

Location 128 Market Street Stateline, NV 89449 Contact

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

STAFF REPORT

Date: January 18, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Proposed map boundary correction to the Bijou Al Tahoe Community Plan and the Truckee Marsh Plan Area Statement 100 to incorporate one parcel into the boundary of the Bijou-Al Tahoe Community Plan

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the amendment to the Regional Plan map, the Bijou/Al Tahoe Community Plan map boundary, and Truckee Marsh Plan Area Statement ("PAS") 100 map boundary, as proposed. This amendment would correct a mapping error for APN 026-221-029 which is currently shown within the Truckee Marsh PAS and include the parcel to the Bijou/Al Tahoe Community Plan boundary, as shown in Appendix D, and as originally adopted at the time of the Community Plan adoption. This amendment would change the boundary of both local plan documents; no other changes to the allowable uses are proposed in either plan documents.

Required Motions:

In order to recommend adoption of the proposed ordinance amendments, the Governing Board must make the following motions, based on the staff report:

- A motion to recommend approval of the Required Findings, as described in Attachment B, including a finding of no significant effect, for adoption of the Community Plan and Plan Area Statement amendment as described in the staff report; and
- A motion to recommend adoption of Ordinance 2023-___, amending Ordinance No. 2022-03, as previously amended, and Ordinance No. 1987-9, to amend the Community Plan and Plan Area Statement boundaries as shown in Attachment A, Exhibit 1.

In order for motion(s) to pass, an affirmative vote of at least four Board members from each state is required.

Advisory Planning Commission (APC) Recommendation/Discussion

The APC reviewed the proposed amendment at its January 11, 2023 meeting. At that time, they recommended approval of the proposal as presented. The recommendation was unanimous among the commissioners in attendance.

Background:

After the adoption of the Bijou/Al Tahoe Community Plan, a mapping error incorrectly included APN 026-221-029 within the boundary of Truckee Marsh PAS, instead of within the boundary of the Community Plan. This amendment would correct the mapping error by moving both plan boundaries so APN 026-221-029 would be located in the Community Plan as originally intended and mapped.

The Bijou/Al Tahoe Community Plan was adopted by TRPA and the City of South Lake Tahoe in 1995. The adopted Community Plan Land Use District map, Attachment E, shows that APN 026-221-029 was included within the boundary of the Bijou/Al Tahoe Community Plan at the time of adoption.

Since adoption of the Bijou/Al Tahoe Community Plan, there have been multiple amendments to the document. In 2020, the Land Use District map that was approved by the Governing Board for this amendment includes APN 026-221-029 within the Community Plan boundary, as shown in Attachment F.

APN 026-221-029 is currently vacant. According to a land capability verification completed in 2001, the parcel was verified with land capability Class 1b (SEZ) and Class 7. Current geographic information systems (GIS) maps show the subject parcel within the <u>Truckee Marsh PAS</u>. This PAS is classified as conservation with limited permissible uses. Inconsistency in the mapping of the subject parcel appears to be in error. As stated, the parcel was included within the Community Plan boundary upon its adoption in 1995. If the mapping correction is approved and adopted, permissible uses for the parcel would be subject to the Community Plan. Potential future development on the parcel would be subject to all other TRPA rules and regulations, such as coverage and stream environment (SEZ) 1b protection.

Pursuant to TRPA Code of Ordinances Chapter 10: *TRPA Regional Plan Maps*, plan area GIS data layers and maps are official TRPA Regional Plan maps and proposed amendments to these maps shall be processed plan amendments pursuant to TRPA's Rules of Procedure requiring approval and adoption of the TRPA Governing Board.

Environmental Review:

The amendment has been reviewed in an Initial Environmental Checklist (IEC) pursuant to TRPA Code of Ordinances Chapter 3: *Environmental Documentation* and Article VI of the Rules of Procedure.

Regional Plan Compliance:

The proposed boundary amendment is consistent with the Regional Plan. The Plan, under Chapter 2: Land Use Element states the following policies, listed below in bold, with staff response in italics, that are applicable.

Policy LU-3.4 EXISTING DEVELOPMENT PATTERNS IN RESIDENTIAL NEIGHBORHOODS OUTSIDE OF CENTERS AND ENVIRONMENTALLY-SENSITIVE LANDS SHOULD BE MAINTAINED WITH NO SIGNIFICANT CHANGE.

The parcel was erroneously incorporated into PAS 100 after adoption of the Bijou Al Tahoe Community Plan. This map correction will not change development patterns.

Policy LU-4.1 THE REGIONAL PLAN LAND USE MAP IDENTIFIES GROUPINGS OF GENERALIZED LAND USES AND PRIORITY REDEVELOPMENT AREAS IN THE REGION. AREAS OF SIMILAR USE AND CHARACTER ARE MAPPED AND CATEGORIZED WITHIN ONE OR MORE OF THE FOLLOWING EIGHT LAND USE CLASSIFICATIONS: WILDERNESS, BACKCOUNTRY, CONSERVATION, RECREATION, RESORT RECREATION, RESIDENTIAL, MIXED-USE, AND TOURIST. THESE LAND USE CLASSIFICATIONS SHALL DICTATE ALLOWABLE LAND USES. EXISTING URBANIZED AREAS ARE IDENTIFIED AS CENTERS AND INCLUDE TOWN CENTERS, THE REGIONAL CENTER AND THE HIGH DENSITY TOURIST DISTRICT. CENTERS ARE THE AREAS WHERE SUSTAINABLE REDEVELOPMENT IS ENCOURAGED.

The parcel was erroneously incorporated into PAS 100 after adoption of the Bijou Al Tahoe Community Plan. This map correction will not change priority redevelopment areas in the region or allowable land uses in either plan document.

Contact Information:

For questions regarding this agenda item, please contact Alyssa Bettinger, Senior Planner, at (775) 589-5301 or abettinger@trpa.gov.

Attachments:

- A. Adopting Ordinance 2023-___
 - Exhibit 1: Proposed Boundary Map
- B. Finding of No Significant Effect (FONSE)
- C. Initial Environmental Checklist (IEC)
- D. Required Findings/Rationale
- E. Bijou/Al Tahoe Land Use District Map (1996 adoption)
- F. Bijou/Al Tahoe Community Land Use Districts Map (2020 amendment)
- G. Compliance Measures

Attachment A

Adopting Ordinance 2023-___

TAHOE REGIONAL PLANNING AGENCY ORDINANCE 2023-__

AN AMENDMENT TO ORDINANCE NO. 2022-03, AS PREVIOUSLY AMENDED, AND TO ORDINANCE NO. 1987-9, TO AMEND THE BIJOU/AL TAHOE COMMUNITY PLAN AND THE TRUCKEE MARSH PLAN AREA STATEMENT 100 BOUNDARIES AS SHOWN IN ATTACHMENT A.

