TAHOE REGIONAL PLANNING AGENCY

TRPA
PO Box 5310
128 Market Street
Stateline, NV 89449

STAFF REPORT

Date: March 18, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: Lake Tahoe Unified School District Tahoe Valley Elementary School New Construction and Modernization Project; 943 Tahoe Island Drive, South Lake Tahoe, California; APN: 023-700-008; TRPA File #ERSP2025-1586

Summary and Staff Recommendation:
Lake Tahoe Unified School District (LTUSD) is requesting approval of the Tahoe Valley Elementary School New Construction and Modernization Project (project), which includes the construction of a new classroom building to replace existing non-permanent portable classroom buildings to be removed, modernizing existing buildings, and site improvements, at 943 Tahoe Island Drive, South Lake Tahoe, California. Staff recommends that the Governing Board make the required findings, including a finding of no significant effect, and approve the proposed project subject to the conditions in the draft permit.

Required Motions:
To approve the proposed project, the Governing Board must make the following motions, based on the staff report:

1) A motion to approve the required findings, including a finding of no significant effect (Attachment A); and

2) A motion to approve the proposed project subject to the conditions in the draft permit (Attachment B).

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

Governing Board Review:
TRPA Code, Section 2.2.2.D.1, requires the Governing Board to review and approve public service projects involving over 3,000 square feet of floor area or 3,500 square feet of new land coverage. The new building (Building C) will result in 7,310 square feet of new building floor area. Land coverage is being relocated and retired with this project. No new land coverage is being added.

Proposed Project:
LTUSD is requesting approval of the Tahoe Valley Elementary School New Construction and Modernization Project (project). The school is located at 943 Tahoe Island Drive, South Lake Tahoe, California. The site plan shows four buildings. The existing Buildings A (classrooms), B (classrooms), and MP (Multiple-Purpose) will be renovated and modernized. Building C is a proposed new building that includes six classrooms, an intervention room, and bathrooms. Nine non-permanent portable classroom buildings will be removed from the site with this project. The project also includes improvements to the parking and drop-off areas and playgrounds. The subject site is in Plan Area Statement 111 - Tahoe Island. Schools (kindergarten through secondary) are an allowed use.

Height:
The proposed new Building C will be 22 feet and 9 inches in height as measured from the low point of natural grade. The proposed height does not exceed the maximum height limitations in Chapter 37: Height of the TRPA Code. The height of the existing buildings (A, B, and MP) are not being modified with this project.

Land Coverage:
The entire site is within Land Capability District (LCD) Class 1b (stream environment zone). The existing verified land coverage on the site is 159,061 square feet. The proposed land coverage is 157,456 square feet. 960 square feet of land coverage is being relocated with the project and 480 square feet of land coverage is being permanently retired on-site to mitigate for SEZ relocation in accordance with TRPA Code, Section 30.4.4, which requires relocated coverage in an SEZ be relocated at a 1.5:1 ratio to create a net environmental benefit. The areas where coverage is being relocated have already been disturbed. Areas where coverage is being removed will be restored in accordance with the TRPA Code and BMP Handbook.

Stormwater:
The site has an existing Stormwater Best Management Practices (BMP) certificate (ref. BMP Certificate #1433, 9/23/2002). Temporary BMPs will be installed during construction and permanent BMPs will be installed with the project.

Scenic:
The proposed project is not within and will not be visible from Lake Tahoe or a scenic roadway corridor. TRPA-approved earthtone colors are proposed to be used for the exterior of the building. The subject site is surrounded by forest and existing single-family dwellings.

Defensible Space:
In accordance with City of South Lake Tahoe Fire Rescue District requirements, fire agency approval of the site will be required to confirm compliance with defensible space, access, and fire flow criteria.

Vehicle Miles Traveled:
The project does not include expanding student enrollment. Therefore, no additional vehicle miles traveled (VMT) will result from the project.

Parking:
There are 55 existing parking spaces. The proposed project will reduce parking to 49 spaces. Bike racks will be provided.

Maximum Excavation Depth:
The maximum excavation depth is 4 feet.

Environmental Review:
The applicant completed a TRPA Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the proposed project, and TRPA staff prepared an Application Review Checklist that includes the V(g) findings required under the Compact. No significant long-term environmental impacts were identified. The IEC is provided as Attachments D and the Application Review Checklist is part of the administrative record and is available at:
https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2025-1586

Project Timeline:
LTUSD plans to start the project in May of 2026.

Public Noticing:
TRPA provided property owners within 300 feet of the subject site notice that the Governing Board would be reviewing and considering approval of this project.

Project Application:
The project application is available for review at:
https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2025-1586

Contact Information:
For questions regarding this agenda item, please contact Brandy McMahon, AICP, Principal Planner, at (775) 589-5274 or bmcmahon@trpa.gov. To submit a written public comment, email publiccomment@trpa.gov with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting.

Attachments:
A. Required Findings/Rationale
B. Draft Permit
C. Proposed Plans
D. Initial Environmental Checklist

Attachment A
Required Findings/Rationale

Attachment A
Required Findings

Required Findings: The following is a list of the required findings as set forth in Chapters 4, 30, 50, and 61 of the TRPA Code of Ordinances. Following each finding, agency staff has briefly summarized the evidence on which the finding can be made.

