | | | <p>additional discretionary utility improvements such as generators and HVAC installations.</p> <p>D. Bear resistant garbage enclosures not exceeding 3 feet in depth that are installed on one or more posts and have an enclosure elevated 6 inches or more above ground level.</p> <p>E. Land coverage associated with BMP installations may be excluded from land coverage calculations if such improvements are necessary for a properly functioning BMP installation.</p> <p>F. Natural rocks used in landscaping, slope retention, and for aesthetic purposes are not land coverage if the rocks are in their natural location or are surrounded by pervious surfaces, are not designed to serve as a walkway or gathering area.</p> |
| Code 90.2 | Definitions Walkway | Definition relates to coverage exemptions for pervious coverage (30.4.6.D.1). | <p>90.2. OTHER TERMS DEFINED</p> <p><u>Walkway</u></p> <p><u>A clearly identifiable gathering area or access path for pedestrians. Walkways are separated from Driveways and Roads with curbing, railings, landscaping, rocks or similar barriers. Walkways include paved and unpaved patios, sidewalks, trails, and paths. Walkways are generally located on the ground but may have elevated sections or bridges</u></p> |

Table 2: Rule of Procedure Amendments

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Rules 5.3 | Completeness Reviews | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Establish a Minor Application process with shorter deadlines, less complex applications, simplified reviews, and a dedicated application review team</i></p> <p>New procedures split minor from regular applications upon submittal. Other text is updated to reflect digital applications and current practices.</p> | <p>5.3. DETERMINATION OF COMPLETE APPLICATION TYPE AND <u>COMPLETENESS</u></p> <p>Upon receipt submittal of an application, the application <u>processing</u> shall begin. <u>be stamped “Received – TRPA,” dated, and signed by the TRPA employee authorized to receive it. If the application has been submitted as a minor application, it shall be routed for expedited processing in accordance with Section 5.4.</u> If the application has not been acted upon within 30 calendar days of submittal <u>the “Received – TRPA” date</u>, then TRPA shall notify the applicant, in writing, of the information required prior to a TRPA determination that the application is “complete” for purposes of commencing review of the application. The notice shall comply with the requirements of Section 5.75-9. Upon receipt of the requested information, TRPA shall deem the application complete and shall notify the applicant of such.</p> |

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| <p>Rules 5.4</p> | <p>Minor Applications</p> | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Establish a Minor Application process with shorter deadlines, less complex applications, simplified reviews, and a dedicated application review team</i></p> <p>Subparagraph 1 is the list of projects that qualify for minor application processing.</p> <p>Subparagraph 2 established the expedited 15 + 40 days review process.</p> | <p><u>5.4. MINOR APPLICATIONS</u></p> <p><u>Applicants may request expedited processing of certain minor applications.</u></p> <p><u>1. Qualifying Applications</u></p> <p><u>The following applications may be submitted as minor applications:</u></p> <ul style="list-style-type: none"> <u>A. Development Right Banking</u> <u>B. Conversions and Transfers of Banked Development Rights</u> <u>C. Coverage Banking from Non-Sensitive Land</u> <u>D. Transfers of Banked Coverage from Non-Sensitive Land</u> <u>E. Historic Resource determinations</u> <u>F. Lot Line Adjustments meeting all the following criteria:</u> <ul style="list-style-type: none"> <u>1. The adjustment is between two parcels.</u> <u>2. The adjustment is an equal area exchange, with existing parcel areas maintained to the nearest square foot.</u> <u>3. The exchanged areas do not include any land coverage.</u> <u>4. The exchanged areas have the same Land Capability Classification.</u> <u>5. The project area is located entirely outside of the shorezone/shoreland.</u> <u>G. Minor Site or Building Improvements meeting all the following criteria:</u> <ul style="list-style-type: none"> <u>1. The project is a single parcel application.</u> <u>2. The project area is classified as Residential, Mixed-Use, or Tourist Land Use.</u> <u>3. The project area is located entirely outside of the shorezone/shoreland.</u> <u>4. The project does not propose any new or relocated coverage on sensitive land.</u> |
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| | | | <p>5. <u>The parcel has an existing BMP certificate; except revisions to approved permits may be Minor with a BMP certificate to be issued with project completion.</u></p> <p>6. <u>The project will not add “additional building height” (above 26 feet).</u></p> <p>7. <u>The project does not involve a non-conforming use or structure.</u></p> <p>H. <u>Establishment of up to two Accessory Dwelling Units, as long as the project does not exceed other limitations for Minor Applications.</u></p> <p>I. <u>Grading not exceeding 10 cu. yards on sensitive land and 50 cu. yards total.</u></p> <p>J. <u>Sign permits for projects having no more than two signs with sizes not exceeding 40 sf each.</u></p> <p>K. <u>Linear Public Facility repair or reconstruction projects resulting in no new coverage and no significant changes to finished grades.</u></p> <p>L. <u>Public Health and Safety Facilities; unless staff determines that the project scale or complexity warrants regular project review.</u></p> <p>M. <u>Fire mitigation projects for pipelines and power transmission facilities, if outside scenic areas; unless staff determines that the project scale or complexity warrants regular project review.</u></p> <p>2. <u>Minor Application Review Process:</u></p> <p><u>The following revised procedures apply to minor applications:</u></p> <p>A. <u>The application completeness review described in Section 5.3 shall be expedited to 15 days. Minor applications that are determined to not qualify in accordance with subsection 1 above shall be processed as regular applications with all required application material.</u></p> <p>B. <u>The application processing procedures described in Section 5.7 shall be expedited to 40 days.</u></p> |
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| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Rules 5.5 | Bundled Applications | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Procedures should be implemented to review and approve certain “bundled” applications in a combined and coordinated manner</i></p> <p>Text list applications that may be bundled.</p> | <p><u>5.5. BUNDLED APPLICATIONS</u></p> <p><u>Applicants may request coordinated and concurrent processing of associated applications for the same project area. Review timelines for the longest of the bundled applications shall apply to all bundled applications.</u></p> <p><u>1. Qualifying Applications</u></p> <p><u>A. Development right transfers and conversions associated with project applications.</u></p> <p><u>B. Coverage transfers to enable project applications.</u></p> <p><u>C. Lot Line Adjustments to enable project applications.</u></p> <p><u>D. Historic Resource determinations with project applications.</u></p> |
| Rules 5.8 | Fee Schedule | Reorganize content in new Article 16 (Fees). Retain a reference. | <p><u>5.6. FEE SCHEDULE</u></p> <p><u>TRPA may fix and collect reasonable fees for project review services to recover costs associated with permit reviews and other services and to mitigate impacts associated with permitted development. The Board shall adopt, by resolution, an application fee schedule. Fees shall not be charged for inquiries and requests preceding the filing of an application, except as otherwise required by the fee schedule. See Article 16 Fees.</u></p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment | | | | | | | | | | | | | | | | |
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| Rules 5.10 | Application Refund | Reorganize to new Article 16 (Fees) | <p>5.10. APPLICATION REFUND</p> <p>5.10.1. If the application is withdrawn by written request by the applicant or by TRPA in accordance with Section 5.7, the Executive Director shall refund the application fee according to the schedule below. APPLICATION REFUND SCHEDULE</p> <table border="1" data-bbox="1066 467 1911 1253"> <thead> <tr> <th colspan="2" data-bbox="1066 467 1911 540">APPLICATION REFUND SCHEDULE</th> </tr> <tr> <th data-bbox="1066 540 1491 589">Task Completed</th> <th data-bbox="1491 540 1911 589">Refund Amount Due</th> </tr> </thead> <tbody> <tr> <td data-bbox="1066 589 1491 784">If there are no actions other than the application is stamped "Received—TRPA," dated, and signed by the TRPA employee authorized to receive it pursuant to Section 5.3</td> <td data-bbox="1491 589 1911 784">90%</td> </tr> <tr> <td data-bbox="1066 784 1491 849">30-day review complete per Section 5.3</td> <td data-bbox="1491 784 1911 849">75%</td> </tr> <tr> <td data-bbox="1066 849 1491 979">If an "incomplete" application is made "complete," or more than one incomplete letter or time extension is issued</td> <td data-bbox="1491 849 1911 979">65% (less 10% for each additional incomplete letter or time extension issued)</td> </tr> <tr> <td data-bbox="1066 979 1491 1060">If TRPA review of a "complete" application is less than 50% finished</td> <td data-bbox="1491 979 1911 1060">45%, (but no more than the amount calculated above)</td> </tr> <tr> <td data-bbox="1066 1060 1491 1157">If TRPA review of a "complete" application is more than 50% finished</td> <td data-bbox="1491 1060 1911 1157">10%</td> </tr> <tr> <td data-bbox="1066 1157 1491 1253">If final action is taken on a "complete" application by TRPA (other than withdrawal)</td> <td data-bbox="1491 1157 1911 1253">No refund</td> </tr> </tbody> </table> <p>5.10.2. An application fee shall be forfeited if a refund is not requested in writing by the applicant within one year from the date the application is withdrawn.</p> | APPLICATION REFUND SCHEDULE | | Task Completed | Refund Amount Due | If there are no actions other than the application is stamped "Received—TRPA," dated, and signed by the TRPA employee authorized to receive it pursuant to Section 5.3 | 90% | 30-day review complete per Section 5.3 | 75% | If an "incomplete" application is made "complete," or more than one incomplete letter or time extension is issued | 65% (less 10% for each additional incomplete letter or time extension issued) | If TRPA review of a "complete" application is less than 50% finished | 45%, (but no more than the amount calculated above) | If TRPA review of a "complete" application is more than 50% finished | 10% | If final action is taken on a "complete" application by TRPA (other than withdrawal) | No refund |
| APPLICATION REFUND SCHEDULE | | | | | | | | | | | | | | | | | | | |
| Task Completed | Refund Amount Due | | | | | | | | | | | | | | | | | | |
| If there are no actions other than the application is stamped "Received—TRPA," dated, and signed by the TRPA employee authorized to receive it pursuant to Section 5.3 | 90% | | | | | | | | | | | | | | | | | | |
| 30-day review complete per Section 5.3 | 75% | | | | | | | | | | | | | | | | | | |
| If an "incomplete" application is made "complete," or more than one incomplete letter or time extension is issued | 65% (less 10% for each additional incomplete letter or time extension issued) | | | | | | | | | | | | | | | | | | |
| If TRPA review of a "complete" application is less than 50% finished | 45%, (but no more than the amount calculated above) | | | | | | | | | | | | | | | | | | |
| If TRPA review of a "complete" application is more than 50% finished | 10% | | | | | | | | | | | | | | | | | | |
| If final action is taken on a "complete" application by TRPA (other than withdrawal) | No refund | | | | | | | | | | | | | | | | | | |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Rules 5.13 | Notice | Adds language requiring notice for projects reviewed by the Governing Board, consistent with language for Hearings Officer reviews and ongoing practice. | <p><u>5.13. NOTICE</u></p> <p><u>All projects or matters reviewed by the Governing Board shall require notice to affected property owners. The proponent of the project or matter shall submit a list to TRPA of the names and addresses of the persons who own property, or a portion thereof, within 300 feet of the project area boundaries. The list shall be compiled from the current county assessor’s rolls and shall be verified by the applicant. The proponent also shall provide addressed envelopes and postage prepaid to the persons listed. Notice shall be given to such persons by TRPA. The notice shall be given no later than 14 calendar days before the hearing, shall state the date, time, and place of the hearing and the opportunity to be heard.</u></p> |