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2022-03 and 1987-9 by amending the Bijou/Al Tahoe Community Plan and Truckee Marsh Plan Area Statement 100 boundaries to further implement the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Bijou/Al Tahoe Community and Truckee Marsh Plan Area Statement 100 boundary amendment was the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: Environmental Documentation of the TRPA Code for Ordinances and Article VI of the Rules of Procedure. The map boundary correction has been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed boundary amendment. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance.
- 1.40 The Governing Board finds that the map boundary correction hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of this ordinance, the Governing Board made the findings required by Section 4.5 of the TRPA Code of Ordinances, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2022-03, as previously amended, and Ordinance 1987-9 are hereby amended by amending the Bijou/Al Tahoe Community Plan and the Truckee Marsh Plan Area Statement 100 boundaries, as set forth in Exhibit 1 to Attachment A.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending the TRPA Code of Ordinances shall become effective on _____/

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on ______, 2023, by the following vote:

Ayes:

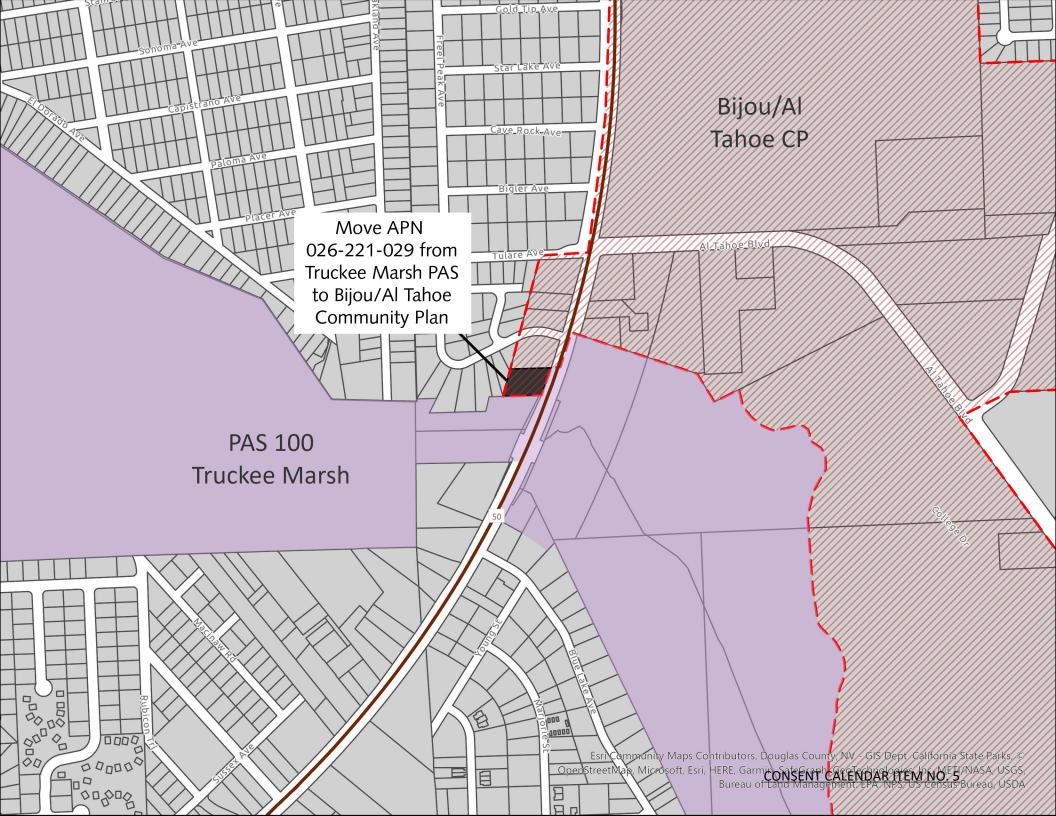
Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair Tahoe Regional Planning Agency, Governing Board Attachment A - Exhibit 1

Proposed Boundary Map



Attachment B

Finding of No Significant Effect (FONSE)



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FINDING OF NO SIGNIFICANT EFFECT

- <u>Project Description:</u> Proposed map correction to the City of South Lake Tahoe's Bijou/Al Tahoe Community Plan and Truckee Marsh Plan Area Statement 100.
- Staff Analysis:In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the
subject project.

<u>Determination</u>: 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

December 19, 2022 Date

Attachment C

Initial Environmental Checklist (IEC)



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INITIAL ENVIRONMENTAL CHECKLIST FOR DETERMINATION OF ENVIRONMENTAL IMPACT

Project Name:

APN/Project Location:

County/City:

Project Description:



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The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information and reference the question number and letter. If more space is required for additional information, please attached separate sheets and reference the question number and letter.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

I. Environmental Impacts

1. Land

| Current and historic status of soil conservation standards can be found at the links below: | | | | itigation | cient |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|---------------------|-------------------|
| | Impervious Cover Stream Environment Zone | S | | No, with mitigation | Data insufficient |
| Wi | II the proposal result in: | Yes | No | No | Da |
| a. | Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)? | | | | |
| b. | A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions? | | | | |
| c. | Unstable soil conditions during or after completion of the proposal? | | | | |
| d. | Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet? | | | | |
| e. | The continuation of or increase in wind or water erosion of soils, either on or off the site? | | | | |
| 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? | | | | |
| g. | Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards? | | | | |



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2. Air Quality

Current and historic status of air quality standards can be found at the links below:

| Wi | <u>Carbon Monoxide (CO)</u> <u>Nitrate Deposition</u> <u>Ozone (O3)</u> <u>Regional Visibility</u> <u>Respirable and Fine Particulate Matter</u> <u>Sub-Regional Visibility</u> | Yes | No | No, with mitigation | Data insufficient |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|---------------------|-------------------|
| a. | Substantial air pollutant emissions? | | | | |
| b. | Deterioration of ambient (existing) air quality? | | | | |
| c. | The creation of objectionable odors? | | | | |
| d. | Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | | | | |
| e. | Increased use of diesel fuel? | | | | |
| | | | | | |



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3. Water Quality

Current and historic status of water quality standards can be found at the links below:

| | <u>Aquatic Invasive Species</u> <u>Deep Water (Pelagic) Lake Tahoe</u> | | | | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|---------------------|-------------------|
| | <u>Groundwater</u> | | | | |
| | Nearshore (Littoral) Lake Tahoe | | | ч | |
| | <u>Other Lakes</u> | | | gati | ent |
| | <u>Surface Runoff</u> | | | litiε | ficie |
| | <u>Tributaries</u> | | | μ | suf |
| | Load Reductions | | | wit | Ü |
| Wi | ll the proposal result in: | Yes | No | No, with mitigation | Data insufficient |
| a. | Changes in currents, or the course or direction of water movements? | | | | |
| 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? | | | | |
| c. | Alterations to the course or flow of 100-yearflood waters? | | | | |
| d. | Change in the amount of surface water in any water body? | | | | |
| e. | Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | | | | |
| f. | Alteration of the direction or rate of flow of ground water? | | | | |
| g. | Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | | | | |
| h. | Substantial reduction in the amount of water otherwise available for public water supplies? | | | | |
| i. | Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches? | | | | |
| j. | The potential discharge of contaminants to the groundwater or any alteration of groundwater quality? | | | | |
| k. | Is the project located within 600 feet of a drinking water source? | | | | |



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4. Vegetation

| Current and historic status of vegetation preservation standards can be found at th | ıe |
|-------------------------------------------------------------------------------------|----|
| links below: | |

| Wi | <u>Common Vegetation</u> <u>Late Seral/Old Growth Ecosystems</u> <u>Sensitive Plants</u> <u>Uncommon Plant Communities</u> Il 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? | | | | |
| b. | Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table? | | | | |
| c. | Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species? | | | | |
| 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)? | | | | |
| e. | Reduction of the numbers of any unique, rare, or endangered species of plants? | | | | |
| f. | Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows? | | | | |
| 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? | | | | |
| h. | A change in the natural functioning of an old growth ecosystem? | | | | |



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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

| _ | | | | u | |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|--------------------------|---|-------------------|
| | Instream Flow Lake Habitat Stream Habitat It he 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)? | | | | |
| b. | Reduction of the number of any unique, rare or endangered species of animals? | | | | |
| c. | Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals? | | | | |
| d. | Deterioration of existing fish or wildlife habitat quantity or quality? | | | | |