1. Chapter 4 – Threshold 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.

    All evidence in the file and public record demonstrates that the proposed Tahoe Valley Elementary School New Construction and Modernization Project will not adversely impact the Regional Plan, is consistent with the Plan Area Statement 111 – Tahoe Island, complies with the TRPA Code of Ordinances, and will not adversely impact other TRPA plans and programs.

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

    Based on the Initial Environmental Checklist and Application Review Checklist in the administrative record, the Governing Board finds that the project will not cause the environmental threshold carrying capacities to be exceeded. The retirement of LCD 1b (stream environment zone) land coverage will be tracked by TRPA in accordance with TRPA Code, Section 4.4.2, and used to inform future threshold updates

    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.

    The proposed project will comply with all federal, state and local air and water quality standards applicable for the Tahoe Region.

2. Chapter 30 – Land Coverage

    TRPA-verified existing land coverage may be relocated on the same parcel or project area if TRPA finds that:

    A. The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to the following factors:

        1. Whether the area of relocation already has been disturbed;

2. The slope of and natural vegetation on the area of relocation;
3. The fragility of the soil on the area of relocation;
4. Whether the area of relocation appropriately fits the scheme of use of the property;

5. The relocation does not further encroach into a stream environment zone, backshore, or the setbacks established in the Code for the protection of stream environment zones or backshore;
6. The project otherwise complies with the land coverage mitigation program set forth in Section 30.6.

B. The area from which the land coverage was removed for relocation is restored in accordance with subsection 30.5.3.

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

D. If the relocation is from one portion of a stream environment zone to another portion, there is a net environmental benefit to the stream environment zone. "Net environmental benefit to a stream environment zone" is defined as an improvement in the functioning of the stream environment zone and includes, but is not limited to:

1. Relocation of coverage from a less disturbed area to a more disturbed area or to an area further away from the stream channel or water body, as applicable;
2. Retirement of land coverage in the affected stream environment zone in the amount of 1.5:1 of the amount of land coverage being relocated within a stream environment zone; or
3. For projects involving the relocation of more than 1,000 square feet of land coverage within a stream environment zone, a finding, based on a report prepared by a qualified professional, that the relocation will improve the functioning of the stream environment zone and will not negatively affect the quality of existing habitats, considering factors such as, but not limited to,soil function, hydrologic function, vegetation, and wildlife habitat.

The entire site is within Land Capability District (LCD) Class 1b (stream environment zone). The existing verified land coverage on the site is 159,061 square feet. The proposed land coverage is 157,456 square feet. 960 square feet of land coverage is being relocated with the project and 480 square feet of land coverage is being permanently retired on-site to mitigate for SEZ relocation. The areas where coverage is being relocated have already been disturbed. Areas where coverage is being removed will be restored in accordance with the TRPA Code and BMP Handbook.

3. Chapter 50 – Additional Public Service Facilities

Approval of additional public service facilities shall only be permitted for projects for which the sponsoring entity demonstrates and TRPA finds that:

a. There is a need for the project;

The project will result in the removal of nine aging portable classrooms and the construction of a new classroom building. The project will modernize aging facilities and result in improved educational infrastructure. The project is needed to serve Tahoe Valley Elementary School students.

The project complies with the Goals and Policies, applicable plan area statements, and Code; TRPA has reviewed the proposed project and found that it complies with the Regional Plan Goals and Policies, Plan Area Statement 111 – Tahoe Island, and TRPA Code.

b. The project is consistent with the TRPA Environmental Improvement Program;

The project is consistent with the Environmental Improvement Program because it includes improvements that reduce land coverage, improve stormwater management, and restore disturbed areas.

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

The findings pursuant to Article V(g) of the Compact and Chapter 4: *Required Findings*, as they are applicable to the project's service capacity, have been made above and in the Application Review Checklist.

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

The proposed project is not located within a community plan area. Thus, this finding is not applicable.

e. Where a public service project is proposed for construction in a community plan area before the community plan has been adopted by TRPA, the sponsoring entity shall demonstrate that the need for such a construction schedule outweighs the need for the prior completion of the community plan process.

The proposed project is not located within a community plan area. Thus, this finding is not applicable.

4. Chapter 61 – Tree Removal

Tree removal for development in conjunction with a TRPA permit shall be in accordance with the provisions of Chapter 61: *Vegetation and Forest Health* and Section 33.6: *Vegetation Protection During Construction*.

The proposed project requires the removal of 31 trees, including six trees greater than 14 inches at breast height (dbh). Trees to be removed are located adjacent to the existing school facilities and do not provide known habitat for sensitive wildlife (ref. IEC). The landscape plan includes the planting of 29 new trees and the revegetation of areas where coverage is removed. The applicant is required to install vegetation protection during construction to protect trees in the vicinity of the construction project that are not approved for removal.