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| Rules 5.22 | Refund of Mitigation Fees | Reorganize to new Article 16 (Fees) | <p>5.22.5.23. REFUNDS OF MITIGATION FEES</p> <p>Mitigation fees may be refunded as provided by the applicable Code provision and subject to the following limitations:</p> <p>1. Mitigation fees paid on or before July 1, 1987, shall not be refundable. A written request for a refund for mitigation fees paid after July 1, 1987, shall be received by TRPA no later than seven years minus one day from the date of final action by the Agency. In accordance with Article VI(p) of the Compact, in computing the above time periods, any time during which the project is the subject of a legal action which delays or renders impossible the diligent pursuit of the project shall not be counted. If the request for refund is made by a person other than the owner of the parcel, the request shall include authorization from the owner to refund the fee.</p> <p>2. TRPA verifies that no site disturbance or construction has occurred, beyond what would normally be allowed as an exempt or qualified exempt activity in the Code, or that no use has commenced, as applicable, under the subject permit. The permittee shall also pass a final inspection and be eligible for a security return in accordance with Chapter 4: Compliance of the TRPA Code, and shall submit evidence that notice to all other affected jurisdictions has been given in accordance with subsection 5.22.3, below. Site disturbance includes, but is not limited to, tree cutting, vegetation removal, grading, or excavation. Partial refunds shall not be permitted.</p> <p>3. The permittee consents, in writing, to the cancellation of the subject permit and to all rights there under. Notice of cancellation of a TRPA permit shall be given to all other local, state, or federal jurisdictions also having jurisdiction over the matter such notice is the responsibility of the permittee. Cancelled TRPA permits shall not be renewable.</p> <p>4. Refunds shall be made only to the extent funds are available in the applicable city or county mitigation fund. In the event there are insufficient funds in a particular account, TRPA shall pay the balance of the refund as funds become available in that account. Priority for refunds shall be determined based on the date the refund request was received. Refund of the mitigation fee shall not include any interest earned on the fee. The amount of a refund shall be in accordance with the following schedule</p> |
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| Section | Topic | Implementation Item / Explanation | Proposed Amendment | | | | | | | | | | |
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| | | | <p>(calculated from the date of project approval and not the date a mitigation fee was paid to TRPA):</p> <table border="1" data-bbox="1289 339 1711 558"> <thead> <tr> <th data-bbox="1289 339 1558 393">Year</th> <th data-bbox="1558 339 1711 393">Percent</th> </tr> </thead> <tbody> <tr> <td data-bbox="1289 393 1558 436">Years 1 through 4</td> <td data-bbox="1558 393 1711 436">100%</td> </tr> <tr> <td data-bbox="1289 436 1558 480">Year 5</td> <td data-bbox="1558 436 1711 480">75%</td> </tr> <tr> <td data-bbox="1289 480 1558 524">Year 6</td> <td data-bbox="1558 480 1711 524">50%</td> </tr> <tr> <td data-bbox="1289 524 1558 558">Year 7 and afterward</td> <td data-bbox="1558 524 1711 558">No Refund</td> </tr> </tbody> </table> <p>5. The Executive Director shall maintain the necessary accounts and fund balances to implement the above policies.</p> | Year | Percent | Years 1 through 4 | 100% | Year 5 | 75% | Year 6 | 50% | Year 7 and afterward | No Refund |
| Year | Percent | | | | | | | | | | | | |
| Years 1 through 4 | 100% | | | | | | | | | | | | |
| Year 5 | 75% | | | | | | | | | | | | |
| Year 6 | 50% | | | | | | | | | | | | |
| Year 7 and afterward | No Refund | | | | | | | | | | | | |
| Rules 10.7 | Fees for Service | Reorganize to new Article 16 (Fees) | <p>10.7. FEES FOR SERVICES</p> <p>1. Whenever the Agency performs services for members of the public, other than applicants or other public agencies, by providing or mailing copies of documents, the Agency shall collect a reasonable charge for the purpose of recovering costs to the Agency.</p> <p>2. The chairman or executive officer shall set, or cause to be set, the service charges for handling, copying and mailing.</p> | | | | | | | | | | |

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| Rules 10.8 | Fees for Reviews | Reorganize to new Article 16 (Fees) | <p>10.8. FEES FOR REVIEWS</p> <p>1. Basic Fees</p> <p>Fee schedules for project review and preparation of environmental documents shall be set by resolution of the Body.</p> <p>2. Consultant Fees</p> <p>Under applicable circumstances, in addition to the application filing fee, a fee shall be charged that is equal to the fee estimated by the consultant selected by the Agency pursuant to Section 6.6.</p> <p>3. Exception</p> <p>Whenever, in the opinion of the chairman or executive officer, the basic fee or the consultant fee does not reasonably reflect the actual cost to the Agency of analyzing or preparing required environmental documents, the chairman or executive officer may increase the basic fee or the consultant fee by an amount not exceeding 50 percent of the amount indicated.</p> <p>4. Calculation of Fees</p> <p>Project review fees shall be in accordance with the adopted schedule unless, in the discretion of the Executive Director, the actual cost can be reasonably and accurately calculated and is significantly less than the fee schedule, in which case the actual cost shall be used.</p> <p>5. Mitigation Fees</p> <p>A. Mobility Mitigation Fee</p> <p>1. TRPA shall assess a mobility mitigation fee according to the following schedule:</p> <p>a. For new residential units—\$196.20/average daily Vehicle Mile Travelled.</p> <p>b. For new tourist accommodation units—\$196.20/average daily Vehicle Mile Travelled.</p> <p>c. For new campground site or recreational vehicle site—\$196.20/average daily Vehicle Mile Travelled.</p> |
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- d. For new commercial floor area—\$21.80/average daily Vehicle Mile Travelled.
 - e. For all other development—\$21.80/average daily Vehicle Mile Travelled.
2. TRPA shall review the fee schedules in this subsection in light of the costs of needed improvements and the funds available to support those improvements and recommend adjustments to the fee schedules as appropriate.
 3. Refund: Mobility mitigation fees may be refunded, under certain conditions, in accordance with these Rules.

B. Rental Car Mitigation Fee

Beginning January 1, 2002, the rental car mitigation fee shall be \$4.75 for EACH DAY of the rental transaction. The mitigation fee shall be separately stated in the rental agreement covering the transaction. Drop-off of the rental car outside the Tahoe region shall not be cause for exemption from payment of the fee. The mitigation fee shall be adjusted annually consistent with the annual change in the Consumer Price Index for the San Francisco region, rounded to the nearest quarter-dollar. Any adjustment to the fee shall be reviewed and approved by the Tahoe Transportation District.

C. Excess Land Coverage Mitigation Fee

The excess land coverage fee shall be calculated according to the schedule below:

| EXCESS LAND COVERAGE MITIGATION FEE | |
|--|-----------------|
| Hydrologic Transfer Area | Fee Per Sq. Ft. |
| Area 1—Incline | \$20.00 |
| Area 2—Marlette | \$12.00 |
| Area 3—Cave Rock | \$25.00 |
| Area 4—South Stateline (Nevada side) | \$15.00 |
| Area 4—South Stateline (California side) | \$8.50 |

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| | | | <table border="1"> <tr> <td>Area 5—Upper Truckee</td> <td>\$8.50</td> </tr> <tr> <td>Area 6—Emerald Bay</td> <td>\$8.50</td> </tr> <tr> <td>Area 7—McKinney Bay</td> <td>\$8.50</td> </tr> <tr> <td>Area 8—Tahoe City</td> <td>\$8.50</td> </tr> <tr> <td>Area 9—Agate Bay (California side)</td> <td>\$8.50</td> </tr> <tr> <td>Area 9—Agate Bay (Nevada side)</td> <td>\$18.00</td> </tr> </table> <p>D.——Water Quality Mitigation Fee</p> <p>The current fee of \$1.54 per square foot shall be increased to \$1.86 per square foot.</p> <p>1.——Mitigation Fee Credit</p> <p>If a project approval expires and the project is not complete, then a water quality mitigation fee credit may be given for a subsequent similar project approval. This subsection shall not be construed to require a refund of a water quality mitigation fee. Credit shall be given if the following requirements are met:</p> <p>a.——The prior project approval was granted within the same project area as the project approval for which a credit is sought;</p> <p>b.——The applicant provides sufficient evidence of the payment of a water quality mitigation fee or implementation of a TRPA approved water quality mitigation project; and</p> <p>c.——A water quality mitigation fee or project is required as part of the project approval for which a credit is sought.</p> <p>2.——Mitigation Fee Refunds</p> <p>Water quality mitigation fees may be refunded, under certain conditions, in accordance with TRPA's Rules of Procedure.</p> <p>A.——Shorezone Fees</p> <p>1.——Mooring Fee</p> <p>The owner of every mooring on, or with access to, Lake Tahoe shall pay a fee to TRPA of \$43 per year.</p> <p>2.——Buoy Scenic Mitigation Fee</p> | Area 5—Upper Truckee | \$8.50 | Area 6—Emerald Bay | \$8.50 | Area 7—McKinney Bay | \$8.50 | Area 8—Tahoe City | \$8.50 | Area 9—Agate Bay (California side) | \$8.50 | Area 9—Agate Bay (Nevada side) | \$18.00 |
| Area 5—Upper Truckee | \$8.50 | | | | | | | | | | | | | | |
| Area 6—Emerald Bay | \$8.50 | | | | | | | | | | | | | | |
| Area 7—McKinney Bay | \$8.50 | | | | | | | | | | | | | | |
| Area 8—Tahoe City | \$8.50 | | | | | | | | | | | | | | |
| Area 9—Agate Bay (California side) | \$8.50 | | | | | | | | | | | | | | |
| Area 9—Agate Bay (Nevada side) | \$18.00 | | | | | | | | | | | | | | |