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| 6. | Noise | | | ç | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|---------------------|-------------------|
| | <u>Cumulative Noise Events</u> <u>Single Noise Events</u> | S | | No, with mitigation | Data insufficient |
| Wi | ll the proposal result in: | Yes | No | No | Da |
| 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? | | | | |
| b. | Exposure of people to severe noise levels? | | | | |
| c. | Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold? | | | | |
| d. | The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible? | | | | |
| e. | The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses? | | | | |
| f. | Exposure of existing structures to levels of ground vibration that could result in structural damage? | | | | |



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| 7. Light and Glare Will the proposal: | | Yes | No | No, with mitigation | Data insufficient |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----|----|------------------------|----------------------|
| a. | Include new or modified sources of exterior lighting? | | | | |
| b. | Create new illumination which is more substantial than other lighting, if any, within the surrounding area? | | | | |
| c. | Cause light from exterior sources to be cast off -site or onto public lands? | | | | |
| d. | Create new sources of glare through the siting of the improvements or through the use of reflective materials? | | | | |

Discussion

8. Land Use

| Will the proposal: | | | | No, with mitigation | ficient |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|------------------------|----------------|
| | | Yes | No | No, v mitig | Data insufi |
| a. | Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan? | | | | |
| b. | Expand or intensify an existing non-conforming use? | | | | |



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| 9. Natural Resources | | | | 4 uo | ient |
|------------------------------|---------------------------------------------------------------------|-----|----|------------------------|-------------------|
| Will the proposal result in: | | Yes | No | No, with mitigation | Data insuffici |
| a. | A substantial increase in the rate of use of any natural resources? | | | | |
| b. | Substantial depletion of any non-renewable natural resource? | | | | |

Discussion

| 10. Risk of Upset Will the proposal: | | Yes | No | No, with mitigation | Data insufficient |
|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|------------------------|----------------------|
| a. | Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions? | | | | |
| b. | Involve possible interference with an emergency evacuation plan? | | | | |



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| | . Population I 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? | | | | |
| b. | Include or result in the temporary or permanent displacement of residents? | | | | |

Discussion

| 12. Housing Will the proposal: | | | | | | |
|-----------------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|------------------------|----------------------|
| | | | Yes | No | No, with mitigatior | Data insufficient |
| a. | Aff | ect existing housing, or create a demand for additional housing? | | | | |
| | | determine if the proposal will affect existing housing or create a demand for ditional housing, please answer the following questions: | | | | |
| | 1. | Will the proposal decrease the amount of housing in the Tahoe Region? | | | | |
| | 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? | | | | |



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| | 3. Transportation / Circulation Vill the proposal result in: | | | with igation | Data insufficient |
|----|------------------------------------------------------------------------------------------------------------------------|-----|----|-----------------|----------------------|
| | | Yes | No | No, mit | Dat insu |
| a. | Generation of 650 or more new average daily Vehicle Miles Travelled? | | | | |
| b. | Changes to existing parking facilities, or demand for new parking? | | | | |
| c. | Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities? | | | | |
| d. | Alterations to present patterns of circulation or movement of people and/or goods? | | | | |
| e. | Alterations to waterborne, rail or air traffic? | | | | |
| f. | Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians? | | | | |
| | | | | | |



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| 14. Public Services Will the proposal have an unplanned effect upon, or result in a need for new or | | | | | |
|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--|--|------------------------|----------------|
| | ered governmental services in any of the following areas?: | | | No, with mitigation | Data insuff |
| a. | Fire protection? | | | | |
| b. | Police protection? | | | | |
| c. | Schools? | | | | |
| d. | Parks or other recreational facilities? | | | | |
| e. | Maintenance of public facilities, including roads? | | | | |
| f. | Other governmental services? | | | | |



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| 15. Energy | | | | | ent |
|------------|----------------------------------------------------------------------------------------------------------------------|-----|----|------------------------|--------------------|
| Wi | ll the proposal result in: | Yes | No | No, with mitigation | Data insufficie |
| a. | Use of substantial amounts of fuel or energy? | | | | |
| b. | Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | | | | |

Discussion:

| 16. Utilities | | | | | | |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------|--|----|------------------------|----------------------|--|
| | xcept for planned improvements, will the proposal result in a need for new systems, r substantial alterations to the following utilities: | | No | No, with mitigation | Data insufficient | |
| a. | Power or natural gas? | | | | | |
| b. | Communication systems? | | | | | |
| c. | Utilize additional water which amount will exceed the maximum permitted capacity of the service provider? | | | | | |
| d. | Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider? | | | | | |
| e. | Storm water drainage? | | | | | |
| f. | Solid waste and disposal? | | | | | |



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| | 17. Human Health Will the proposal result in: | | No | No, with mitigation | Data insufficient |
|----|-------------------------------------------------------------------------------------|--|----|------------------------|----------------------|
| a. | Creation of any health hazard or potential health hazard (excluding mental health)? | | | | |
| b. | Exposure of people to potential health hazards? | | | | |

Discussion

18. Scenic Resources / Community Design

| | urrent and historic status of the scenic resources standards can be found at the links elow: | | | | ent |
|----|--------------------------------------------------------------------------------------------------------------------------|-----|----|---------------------|-------------------|
| | Built Environment Other Areas Roadway and Shoreline Units | | | No, with mitigation | Data insufficient |
| Wi | ll the proposal: | Yes | No | No, | Dat |
| a. | Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe? | | | | |
| b. | Be visible from any public recreation area or TRPA designated bicycle trail? | | | | |
| c. | Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area? | | | | |
| d. | Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan? | | | | |
| e. | Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines? | | | | |



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19. Recreation

| Current and historic status of the recreation standards can be found at the links below: | | | | | cient |
|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|-------------------|-------------------|
| | Fair Share Distribution of Recreation Capacity Quality of Recreation Experience and Access to Recreational Opportunities | Yes | | , with mitigation | Data insufficient |
| Wi | Will the proposal: | | No | No, | Da |
| a. | Create additional demand for recreation facilities? | | | | |
| b. | Create additional recreation capacity? | | | | |
| C. | Have the potential to create conflicts between recreation uses, either existing or proposed? | | | | |
| d. | Result in a decrease or loss of public access to any lake, waterway, or public lands? | | | | |



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| | 20. Archaeological / Historical Will the proposal result in: | | | 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? | | | | |
| 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? | | | | |
| c. | Is the property associated with any historically significant events and/or sites or persons? | | | | |
| d. | Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values? | | | | |
| e. | Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area? | | | | |



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21. Findings of Significance No, with mitigation nsufficient Yes 9 a. Does the project have the potential to degrade the quality of the environment, \square \square П 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? b. Does the project have the potential to achieve short-term, to the disadvantage of Π \Box П \Box 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.) c. Does the project have impacts which are individually limited, but cumulatively П considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?) d. Does the project have environmental impacts which will cause substantial adverse Π \square П П effects on human being, either directly or indirectly?