Attachment B
Draft Permit

Draft Permit

PROJECT DESCRIPTION: Tahoe Valley Elementary School New Construction and Modernization Project

PERMITTEE(S): Lake Tahoe Unified School District APN: 023-700-008

CITY/LOCATION: City of South Lake Tahoe/943 Tahoe Island Drive FILE #: ERSP2025-1586

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

This permit shall expire on _____, 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 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) THE PERMITTEE OBTAINS A BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A BUILDING PERMIT. THE STATE 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.

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Signature of Permittee(s) Date

(wet signature required)

PERMIT CONTINUED ON NEXT PAGE

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APN: 023-700-008

FILE NO. ERSP2025-1586

Security Posted (1): Amount $_____ Paid _____ Receipt No. _____

Excess Coverage Mitigation Fee (2): Amount $31,372.89___Paid _____ Receipt No. _____

Security Administration Fee (3): Amount $ _____ Paid _____Receipt No. _____

Notes:

(1) To be calculated. See Special Condition 3.A, below.
(2) To be calculated. See Special Condition 3.B, below.
(3) Refer to the TRPA Fee Schedule for the current security administration fee.

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 and is eligible for a county building permit:

_____ _____

TRPA Executive Director/Designee Date

SPECIAL CONDITIONS

1. This permit is for the Lake Tahoe Unified School District (LTUSD) Tahoe Valley Elementary School New Construction and Modernization Project (project). The Elementary School is located at 943 Tahoe Island Drive, South Lake Tahoe, California. The site plan shows four buildings. The existing Buildings A (classrooms), B (classrooms), and MB (Multiple-Purpose) will be renovated and modernized. Building C is a proposed new building that includes six classrooms, an intervention room, and bathrooms. Nine existing portable classrooms will be removed with this project. The project also includes improvements to the parking and drop-off areas and playgrounds. The project site is entirely within Land Capability District (LCD) Class 1b (stream environment zone). The project will result in 157,456 square feet of land coverage. As required by TRPA Code, Section 30.4.4, relocated land coverage must be retired at a 1.5:1 ratio in a stream environment zone (SEZ). With this project, 480 square feet of land coverage is being permanently retired to mitigate the 960 square feet of land coverage being relocated. 1,125 square feet of land coverage will remain banked on-site. Temporary and permanent Best Management Practices (BMPs) will be installed with the project.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

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3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

A. The security required under Standard Condition I.B. of Attachment Q shall be equal to 110% of the estimated BMP cost and shall be determined upon the permittee's submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

B. The affected property has 151,171 square feet of excess coverage (153,835 square feet of excess coverage – 2,184 square feet of excess coverage previously mitigated under TRPA File #970310 & #980320 – 480 square feet of land coverage being permanently retired on-site with this project). The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area – Upper Truckee or in a different hydrologically related area provided the restoration occurs on more sensitive land than the project area or by submitting an excess coverage mitigation fee.

<u>To calculate the amount of excess coverage to be removed, use the following formula</u>:

Estimated project construction cost multiplied by the fee percentage of 4.5% (as identified in Table 30.6.1, Chapter 30 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

<u>An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows</u>:

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of $8.50 for projects within Hydrologic Transfer Area – Upper Truckee. Please provide a construction cost estimate for the structural elements of the structure by your licensed contractor, architect or engineer. The structural elements include, without limitation: pier pilings, bracing and supports, bearing walls, rafters, foundations, and base materials under asphalt or concrete. In no case shall the mitigation fee be less than $200.00.

C. The construction staging area shall be shown on the plans.

D. The maximum excavation depth shall be shown on the plans.

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E. The permittee shall submit a project construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.

F. A BMP Inspection and Maintenance Plan shall be submitted detailing the maintenance requirements and schedules for all BMPs installed on the property. Refer to tahoebmp.org for an example maintenance plan.

G. commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.

H. A BMP Inspection and Maintenance Plan shall be submitted detailing the maintenance requirements and schedules for all BMPs installed on the property. Refer to tahoebmp.org for an example maintenance plan.

I. The plans shall include the following note:

All exterior lighting shall be consistent with TRPA Code of Ordinances, Section 36.8: *Exterior Lighting Standards*. Specifically, all exterior lighting shall be fully shielded and directed downward so as not to produce obtrusive glare onto adjoining properties.

J. Exterior lighting details shall be provided to TRPA.

K. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:

(1) Color: The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, and umber.

(2) Roofs: Roofs shall be composed of non-glare earthtone or woodtone materials that minimize reflectivity.

(3) Fences: Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.

L. The permittee shall e-mail one final set of plans to TRPA for electronic stamping.

4. Maximum excavation depths shall not exceed four feet.

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5. No off-pavement parking is authorized with this permit. At the direction of the Environmental Compliance Inspector, parking barriers may need to be installed to prevent off-pavement parking.

6. Temporary and permanent BMPs may be field fit by the Environmental Compliance Inspector where appropriate.

7. Prior to security release, photos shall be provided to TRPA taken during the construction of any subsurface BMPs or of any trenching and backfilling with gravel.

8. All BMPs shall be maintained in perpetuity to ensure effectiveness which may require BMPs to be periodically reinstalled or replaced.

9. 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.

10. 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 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

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Attachment C
Proposed Plans

Attachment D

Initial Environmental Checklist