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| | | | <p>All buoys shall be assessed a scenic mitigation fee of \$47 per year.</p> <p>3. Motorized Boat Rental Concession Fee</p> <p>Concessionaires shall pay the following fees to TRPA annually for every motorized boat subject to rental:</p> <ul style="list-style-type: none"> a. For every boat with an EPA 3-Star or better rating: \$75 per year; b. For every boat with an EPA 2-Star or worse rating: \$150 per year. <p>4. New Construction and Expansions.</p> <ul style="list-style-type: none"> a. Piers. New pier construction and the expansion of the existing piers shall be assessed mitigation fees as follows: <ul style="list-style-type: none"> i. New pier – \$60 per lineal foot ii. Additional length to an existing pier – \$60 per lineal foot iii. Other additions – \$600 per application b. Boat Ramps. Boat ramp construction and the expansion of existing boat ramps shall be assessed mitigation fees as follows: <ul style="list-style-type: none"> i. New boat ramp – \$60 per lineal foot ii. Additional length to an existing ramp – \$60 per lineal foot iii. Additional width to an existing ramp – \$200 per lineal foot c. Marinas. Marina construction and the expansion of existing marinas shall be assessed mitigation fees as follows: <ul style="list-style-type: none"> i. New boat slip – \$200 per slip ii. New mooring buoy – \$200 per buoy Other additions – \$500 per application <p>2. Monitoring Fees</p> <p>A. Allocation Monitoring Fees</p> <ul style="list-style-type: none"> 1. The allocation monitoring fee shall be \$100 per allocation issued by a local jurisdiction. |
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| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Rules 12.14.7 | Notice to Affected Property Owners | <p><i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i></p> <p><i>Staff-Level Delegations in the Shorezone:</i></p> <p><i>Allow staff-level delegations with noticing / appeal process.</i></p> <ul style="list-style-type: none"> • <i>New multiple parcel/multiple use piers, which are currently considered by the Governing Board.</i> • <i>New single parcel piers, which are currently considered by the Hearings Officer.</i> • <i>Existing buoy field expansions, which are currently considered by the Hearings Officer.</i> <p>Related to Code sec 2.2.2.F. Retains noticing for projects no longer requiring governing board or hearings officer review.</p> | <p>12.14. PROJECT OR MATTER REQUIRING NOTICE TO AFFECTED PROPERTY OWNERS</p> <p>7. Shorezone* (new and expansions)</p> <p>A. Marinas</p> <p>B. Recognition of multiple parcel/use piers (Section 84.4)</p> <p>C. Single parcel piers</p> <p>D. Buoy fields</p> <p>B-E. Structures (except for two buoys per littoral parcel [52.6.A(1)] and navigational and safety devises on existing structures)</p> |
| Rules Article 16 | Fees | <p><i>Simplify organizational documents related to fees.</i></p> <p>Content is mostly reorganized existing language. Changes are noted.</p> | <p>ARTICLE 16: FEES</p> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
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| Rules 16.1 | Purpose and Scope | New purpose statement. | <p><u>16.1. PURPOSE & SCOPE</u></p> <p><u>This article sets forth the procedures for recording, collecting, updating fees. Fees are applied to recover costs associated with permit reviews and other services and to mitigate impacts associated with permitted development. This article addresses fees for services, project review fees, mitigation fees, monitoring fees, administrative fees, and shorezone fees.</u></p> |
| Rules 16.2 | Fee Schedule | Content reorganized from section 5.6. New language added to use the Western States CPI index for all indexed fees. This is a change for the indexing of Mobility Mitigation fees, (indexing removed from code section 65.2.4.D.) and rental car mitigation fees (indexing removed from ROP fee language). | <p><u>16.2. FEE SCHEDULE</u></p> <p><u>Unless otherwise stated in this article, all fees shall be recorded in a fee schedule. Unless otherwise stated in these rules of procedure or in the Code of Ordinances, the fee schedule shall be updated annually based on the Western States Consumer Price Index. The Agency shall keep a current version of the fee schedule posted to the TRPA website.</u></p> |
| Rules 16.3 | Service Fees | From Section 10.7. No substantive change. | <p><u>16.3. SERVICE FEES</u></p> <p><u>1. Whenever the Agency performs services for members of the public, other than applicants or other public agencies, by providing or mailing copies of documents, the Agency shall collect a reasonable charge for the purpose of recovering costs to the Agency.</u></p> <p><u>2. The chairman or executive officer shall set, or cause to be set, the service charges for handling, copying and mailing.</u></p> |

| Rules 16.4 | Project Review Fees | 1-4 are from section 10.8. 5 is from section 5.10. No substantive change. | <p><u>16.4 PROJECT REVIEW FEES</u></p> <p><u>1. Basic Fees</u></p> <p><u>Fees for project review and preparation of environmental documents shall be identified in the fee schedule.</u></p> <p><u>2. Consultant Fee</u></p> <p><u>Under applicable circumstances, in addition to the application filing fee, a fee shall be charged that is equal to the fee estimated by the consultant selected by the Agency pursuant to Section 6.10.</u></p> <p><u>3. Exception</u></p> <p><u>Whenever, in the opinion of the Executive Director, the basic fee or the consultant fee does not reasonably reflect the actual cost to the Agency of analyzing or preparing required environmental documents, the Executive Director may increase the basic fee or the consultant fee by an amount not exceeding 50 percent of the amount indicated.</u></p> <p><u>4. Calculation of Fees</u></p> <p><u>Project review fees shall be in accordance with the adopted fee schedule unless, in the discretion of the Executive Director, the actual cost can be reasonably and accurately calculated and is significantly less than the fee schedule, in which case the actual cost shall be used. Bundled applications shall be subject to all applicable fees for all activities being proposed or required as part of the project.</u></p> <p><u>5. Refund of Fees</u></p> <p><u>A. If the application is withdrawn by written request by the applicant or by TRPA in accordance with Section 5.7, the Executive Director shall refund the application fee according to the schedule below.</u></p> <table border="1" data-bbox="1066 1282 1967 1404"> <thead> <tr> <th colspan="2" data-bbox="1066 1282 1967 1356"><u>APPLICATION REFUND SCHEDULE</u></th> </tr> <tr> <th data-bbox="1066 1356 1564 1404"><u>Task Completed</u></th> <th data-bbox="1564 1356 1967 1404"><u>Refund Amount Due</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="1066 1404 1564 1416"></td> <td data-bbox="1564 1404 1967 1416"></td> </tr> </tbody> </table> | <u>APPLICATION REFUND SCHEDULE</u> | | <u>Task Completed</u> | <u>Refund Amount Due</u> | | |
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| <u>APPLICATION REFUND SCHEDULE</u> | | | | | | | | | |
| <u>Task Completed</u> | <u>Refund Amount Due</u> | | | | | | | | |
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| | | | <u>If there are no actions other than the application is stamped "Received – TRPA," dated, and signed by the TRPA employee authorized to receive it pursuant to Section 5.3</u> | <u>90%</u> |
| | | | <u>30-day review complete per Section 5.3</u> | <u>75%</u> |
| | | | <u>If an "incomplete" application is made "complete," or more than one incomplete letter or time extension is issued</u> | <u>65% (less 10% for each additional incomplete letter or time extension issued)</u> |
| | | | <u>If TRPA review of a "complete" application is less than 50% finished</u> | <u>45%, (but no more than the amount calculated above)</u> |
| | | | <u>If TRPA review of a "complete" application is more than 50% finished</u> | <u>10%</u> |
| | | | <u>If final action is taken on a "complete" application by TRPA (other than withdrawal)</u> | <u>No refund</u> |
| | | | <u>B. An application fee shall be forfeited if a refund is not requested in writing by the applicant within one year from the date the application is withdrawn.</u> | |

| | | | |
|-------------------|------------------------|--|---|
| <p>Rules 16.5</p> | <p>Mitigation Fees</p> | <p>1, 2, 3 and 5 are from 10.8.5. 6 is from section 5.22. 4 is new and recognizes off-site mitigation practices and code amendments. Indexing language (San Francisco CPI) is removed from 1 and 2. Standard indexing per Western States CPI will apply. TTD review and approval of fees is also removed from 2. New language in 3-5 clarifying that these mitigation fees are not indexed annually. Fee amounts replaced with references to the Fee Schedule.</p> | <p><u>16.5. MITIGATION FEES</u></p> <p><u>1. Air Quality, Greenhouse Gas Reduction, and Mobility Mitigation Fee</u></p> <p><u>A. TRPA shall assess an air quality, greenhouse gas reduction, and mobility mitigation fee consistent with Code section 65.2.</u></p> <p><u>B. Refund: Mobility mitigation fees may be refunded, under certain conditions, in accordance with these Rules.</u></p> <p><u>2. Rental Vehicle Mitigation Fee</u></p> <p><u>TRPA shall assess a rental vehicle mitigation fee consistent with Code section 65.4. The mitigation fee shall be separately stated in the rental agreement covering the transaction. Drop-off of the rental vehicle outside the Tahoe region shall not be cause for exemption from payment of the fee.</u></p> <p><u>3. Excess Land Coverage Mitigation Fee</u></p> <p><u>TRPA shall assess an excess land coverage mitigation fee consistent with Code section 30.6. Excess coverage mitigation fees are adjusted by specific action and are not indexed annually.</u></p> <p><u>4. Off-Site Land Coverage Mitigation Fee</u></p> <p><u>TRPA shall assess an off-site land coverage mitigation fee consistent with Code section 30.7. Excess coverage mitigation fees are adjusted by specific action and are not indexed annually.</u></p> <p><u>5. Water Quality Mitigation Fee</u></p> <p><u>TRPA shall assess a water quality mitigation fee consistent with Code section 60.2. Water quality mitigation fees are adjusted by specific action and are not indexed annually.</u></p> <p><u>A. Mitigation Fee Credit</u></p> <p><u>If a project approval expires and the project is not complete, then a water quality mitigation fee credit may be given for a subsequent similar project approval. This subsection shall not be construed to</u></p> |
|-------------------|------------------------|--|---|

| | | | |
|--|--|--|---|
| | | | <p><u>require a refund of a water quality mitigation fee. Credit shall be given if the following requirements are met:</u></p> <ol style="list-style-type: none"> <u>1. The prior project approval was granted within the same project area as the project approval for which a credit is sought;</u> <u>2. The applicant provides sufficient evidence of the payment of a water quality mitigation fee or implementation of a TRPA approved water quality mitigation project; and</u> <u>3. A water quality mitigation fee or project is required as part of the project approval for which a credit is sought.</u> <p><u>6. Refund of Mitigation Fees</u></p> <p><u>Mitigation fees may be refunded as provided by the applicable Code provision and subject to the following limitations:</u></p> <ol style="list-style-type: none"> <u>A. Mitigation fees paid on or before July 1, 1987, shall not be refundable. A written request for a refund for mitigation fees paid after July 1, 1987, shall be received by TRPA no later than seven years minus one day from the date of final action by the Agency. In accordance with Article VI(p) of the Compact, in computing the above time periods, any time during which the project is the subject of a legal action which delays or renders impossible the diligent pursuit of the project shall not be counted. If the request for refund is made by a person other than the owner of the parcel, the request shall include authorization from the owner to refund the fee.</u> <u>B. TRPA verifies that no site disturbance or construction has occurred, beyond what would normally be allowed as an exempt or qualified exempt activity in the Code, or that no use has commenced, as applicable, under the subject permit. The permittee shall also pass a final inspection and be eligible for a security return in accordance with Chapter 4: Compliance of the TRPA Code, and shall submit evidence that notice to all other affected jurisdictions has been given in accordance with subsection C, below. Site disturbance includes, but is not limited</u> |
|--|--|--|---|