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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:

Person preparing application

at County

Date

Applicant Written Comments: (Attach additional sheets if necessary)



Location 128 Market Street Stateline, NV 89449

Contact

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

Determination:

On the basis of this evaluation:

| a. | The proposed project could not have a significant effect on the finding of no significant effect shall be prepared in accordance Procedure | | YES | NO |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------|----|
| b. | The proposed project could have a significant effect on the en the listed mitigation measures which have been added to the significant effect on the environment and a mitigated finding of shall be prepared in accordance with TRPA's Rules and Proced | project, could have no of no significant effect | 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 YES and TRPA's Rules of Procedures. | | | NO NO | |
| Alyssa Bettinger Digitally signed by Alyssa Bettinger DN: cn=Alyssa Bettinger, o=TRPA, ou, email=abettinger@trpa.org, c=US Date: 2023.01.18 14:41:30 -08'00' Signature of Evaluator Senior Planner Title of Evaluator | | | | |

Attachment D

Required Findings/Rationale

ATTACHMENT D

REQUIRED FINDINGS/RATIONALE

<u>TRPA Code of Ordinances Section 3. 3 – Determination of Need to Prepare an Environmental Impact</u> <u>Statement</u>

- Finding:TRPA finds that the proposed boundary amendment will not have a significant
effect on the environment.
- Rationale:An Initial Environmental Checklist (IEC) has been prepared to evaluate the
effects of the proposed boundary amendment to Plan Area Statement (PAS) 100
Truckee Marsh and the Bijou/Al Tahoe Community Plan (see Attachment C). The
IEC found that the proposed amendment would not have a significant effect on
the environment. The proposed amendment is consistent with and will
implement the Regional Plan. The amendment is minor in nature and is not
anticipated to result in environmental effects.

TRPA Code of Ordinances Section 4. 4 – Threshold-Related Findings

- Finding:
 The project (boundary amendment to PAS 100 and the Bijou/Al Tahoe

 Community Plan) 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:This amendment to the Bijou/Al Tahoe Community Plan map boundary corrects
a mapping error and is consistent with the Regional Plan's goals and policies.
Based on the analysis in the IEC, the boundary amendment is minor in nature
and will not result in environmental effects. The subject parcel and future
potential development was evaluated as part of the Community Plan
environmental review at the time of adoption in 1995. Potential projects or
development of the parcel is subject to TRPA Code of Ordinances and local
building regulations.
- 2. <u>Finding:</u> <u>The project will not cause the environmental threshold carrying capacities to be</u> <u>exceeded; and</u>
 - <u>Rationale:</u> The proposed amendment is consistent with the threshold attainment strategies in the Regional Plan. As demonstrated in the attached IEC, the amendment to the community plan map will not cause the environmental threshold carrying capacities to be exceeded.
- 3. <u>Finding:</u> <u>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.</u>

<u>Rationale:</u> The proposed amendment would not adversely affect any state, federal, or local standards.

<u>TRPA Code of Ordinances Section 4. 6 – Findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.</u>

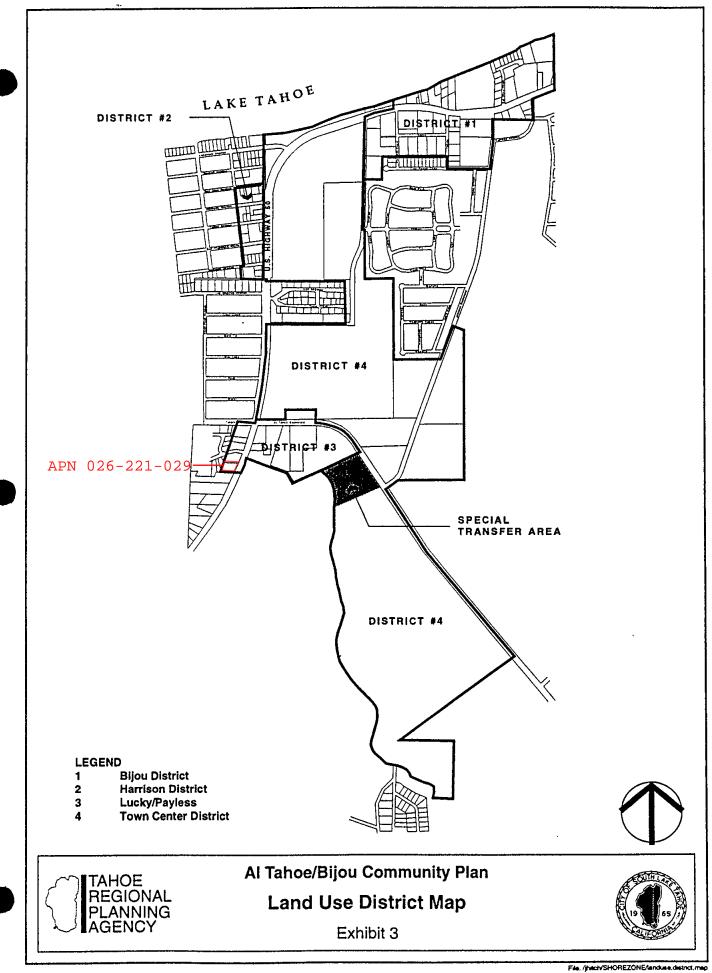
- Finding:The Regional Plan and all of its elements, as implemented through the Code,
Rules, and other TRPA plans and programs, as amended, achieves and maintains
thresholds.
- Rationale: Please see the rationales for the Section 4.4 findings above. The proposed amendment would not adversely affect threshold attainment. All applicable standards in the Code of Ordinances would remain in place. All subsequent development that may occur as a result of this amendment would be subject to TRPA permitting.

TRPA Code of Ordinances Section 11.8.4 – Findings for Plan Area Amendments

- Finding:The amendment to PAS 100 and the Bijou/Al Tahoe Community Plan is
substantially consistent with the plan area designation criteria in subsections
11.6.2 and 11.6.3.
- <u>Rationale:</u> The boundary amendment is consistent with the plan area designation criteria for PAS 100 and the Bijou/Al Tahoe Community Plan. No permissible uses are expanding or changing in either local plan. Each plan's vision, intent, and policies remain unchanged, and all subsequent development is subject to TRPA permitting and must comply with Code of Ordinance standards.

Attachment E

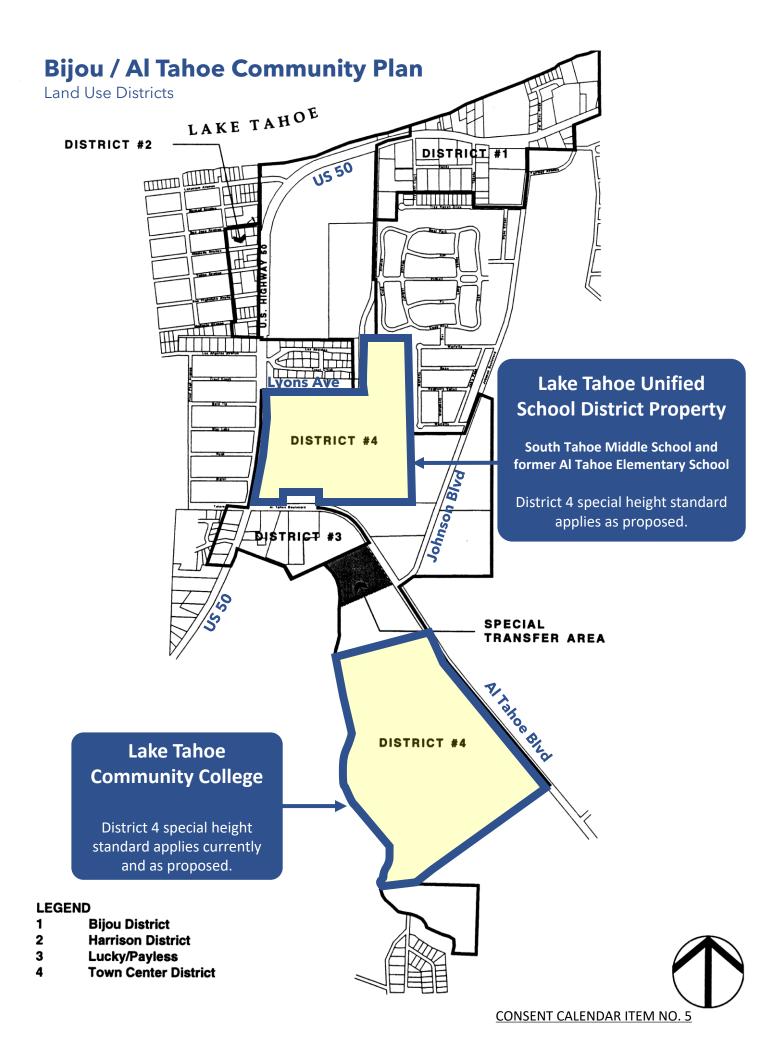
Bijou/Al Tahoe Land Use District Map (1996 adoption)



CONSENT CALENDAR ITEM NO. 5

Attachment F

Bijou/Al Tahoe Community Land Use Districts Map (2020 amendment)



Attachment G

Compliance Measures

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WATER QUAL | ITY/SEZ - IN PLACE | | | |
| 1 | BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Fish | N | The amendment to the Bijou/Al Tahoe Community Plan (BATCP) and Plan Area Statement (PAS) 100 will not change existing BMP requirements in Chapter 60 of the TRPA Code of Ordinances. |
| 2 | BMP implementation program existing streets and highways: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Trans, Fish | N | |
| 3 | BMP implementation program existing urban development: <i>Code</i> <i>of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Fish | N | |
| 4 | BMP implementation program existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Trans, Fish | N | |
| 5 | Capital Improvements Program for Erosion and Runoff Control | WQ, Soils/SEZ, Trans, Fish | N | The amendment to the BATCP and PAS 100 does not adversely affect the Capital Improvments Program for Erosion and Runoff Control. |
| 6 | Excess land coverage mitigation program: <i>Code of Ordinances</i> Chapter 30 | WQ, Soils/SEZ | N | The amendment to the BATCP and PAS 100 will not change excess coverage mitigation requirements. |
| 7 | Effluent (Discharge) limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of</i> <i>Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Fish | | The effluent limitations in the TRPA Code of Ordinances will not be modified by this amendment. |
| 8 | Limitations on new subdivisions: (See the Goals and Policies: Land Use Element) | WQ, Soils/SEZ, Rec, Scenic | | All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9 | Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21 | WQ, Soils/SEZ, Trans, Scenic | | The amendment to the BATCP and PAS 100 maintains consistency with Regional Plan goals and policies and the Code of Ordinances standards. |
| 10 | Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53 | WQ, Soils/SEZ | | The amendment to does not change residential development priorities or the Individual Parcel Evaluation System. All impacted parcels would continue to be subject to the provisions in Chapter 53 of the Code of Ordinances. |
| 11 | Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30 | WQ, Soils/SEZ, Scenic | | The amendment to the BATCP and PAS 100 does not change the limits on land coverage for new development. All impacted parcels would continue to be subject to the provisions in Chapter 30 of the Code of Ordinances. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12 | Transfer of development: Goals and Policies: Land Use Element and Implementation Element | WQ, Soils/SEZ | | The amendment to the BATCP and PAS 100 does not change Goals and Policies from the Land Use Element and Implementation Element of the Regional Plan regarding the transfer of development. |
| 13 | Restrictions on SEZ encroachment and vegetation alteration: <i>Code of</i> <i>Ordinances Chapters 30 and 61</i> | WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic | | The amendment to the BATCP and PAS 100 does not alter existing restrictions on SEZ encroachment and vegetation alternative in the TRPA Code of Ordinances, Chapters 30 and 61. |
| 14 | SEZ restoration program: Environmental Improvement Program. | WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic | | The amendment to the BATCP and PAS 100 does not change policies and provisions that require the protection and restoration of SEZs. |
| 15 | SEZ setbacks: <i>Code of Ordinances</i> Chapter 53 | WQ, Soils/SEZ, Veg, Wildlife, Fish | | SEZ setbacks will not be altered by this amendment. |
| 16 | Fertilizer reporting requirements: Code of Ordinances Chapter 60 | WQ, Soils/SEZ, Fish, Rec | | The amendment to the BATCP and PAS 100 will not modify the Resource Management and Protections regulations, Chapters 60 through 69, of the TRPA Code of Ordinances. Thus, fertilizer reporting and water quality mitigation requirements will remain |
| 17 | Water quality mitigation: <i>Code of</i> Ordinances Chapter 60 | WQ, Soils/SEZ | | in effect. |
| 18 | Restrictions on rate and/or amount of additional development | WQ, Soils/SEZ, Wildlife, Scenic | | The amendment to the BATCP and PAS 100 does not affect the RPU's restrictions on the rate and amount of additional development. |
| 19 | Improved BMP implementation/ enforcement program | WQ, Soils/SEZ | | See response to Compliance Measures 1 through 4. |
| 20 | Increased funding for EIP projects for erosion and runoff control | WQ, Soils/SEZ | | The amendment to the BATCP and PAS 100 will not increase funding for EIP projects for erosion and runoff control. |
| 21 | Artificial wetlands/runoff treatment program | WQ, Soils/SEZ | | There are no changes to the artificial wetlands/runoff treatment program proposed with the amendment to the BATCP and PAS 100. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22 | Transfer of development from SEZs | WQ, Soils/SEZ, Scenic | | The amendment to the BATCP and PAS 100 does not provide any additional incentives beyond those already addressed in the Regional Plan and Code of Ordinances to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers and the Regional Center. |
| 23 | Improved mass transportation | WQ, Trans, Noise | | The amendment to the BATCP and PAS 100 does not affect mass transportation. |
| 24 | Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13 | WQ, Soils/SEZ, Scenic | | The amendment to the BATCP and PAS 100 does not affect redevelopment or redirection of land use. |
| 25 | Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65 | WQ, AQ | | No changes are being proposed in the amendment to the BATCP and PAS 100 that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect. |
| 26 | Elimination of accidental sewage releases: Goals and Policies: Land Use Element | WQ, Soils/SEZ | | |
| 27 | Reduction of sewer line exfiltration: Goals and Policies: Land Use Element | WQ, Soils/SEZ | | |
| 28 | Effluent limitations | WQ, Soils/SEZ | | • |
| 29 | Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ | | |
| 30 | Prohibition on solid waste disposal: Goals and Policies: Land Use Element | WQ, Soils/SEZ | | |
| 31 | Mandatory garbage pick-up: Goals and Policies: Public Service Element | WQ, Soils/SEZ, Wildlife | | |
| 32 | Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances Chapter 60 | WQ, Soils/SEZ | | |
| 33 | BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ, AQ | | The amendment to the BATCP and PAS 100 will not change BMP requirements. See response to Compliance Measures 1 through 4. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34 | Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60 | WQ, Soils/SEZ, Fish | | |
| 35 | BMP implementation program roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61 | WQ, Soils/SEZ, Fish | | |
| 36 | BMP implementation program outdoor recreation: <i>Code of</i> <i>Ordinances</i> Chapter 60 | WQ, Soils/SEZ, Fish, Rec | | |
| 37 | BMP implementation program livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64 | WQ, Soils/SEZ, Veg, Wildlife, Fish | | |
| 38 | BMP implementation program pesticides | WQ, Soils/SEZ | | |
| 39 | Land use planning and controls timber harvesting: <i>Code of</i> Ordinances Chapter 21 | WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic | | There are no changes to the allowable timber harvesting in any of the regulatory zones as part of the amendment to the BATCP and PAS 100. |
| 40 | Land use planning and controls - outdoor recreation: <i>Code of</i> <i>Ordinances</i> Chapter 21 | WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic | | |
| 41 | Land use planning and controls ORV use: Goals and Policies: Recreation Element | WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic | | There are no changes to the Outdoor Recreation Element as part of the amendment to the BATCP and PAS 100. |
| 42 | Control of encroachment and coverage in sensitive areas | WQ, Soils/SEZ, Wildlife, Rec, Scenic | N | See response to Compliance Measure 11. |
| 43 | Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83 | WQ, Soils/SEZ, Scenic | | TRPA will continue to be responsible for enforcing and implementing Shorezone regulations, Chapters 80 through 85, of the TRPA Code of Ordinances, as well as other code provisions applicable to projects within the Shorezone. No changes are being proposed with the amendment to the BATCP and PAS 100 |