| Section | Topic | Implementation Item / Explanation | Proposed Amendment | | | | | | | | | | |
|-----------------------------|------------------|-----------------------------------|---|------|---------|--------------------------|-------------|---------------|------------|---------------|------------|-----------------------------|------------------|
| | | | <p><u>to, tree cutting, vegetation removal, grading, or excavation. Partial refunds shall not be permitted.</u></p> <p><u>C. The permittee consents, in writing, to the cancellation of the subject permit and to all rights there under. Notice of cancellation of a TRPA permit shall be given to all other local, state, or federal jurisdictions also having jurisdiction over the matter such notice is the responsibility of the permittee. Cancelled TRPA permits shall not be renewable.</u></p> <p><u>D. Refunds shall be made only to the extent funds are available in the applicable city or county mitigation fund. In the event there are insufficient funds in a particular account, TRPA shall pay the balance of the refund as funds become available in that account. Priority for refunds shall be determined based on the date the refund request was received. Refund of the mitigation fee shall not include any interest earned on the fee. The amount of a refund shall be in accordance with the following schedule (calculated from the date of project approval and not the date a mitigation fee was paid to TRPA):</u></p> <table border="1" data-bbox="1289 951 1713 1166"> <thead> <tr> <th data-bbox="1289 951 1560 1003">Year</th> <th data-bbox="1560 951 1713 1003">Percent</th> </tr> </thead> <tbody> <tr> <td data-bbox="1289 1003 1560 1045"><u>Years 1 through 4</u></td> <td data-bbox="1560 1003 1713 1045"><u>100%</u></td> </tr> <tr> <td data-bbox="1289 1045 1560 1088"><u>Year 5</u></td> <td data-bbox="1560 1045 1713 1088"><u>75%</u></td> </tr> <tr> <td data-bbox="1289 1088 1560 1130"><u>Year 6</u></td> <td data-bbox="1560 1088 1713 1130"><u>50%</u></td> </tr> <tr> <td data-bbox="1289 1130 1560 1166"><u>Year 7 and afterward</u></td> <td data-bbox="1560 1130 1713 1166"><u>No Refund</u></td> </tr> </tbody> </table> <p><u>E. The Executive Director shall maintain the necessary accounts and fund balances to implement the above policies.</u></p> | Year | Percent | <u>Years 1 through 4</u> | <u>100%</u> | <u>Year 5</u> | <u>75%</u> | <u>Year 6</u> | <u>50%</u> | <u>Year 7 and afterward</u> | <u>No Refund</u> |
| Year | Percent | | | | | | | | | | | | |
| <u>Years 1 through 4</u> | <u>100%</u> | | | | | | | | | | | | |
| <u>Year 5</u> | <u>75%</u> | | | | | | | | | | | | |
| <u>Year 6</u> | <u>50%</u> | | | | | | | | | | | | |
| <u>Year 7 and afterward</u> | <u>No Refund</u> | | | | | | | | | | | | |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|------------|---------------------|---|--|
| Rules 16.6 | Monitoring Fees | From 10.8.6. Fee amounts replaced with references to the Fee Schedule. | <p><u>16.6. MONITORING FEES</u></p> <p><u>1. Allocation Monitoring Fee</u></p> <p><u>An allocation monitoring fee for each allocation issued by a local jurisdiction shall be identified in the monitoring fee schedule.</u></p> |
| Rules 16.7 | Administrative Fees | New language recognizing administrative fee practices. | <p><u>16.7. ADMINISTRATIVE FEES</u></p> <p><u>TRPA shall assess administrative fees for the implementation of project securities. Administrative fees shall be identified in the fee schedule.</u></p> |

| | | | |
|------------|----------------|--|--|
| Rules 16.8 | Shorezone Fees | <p>From 10.8.5.E.</p> <p>New language in the introduction clarifying fees that shorezone fees are not indexed annually.</p> <p>Fee amounts replaced with references to the Fee Schedule.</p> | <p><u>16.8. SHOREZONE FEES</u></p> <p><u>TRPA shall assess the following shorezone fees. Shorezone fees are adjusted by specific action and are not indexed annually.</u></p> <p><u>1. Mooring Fees</u></p> <p><u>The owner of every mooring on, or with access to, Lake Tahoe shall pay a mooring fee to TRPA.</u></p> <p><u>2. Buoy Scenic Mitigation Fee</u></p> <p><u>All buoys shall be assessed a scenic mitigation fee consistent with Code section 84.11.</u></p> <p><u>3. Motorized Boat Rental Concession Fee</u></p> <p><u>Concessionaires shall pay a mitigation fee to TRPA annually for every motorized boat subject to rental. The mitigation fee schedule shall assess a separate fee for:</u></p> <p style="padding-left: 40px;"><u>A. For every boat with an EPA 3-Star or better rating; and</u></p> <p style="padding-left: 40px;"><u>B. For every boat with an EPA 2-Star or worse rating.</u></p> <p><u>4. Fees for New Construction and Expansion</u></p> <p style="padding-left: 20px;"><u>A. Piers. New pier construction and the expansion of existing piers shall be assessed mitigation fees consistent with Code section 84.11 as follows:</u></p> <p style="padding-left: 60px;"><u>1. Fee for new pier</u></p> <p style="padding-left: 60px;"><u>2. Fee for additional length to an existing pier</u></p> <p style="padding-left: 60px;"><u>3. Fee for other additions to an existing pier</u></p> <p style="padding-left: 20px;"><u>B. Boat Ramps. Boat ramp construction and the expansion of existing boat ramps shall be assessed mitigation fees consistent with Code section 84.11 as follows:</u></p> <p style="padding-left: 60px;"><u>1. Fee for new boat ramp</u></p> <p style="padding-left: 60px;"><u>2. Fee for additional length to an existing ramp</u></p> |
|------------|----------------|--|--|

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---------|-------|-----------------------------------|---|
| | | | <p data-bbox="1142 250 1759 280">3. Fee for additional width to an existing ramp</p> <p data-bbox="1121 310 1913 407">C. Marinas. Marina construction and the expansion of existing marinas shall be assessed mitigation fees consistent with Code section 84.11 as follows:</p> <p data-bbox="1142 438 1488 469">1. Fee for new boat slip</p> <p data-bbox="1142 472 1556 503">2. Fee for new mooring buoy</p> <p data-bbox="1142 506 1514 537">3. Fee for other additions</p> |

Table 4: Amendments to Design Review Guidelines Appendix H (Visual Assessment for Scenic Review)

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---------|----------|---------------------------------------|---|
| Step 1 | Rounding | <i>Clarify standards for rounding</i> | Step 1: Determine the square footage of differing surfaces (i.e., roof, windows, shingle, stone) by direct measurement of the buildings/structures on the project area from elevation views. Measure square footage to the nearest square foot or with greater precision. |
| Step 2 | Rounding | <i>Clarify standards for rounding</i> | Step 2: Determine the percentage of each differing surface in relation to the overall square footage of the façade facing the lake. Round the percentage to the nearest 0.1 percent. |
| Step 3 | Rounding | <i>Clarify standards for rounding</i> | Step 3: Utilize the Color Matrix below to determine the rating for each differing surface except glass (which is rated in step 4). Use the percentage of each differing surface and multiply by the appropriate rating. Round the result for each surface to the nearest 0.1. The sum of these results is your Color Score . For unique site conditions where the dominant color in the background is gray or green, the Brown to Black category may be used for scoring. |
| Step 4 | Rounding | <i>Clarify standards for rounding</i> | Step 4: Utilize the Glass Matrix below to determine the rating for all glass surfaces facing the lake. Determine the Visible Light Reflectance/Reflection Value provided by the glass manufacturer and determine the appropriate rating. Multiply the rating and the percentage of glass facing the lake derived in Step 2 above. Round the result to the nearest 0.1. This is your Reflectance Score . Steps 3 and 4 combined are your color and reflectance score. <i>[also see table below]</i> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment | | | |
|---------------------------|---------------|---------------------------------------|---|-------|---|------------------|
| | | | Percent of | | | |
| Surface Materials | Munsell Color | Total | Rating | | | Weighted Average |
| Ex. Cedar Siding | 5YR 6/6 | 69 | X | 10 | = | 6.9 |
| Ex. Windows | >15% | <u>2530</u> | X | 1 | = | <u>0.250.3</u> |
| | | | X | | = | |
| | | | X | | = | |
| | | | X | | = | |
| | | | X | | = | |
| | | | X | | = | |
| | | | X | | = | |
| | | | X | | = | |
| | | | X | | = | |
| Color & Reflectance Score | | | | Total | = | |
| Step 6 | Rounding | <i>Clarify standards for rounding</i> | <p>Step 6: Determine the appropriate surface pattern for each differing surface determined in Step 1. Using the Surface Plan & Texture Matrix below and the appropriate visible plane column from Step 5, assign an appropriate rating and multiply it to the percentage of each differing surface derived from Step 2. <u>Round the result to the nearest 0.1.</u> Sum the results to get your <u>Surface Plan/Texture Score.</u></p> | | | |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|---------|----------|---------------------------------------|--|
| Step 8 | Rounding | <i>Clarify standards for rounding</i> | Step 8: Add the three scores (Color & Reflectance Score, Perimeter Score, and Surface/Texture Score) and round up to the next to the nearest whole number. This is the <u>CONTRAST RATING</u> . |
| Step 9 | Rounding | <i>Clarify standards for rounding</i> | Step 9: Repeat Steps 1-8 for each visible building/structure in the project area. Each will have a separate contrast rating score. Multiply each buildings/structure's contrast rating by its percentage of the overall lakefront façade and sum the results. Round up the next whole number . This is the <u>Composite Contrast Rating</u> for the project area. |
| Step 11 | Rounding | <i>Clarify standards for rounding</i> | Step 11: Determine the existing visible area of the structures in the project area. Round to the nearest square foot . |

Table 4: Fee Schedule Amendments

| Section | Topic | Implementation Item / Explanation | Proposed Amendment | |
|-----------------------|---------------------------------|---|---|------|
| Fees: Fee Multipliers | Enhanced Staff Review | <i>Apply a 25 percent fee multiplier for enhanced staff-level reviews.</i> | Enhanced Staff Level Review Projects with noticing requirements per the TRPA Rules of Procedure that do not require Hearings Officer or Governing Board Review. | 1.25 |
| Fees: Fee Multipliers | Special Planning Areas | <i>Eliminate the 25 percent fee multiplier for special planning areas.</i> | SPECIAL PLANNING AREAS For projects located in an adopted community plan area, or subject to an adopted redevelopment, specific, or master plan. | - |
| Fees: Throughout | Shoreland scenic review | <i>Increase shoreland scenic review fees from \$629 to recover project review costs. Apply higher scenic review fees for more complex reviews, with a modest increase for minor improvements: \$1,000 for "Level 3" reviews and "Level 6" reviews. \$2,000 for all other reviews.</i> | Shoreland Scenic Review Fee ¹ \$629 <u>\$1,000 or \$2,000</u> ¹ <u>Shoreland Scenic Review fee only applies to littoral parcels. Level 3 and 6 \$1,000, all other reviews \$2,000. See TRPA Code of Ordinances Chapter 66: Scenic Quality.</u> | |
| Fees: Line 11 | Tourist Accommodations (new) | <i>Increase the base fee for new lodging projects and the per-unit fee for all lodging projects to match fees for multi-family units.</i> | \$2,644-\$3,195 + \$47 per unit <u>\$59 per unit</u> | |
| Fees: Line 12 | Tourist Accommodation Additions | <i>Increase the base fee for new lodging projects and the per-unit fee for all lodging projects to match fees for multi-family units.</i> | \$2,644 + \$47 per unit <u>\$59 per unit</u> | |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|-----------------|---|---|--|
| Fees: Line 25 | Day Care new | <i>Establish an intentional fee subsidy. Reduce application fees to \$800.</i> | \$2,782 min. fee, deposit account <u>\$800</u> |
| Fees: Line 25 | Day Care additions | <i>Establish an intentional fee subsidy. Reduce application fees to \$800.</i> | \$2,782 min. fee, deposit account <u>\$800</u> |
| Fees: Line 62.A | Buoys, Floating Platforms, and Low-Water Blocks (new) | <i>The fee should be increased to about \$1,500 per buoy. This is a cost recovery estimate.</i> | \$787 per buoy, floating platform, or low-water block (for first 3) plus \$393 per additional item <u>\$1,500 each</u> |
| Fees: Line 62.B | Recognition of Existing Buoys, Mooring Lottery Eligibility Review | <i>The fee should be increased to about \$350. This is a cost recovery estimate.</i> | \$71 <u>\$350</u> |
| Fees: Line 66 | Buoys, Floating Platforms, and Low-Water Blocks (additions) | <i>The fee should be increased to about \$1,500 per buoy. This is a cost recovery estimate.</i> | \$629 per buoy, floating platform, or low-water block (for first 3) plus \$315 per additional item <u>\$1,500 each</u> |