| 44 | BMP implementation program shorezone areas: <i>Code of</i> <i>Ordinances</i> Chapter 60 | WQ, Soils/SEZ | | that would modify existing code provisions related to the Shorezone or impact these compliance measures. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------------------------------------------|
| 45 | BMP implementation program dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60 | WQ, Soils/SEZ | | |
| 46 | Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84 | WQ, Soils/SEZ, Fish | | |
| 47 | Protection of stream deltas | WQ, Soils/SEZ, Wildlife, Fish, Scenic | | |
| 48 | Marina master plans: <i>Code of</i> Ordinances Chapter 14 | WQ, AQ/Trans, Fish, Scenic | | |
| 49 | Additional pump-out facilities: Code of Ordinances Chapter 60 | WQ, Soils/SEZ | | |
| 50 | Controls on anti-fouling coatings: Code of Ordinances Chapter 60 | WQ, Soils/SEZ, Fish | | |
| 51 | Modifications to list of exempt activities | WQ, Soils/SEZ | | The amendment to the BATCP and PAS 100 will not alter the list of exempt activities. |
| WATER QUAL | ITY/SEZ - SUPPLEMENTAL | | | |
| 52 | More stringent SEZ encroachment rules | WQ, Soils/SEZ, Wildlife, Fish | | The amendment to the BATCP and PAS 100 does not include any provisions that would impact Compliance Measures 52 though 61. |
| 53 | More stringent coverage transfer requirements | WQ, Soils/SEZ | | |
| 54 | Modifications to IPES | WQ, Soils/SEZ | | |
| 55 | Increased idling restrictions | WQ, Soils/SEZ, AQ | | |
| 56 | Control of upwind pollutants | WQ, Soils/SEZ, AQ | | |
| 57 | Additional controls on combustion heaters | WQ, Soils/SEZ, AQ | | |
| 58 | Improved exfiltration control program | WQ, Soils/SEZ | | |
| 59 | Improved infiltration control program | WQ, Soils/SEZ | | |
| 60 | Water conservation/flow reduction program | WQ, Soils/SEZ, Fish | | |
| 61 | Additional land use controls | WQ, Soils/SEZ, Wildlife | | |
| AIR QUALITY | TRANSPORTATION - IN PLACE | | 1 | |
| 62 | Fixed Route Transit | Trans, Rec | | The amendment to the BATCP and PAS 100 does not impact any transit services bikeways, or pedestrian facilities. |
| | | | | |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|-------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 64 | Demand Responsive Transit | Trans | | |
| 65 | Seasonal Transit Services | Trans, Rec | | |
| 66 | Social Service Transportation | Trans | | • |
| 67 | Shuttle programs | Trans, Rec | | |
| 69 | Intercity bus services | Trans | | |
| 70 | Passenger Transit Facilities | Trans | | |
| 71 | Bikeways, Bike Trails | Trans, Noise, Rec, Scenic | | |
| 72 | Pedestrian facilities | Trans, Rec, Scenic | | |
| 73 | Wood heater controls: <i>Code of</i> Ordinances Chapter 65 | WQ, AQ | | The amendment to the BATCP and PAS 100 does not make any changes to wood or gas heater controls, or stationary source |
| 74 | Gas heater controls: <i>Code of</i> <i>Ordinances</i> Chapter 65 | WQ, AQ | | controls. |
| 75 | Stationary source controls: Code of Ordinances Chapter 65 | WQ, AQ | | |
| 76 | U.S. Postal Service Mail Delivery | Trans | | The amendment to the BATCP and PAS 100 does not include any provisions that would impact U.S. Postal Service Delivery. |
| 77 | Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65 | WQ, AQ, Trans | | The amendment to the BATCP and PAS 100 does not make any changes to indirect source review/air quality mitigation requirements, or idling restrictions. |
| 78 | Idling Restrictions: <i>Code of</i> <i>Ordinances</i> Chapter 65 | WQ, AQ | | |
| 79 | Vehicle Emission Limitations(State/Federal) | WQ, AQ | | The amendment to the BATCP and PAS 100 does not include any provisions related to vehicle emission limitations established by the State/Federal Government. |
| 80 | Open Burning Controls: <i>Code of</i> <i>Ordinances</i> Chapters 61 and Chapter 65 | WQ, AQ, Scenic | | The amendment to the BATCP and PAS 100 does not make any changes to open burning controls. |
| 81 | BMP and Revegetation Practices | WQ, AQ, Wildlife, Fish | | See response to Compliance Measures 1 through 4. |
| 82 | Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65 | Trans | | The amendment to the BATCP and PAS 100 does not make any changes to the employer-based trip reduction programs or vehi rental programs described in Chapter 65. |
| 83 | Vehicle rental programs: <i>Code of</i> <i>Ordinances</i> Chapter 65 | Trans | | |
| 84 | Parking Standards | Trans | | The amendment to the BATCP and PAS 100 does not make any |
| 85 | Parking Management Areas | Trans | | changes that would impact parking standards, parking management, parking fees or facilities, traffic management, signa synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heaven Ski Resort Gondola. |
| 86 | Parking Fees | Trans | | |
| 87 | Parking Facilities | Trans | | |
| 88 | Traffic Management Program - Tahoe City | Trans | | |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|----------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------|
| 89 | US 50 Traffic Signal Synchronization · South Shore | Trans | | |
| 90 | General Aviation, The Lake Tahoe Airport | Trans, Noise | | |
| 91 | Waterborne excursions | WQ, Trans, Rec | | |
| 92 | Waterborne transit services | WQ, Trans, Scenic | | |
| 93 | Air Quality Studies and Monitoring | WQ, AQ | | |
| 94 | Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements | Trans | | |
| 95 | Demand Responsive Transit - North Shore | Trans | | |
| 96 | Tahoe Area Regional Transit Maintenance Facility | Trans | | |
| 97 | Heavenly Ski Resort Gondola | Trans | | |
| AIR QUALITY | TRANSPORTATION - SUPPLEMENTAL | | | |
| 98 | Demand Responsive Transit –North Shore | Trans | | See response to Compliance Measures 62 through 97, and 1-4 (Road improvements, BMPs). The amendment to the BATCP and |
| 99 | Coordinated Transit System - South Shore | Trans | | PAS 100 is not expected to affect transportation. |
| 100 | Transit Passenger Facilities | Trans | | |
| 101 | South Shore Transit Maintenance Facility - South Shore | Trans | | |
| 102 | Transit Service - Fallen Leaf Lake | WQ, Trans | | |
| 103 | Transit Institutional Improvements | Trans | | |
| 104 | Transit Capital and Operations Funding Acquisition | Trans | | |
| 105 | Transit/Fixed Guideway Easements - South Shore | Trans | | |
| 106 | Visitor Capture Program | Trans | | 1 |
| 107 | Pedestrian and Bicycle Facilities South Shore | Trans, Rec | | |
| 108 | Pedestrian and Bicycle Facilities North Shore | Trans, Rec | | |
| 109 | Parking Inventories and Studies Standards | Trans | | |
| 110 | Parking Management Areas | Trans | | |
| 111 | Parking Fees | Trans | | |
| 112 | Establishment of Parking Task Force | Trans | | |
| 113 | Construct parking facilities | Trans | | |
| 114 | Intersection improvementsSouth Shore | Trans, Scenic | | |
| 115 | Intersection improvementsNorth Shore | Trans, Scenic | | |
| 116 | Roadway Improvements - South Shore | Trans, Scenic | | |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 117 | Roadway Improvements - North Shore | Trans, Scenic | | |
| 118 | Loop Road - South Shore | Trans, Scenic | | |
| 119 | Montreal Road Extension | Trans | | • |
| 120 | Kingsbury Connector | Trans | | |
| 121 | Commercial Air Service: Part 132 | Trans | | |
| | commercial air service | | | |
| 122 | Commercial Air Service: commercial air service that does not require Part 132 certifications | Trans | | |
| 123 | Expansion of waterborne excursion service | WQ, Trans | | |
| 124 | Re-instate the oxygenated fuel program | WQ, AQ | | |
| 125 | Management Programs | Trans | | |
| 126 | Around the Lake Transit | Trans | | 1 |
| EGETATION | - IN PLACE | | | |
| 127 | Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33 | WQ, AQ, Veg, Scenic | | The amendment to the BATCP and PAS 100 will not alter the provisions of Chapter 33 in the TRPA Code of Ordinances. |
| 128 | Tree Removal: <i>Code of Ordinances</i> Chapter 61 | Veg, Wildlife, Scenic | | The amendment to the BATCP and PAS 100 does not alter tree removal, prescribed burning, vegetation management or plant protection and fire hazard reduction provisions of Chapter 61 of |
| 129 | Prescribed Burning: Code of Ordinances Chapter 61 | WQ, AQ, Veg, Wildlife, Scenic | | the Code. |