| Section | Topic | Implementation Item / Explanation | Proposed Amendment |
|--------------------------------|--|---|---|
| Fees: Line 67 | Piers Modifications (no expansion) , Water Intake Lines ⁴ | <i>Fee should remain for pier modifications</i> | \$3,025 min. fee, deposit account |
| Fees: Line 132 | Pier Expansions⁴ | <i>Pier expansions should have the same base fee as for new piers.</i> | \$6,050 min. fee, deposit account |
| Fees: Line 108.A | Qualified Exempt (structural additiona/modification not in the shorezone) | <i>The current fee for some QE Declarations should apply to all QE Declarations</i> | \$213 |
| Fees: Line 131 | Parcel Consolidation Deed Restrictions | <i>Apply a \$200 fee to recover review costs.</i> | \$200 |
| Fees: Line 132 | Repeat Permit Acknowledgment | <i>Apply a \$200 fee to recover review costs.</i> | \$200 |

| | | | |
|----------------------------------|--------------------------|---|----------------------|
| Fees: Mitigation Fee Table | Mitigation Fees (all) | **Mitigation fees are listed here. Fee amounts are removed from the <i>Code</i> and the <i>Rules</i> . No substantive changes except recognition of off-site mitigation fees. | See fee table below: |
|----------------------------------|--------------------------|---|----------------------|

| MITIGATION FEES | |
|---|---|
| Fee Category | Fee |
| Water Quality Mitigation | \$1.86 per square foot |
| Mobility Mitigation Fee | Per Average Daily Vehicle Miles Travelled (VMT) |
| Residential | \$196.20 per VMT |
| Commercial | \$21.80 per VMT |
| Tourist Accommodation Unit | \$196.20 per VMT |
| Campsites & RV sites | \$196.20 per VMT |
| Other | \$21.80 per VMT |
| Off-Site Coverage Mitigation | See Excess Coverage Mitigation |
| Excess Coverage Mitigation Fees by Hydrologic Area | See Map |
| Incline | \$20 per square foot |
| Marlette | \$12 per square foot |
| Cave Rock | \$25 per square foot |
| South Stateline (Nevada side) | \$15 per square foot |
| South Stateline (California side) | \$8.50 per square foot |
| Upper Truckee | \$8.50 per square foot |
| Emeral Bay | \$8.50 per square foot |
| McKinney Bay | \$8.50 per square foot |
| Tahoe City | \$8.50 per square foot |
| Agate Bay (California side) | \$8.50 per square foot |
| Agate Bay (Nevada side) | \$18 per square foot |
| Rental Vehicle Mitigation | \$4.75 for EACH DAY of the rental transaction |

| | | | |
|--|---------------------------------------|---|---------------------|
| Fees: Shorezone Mitigation Fees | Shorezone Mitigation Fees (all) | **Shorezone mitigation fees are listed here. Fee amounts are removed from Code and the Rules. No substantive changes. | See fee table below |
| SHOREZONE MITIGATION FEES | | | |
| Fee Category | | Fee | |
| Mooring | | \$43.00 per year | |
| Buoy Scenic Mitigation | | \$47.00 per year | |
| Motorized Boat Rental Concession | | \$75.00 per year for every boat with an EPA 3-star or better rating | |
| | | \$150.00 per year for every boat with an EPA 2-star or better rating | |
| Mitigation Fees | | \$60.00 per linear foot, new pier | |
| | | \$60.00 per linear foot, additional length to an existing pier | |
| | | \$600.00 per application, other additions | |
| New Boat Ramp Construction or Expansion | | \$60.00 per linear foot, new boat ramp | |
| | | \$60.00 per linear foot, additional length to an existing boat ramp | |
| | | \$200.00 per linear foot, additional width to an existing boat ramp | |
| New Marina Construction or Expansion | | \$200.00 per slip, new boat slip | |
| | | \$200.00 per buoy, new mooring buoy | |
| | | \$500.00 per application, other additions | |

[end]

Attachment C
IEC

INITIAL DETERMINATION OF ENVIRONMENTAL IMPACT CHECKLIST

Project Name: Permitting Improvement Project

Project Description:

This Initial Environmental Checklist (IEC) considers and analyzes the potential environmental impact of draft amendments to the Tahoe Regional Planning Agency's (TRPA) Code of Ordinances (the "Code"), Rules of Procedure (the "Rules"), Design Review Guidelines ("DRG"), and Fee Schedule (the "Fees") as part of TRPA's Permitting Improvement Project. The proposed amendments are necessary to implement the [TRPA Permitting Improvement Action Plan](#) (the "Action Plan") and the [Permitting Improvement Implementation Report](#) (the "Implementation Report").

The Action Plan is a strategy and 18-month work program to improve TRPA permitting operations. It was developed through a participatory process and was endorsed by the TRPA Governing Board in August 2022. The Action Plan directed staff to pursue process improvements and code amendments focused on the following priority topics:

- Establish more efficient, consistent, and predictable application review processes.
- Simplify and shorten review processes for minor applications and sequential approvals.
- Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.
- Prioritize public communication and customer services.
- Expand tools for staff development and training.
- Maintain adequate and dependable funding to support quality application reviews.

The Implementation Report is a technical memo detailing specific recommendations to implement the Action Plan. It was also developed with stakeholder participation and was endorsed by the TRPA Governing Board in March 2023.

The proposed amendments to the Code, Rules, DRG, and Fees are summarized within the packet staff summary and Table of Amendments (Attachment B). The amendments were reviewed, discussed, and refined in coordination with TRPA staff, including legal counsel, and a variety of stakeholders as summarized in the staff summary and consultant memo (Attachment A).

Implementation of the permitting improvement and operations recommendations would require amending the following:

- **TRPA Code of Ordinances Chapters:**
 - Chapter 2: Applicability of the Code of Ordinances
 - Chapter 30: Land Coverage

- Chapter 37: Height
- Chapter 50: Allocation of Development
- Chapter 60: Water Quality
- Chapter 65: Air Quality/Transportation
- Chapter 66: Scenic Quality
- Chapter 67: Historic Resource Protection
- Chapter 82: Existing Structures and Exempt Activities [Shorezone]
- Chapter 84: Development Standards Lakeward of High Water in the Shorezone and Lakezone
- Chapter 90: Definitions
- **TRPA Rules of Procedure Articles:**
 - Article 5: Project Review
 - Article 10: Miscellaneous
 - Article 12: Notice
 - Article 16: Fees (*NEW, a consolidation of fee related items*)
- **TRPA Design Review Guidelines, Appendix H.**
- **TRPA Fee Schedule Sections:**
 - Introduction
 - Fee Multipliers
 - Schedules A-J
 - Mitigation Fees
 - Shorezone Mitigation Fees

The Permitting Improvement Project also includes administrative improvements such as a Procedural Manual with standard operating procedures, permitting staff guidance, and standardized templates to aid in streamlined and consistent project review; staff reorganization and dedicated project review teams; revised project applications; improved customer service navigation at TRPA.gov; and a permitting cost recovery monitoring strategy that are under development.

Environmental Review:

Pursuant to TRPA Code of Ordinances Section 3.3, TRPA shall use either an initial environmental checklist or environmental assessment to determine whether an environmental impact statement shall be prepared for a project or other matter, with the exception of planning matters and ordinary administrative and operational functions of TRPA which do not require a determination of need to prepare an environmental impact statement.

This Initial Environmental Checklist (IEC) is a program-level environmental document. No specific land use or development projects are proposed at this time or analyzed herein. All future projects will be subject to project-level environmental review and permitting by TRPA and/or a local jurisdiction pursuant to an adopted MOU, with the permitting agency determined based on the scope and location of the project. Project-level environmental analysis would require identification of, and mitigation for, any site-specific potentially significant environmental impacts.

This IEC is tiered from the TRPA 2012 Regional Plan Update (RPU) Environmental Impact Statement (EIS) in accordance to section 6.12 of the TRPA Rules of Procedure.¹ The RPU and Regional Transportation Plan (RTP) are comprehensive land use and transportation plans that guide physical development within the Lake Tahoe Region through 2035. The RPU EIS and RTP EIR/EIS are program-level environmental documents that include a regional scale analysis and a framework of mitigation measures and provide a foundation for subsequent environmental review. These documents serve as first-tier documents for the TRPA review of the proposed recommendations. Meaning, the RPU EIS and RTP EIR/EIS analyzed total development potential of the two plans.

The Permitting Improvement Project, as discussed in Attachment A, developed recommendations that generally fall into three categories: (1) codification of existing policies (e.g. code interpretations), (2) clarification of existing regulations (e.g. land coverage, height, etc.), and (3) streamlining of procedures to increase the effectiveness and efficiency of permitting operations. The proposed amendments included in the provided packet are necessary to implement these recommendations. These amendments are primarily intended to provide further clarification of existing environmentally beneficial regulations as opposed to the creation or removal of regulations. Where criteria have been expanded (e.g. new exempt activities or expanding permissible coverage exemptions), the amendments are consistent in scale and scope of similar activities found within the applicable sections of the code and maintain specific project requirements to further threshold attainment (such as installation of stormwater systems and compliance with design and development guidelines).

To the extent that the project's recommendations are consistent with the RPU and the RTP, for which the program EISs were prepared, the amendments were found to be within the scope of the program EISs, or in the context of tiering. By tiering from the RPU EIS and RTP EIR/EIS, this Initial Environmental Checklist relies on those analyses for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-management regulations; and
- assessment of the land coverage system, projects and matters requiring TRPA review and approval, height standards, and scenic and historic protective regulations.

Under the proposed amendments, the background, overall development caps, growth control programs, and environmental thresholds (e.g. air and water quality, wildlife conservation, etc.) as analyzed in the RPU and RTP remain in place with no changes. The Permitting Improvement Project amendments are intended to streamline the permitting operations of the RPU.

Amendments to the Code of Ordinances, Rules of Procedure, DRG, and Fee Schedule which require adoption by ordinance and resolution by the TRPA Governing Board are included within this IEC and analysis. Other administrative and operational improvements (e.g. providing procedural guidance) of the Permitting Improvement Project as described above are not included within this IEC. See Attachment B for a detailed list of amendments to the Code, Rules, and Fee Schedule.

¹ The TRPA Governing Board certified the RPU EIS and RTP EIR/EIS on December 12, 2012.