| 130 | Remedial Vegetation Management: Code of Ordinances Chapter 61 | WQ, Veg, Wildlife | | |
| 131 | Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61 | Veg, Wildlife, Scenic | | |
| 132 | Revegetation: Code of Ordinances Chapter 61 | WQ, Veg, Wildlife, Scenic | | |
| 133 | Remedial Action Plans: <i>Code of</i> Ordinances Chapter 5 | WQ, Veg | | TRPA will continue to be responsible for preparing Remedial Action Plans, in coordination with the city, pursuant to Chapter 5 Compliance, of the TRPA Code of Ordinances. |
| 134 | Handbook of Best Management Practices | WQ, Soils/SEZ, Veg, Fish | | The Handbook of Best Management Practices will continue to be used to design and construct BMPs. |
| 135 | Shorezone protection | WQ, Soils/SEZ, Veg | | See response to Compliance Measures 43 through 50. |
| 136 | Project Review | WQ, Veg | | The amendment to the BATCP and PAS 100 will not affect project review and compliance inspection procedures. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|---------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 137 | Compliance inspections | Veg | | |
| 138 | Development Standards in the Backshore | WQ, Soils/SEZ, Veg, Wildlife, Scenic | | See response to Compliance Measures 43 through 50. |
| 139 | Land Coverage Standards: <i>Code of</i> <i>Ordinances</i> Chapter 30 | WQ, Veg, Wildlife, Fish, Scenic | | See response to Compliance Measure 11. |
| 140 | Grass Lake, Research Natural Area | WQ, Veg, Wildlife, Fish, Scenic | | N/A |
| 141 | Conservation Element, Vegetation Subelement: Goals and Policies | Veg, Wildlife, Fish | | The amendment to the BATCP and PAS 100 is consistent with the 2012 Regional Plan, including the Conservation Element and Vegetation Subelement Goals and Policies. |
| 142 | Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61 | Veg, Wildlife, Fish | | The amendment to the BATCP and PAS 100 does not make any changes to provisions of Lake Successional Old Growth and Stream Environment Zone Vegetation. |
| 143 | Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61 | WQ, Veg, Wildlife, Fish | | |
| 144 | Tahoe Yellow Cress Conservation Strategy | Veg | | The amendment to the BATCP and PAS 100 will not impact efforts to conserve the Tahoe Yellow Cress. |
| 145 | Control and/or Eliminate Noxious Weeds | Veg, Wildlife | | The amendment to the BATCP and PAS 100 will not impact efforts to control or eliminate noxious weeks. |
| 146 | Freel Peak Cushion Plant Community Protection | Veg | | N/A |
| VEGETATION | - SUPPLEMENTAL | | | |
| 147 | Deepwater Plant Protection | WQ, Veg | | See response to Compliance Measures 16 and 17 and 43 through 50. |
| WILDLIFE - IN | PLACE | | | |
| 148 | Wildlife Resources: <i>Code of</i> <i>Ordinances</i> Chapter 62 | Wildlife, Noise | | See response to Compliance Measures 16 and 17. |
| 149 | Stream Restoration Program | WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic | | The amendment to the BATCP and PAS 100 does not include any changes to the Stream Restoration Program. |
| 150 | BMP and revegetation practices | WQ, Veg, Wildlife, Fish, Scenic | | The amendment to the BATCP and PAS 100 does not include any changes to existing BMP and revegetation requirements. |
| 151 | OHV limitations | WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec | | The amendment to the BATCP and PAS 100 does not include any changes to OHV limitations. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 152 | Remedial Action Plans: Code of Ordinances Chapter 5 | Wildlife | | See response to Compliance Measure 133. |
| 153 | Project Review | Wildlife | | See response to Compliance Measure 136 and 137. |
| SHERIES - IN | PLACE | | | |
| 156 | Fish Resources: <i>Code of Ordinances</i> Chapter 63 | WQ, Fish | | See response to Compliance Measures 16 and 17. |
| 157 | Tree Removal: <i>Code of Ordinances</i> Chapter 61 | Wildlife, Fish | | The amendment to the BATCP and PAS 100 does not change tree removal provisions of Chapter 61. |
| 158 | Shorezone BMPs | WQ, Fish | | See response to Compliance Measures 43 through 50. |
| 159 | Filling and Dredging: Code of Ordinances Chapter 84 | WQ, Fish | | |
| 160 | Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84 | WQ, Fish | | |
| 161 | Restrictions on SEZ encroachment and vegetation alteration | WQ, Soils/SEZ, Fish | | See response to Compliance Measures 16 and 17. |
| 162 | SEZ Restoration Program | WQ, Soils/SEZ, Fish | | See response to Compliance Measure 14. |
| 163 | Stream restoration program | WQ, Soils/SEZ, Fish | | See response to Compliance Measures 16 and 17. |
| 164 | Riparian restoration | WQ, Soils/SEZ, Fish | | |
| 165 | Livestock: <i>Code of Ordinances</i> Chapter 64 | WQ, Soils/SEZ, Fish | | |
| 166 | BMP and revegetation practices | WQ, Fish | | See response to Compliance Measures 1 through 4. |
| 167 | Fish habitat study | Fish | | See response to Compliance Measures 16 and 17. |
| 168 | Remedial Action Plans: Code of Ordinances Chapter 5 | Fish | | See response to Compliance Measure 133. |
| 169 | Mitigation Fee Requirements: Code of Ordinances Chapter 84 | Fish | | The mitigation fee requirements formerly in Chapter 86 of the TRPA Code of Ordinances (now in the Rules of Procedure) are no being modified with the amendment to the BATCP and PAS 100. |
| 170 | Compliance inspection | Fish | | The amendment to the BATCP and PAS 100 is not modifying existing compliance or inspection programs or provisions. |
| 171 | Public Education Program | Wildlife, Fish | | The amendment to the BATCP and PAS 100 does not make any changes to the city's education and outreach efforts. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|--------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 172 | Airport noise enforcement program | Wildlife, Fish | | The amendment to the BATCP and PAS 100 is not modifying existing enforcement programs. |
| 173 | Boat noise enforcement program | Wildlife, Fish, Rec | | |
| 174 | Motor vehicle/motorcycle noise enforcement program: <i>Code of</i> <i>Ordinances</i> Chapters 5 and 23 | Wildlife, Fish | | |
| 175 | ORV restrictions | AQ, Wildlife, Noise, Rec | | The amendment to the BATCP and PAS 100 is not modifying existing ORV or snowmobile conditions. |
| 176 | Snowmobile Restrictions | WQ, Wildlife, Noise, Rec | | |
| 177 | Land use planning and controls | Wildlife, Noise | | See response to Compliance Measure 9. |
| 178 | Vehicle trip reduction programs | Trans, Noise | | The amendment to the BATCP and PAS 100 does not make any changes to vehicle trip reduction programs. |
| 179 | Transportation corridor design criteria | Trans, Noise | | The amendment to the BATCP and PAS 100 does not affect transportation corridor design. |
| 180 | Airport Master Plan South Lake Tahoe | Trans, Noise | | N/A |
| 181 | Loudspeaker restrictions | Wildlife, Noise | | The amendment to the BATCP and PAS 100 is not modifying loudspeaker restrictions. |
| 182 | Project Review | Noise | | See response to Compliance Measures 136 and 137. |
| 183 | Complaint system: Code of Ordinances Chapters 5 and 68 | Noise | | Existing complaint systems are not being modified by the amendment to the BATCP and PAS 100. |
| 184 | Transportation corridor compliance program | Trans, Noise | | None of these compliance measures will be modified with the amendment to the BATCP and PAS 100. |
| 185 | Exemptions to noise limitations | Noise | | |
| 186 | TRPA's Environmental Improvement Program (EIP) | Noise | | |
| 187 | Personal watercraft noise controls | Wildlife, Noise | | |
| NOISE - SUPPI | LEMENTAL | | | |
| 188 | Create an interagency noise enforcement MOU for the Tahoe Region. | Noise | | An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the amendment to the BATCP and PAS 100. |
| RECREATION - | - IN PLACE | | | 2 |
| 189 | Allocation of Development: <i>Code of</i> <i>Ordinances</i> Chapter 50 | Rec | | The amendment to the BATCP and PAS 100 amendment is not proposing any changes to the Basin's allocation of development system, or to directly draw from any allocation pools. |
| 190 | Master Plan Guidelines: <i>Code of</i> <i>Ordinances</i> Chapter 14 | Rec, Scenic | | The TRPA, in coordination with the city, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances. |
| 191 | Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81 | WQ, Noise, Rec | | See response to Compliance Measures 43 through 50. |

| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|---------------------------------------------------------------------------------|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 192 | Public Outdoor recreation facilities in sensitive lands | WQ, Rec, Scenic | | The amendment to the BATCP and PAS 100 is not altering provisions regarding public outdoor recreation in sensitive lands. |
| 193 | Hiking and riding facilities | Rec | | The amendment to the BATCP and PAS 100 does not alter where hiking and riding facilities are permissible. See also Compliance Measure 40. |
| 194 | Scenic quality of recreation facilities | Rec, Scenic | | The amendment to the BATCP and PAS 100 does not propose any changes to provisions related to scenic quality of recreation facilities. |
| 195 | Density standards | Rec | | The amendment to the BATCP and PAS 100 complies with all applicable density standards in Chapters 13 and 31 of the Code of Ordinances. |
| 196 | Bonus incentive program | Rec | | The amendment to the BATCP and PAS 100 does not alter existing bonus incentive programs. |
| 197 | Required Findings: <i>Code of</i> Ordinances Chapter 4 | Rec | | All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the amendment area. |
| 198 | Lake Tahoe Recreation Sign Guidelines | Rec, Scenic | | The amendment to the BATCP and PAS 100 will not impact the Lake Tahoe Recreation Sign Guidelines. |
| 199 | Annual user surveys | Rec | | The amendment to the BATCP and PAS 100 will not affect user surveys. |
| ECREATION | - SUPPLEMENTAL | | <u>a</u> | |
| 200 | Regional recreational plan | Rec | | The amendment to the BATCP and PAS 100 does not modify any portion of the Goals and Policies in the Regional Recreation Plan, which is the Recreation Element in the Regional Plan. |
| 201 | Establish fairshare resource capacity estimates | Rec | | The amendment to the BATCP and PAS 100 does not establish or alter fair share resource capacity estimates, alter reservations of |
| 202 | Reserve additional resource capacity | Rec | | additional resource capacity, or include economic modeling. |
| 203 | Economic Modeling | Rec | | |
| CENIC - IN PI | LACE | | | |
| 204 | Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2 | Scenic | | See response to Compliance Measures 136 and 137. |
| 205 | Land Coverage Limitations: Code of Ordinances Chapter 30 | WQ, Scenic | | See response to Compliance Measure 11. |
| 206 | Height Standards: <i>Code of</i> <i>Ordinances</i> Chapter 37 | Scenic | | The amendment to the BATCP and PAS 100 does not alter height standards as set forth in Chapter 30 of the TRPA Code of Ordinances. |
| 207 | Driveway and Parking Standards: Code of Ordinances Chapter 34 | Trans, Scenic | | The amendment to the BATCP and PAS 100 does not make changes to current design standards and guidelines relating to parking and driveway design. |
| 208 | Signs: <i>Code of Ordinances</i> Chapter 38 | Scenic | | The amendment to the BATCP and PAS 100 does not make any changes to Chapter 38 of the TRPA Code of Ordinances. |
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| Tracking Number | Compliance Measure Description | Affected Threshold Categories | Affected by Action (Y/N) | Comments |
|--------------------|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 210 | Design Standards: <i>Code of</i> Ordinances Chapter 36 | Scenic | | The amendment to the BATCP and PAS 100 does not make any changes to the Chapter 36 of the TRPA Code of Ordinances. |
| 211 | Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83 | Scenic | | See response to Compliance Measures 43 through 50. |
| 212 | Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84 | WQ, Scenic | | |
| 213 | Grading Standards: <i>Code of</i> <i>Ordinances</i> Chapter 33 | WQ, Scenic | | Grading and vegetation protection during construction shall continue to meet the provisions of the TRPA Code of Ordinances, Chapter 33, Grading and Construction. |
| 214 | Vegetation Protection During Construction: Code of Ordinances Chapter 33 | AQ, Veg, Scenic | | |
| 215 | Revegetation: <i>Code of Ordinances</i> Chapter 61 | Scenic | | See response to Compliance Measures 16 and 17. |
| 216 | Design Review Guidelines | Scenic | | The amendment to the BATCP and PAS 100 does not change Design Review Guidelines. |
| 217 | Scenic Quality Improvement Program(SQIP) | Scenic | | See response to Compliance Measure 194. |
| 218 | Project Review Information Packet | Scenic | | |
| 219 | Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public | Trans, Scenic | | |
| 220 | Nevada-side Utility Line Undergrounding Program | Scenic | | N/A |
| SCENIC - SUPI | PLEMENTAL | | | |
| 221 | Real Time Monitoring Program | Scenic | | No changes to the real time monitoring program are being proposed with the amendment to the BATCP and PAS 100. |
| 222 | Integrate project identified in SQIP | Scenic | | The amendment to the BATCP and PAS 100 does not alter the SQIP. |