The table below provides an overview of the environmental impact considerations of each task and deliverables being implemented as part of the project:

TABLE 1: Overview of Environmental Impact Considerations per Project Task ²

| TASKS & DELIVERABLES | ENVIRONMENTAL IMPACT CONSIDERATION & DISCUSSION |
|---|--|
| <i>Priority #1: Establish more efficient, consistent, and predictable application review processes</i> | |
| Procedural Manual | These improvements are administrative and operational in nature (e.g. provides procedural guidance). Environmental protections, regulations, and requirements would not be altered by these tasks and deliverables. |
| Standardized Forms, Templates, and Conditions of Approval | |
| Dedicated Project Review Teams | |
| <i>Priority #2: Simplify and shorten review processes for minor applications and sequential approvals.</i> | |
| Minor Applications | These improvements are administrative and operational in nature (e.g. provides procedural guidance). Environmental protections and regulations would not be altered by these tasks and deliverables. <i>Procedures are detailed in new section 5.4 and 5.5 in the TRPA Rules of Procedure, including a list of qualifying projects.</i> |
| Bundled Applications | |
| QE Declaration Process Simplification | The existing Qualified Exempt (QE) declaration procedures are being clarified consistent with <u>existing</u> code language. These improvements are administrative and operational in nature. (e.g. provides procedural guidance) Clarifications regarding the QE procedure will be included in the Procedural Manual and TRPA applications. Environmental protections and regulations would not be altered by these tasks and deliverables. |
| Expand Exempt Activities List | The proposed amendments include moving select minor activities from the QE list to the fully Exempt list in TRPA Code 2.3. These are consistent in scale and scope of existing exempt activities. Qualified Exempt activities as described within TRPA Code section 2.3 are a subset of Exempt Activities. Exempt activities, including QEs, are not TRPA actions or approvals and are not required to be reviewed by staff per the existing TRPA code. The difference between a fully exempt activity and a QE is largely procedural. A QE requires notice of the |

² The Permitting Improvement Project tasks and recommendations are described in more detail within Attachment A: Consultant Memo of the packet.

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| | <p>property owner or project proponent prior to activity commencement. A QE declaration is filed by a project proponent on a TRPA provided form.</p> <p>The proposed changes will remove the requirement for notice to TRPA for certain activities that are similar in scale and scope to existing fully exempt activities.</p> <p>Exempt activities, like all activities and projects, are still subject to compliance enforcement and action should the activity be inconsistent with the TRPA Code or cause harmful environmental impacts.</p> <p>Activities proposed to be included on the Exempt list include:</p> <ol style="list-style-type: none"> 1. Structural repair less than \$50,000 (<i>Sec 2.3.2.A</i>) -moved from QE section and amount increased 2. Excavation, filling, or backfilling less than 10 cubic yards (<i>Sec 2.3.2.D</i>) -moved from QE section and amount increased 3. Seasonal Outdoor Retail Sales Use (<i>Sec 2.3.2.H</i>) -moved from QE section 4. Subdivision Identification Signs (<i>Sec 2.3.3.P</i>) -moved from QE section 5. Replacement of Approved Sign Faces (<i>Sec 2.3.3.Q</i>) -moved from QE section <p><i>See amendments in Code section 2.3.2 and 2.3.3.</i></p> <p>These amendments are discussed in more detail within the IEC.</p> |
| <p>Historic Resource Process Simplification</p> | <p>These improvements are administrative and operational in nature. (e.g. provides procedural guidance) There are no environmental threshold standards for historic resources; however, the Bi-State Compact does list “historical facilities” as a conservation plan component.</p> <p>Amendments include streamlined historic resource determination procedures and staff-level approval of projects involving potential historic resources. Routine project-level consultation with the State Historic Preservation Offices is being discontinued, consistent with a request from the California office and concurrence with the Nevada office. Regulations for the identification, designation, and protection of</p> |

| | |
|--|---|
| | <p>historic and cultural resources are retained within the TRPA Code.</p> <p><i>See amendments in Code section 2.2.2.A.2.c and Chapter 67.</i></p> |
| <p>Additional Staff Level Delegation</p> | <p>These changes are administrative and operational in nature. The requirements for findings and Environmental protections and regulations would not be altered.</p> <p>Several amendments related to recommendations for certain project types that currently require review and approval by a Hearings Officer or Governing Board to be delegation for review and approval at staff level. These are projects that generally routine in nature and have clearly defined requirements within the Code and in some cases have disproportionally higher level of scrutiny than similar projects (e.g. Projects that use residential bonus units require a more intensive review process than would be required for market rate housing or timeshares.)</p> <p>Noticing requirements and appeal provisions are retained for shorezone applications and Article 11: <i>Appeals</i> of the TRPA Rules of Procedure.</p> <p><i>See amendments in Code section 2.2.2.F.</i></p> |
| <p><i>Priority #3: Update code standards that are difficult to interpret, do not add value, or are unduly cumbersome.</i></p> | |
| <p>Code Interpretations and Clarifications</p> | <p>A suite of amendments is proposed codifying past code interpretations and existing practices. The amendments are not intended to significantly change or lessen land use regulations or environmental protections. Added code language within the amendments <i>clarify</i> the approval criteria for common regulations, such as land coverage and height. The amendments help project applicants and stakeholders better understand development limitations and considerations, while providing a framework for more consistent and improved reviews.</p> <p>Topics addressed with the suite of amendments include:</p> <ol style="list-style-type: none"> 1. Land coverage for public safety and access of the disabled (<i>Code sec 30.4.2</i>) 2. Land coverage transfers between Bailey and IPES lots (<i>Code sec 30.4.3</i>) |

| | |
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| | <ol style="list-style-type: none"> 3. Land coverage exemptions – non-permanent coverage, pervious coverage, pervious decks. Changes also include new provisions for small utility installations including utility boxes, generators, HVAC pads, EV chargers, solar, etc <i>(Code sec 30.4.6)</i> 4. Off-site coverage <i>(Code sec 30.4.7)</i> 5. Heights for buildings with multiple roof pitches <i>(Code sec 37.3.4)</i> 6. Height standards for segmented buildings on slopes <i>(Code sec 37.4.2)</i> 7. Standards for reflectivity and glare outside the shorezone/shoreland <i>(Code sec 66.1.6)</i> 8. Shorezone boulder relocation (qualified exempt) vs dredging <i>(Code sec 82.5.8)</i> 9. Rules for Rounding <i>(Code sec 90.1.14)</i> 10. Definitions <i>(Code sec 90.2)</i> <ul style="list-style-type: none"> ▪ Active Solar Energy System ▪ Deck ▪ Electric Vehicle Charger ▪ Electric Vehicle Charging Station ▪ Expansion (addresses expansion vs modification for shorezone structures) ▪ Land Coverage (addresses minor site improvements) ▪ Walkway <p>These amendments are discussed in more detail within the IEC.</p> |
| <p>Reduce Audit Volumes</p> <p>Reduce “Below the IPES Line” Drawings</p> | <p>Procedural ordinances are updated to reduce audit frequency for single family permits and to only conduct the “below the IPES line” drawing if there is insufficient supply in the Residential Allocation Incentive Pool. In recent years, TRPA and the local agencies have focused more on education and coordination. Auditing has show high levels of compliance, with jurisdictions regularly receiving a score of 90 or better with a few exceptions. TRPA staff and local agencies believe that audits of five percent would be adequate for program purposes and would continue to flag permitting issues.</p> <p>These improvements are administrative and operational in nature. (e.g. provides procedural guidance) Environmental protections and safeguards would not be altered by these tasks and deliverables. Procedural changes to the “below the IPES line” drawing would only change the process for how</p> |

| | |
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| | <p>allocations could be acquired for undevelopable parcels. It would not change access to allocations or development potential within the region.</p> <p>Changes will significantly reduce staff work without impacting outcomes.</p> <p><i>See Code sec 50.5.2.A and E.</i></p> |
| Organize and Publicize Code Reference Documents | This improvement is administrative and operational in nature. (e.g. provides procedural guidance and references important documents) Environmental protections, regulations, and requirements would not be altered by these tasks and deliverables. |
| Priority #4: Prioritize public communication and customer service. | |
| <i>See tasks and deliverable for Priority #1.</i> | |
| Priority #5: Expand tools for staff development and training. | |
| <i>See tasks and deliverable for Priority #1.</i> | |
| Priority #6: Maintain adequate and dependable funding to support quality application reviews. | |
| Updates Select Fees and TRPA Fee Schedule | These improvements are administrative and operational in nature. Environmental protections and regulations would not be altered by these tasks and deliverables. |
| Cost Recovery Monitoring Program | |

Determination:

The purpose of this IEC is to disclose to the public and decision makers the environmental considerations of implementing the proposed Code, Rules, DRG and Fee amendments as part of the Permitting Improvement Implementation Plan.

Based on findings discussed within this IEC, it is anticipated that TRPA will be able to make the findings pursuant to Section 3.3.2.A of the TRPA Code that the proposed amendments would not have a significant effect on the environment and that a finding of no significant effect (FONSE) will be prepared in accordance with Section 6.6 of the TRPA’s Rules of Procedure.



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The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information and reference the question number and letter. If more space is required for additional information, please attached separate sheets and reference the question number and letter.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

I. Environmental Impacts

1. Land

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:

| | Yes | No | No, with mitigation | Data insufficient |
|--|-----------------------|----------------------------------|----------------------------------|-----------------------|
| a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? | <input type="radio"/> | <input type="radio"/> | <input checked="" 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

See continuation page.

1. Land (Continuation Page)

Discussion:

Amendments to Section 30.4.2 and 30.4.6.H “Facilities for Public Safety and Access of the Disabled” clarifies that coverage transferred to a parcel for public safety and access facilities may be exempted from land coverage calculations. This provision is consistent with Section 30.4.6.C for the exemption of coverage for Americans with Disabilities Act (ADA) related facilities. The 2012 Regional Plan EIS concluded that an ADA coverage exemption would result in a less-than-significant impacts related to stormwater runoff and pollutant loads based on the required implementation of stormwater systems (i.e. BMPs), design guidelines, and coverage limits of the Bailey land capability system.

Permissible coverage exemptions under the subject code sections does not create “new coverage”. The amendments provide limited applicability for health and safety facilities and access where coverage is unavailable or limited. To take advantage of such exemptions, a project proponent would be required to transfer in coverage from an equally sensitive or more sensitive parcel, and thus limiting the development potential on the sending site. This transfer of coverage is a requirement and serves as a coverage relocation (i.e. no net increase in coverage on sensitive lands).

The proposed amendments maintain the same implementation mitigation measures as Section 30.4.6.C related to ADA facilities. Parcels eligible for the coverage exemptions must have a BMP certificate and comply with applicable design guidelines (e.g. home landscaping guide, fire defensible space, and Design Guidelines for any new structure or facilities), as well as the transfer of coverage as discussed above. The amendments retain and do not alter Sections 30.4.6.E and 30.5 that limit the aggregate of coverage exemptions permissible on a parcel or project area and that prohibit additional land coverage on sensitive lands with some exceptions.

Additional amendments to Section 30.4.6 “Exemptions and Partial Exemptions from Calculation of Land Coverage” clarify the type of object or structure that may be eligible and clarify by way of measurable criteria the material or structures eligible under this section.

The 2012 Regional Plan EIS concluded that partial or full coverage exemptions could result in additional coverage in the Region; however, coverage exemptions would result in less-than-significant impacts related to stormwater runoff and pollutant loads based on the implementation of requirements such as project compliance with design and development guidelines, installation of stormwater systems (i.e. BMPs), and coverage limits of the Bailey land capability system. In order to be eligible for coverage exemptions, the parcel or project area is required to have a BMP certificate and install BMPs.

To take advantage of coverage exemptions, project proponents must install BMPs and fully mitigate all excess coverage at the time of project approval which is typically through a mitigation fee.

These mitigation fees are held by TRPA and disbursed to the local land banks to help fund important restoration projects and legacy development acquisitions to further threshold attainment.

The proposed amendments do not increase development potential beyond what the Code currently allows as analyzed in the 2012 Regional Plan EIS. The amendments retain and do not alter Sections 30.4.6.E and 30.5 that limit the aggregate of coverage exemption permissible on a parcel or project area and that prohibit additional land coverage on sensitive lands with some exceptions.

Amendment to Section 30.4.7 “Off-Site Land Coverage” codifies a code interpretation from 2001. Specifically, the amendment defines off-site coverage and prescribes general standards consistent with existing practices. This amendment is limited in applicability because it relates to coverage, such as parking or walkways, only within the right-of-way. The proposed language may result in additional coverage within the Region; however, all off-site coverage is required to be fully mitigated by paying an excess coverage mitigation fee and therefore would result in a less-than-significant impact to water quality and pollutant run-off. Excess coverage mitigation fees, as discussed above, are paid by project proponents and held by TRPA to be disbursed to the local land banks for environmentally beneficial restorations and site acquisitions.



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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 do not alter TRPA's emission standards or change development potential for the region. The amendments help to incentivize renewable energy systems such as electric vehicle chargers and solar panels, which over time can help the region meet air quality standards.

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 type="radio"/> | <input checked="" 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 type="radio"/> | <input checked="" 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

See continuation page.

3. Water Quality (Continuation Page)

Discussion:

Amendments to Section 2.3 “Exempt Activities” include moving select minor activities from the Qualified Exempt activity list to a fully Exempt activity. These are activities that are consistent in scale and scope of existing exempt activities.

The difference between an Exempt activity and a QE is largely procedural. A QE is a declaration filed by a project proponent on a TRPA provided form. QEs are not TRPA actions or approvals and are not required to be reviewed by staff per the existing TRPA code. Fully exempt activities do not require review, approval or any documentation submittal to TRPA. Exempt activities, like all activities and projects, are still subject to compliance enforcement and action should the activity be inconsistent with the TRPA Code or cause harmful environmental impacts.

The activities that would result in land coverage or permanent land disturbance, disturbance to natural grade or drainage patterns or absorption rates, require stormwater systems (i.e. BMPs), or require mitigation fees are not included in the amendment package.

Amendment to Sec 82.5.8 serves to codify Code Interpretation 2023-01 “Shorezone Boulder Relocation”. In 2018, TRPA added to the Code a qualified exempt (QE) activity for boulder relocation in the shorezone to enhance navigational safety. A QE activity is an activity that does not have the potential to have a substantial effect on the land, air, water, space, or any other natural resource in the region. The boulder relocation QE, however, provides no limitation on the number of boulders that can be relocated. Moreover, in order to protect lake clarity, TRPA strictly limits new dredging (which includes boulder relocation) to marinas and public facilities and only when certain findings can be made. Recently, TRPA has received boulder relocation QEs for substantial numbers of boulders that both individually and cumulatively present risk of negative environmental impacts beyond those anticipated for this QE category. Boulder relocation can adversely impact water quality depending on lake bottom substrate, the degree of sedimental disturbance, whether and to what extent a boulder is buried, the technique used to relocate the boulder, and implementation of best construction management practices. This amendment mitigates those impacts to less than significant by limiting such activity and placing measurable requirements on such activities.

Amendments to Section 30.4.2 “Facilities for Public Safety and Access of the Disabled” and 30.4.6 “Exemptions and Partial Exemptions from Calculation of Land Coverage” clarify the type of object or structure that may be eligible and clarify by way of measurable criteria the material or structures eligible under this section.

The 2012 Regional Plan EIS concluded that an ADA coverage exemption would result in a less-than-significant impacts related to stormwater runoff and pollutant loads based on the required implementation of stormwater systems (i.e. BMPs), design guidelines, and coverage limits of the Bailey land capability system. The proposed amendments maintain the same implementation mitigation



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measures as Section 30.4.6.C related to ADA facilities. Parcels eligible for the coverage exemptions must have a BMP certificate and comply with applicable design guidelines (e.g. home landscaping guide, fire defensible space, and Design Guidelines for any new structure or facilities).

In order to be eligible for coverage exemptions, the parcel or project area is required to have a BMP certificate and installation of BMPs. Coverage exemptions can and do serve as an incentive for property owners to maximize their development potential. In doing so, this expedites and furthers compliance with the installation and maintenance of stormwater systems on the subject property.

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

This Initial Environmental Checklist (IEC) is a program-level environmental document. No specific land use or development projects are proposed at this time or analyzed herein. All future projects will be subject to project-level environmental review and permitting. Project-level environmental analysis would require identification of, and mitigation for, any site-specific potentially significant environmental impacts. The proposed amendments do not alter TRPA's tree removal or vegetation protection standards. Any future project proposed pursuant to the amendments must be found in compliance with these standards.



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5. Wildlife

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

Current and historic status of the fisheries standards can be found at the links below:

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

| | Yes | No | No, with mitigation | Data insufficient |
|--|-----------------------|----------------------------------|-----------------------|-----------------------|
| a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)? | <input type="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 would not change habitat protections that could lead to changes in biological resources. Any future project proposed pursuant to the amendments must be found in compliance with TRPA's standards for wildlife protection and 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="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 would not change noise limitation and standards of TRPA Code Chapter 68. Any future project proposed pursuant to the amendments must be found in compliance with these standards.

Amendment to Sec 2.3.2.H "Seasonal Outdoor Retail Sales Use" includes moving this activity from the QE list to Exempt list. Consistent with the existing Exempt activity provisions for Temporary Uses (Sec 2.3.5), only seasonal outdoor retail sales activities that do not create noise in excess of the limits of Chapter 68: Noise Limitations would be eligible.

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 amendment does not change lighting standards that could lead to impacts from exterior lighting. Amendment to Sec 66.1.6 "Reflectivity and Glare" provides clarification regarding which projects and project locations require additional scenic protection standards for the reflectivity of glass and other materials. This amendment serves to improve the consistency of implementation of existing scenic protection standards. Due to the inconsistency of reflectivity provisions in the past, adding this clarification will likely result in increased attainment to scenic thresholds over time.

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



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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 amendments would not change or add uses or significantly change standards that consume resources at a greater rate than existing permissible uses, or increase development potential that could deplete resources. The use of natural resources such as gravel, wood, metals and fuel occurs incrementally with construction of projects and, to some extent, with long-term operation of projects. The potential impacts on natural resources of any project proposed as a result of the amendment would be evaluated at the time of a proposed project and be mitigated if necessary.

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 amendments do not add new land uses that might store hazardous materials on-site or otherwise increase the risk of explosion or release of hazardous substances in the event of an accident. Likewise, it does not change any requirements that could potentially upset evacuation efforts.



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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 amendments do not alter TRPA's land use growth management controls or change development potential for the region. Any future project would need to analyze potential impacts to population disruptions or displacement of 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 proposed amendments do not alter TRPA's land use growth management controls or change development potential for the region. Any future project would need to analyze potential impacts to housing.



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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 amendments do not alter TRPA's transportation or circulation standards or those within local plans. Any future project proposed pursuant to the amendments must be found in compliance with these standards.

Amendment to Sec 2.3.2.H "Seasonal Outdoor Retail Sales Use" includes moving this activity from the QE list to Exempt list. This type of activity is consistent with the existing Exempt activity for "Temporary Uses"(Sec 2.3.5). Only activities within designated mixed-use, commercial, public service, or tourist plan areas where existing transportation facilities and alternative transportation options are available are permissible under this section. Any activity that would cause parking in unpaved areas or operate for more than six weeks would not be permissible as an exempt activity.



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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 amendments do not alter TRPA's land use growth management controls or change development potential for the region. Any future project would need to analyze potential impacts to public services.



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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 amendments do not alter TRPA's land use growth management controls or change development potential for the region. Any future project would need to analyze potential impacts to energy and resource consumption.

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 amendments do not alter TRPA's land use growth management controls or change development potential for the region. Any future project would need to analyze potential impacts to utilities and resource consumption.

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

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

Amendment to Sec 66.1.6 "Reflectivity and Glare" provides clarification regarding which projects and project locations require additional scenic protection standards for the reflectivity of glass and other materials. This amendment serves to improve the consistency of implementation of existing scenic protection standards. Due to the inconsistency of reflectivity provisions in the past, adding this clarification will likely result in increased attainment to scenic thresholds over time. No other changes to scenic resource protection standards or community design standards are proposed with the amendment package.



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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 amendments do not alter TRPA's land use growth management controls or change development potential for the region. Any future project would need to analyze potential impacts to recreation resources.

Amendment to Sec 2.3.2.H "Seasonal Outdoor Retail Sales Use" includes moving this activity from the QE list to Exempt list. This type of activity is consistent with the existing Exempt activity for "Temporary Uses"(Sec 2.3.5). Only activities within designated mixed-use, commercial, public service, or tourist plan areas are permissible under this section. Any activity that would operate for more than six weeks would not be permissible as an exempt activity. This amendment does not include outdoor retail sales within the shorezone.



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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

Amendments include streamlined historic resource determination procedures and staff-level approval of projects involving potential historic resources. (e.g. provides procedural guidance) Routine project-level consultation with the State Historic Preservation Offices is being discontinued, consistent with a request from the California office and concurrence with the Nevada office. Regulations for the identification, designation, and protection of historic and cultural resources are retained within the TRPA Code.



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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 type="radio"/> | <input checked="" 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

See discussion within the introduction of this IEC.



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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:

at

Person preparing application

County

Date

Applicant Written Comments: (Attach additional sheets if necessary)



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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

Title of Evaluator

Date

Attachment D
Findings and FONSE

Attachment D
Required Findings & Finding of No Significant Effect
for Permitting Improvement Project Amendments

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule as part of the Permitting Improvement Project.

TRPA Code of Ordinances Section 3.3: Determination of need to prepare Environmental Impact Statement

Finding: TRPA finds that the Regional Plan and code amendments 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 amendments for the permitting system, as seen in Attachment B. The IEC tiered from the TRPA 2012 *Regional Plan Update* (RPU) Environmental Impact Statement (EIS) and the TRPA *Mobility 2035: Regional Transportation Plan/Sustainable Communities Strategy* (RTP) EIS/Environmental Impact Report (EIR) in accordance with Sections 6.12j of the TRPA Rules of Procedure.¹

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

¹ The TRPA Governing Board certified the RPU EIS and RTP EIR/EIS on December 12, 2012.

discussed below), plan area statements and local planning areas, the Code and other TRPA plans and programs.

The Permitting Improvement Project amendments are primarily intended to provide further clarification of existing environmentally beneficial regulations as opposed to the creation or removal of regulations within the TRPA Code of Ordinances and Rules of Procedure. Where criterion has been expanded (e.g. new exempt activities or expanding permissible coverage exemptions), the amendments are consistent in scale and scope of similar activities found within the applicable sections of the code and maintain the same requirements (such as installation of stormwater systems and compliance with design and development guidelines). Clarification of existing land use regulations such as reflectivity, land coverage, coverage exemptions, height, etc may serve to increase the rate of threshold attainment by way of improved and consistent application. The proposed amendments are consistent with Regional Plan goals and policies, including but not limited to the allowance of coverage transfers with limited applicability (LU-2.11) and encouraging the rehabilitation and redevelopment of existing properties as a high priority (LU-2.12). The amendment packet also serves to implement agency goals of regularly reviewing policies, regulations, and procedures to identify and remove barriers hindering environmentally beneficial redevelopment.

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 EIS analyzed full development build out potential within the Tahoe region. The findings for adoption of the Regional Plan in 2012 demonstrated that implementation of the Regional Plan would not cause Environmental Threshold Carrying Capacities to be exceeded.

The proposed amendments were evaluated against all adopted threshold compliance measures. (See Attachment C.) The proposed amendments to the Code, Rules, Design Review Guidelines, and Fees will not negatively impact any compliance measures such as the Water Quality/SEZ, Air Quality/ Transportation, Noise, and Scenic compliance measures. It is anticipated that the amendments over time will help to accelerate threshold attainment in areas such as water quality with

project requirements in place to further ensure that properties install and maintain stormwater infiltration systems (BMPs).

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 are intended to attain and maintain adopted standards, as described above.

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: In 2012, TRPA found that the Regional Plan as revised would achieve and maintain thresholds. Those findings are incorporated by reference here. The proposed amendments do not conflict with any Regional Plan provision designed to achieve and maintain thresholds. As discussed in finding 4.4 above, the proposed amendments will improve the implementation of threshold attainment strategies by encouraging environmentally beneficial redevelopment.

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 within Section 4.4 and 4.5 above, the Regional Plan and all of its elements (i.e. Code of Ordinances, Rules of Procedures, etc.), as amended, achieves and maintains thresholds. The proposed amendments will improve the implementation of threshold attainment strategies by encouraging environmentally beneficial redevelopment.

STATEMENT OF NO SIGNIFICANT EFFECT

- Project Description: Permitting Improvement Project Proposed Amendments to the TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; Design Review Guidelines Appendix H; and Fee Schedule.
- 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

Date

Attachment E

Adopting Ordinance for Amendments to the TRPA Code of Ordinances, Rules of Procedure, and Design
Review Guidelines

Adopting Resolution to the TRPA Fee Schedule

TAHOE REGIONAL PLANNING AGENCY
TRPA ORDINANCE NO. 2023 –

AN ORDINANCE AMENDING ORDINANCE 87-9, AS AMENDED, TO ADOPT AMENDMENTS TO TRPA CODE OF ORDINANCES CHAPTERS 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, AND 90; RULES OF PROCEDURE ARTICLES 5, 10, 12, AND 16; AND DESIGN REVIEW GUIDELINES APPENDIX H TO IMPLEMENT PROPOSED RECOMMENDATIONS TO THE TRPA PERMITTING SYSTEM AND OTHER MATTERS RELATED THERETO.

The Tahoe Regional Planning Agency’s Governing Board does ordain as follows:

| Section | Findings |
|----------------|---|
| 1.00 | |
| 1.05 | 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. |
| 1.10 | 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. |
| 1.15 | 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. |
| 1.20 | Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan. |
| 1.30 | It is necessary and desirable to amend TRPA Ordinance 87-9, as previously amended, as it relates to the Regional Plan of TRPA by amending the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact in order to accelerate attainment and ensure maintenance of the threshold standards. |
| 1.35 | 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 Advisory Planning Commission (APC) and Regional Plan Implementation Committee (RPIC) conducted a public hearing on the amendments and issued a recommendation regarding the adoption of these amendments. The Governing Board has also conducted a noticed public hearing on the amendments. At the hearings, oral testimony and documentary evidence were received and considered. |

1.50 The Governing Board finds that the amendments adopted here will continue to implement the Regional Plan, as amended, in a manner that will achieve and maintain the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.

1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section Findings
2.00 – Amendment of TRPA Regional Plan and Code of Ordinances

2.10 The TRPA Regional Plan and TRPA Code of Ordinances is hereby amended to include the amendments to TRPA Code of Ordinances Chapters 2, 30, 37, 50, 60, 65, 66, 67, 82, 84, and 90; Rules of Procedure Articles 5, 10, 12, and 16; and Design Review Guidelines Appendix H to implement proposed recommendations to the TRPA permitting system as shown in Exhibit 1.

Section Findings
3.00 – Interpretation and Severability

3.10 The provisions of this ordinance adopted hereby shall be liberally constructed to affect 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 Findings
4.00 – Effective Date

4.10 The provisions of this ordinance shall be effective on XXXX XX, 2023.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this ____ day of _____, 2023, by the following vote:

Ayes:
Nays:
Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2023 –

RESOLUTION OF THE TAHOE REGIONAL PLANNING AGENCY
TO AMEND THE TRPA FEE SCHEDULE

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is required under the TRPA Compact and the Regional Plan and Code of Ordinances to review projects, and reasonable fees must be charged to reimburse the Agency for such review costs; and

WHEREAS, the filing fees adjusted or created pursuant to this resolution are compensatory, cover the actual cost of providing services in reviewing and processing project applications, bear a direct relationship to the cost of administering the Agency’s ordinances, and do not raise revenue in excess of the cost of such services.

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency, pursuant to the authority contained in Article VII(e) of the Tahoe Regional Planning Compact and Section 10.7 of the Rules of Procedure of said Agency, that the fees to be charged and collected for the filing of applications for all projects, activities and environmental documents to be reviewed or approved, or both, by the Agency shall be in accordance with the schedule thereof set forth in Attachment B as provided and incorporated herein by this reference and shall become effective _____, 2023.

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this _____ day of _____, 2023, by the following vote:

Ayes:
Nays:
Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

Attachment F

[Code of Ordinance \(Full Document with Redline Changes Available Online\)](#)

Attachment G

[Rules of Procedure \(Full Document with Redline Changes Available Online\)](#)

Attachment H

[Design Review Guidelines, Appendix H \(Full Document with Redline Changes Available Online\)](#)

Attachment I

[Fee Schedule \(Full Document with Redline Changes Available Online\)](#)

STAFF REPORT

Date: August 16, 2023

To: TRPA Regional Plan Implementation Committee

From: TRPA Staff

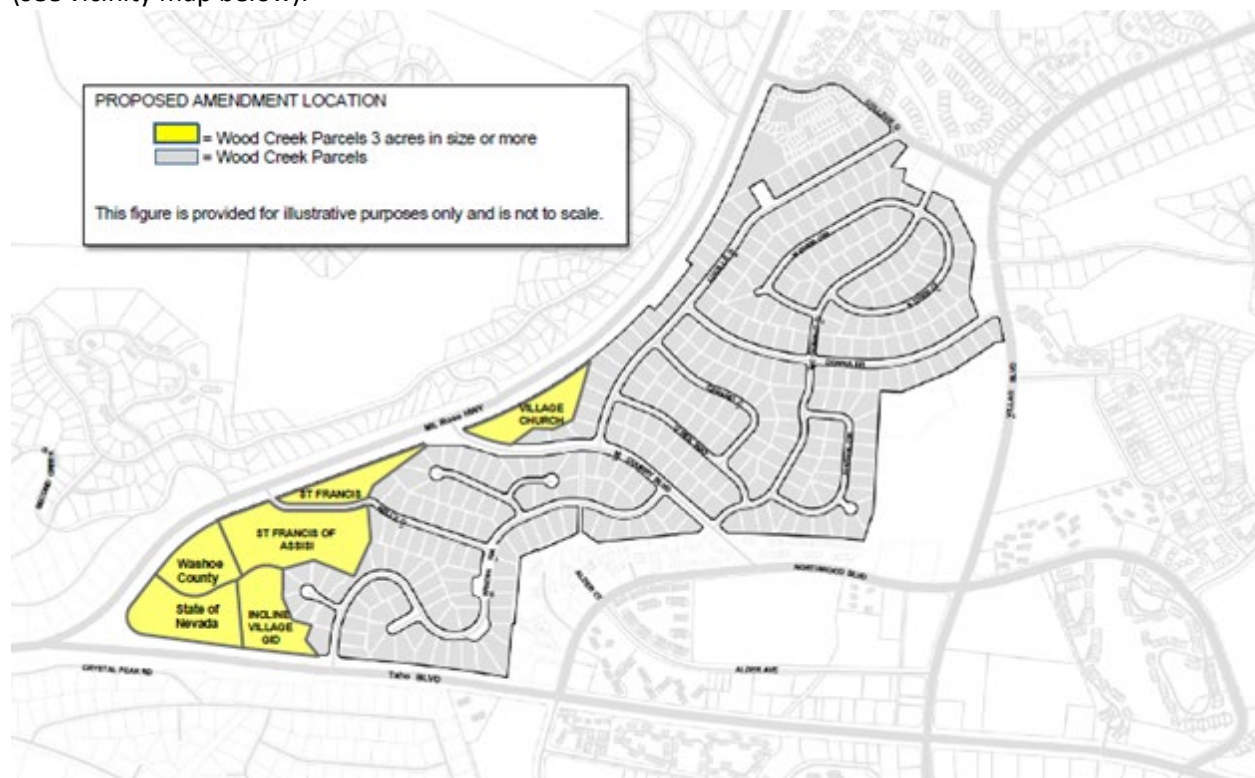
Subject: Washoe County Tahoe Area Plan Amendment to the Woodcreek Regulatory Zone

Summary and Staff Recommendation:

Washoe County is considering an amendment to the Wood Creek Regulatory Zone within the Tahoe Area Plan that would allow educational land uses (K-12) with a special use permit. The County has not begun the public hearing process with the County Planning Commission or County Commissioners and is seeking input from the RPIC before doing so. This item is for discussion purposes only and no action is required.

Project Description/Background:

Washoe County has been approached by a project applicant and asked to consider changing the Tahoe Area Plan Woodcreek Regulatory Zone. Specifically, the proposed amendment is to add "schools - kindergarten through secondary" as a permitted use type, 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 (see vicinity map below).



The County has not determined if they wish to propose this amendment and is currently seeking input from the RPIC prior to beginning the formal process of hearings before the County Planning Commission and County Commissioners. Although this application was prompted by a proposed project, it is important to note that a change in the area plan and implementing code would not approve the proposed project and would require a separate process to do so. The members of the RPIC should, therefore, provide comments related to the change in allowed use in the area plan versus comments on the specific project.

Staff from both the County and TRPA will be present to answer any questions the Committee may have regarding this proposal. Although the project that prompted this request is not being considered, it is anticipated that the project applicant and community members interested in the project will also be present to provide comments.

Schedule of Area Plan Amendments

The TRPA Bi-State Compact requires that amendments to the Regional Plan, which includes area plans once adopted by the appropriate local government and TRPA, must be processed within 180 days of a request by a local government (Article V). Consistent with that requirement, the 2023-2024 Annual Work Plan outlines a process for consideration of amendments in two six-month cycles, generally starting July 1 and January 1 of each fiscal year (page 21). This process is illustrated graphically below.

| Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec |
|---------------------------------------|-----|-----|---|-----|-----|---------------------------------------|-----|-----|---|-----|-----|
| Formal 180 Day (6 Month) Cycle | | | | | | | | | | | |
| Local Planning Comm. & Governing Body | | | | | | | | | | | |
| | | | TRPA APC, RPIC, & Governing Board | | | | | | | | |
| | | | Pre-180 Day Cycle Prep. | | | Formal 180 Day (6 Month) Cycle | | | | | |
| | | | Staff Coordination & RPIC Informational | | | Local Planning Comm. & Governing Body | | | | | |
| | | | | | | | | | TRPA APC, RPIC, & Governing Board | | |
| | | | | | | | | | Pre-180 Day Cycle Prep. | | |
| | | | | | | | | | Staff Coordination & RPIC Informational | | |

At this point in time staff have received amendments from Placer County, South Lake Tahoe, and Washoe County that are being processed during this July 1-December 31, 2023, cycle. The RPIC has already had informational presentations and provided comments on the Placer County and South Lake Tahoe amendments. Because the RPIC informational hearing did not occur prior to July 1, this amendment may not be heard by Washoe County in time for the formal process to be completed by TRPA by late 2023. If necessary, the TRPA process may need to be completed in early 2024.

Contact Information:

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